

Tabled 26/11.

**Before the Whangarei District Council Hearings Committee**

**In the Matter** of the Resource Management Act 1991 (RMA)

**And**

**In the Matter** of Proposed Plan Changes 88, 109, 115, 136 and 148  
(Whangarei District Plan).

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**Evidence of Ken Orr on behalf of Town Centre Properties**

**Dated 26 November 2019**

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## Introduction

1. My full name is Kenneth Arthur Orr. I am a pharmacist. I am also a Board member of the Manaia Health PHO Ltd and a long-time resident of Bream Bay. Together with my family we own Town Centre Properties Ltd (TCPL). TCPL owns the land comprising the existing Ruakaka shops (shown in Figure 1 below).

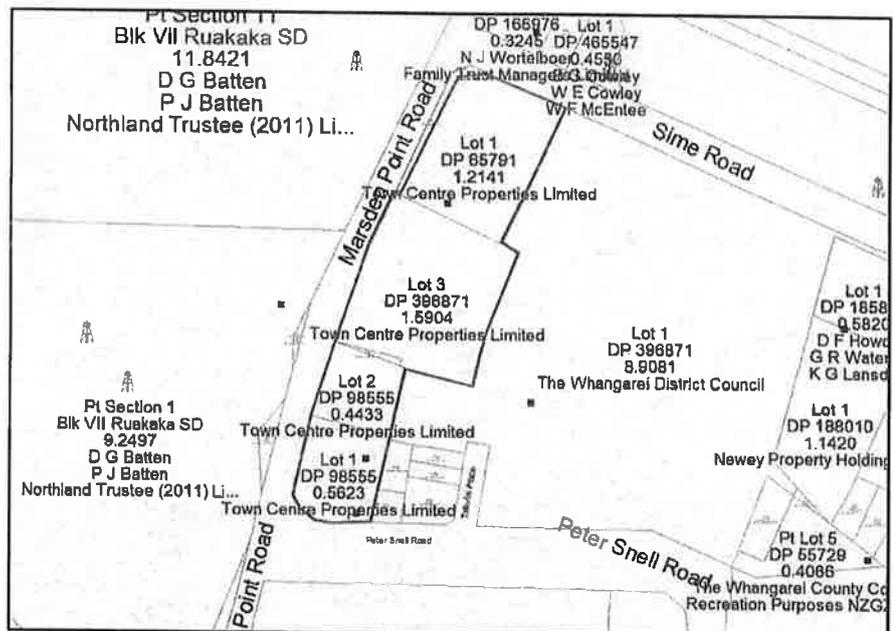


Figure 1: Town Centre Properties Ltd Ruakaka landholding

2. I have read both the primary submission and further evidence filed on behalf of Southpark Ltd. I understand from these documents that Southpark Ltd are seeking that the TCPL land be zoned Neighbourhood Centre (NCZ) instead of the Local Centre Zone (LCZ) proposed under the notified version of the urban plan changes.
3. The purpose of my evidence is to outline the history of the Ruakaka Town Centre and my observations in respect to some of the points made in the evidence.

## History

4. The Ruakaka Town Centre was built in 1983 on what was the Sime Family Farm. This land was purchased by the WDC and then zoned for the Ruakaka Town Centre to be established. Land was successively sold by the WDC to

TCPL with a Business 3 zoning for the purpose of meeting the expanding community's retail and service needs. WDC built a Council Service Centre and Community Library in the block to serve the wider south Whangarei community.

