

Before the New Plymouth District Council

Independent Hearing Commissioners

PPC18/00048

Under the Resource Management Act 1991 (**RMA**)

In the matter of an application by Oākura Farm Park Limited to vary or cancel Condition 4 of Consent Notice Instrument No. 9696907.4 on Lot 29 DP 497629

And

In the matter of Proposed Private Plan Change 48 to the New Plymouth District Plan requested by Oakura Farm Park Limited for the proposed rezoning of land at Wairau Road, Oākura

Statement of Sam Ross Dixon

24th July 2019

1 INTRODUCTION

Ko Taranaki te mounga

Ko Oakura te awa

Ko Te Tai-o-Rēhua te moana

Ko Belle Creole te waka

Ko Pākehā toku iwi

Ko Kaitake te papakainga

Ko Murray toku matua

Ko Gaylene toku whaea

Ko Dixon toku whānau

No Oakura ahau

Ko Sam Dixon toku ingoa

No reira, tēnā koutou, tēnā koutou, tēnā tātou katoa

2 MY RELATIONSHIP TO OAKURA

2.1 My name is Sam Ross Dixon. I am a resident of Oakura and a professional environmental planner employed by WSP Opus.

2.2 I have lived in Oakura since the age of 4 years when my parents moved from Dunedin in 1981. They were drawn to Taranaki by the opportunity for an alternative lifestyle. They purchased a small block of dairy land on Kaitake Road where they established one of NZ's first certified organic Kiwifruit orchards. My parents were originally attracted to live in Oakura because of its relaxed village sense of place, the people, its productive fertile soils for horticulture, its sheltered climatic position, the beach and easy access and connectedness to village amenities. I attended Oakura Playcentre, and Oakura School.

2.3 I was lucky to enjoy a wonderful upbringing in rural Oakura where as a child I had free and easy access to open spacious farmland on

Kaitake Road, Surrey Hill Road and Wairau Road. I also enjoyed exploring the Oakura River, the Kaitake Ranges and of course the beach which I still consider to be one of the best in the world.

2.4 I returned to live permanently in Oakura in 2003. My wife and I built a house on Surrey Hill Road in 2005 and have since moved around the corner into our family "homestead" on Kaitake Road. We have four children, three of which attend Oakura School and one which attends Oakura Kindergarten.

2.5 The land that my parents purchased in 1981 continues to be used by our family for organic horticulture and food production. My younger brother Toby has continued the legacy and he now runs the land as an organic market garden known as Kaitake Farm.

3 QUALIFICATIONS AND EXPERIENCE

3.1 My relevant qualifications include a degree in Resource Management and Environmental Planning from Massey University (1998) and certificate level qualifications in environmental management systems and auditing.

3.2 I have practiced as an environmental planner, environmental advisor and project manager for the past 18 years. For the past 8 years I have been employed as a senior environmental planner by WSP Opus in New Plymouth¹.

3.3 Throughout my professional career, I have provided expert planning advice in relation to many matters where an assessment of the effects of proposed land development on the landscape, natural character, visual amenity values, traffic environment and infrastructure and servicing is required. One of the more significant and challenging projects within the Taranaki region that I have worked on recently is the Mt Messenger Bypass Project where I

¹ WSP Opus is a multi-disciplinary design, planning, engineering and environmental services consultancy employing over 1800 professionals operating from 40 offices throughout New Zealand.

- 5.4 In the *Kaitake Community Plan: A Thirty Year Vision 2017* it emphasises that rapid and widespread expansion would negatively affect the special character of Oākura and adversely impact on matters such as education services, traffic and environmental assets. These are the very issues that the submissions and the expert evidence for the submitters raise as concerns in relation to the request.
- 5.5 In short the proposal you are considering Mr Commissioner does not align with the vision for Oakura that has been expressed by the community.

6 DOCUMENTATION CONSIDERED IN MY ASSESSMENT

- 6.1 In preparing this statement I have considered the:
- Regional Policy Statement for Taranaki (2010) and the interim review report (2017);
 - Regional Coastal Plan for Taranaki (1997) and the Proposed Coastal Plan for Taranaki (2018), including the regional landscape study of the Taranaki coastal environment (2015);
 - New Plymouth District Plan (2005);
 - Oākura Structure Plan (adopted by the New Plymouth District Council 15 August 2006), including associated text and map, plus the Implementation Plan (February 2008); and
 - Request for Private Plan Change and Application to Vary Consent Notice 9696907.4 by Oakura Farm Park Limited, dated 15 March 2018 with associated appendices;
 - Submissions on the request;
 - The expert evidence of the applicant;
 - The expert evidence on behalf of submitters;
 - The NPDC s42a report and supplementary report;
 - The Kaitake Community Board submission.

6.2 I have also reviewed the report and decision of the New Plymouth District Council (8th March 2011) granting subdivision resource consent, subject to conditions, which enabled *'The Paddocks'* residential development.