5. The land was valued as Business 3, then sold based on that zoning. The intention of all parties was that this is and would remain the Ruakaka Town Centre as it has been for 35 years. In the 1990s the Business 3 zone was reduced to 6.5 hectares where previously all the land through to Kepa Road was zoned for commercial activity. This was to recognise the existing use of the Ruakaka Recreation Centre.
6. The Business 3 zone allows for the existing Town Centre and for this to extend over the whole site. At 6.5 hectares the Ruakaka Town Centre was never envisaged as a Neighbourhood Centre. As I understand it, the existing Ruakaka Town Centre is more appropriately zoned Local Centre than Neighbourhood Centre due to the existing uses which include supermarket, health (medical centre, dentist, pharmacy etc), banking, supporting retail and office services, education, sport, central and local government services, police etc.
7. Key community activities located within the Ruakaka Town Centre community hub/node include Bream Bay College, Bream Bay Kindergarten, Ruakaka Police Station, Ruakaka Recreation Centre, Ruakaka Library, Whangarei District Council Service Centre with local body services, and the Bream Bay Community Trust. Also the Bream Bay Community Trust provides a hub for government organisations including MSD, MOE, Corrections, DHB, and there are also social workers, mental health services, Plunket, youth groups and workers, counsellors, Ki A Ora Ngatiwai Health Services, budgeters, parenting programs, before school checks, narcotics anonymous, meth counselling etc. None of these existing uses are compatible with a Neighbourhood Centre.
8. Parts of the Ruakaka Town Centre have significant infrastructural investment from local and central government making it highly unlikely that they will shift from existing sites. Examples include Bream Bay College, WDC Service Centre,

Ruakaka Recreation Centre, Bream Bay Community Trust, Police and the Bream Bay Kindergarten.

**Agreements in place**

9. Current plans agreed with WDC enable the extension of Takutai Place from Peter Snell Road through to Sime Road. This allows for public parking and opens customer and delivery access to all four sides of the Ruakaka Town Centre while enhancing a pedestrian and biking friendly connection for all parties in the community hub.
10. Town Centre Properties already has an agreement in place with the existing operators of the current Fresh Choice Supermarket for a new supermarket to be built on site at over twice the size based on the current commercial 3 zoning. Adjacent land will be reserved to expand the supermarket further when required. The agreement to build the new Supermarket is supported by the current Business 3 zoning.

**Future benefits of the land**

11. The WDC still owns 3 hectares of the land zoned Business 3 at the Ruakaka Town Centre which has significant ratepayer value. Once Takutai Place extends from Peter Snell Road to Sime Road the value of this land will increase further due to improved direct access. WDC should be a prudent owner and reserve the value of this land for its long-intended use. The Sports fields are and can be effective buffer zones to provide separation between industrial, retail and residential uses while providing overland stormwater areas for extreme weather events. The current position or proposed new position at Tiki Place will retain this benefit. The value of this land could be released to support the development of the Ruakaka Recreation Centre buildings and fields on Tiki Place adjacent to the skate park and Kepa Road.



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Ken Orr

This 26<sup>th</sup> day of November 2019

Encl. Timeline

### Town Centre Properties timeline

Date	Event
1983	Sime Family farm purchased by WDC and zoned Business 3. The first Ruakaka courtyard of shops built and leased. (4-Square; Butcher, Restaurant, Pharmacy; Medical Centre; Physio, Bank, Garden Centre, Takeaway food etc.
1989	Town Centre extension on to lot 2 (7 new premises)
2006	New supermarket on lot 2
2007	Lot 3 bought from WDC
2011	Medical Centre expanded with a larger Pharmacy on lot 2
2010	30/50 Sustainable Futures document adopted by WDC. Found there was no need to further zone commercial land in Ruakaka/ Marsden Point for the next 50 years.
2010	Ruakaka Tavern site (lot 4) purchased to complete the Ruakaka Town Centre block
2012?	Marsden City promoted as a self-chosen title by the then developer who was subsequently liquidated.
2016	Four new shops built on lot 3 and Laundromat opened in Ruakaka Tavern buildings
2018	Educare Childcare centre opened on lot 3
2019	Roading spit and drain adjoining lot 4 bought from WDC to square up the Ruakaka Town Centre block.
2020	Larger supermarket build starts

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(Whangarei District Plan).

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**Evidence of Brett Lewis Hood on behalf of Town Centre Properties Ltd**

**Dated 26<sup>th</sup> November 2019**

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Reyburn and Bryant 1999 Ltd  
PO Box 191, Whangarei  
Email: [brett@reyburnandbryant.co.nz](mailto:brett@reyburnandbryant.co.nz)

### **Introduction**

1. My full name is Brett Lewis Hood. I am a planner. I hold a Bachelor of Social Science (Geography) from the University of Waikato and a Master of Philosophy (Resources and Environmental Planning) from Massey University. I am a full member of the New Zealand Planning Institute (MNZPI).
2. I have 21 years of experience as a planning consultant in the Northland and Auckland regions. My role has typically been to lead project teams through various resource consent, notice of requirement, and plan change processes, and to provide environmental and strategic planning advice for these projects.
3. I am familiar with the area to which the application for resource consent relates. I have visited the site and surrounds on many occasions, most recently on 6 November 2019.
4. I record that I have read and agree to abide by the Environment Court's Code of Conduct for Expert Witnesses as specified in the Environment Court's Practice Note 2014. This evidence is within my area of expertise, except where I state that I rely upon the evidence of other expert witness as presented to this hearing. I have not omitted to consider any material facts known to me that might alter or detract from the opinions expressed.

### **Purpose**

5. The purpose of this evidence is to respond to the evidence filed on behalf of Southpark Corporation Ltd (SCL).<sup>1</sup>

### **SCL submission and evidence**

6. SCL made a primary submission requesting that the existing Ruakaka Town Centre shops be zoned Neighbourhood Centre Zone (NCZ) rather than Local Centre Zone (LCZ). The reasons given for this in the primary SCL submission were:
  - a. The overall area of the Ruakaka Town Centre shops is larger than the 2-

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<sup>1</sup> Southpark Corporation Ltd 154 and X359

6ha identified for LCZ in the supporting policies.

- b. While the existing Ruakaka Town Centre shops footprint is larger than the 1ha maximum specified in the NCL policy, this can be changed.
  - c. 30/50, the Ruakaka Structure Plan, and the existing higher order District Plan objectives identify the 'Marsden Primary Centre' as the secondary satellite town.
  - d. Further development of the Ruakaka Town Centre shops could have significant implications for the vitality and viability of the Marsden Primary Centre.
7. SCL have now filed both economic<sup>2</sup> and planning<sup>3</sup> evidence in support of the primary submission. The executive summary of Mr Robert's evidence reinforces the SCL rationale for rezoning the Ruakaka Town Centre shops NCZ, specifically:
- a. Further development of the Ruakaka Town Centre shops will be contrary to the existing "commercial hierarchy" adopted by the Council in its strategic direction for growth (30/50 and the Marsden Point-Ruakaka Structure Plan) and the higher order policies of the District Plan.<sup>4</sup>
  - b. Applying the NCZ better reflects the role of the Ruakaka Town Centre shops as a local convenience centre designed primarily to serve the day to day needs of the local community.<sup>5</sup>

#### **Trade competition**

8. Clause 6(4) of the First Schedule to the RMA (below) places a limitation on persons making submissions, except where they are directly affected by an effect on the environment and where that does not relate to trade competition or the effects of trade competition.

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<sup>2</sup> EIC T Heath

<sup>3</sup> EIC N Roberts

<sup>4</sup> EIC N Roberts para 4.3

<sup>5</sup> EIC N Roberts para 4.4

#### **6 Making of submissions under clause 5**

(1) Once a proposed policy statement or plan is publicly notified under clause 5, the persons described in subclauses (2) to (4) may make a submission on it to the relevant local authority.

(2) The local authority in its own area may make a submission.

(3) Any other person may make a submission but, if the person could gain an advantage in trade competition through the submission, the person's right to make a submission is limited by subclause (4).

(4) A person who could gain an advantage in trade competition through the submission may make a submission only if directly affected by an effect of the proposed policy statement or plan that—

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

(5) A submission must be in the prescribed form.

9. Trade competition effects are to be disregarded under s104(3)(A) of the RMA.
10. Mr Heath considers that further development of the Ruakaka Town Centre shops will result in what he calls "retail distributional effects", as distinct from "trade competition effects". He makes the distinction between the two concepts in paragraph 15.5 of his evidence, noting that Environment Court case law has made it clear that retail distributional effects must be *significant* before they could properly be regarded as going beyond the effects ordinarily associated with trade competition.<sup>6</sup> He then goes on to conclude in paragraph 18.5 of this evidence that *"the adverse effects (of zoning the Ruakaka Town Centre shops LCZ) go well beyond trade competition in my view as the ongoing expansion of Ruakaka means the centre roles and function of the respective centres as identified in the District Plan cannot be delivered. The hierarchy and centre network for the area would in effect be compromised and, at worst, may be transposed"*.
11. In my opinion, the original submission and subsequent evidence of SCL is clearly motivated by trade competition. The Ruakaka Town Centre shops are not new. As covered in the evidence of Mr Orr, they existed nearly 30 years before the 'Marsden Primary Centre' was conceived. The shops are zoned Business 3 in the Operative District Plan because that is the only zone applied to all commercial centres in the Operative District Plan. The 'Marsden Primary Centre' on the other hand is a bespoke zone advanced as part of a private plan