7 IS THERE A NEED FOR THE PROPOSED REZONING?

7.1 The section 42a report correctly identifies in my mind that one of the key questions in evaluating the proposal is the capacity for additional housing in Oākura and whether current and proposed land supply will meet anticipated future demand³. The question is whether there is a requirement or demand for the land in question to be rezoned to provide for Oākura's future housing needs.

7.2 I note that the section 42a report reaches the conclusion that there is no evidence of a requirement for the site to be rezoned to provide for Oākura's short term, medium term or long-term housing supply needs⁴.

7.3 I think the message here is clear. We don't need to panic and rush in. There is enough land supply planned to meet foreseeable demand over the short, medium and long term without the need for the proposed rezoning.

7.4 On this matter alone I think the proposal falls over.

8 CONSENT NOTICE - MITIGATING THE LANDSCAPE EFFECTS OF "THE PADDOCKS" SUBDIVISION

8.1 The applicant has applied to vary the consent notice on the site under section 221(3) RMA to allow for the rezoning and subdivision and residential development of the entire site.

³ Paragraph 13.6 of section 42a report

⁴ Paragraph 13.12 of section 42a report

- 8.2 The importance of this consent notice is critical for the protection of the landscape character of the rural land between SH45 and the Kaitake Ranges in the vicinity of the Wairau Stream. It is crystal clear in my mind that the opportunity to develop this land for residential purposes was lost when the "Paddocks" subdivision was approved.
- 8.3 I have reviewed the evidence of Mr Twigley on this matter (paragraphs 37 - 73 and supporting appendices) and agree with his conclusion that there has not been a change in circumstances that now renders the consent notice to be of no further value.
- 8.4 The consent notice is as important today as it was when it was first registered in 2014 to maintain landscape and rural character and amenity values of Oākura.
- 8.5 Therefore, in my opinion there is no valid foundation or reason to vary the consent notice to provide for rezoning, subdivision and development of Lot 29. In my opinion to do so would not achieve the purpose of the Act and furthermore would set a worrisome resource management precedent.

9 STORMWATER – HUMAN HEALTH EFFECTS

- 9.1 Mr Rollins' expert evidence raises serious questions in my mind about the stormwater runoff that would result from the request, and subsequent residential development and the high sensitivity of the downstream contact recreation area that he refers to as the Wairau Lagoon.
- 9.2 My own children play in this lagoon during the summer on a weekly basis. It is common for all age groups to swim in the pools, particularly when they have been warmed by the sun.
- 9.3 I can see absolutely nothing within the applicant's evidence that assesses adverse water quality effects associated with

urbanisation. I can see no assessment of effects on human health from regular exposure to this water.

- 9.4 Considering that Oakura beach is one of the most popular swimming beaches in the region I am surprised and disappointed that the applicant has not even attempted to assess adverse human health effects.

10 ECOLOGICAL EFFECTS

- 10.1 The applicant has provided an ecological assessment and statement of evidence that considers how the proposal might mitigate adverse effects on aquatic and terrestrial ecology⁵.
- 10.2 I would challenge Mr Bevers evidence where he states that "*both the central and southern tributaries of the Wairau Stream are of moderate ecological value*"⁶.
- 10.3 What is not considered or expressed within Mr Bevers assessment is the unique nature of the Wairau Stream catchment. On a regional scale the Wairau Stream is unique because a very large and unprecedented proportion of it (approximately 59%) is sourced from unmodified indigenous vegetation within the Kaitake Ranges/ Egmont National Park. I refer you to **Appendix A** of my statement where I have mapped urban, pastoral and indigenous vegetation coverage within the Wairau Stream catchment. There is no other stream system on the Taranaki ring plain that has such a high proportion of unmodified catchment. How Mr Bevers has concluded that this represents "*moderate ecological value*" I do not know.
- 10.4 I believe that the ecological assessment is deficient given the location, scale and context of the proposal. I believe that the applicant's response to potential adverse effects on the Wairau

⁵ Ecological Values and Impact Assessment: Wairau Stream, Wairau Estate subdivision, Oakura." report dated 26th of July 2017 and Statement of Evidence of Cornelis Bevers

⁶ Para 11 - Statement of Evidence of Cornelis Bevers

Stream ecology will not avoid, remedy, mitigate, offset or compensate adverse effects.

- 10.5 Considering the unique nature of the catchment I am surprised and concerned that there has been no independent peer review of the ecological assessment provided by the applicant.