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<sup>6</sup> EICT Heath Para 15.5

change. The name 'Marsden Primary Centre' was advanced by the applicant in that case, not the Council. It is not an existing centre because no development has taken place since it was introduced to the plan 7 years ago.

12. Contrary to the opinion advanced by Mr Roberts<sup>7</sup>, the 'Business 3' zone that currently applies to the Ruakaka Town Centre shops does not just apply to areas that are envisioned to provide convenience retail. In fact, 'Business 3' is the zone in the Operative Plan that applies to most suburban shopping centres, including Tikipunga (which includes a Countdown), Regent (which includes a New World and Countdown), Kensington (which used to include a Countdown and now accommodates a major retail development), and the Okara bulk format retail development (which also contains a Countdown).
13. In case the committee considers that the SCL submission and evidence in respect to the Ruakaka Town Centre shops LCZ is not trade competition, I will now traverse the relevant planning matters raised in Mr Roberts evidence and respond as follows.

#### **Sustainable Futures 30/50**

14. Mr Roberts refers to the vision for the Marsden Point/Ruakaka area in 30/50 which was *"to promote a well-designed and well-managed public realm that contributes to a healthy, safe and attractive place where business, social and cultural life can flourish"* and that *"providing for the development of a primary mixed use centre in Marsden Point which can integrate the hierarchy of density, diversity of residences, and a mix of uses, within a well-connected and coherent public transport, walking and cycling network is one of the key components to achieving this vision"*.<sup>8</sup> Mr Roberts considers that the Council gave effect to this vision through the introduction of the 'Marsden Primary Centre' zone.<sup>9</sup>
15. The 30/50 'Sustainable Futures' document was adopted by the Council in 2010. The document contains a section entitled *"Satellite Town – Marsden*

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<sup>7</sup> EIC N Roberts para 6.9

<sup>8</sup> 30/50 Sustainable Futures, Page 169

<sup>9</sup> EIC N Roberts para 6.5

*Point-Ruakaka*". Under a subheading "Economy" "Business Profile and Projections"<sup>10</sup> it states that:

Marsden Point/Ruakaka has a reasonably sizable commercial community, especially when compared with the size of the permanent population. Two small local business centres are located in the node; one being the existing primary centre at Ruakaka, and the other is the existing/ proposed extended centre near the One Tree Point residential area. These centres are the most important commercial areas in the south of the district apart from Waipu, and the distance from the Whangarei CBD necessitates additional services be provided. (my emphasis).

16. The same section states that:

based on the employee projections for Marsden Point/Ruakaka and an employee density of 17, there is no necessity to increase business zoned land in Marsden Point/Ruakaka over the next 50 years. Any future business land requirements could be met by developing existing vacant business land. As mentioned earlier there may be a need for further commercial/retail land to be zoned over the medium term.

17. Based on this statement, it is difficult to see how the subsequent introduction of the self-titled 'Marsden Primary Centre' via a private plan change in 2012 "gave effect to" 30/50 when only 2 years earlier 30/50 had concluded that there was no necessity to increase business zoned land in Marsden Point-Ruakaka over the next 50 years. Given that development between 2010 and 2012 was virtually non-existent due to the recession, this indicates that the 'Marsden Primary Centre' was a speculative proposition rather than one designed to give effect to the Growth Strategy. The fact that no commercial development has taken place in the 'Marsden Primary Centre' commercial area since it was conceived is the subsequent real-world confirmation of this.

18. Mr Roberts suggests that there should be a change to objective SD03 to include special recognition of the 'Marsden Primary Centre' and not doing so would not accurately give effect to and reflect that Growth Strategy.<sup>11</sup> He goes on to say that not specifically recognising the 'Marsden Primary Centre' "*may be interpreted as constituting a rejection of the growth strategy in so far as it applies to the Marsden Primary Centre*".<sup>12</sup> Putting aside the fact that there is

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<sup>10</sup> 30/50 Sustainable Futures, Page 170

<sup>11</sup> EIC N Roberts para 7.2

<sup>12</sup> EIC N Roberts para 7.2

no statutory obligation to “give effect to” a growth strategy, this cannot be the case in any event because the Growth Strategy was prepared before the self-titled ‘Marsden Primary Centre’ was even conceived.

#### **Draft Whangarei District Growth Strategy**

19. There is nothing in the Draft Whangarei District Growth Strategy that refers specifically to the Marsden Primary Centre or any intended hierarchy.

#### **Operative Whangarei District Plan 2007**

20. Mr Roberts refers to the District Plan where it identifies Marsden Point – Ruakaka as *“a primary suburban node that will take on a role as a major employment node, retail centre and hub for community, recreational and entertainment facilities. As such the WDP zones the land identified for this purpose, including Southpark’s land, as Marsden Primary Centre”*.<sup>13</sup>
21. While there is nothing fundamentally incorrect about Mr Roberts statement, it is misleading. The commercial (Business 3) zoned land that existed at the time that the plan became operative in 2007 was the land occupied by the Ruakaka Town Centre shops. There is no reference to the ‘Marsden Primary Centre’ zone in any of the overall strategic policy provisions in the operative plan other than those contained in the ‘Marsden Primary Centre’ chapter itself. The notion that the self-titled ‘Marsden Primary Centre’ was to be the primary suburban centre referred to in the District Plan has no District Plan basis whatsoever.
22. Mr Roberts’ statement that the District Plan identifies the Ruakaka Town Centre shops as a secondary suburban centre is also incorrect. There is in fact no specific reference to the Ruakaka Town Centre shops in the District Plan. Furthermore, Mr Roberts appears to be suggesting that a secondary suburban centre would be (by implication) “secondary” to the self-titled Marsden Primary Centre, which of course could not be the case given that the notion of secondary suburban centres was introduced to the plan in 2010, two years

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<sup>13</sup> EIC N Roberts para 6.7

before the Marsden Primary Centre was introduced in 2012.

### **Marsden Point – Ruakaka Structure Plan**

23. The Marsden Point - Ruakaka Structure Plan was funded by the proponents of the Marsden Primary Centre plan change. It is now more than 10 years old and, as I understand it, is in the early throws of being reviewed.

24. For the record, the Structure Plan states (in respect to the Ruakaka and One Tree Point commercial areas):

These local centres, each covering some 5-10 ha in area, would typically include a medium-sized supermarket and 20-40 small footprint shops and service outlets, community facilities and services, public open spaces and parks, a college, and should generally be devoid of large footprint retailing. In this regard the existing Ruakaka centre is well placed to fulfil a local centre role, and has the added advantage of having the capacity to expand.

25. This statement can be reconciled with the proposed Ruakaka Town Centre shops LCZ which covers an area of 7.5ha.

26. As indicated by Mr Roberts, the Structure Plan was prepared with a 30-40 year planning horizon in mind. Based on the economic evidence provided by Mr Heath, and the lack of any development over the seven years since the 'Marsden Primary Centre' was introduced to the plan, it was clearly well ahead of its time, and remains that way.

### **Impacts on the viability and vitality of the Marsden Primary Centre**

27. Mr Roberts suggests amendments to the LCZ provisions to ensure that local centres do not undermine the vitality and viability of the Marsden Primary Centre.<sup>14</sup> Mr Roberts disagrees with the suggestion in the s42A report that there is no significant risk of development of the Ruakaka Town Centre Shops undermining the vitality and viability of the Marsden Primary Centre over the life of the plan.<sup>15</sup> However, the evidence suggests otherwise, where not only has there been no development within the Marsden Primary Centre commercial area over the first seven years of its existence, the economic

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<sup>14</sup> EIC N Roberts, para 7.3

<sup>15</sup> Section 42A – Part 2: Paras 54,107

evidence provided by Mr Heath suggests that there will be no need for additional commercial development over the next 10 years either.

28. In regard to vitality and viability, Chapter 6 of the Operative District Plan contains the following relevant objective:

**Objective 6.3.10** Manage the location of retail activities to ensure they support a consolidated urban form, and support long-term vitality and viability of existing centres. *(my emphasis)*.

29. This objective was in existence when the 'Marsden Primary Centre' was introduced to the District Plan. As I have identified earlier in this evidence, the Ruakaka Town Centre shops had already existed for nearly 30 years at this point, and yet the potential impact of the 'Marsden Primary Centre' on the vitality and viability of these existing shops did not preclude the land being rezoned regardless. The reality is that the 'Marsden Primary Centre' was not needed at the time that it was introduced to the District Plan and, based on the economic evidence provided by Mr Heath, it is not needed today. In response, Southpark is trying to stop all other commercial development so that it can kick start development on its own land.

30. Mr Roberts refers to a private plan change that is currently being promulgated by SCL to "*enable the delivery of a viable and sustainable town centre in the Ruakaka/Marsden Point area*". Because this plan change has not yet been lodged it cannot be taken account of in these proceedings. Furthermore, the evidence of Mr Heath suggests that there is no need for any commercial land in the 'Marsden Primary Centre' catchment area over the next 10-year period. Therefore, based on its own economic analysis, it might be wise for SCL to reconsider the inclusion of commercial land in the 'Marsden Primary Centre' this time around and focus on other forms of land use for which there is demand.

31. Mr Roberts states that "*the Ruakaka Shops are more aligned with the Neighbourhood Commercial Zone as they are primarily designed to service the local Ruakaka township and consist of largely convenience based retail including a small supermarket, medical centre and a pharmacy as well as financial, real estate and food and beverage services*". He also states that "*The*

*Ruakaka shops have served a wider catchment only because the Marsden Primary Centre is yet to develop fully*".<sup>16</sup> Of course, more accurately, the 'Marsden Primary Centre' commercial area is yet to develop *at all*.

32. Mr Roberts' view that the Ruakaka Town Centre shops is more aligned with the NCZ is curious given that the Overview section of the LCZ specifically refers to the Ruakaka Town Centre shops:

**Ruakaka**

Ruakaka LC Local Centre Zone is situated on the corner of Marsden Point Road and Peter Snell Road opposite the Bream Bay High School. It contains a range of retail, food and beverage and service activities, including a supermarket, bank, medical centre, kindergarten and police station. Most of the shops are connected by pedestrian walkways and verandas, with a large on-site parking area to the front of the buildings. A recreational area adjoins the LC Local Centre Zone on Peter Snell Road.

33. Furthermore, there is nothing in the LCZ chapter or the 'District Growth and Development' chapter (PC148) to suggest that the Ruakaka Town Centre shops should be zoned NCZ. In my opinion, it is a convenient but ultimately baseless proposition that it be zoned anything other than LCZ.
34. In my opinion, the alternative relief suggested by Mr Roberts in his paragraphs 7.13-7.14 that the Ruakaka Town Centre shops could be stopped from further expansion by a precinct is completely inappropriate, and another clear indication that the SCL submission is motivated by trade competition and nothing more. For that reason, I consider that the submission should be disregarded. However, even if it was to be considered as something other than trade competition, in my opinion the planning analysis provided by Mr Roberts does not bear scrutiny.



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Brett Hood (Planner)

This 26<sup>th</sup> day of November 2019

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<sup>16</sup> EIC N Roberts Para 7.9

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**Evidence of Brett Lewis Hood on behalf of Town Centre Properties Ltd**

**Dated 26<sup>th</sup> November 2019**

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Reyburn and Bryant 1999 Ltd  
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### **Introduction**

1. The purpose of my tabled evidence is to respond to the evidence filed on behalf of Southpark Corporation Ltd (SCL).<sup>1</sup>

### **SCL submission and evidence**

2. SCL own the Marsden Primary Centre. This is a self-titled zone located on One Tree Point Road and SH15. Town Centre Properties Ltd owns the existing Ruakaka Town Centre shops (the “Ruakaka shops”. A plan showing the location of the two landholdings is **attached**.
3. SCL says that the Ruakaka shops should be zoned NCZ rather than LCZ, because enabling further development of the Ruakaka shops might undermine the viability and vitality of the Marsden Primary Centre. They cite provisions in the Whangarei Growth Strategy (30/50), the Ruakaka Structure Plan (both non-statutory), and the Operative District Plan (2007) to support their case.

### **Trade competition**

4. My evidence concludes that the submission is motivated by trade competition and that Clause 6(4) of the RMA applies. SCL says that their concern lies with what it calls “retail distribution effects”. In essence, supported by economic evidence, SCL contend that the existing and future population catchment is not big enough for both the Ruakaka shops and the Marsden Primary Centre, and so the Ruakaka shops should be prevented from further expansion.
5. In case the committee sees the SCL submission as something other than trade competition, my evidence (supported by the evidence of Mr Orr) traverses the history of both the Ruakaka shops and the Marsden Primary Centre, and the relevant non-statutory and statutory planning provisions cited in the SCL evidence.

### **Sustainable Futures 30/50**

6. The SCL evidence refers to various provisions in the Whangarei Growth

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<sup>1</sup> Southpark Corporation Ltd 154 and X359

Strategy 30/50 (2010). They consider that the Council gave effect to this vision through the introduction of the 'Marsden Primary Centre' zone and that zoning the Ruakaka shops LCZ could constitute a rejection of the growth strategy.<sup>2</sup> My evidence makes the point though that 30/50 makes no mention of the Marsden Primary Centre, but it does refer to the importance of the Ruakaka shops (referring to it as the "existing primary centre"). The notion that zoning the Ruakaka shops LCZ constitutes a rejection of the growth strategy does not bear scrutiny.

### **Draft Whangarei District Growth Strategy**

7. SCL refers to the Draft Whangarei District Growth Strategy. However, this document does not refer to the Marsden Primary Centre or any intended hierarchy of centres.

### **Operative Whangarei District Plan 2007**

8. SCL cites provisions in the Operative District Plan that they say supports the Ruakaka shops being downgraded to NCZ in favour of the Marsden Primary Centre zone. My evidence makes the point that there is no reference to the 'Marsden Primary Centre' zone in any of the overall strategic policy provisions in the operative plan other than those contained in the 'Marsden Primary Centre' chapter itself. This is not surprising though, as the strategic provisions of the District Plan pre-date the introduction of Marsden Primary Centre zone. My evidence concludes that there is no District Plan basis for the 'Marsden Primary Centre' being the primary suburban centre in Marsden Point-Ruakaka, and certainly not at the expense of other existing centres.

### **Marsden Point – Ruakaka Structure Plan**

9. SCL cites the non-statutory Marsden Point-Ruakaka Structure in support of their contention that the Ruakaka shops being downgraded to NCZ. My evidence makes the point that the Structure Plan was funded by the proponents of the Marsden Primary Centre plan change, it is now more than 10 years old (and nothing has occurred on the Marsden Primary Centre during

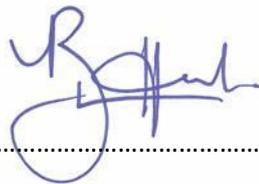
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<sup>2</sup> EIC N Roberts para 6.5

that time) and, as I understand it, it is in the early throws of being reviewed. Notwithstanding this, my evidence also confirms that the Structure Plan refers to the Ruakaka shops as a “local centre” covering 5-10ha in area and that it is *“well placed to fulfil a local centre role, and it has the added advantage of having the capacity to expand”*. My evidence makes the point that this accurately describes the proposed LCZ zone for the Ruakaka shops which is 7.5ha in size.

#### **Impacts on the viability and vitality of the Marsden Primary Centre**

10. My evidence states, as a matter of fact, that no development has occurred in the Marsden Primary Centre over the 7 years since its introduction to the District Plan. The District Plan contains an objective (6.3.10) which is concerned with supporting the *“long-term vitality and viability of existing centres”*. However, other than the fact that it has “centre” in its name, it cannot be said that the Marsden Primary Centre is a “centre” for purpose of this objective when the centre does not actually exist. It does apply to the Ruakaka shops though, because that is the existing centre that has existed for the last 30 years.
11. My evidence concludes that there is nothing in the LCZ chapter or the ‘District Growth and Development’ chapter (PC148) to suggest that the Ruakaka Town Centre shops should be zoned anything other than LCZ.



.....  
Brett Hood (Planner)

This 26<sup>th</sup> day of November 2019