11 TRAFFIC EFFECTS

- 11.1 The merits or otherwise of the applicants Traffic Impact Assessment and the possible engineering solutions to mitigate adverse traffic effects are widely canvassed within the expert evidence. My overriding impression is that too little analysis was done by the applicant to consider access alternatives and the decision to rely on a single access point was flawed.
- 11.2 My review of the documentation leaves me thinking that little genuine consideration was given to pedestrians, cyclists or equestrian modes of transport during the design process.
- 11.3 My daily work commute involves driving from Kaitake Road down Surrey Hill Road onto Wairau Road and on through Oakura to New Plymouth.
- 11.4 I commonly encounter horses on Surrey Hill and Wairau Road. That is the norm, not the exception, particularly in the summer months. I don't own horses, but I expect to meet them on a regular basis. It is not unusual to wait patiently at the Wairau Road/SH45 intersection while a couple of horses and their riders negotiate this intersection.
- 11.5 I love this about Oakura. I value the fact that horses can use the road network as it reflects the identity and equestrian heritage of Oakura. It speaks to the close connection between "the village" and the rural community that live on Upper Wairau, Surrey Hill and Kaitake Road. I think the proposal as it stands will generate traffic volumes on Wairau Road and the SH45 intersection that will

severely compromise this connection and result in poor outcomes for pedestrians, cyclists and equestrian users of the road.

12 ADVERSE LANDSCAPE AND VISUAL EFFECTS

- 12.1 On a further review of submissions from the community it is apparent that there is genuine concern about the loss of rural landscape and rural outlook on the southern entrance to Oākura and the impacts on the Outstanding Landscape of the Kaitake Ranges that would arise should the request be approved.
- 12.2 Having reviewed the evidence of Mr Bain, Ms McRae and Mr Kensington I am firmly of the opinion that future development which would be enabled by the proposed rezoning will inevitably result in significant adverse landscape and visual effects.
- 12.3 The section 42a report also concludes that the adverse landscape and visual impacts would be significant.
- 12.4 I have concluded that the proposal simply seeks to maximise development potential on the property. In my opinion, the proposed mitigation measures will not address the relevant adverse landscape and visual effects issues that will arise.
- 12.5 If adopted, the proposed plan change will enable a high density residential development that will fundamentally change this landscape from rural to urban.

13 SECTION 42A REPORT

- 13.1 With reference to the Section 42a report, I agree with the conclusion that Mr Twigley has reached in his expert planning evidence where he states at paragraph 174:

"I disagree with the recommendations of the section 42a report to approve in part the request and that the consent notice should be amended to reflect the final structure plan. I consider

the application and the section 42a report have not adequately assessed the proposal to vary/cancel the consent notice. The recommendation for the request appears to be an infrastructure led decision with the approval for 167 lots based largely on an assessment of available water supply despite there being significant concerns raised in the section 42a report about traffic, landscape and visual amenity issues inter alia. In my opinion there is also insufficient information to make an informed judgment on the request⁷.

- 13.2 I do not understand why the s42A report identifies traffic, landscape and visual amenity effects as significant and essentially unavoidable but then places little or no weight on these effects when recommending approval in part of the request. I note that the supplementary s42A report (19th July 2019) has taken a different approach and has reserved judgement given the matters relating to traffic effects.

14 CONCLUSION

- 14.1 Having assessed the information available relating to the proposed plan change, including the evidence that the applicant has provided I consider that the proposal will create significant adverse effects upon the amenities and the rural and natural character that currently make Oakura's existing environment a popular place for people to live and visit.
- 14.2 The proposed variation to the consent notice would open the door for the plan change request and would severely undermine the integrity of the Paddocks subdivision, and in turn result in significant adverse effects on rural character and amenity values, significant adverse landscape effects, adverse cumulative effects and would

⁷ Statement of Evidence of Cameron John Twigley (Planning) on behalf of: Matthew Peacock; Richard Shearer; Steven Looney; and Wayne Looker ('the submitters') 25 June 2019

be contrary to the objectives and policies of the Operative District Plan.

14.3 There has not been a change in circumstances that renders the consent notice to be of no further value. The consent notice is as important today as it was when it was first registered in 2014 in maintaining landscape and rural character and amenity values of Oākura. Therefore, in my opinion there is no valid justification to vary the consent notice to provide for widescale rezoning, subdivision and development of Lot 29, and to do so would not achieve the purpose of the Act.

14.4 The adverse effects that will be generated by the request and the significance of those effects have been addressed in evidence. It is my conclusion that those effects will be so significant that approval should be refused. To grant the request:

- Would be contrary to the objectives and policies of the Operative District Plan and the purpose of the RMA;
- Would severely affect the confidence that the Oakura community has in the integrity of the District Plan, and decisions made under it, to protect rural character, preserve landscapes values, and provide for the wellbeing of the community;
- Would purposefully ignore the unique status of the Wairau catchment and severely risk the ecological health of the Wairau Stream and its tributaries and the threatened aquatic and terrestrial species that live within it;
- Would forever eliminate through permanent landuse change from rural to urban the opportunity to connect the Kaitake Ranges and Egmont National Park to the sea via a strong ecological and landscape amenity corridor. Realistically Oakura is likely to be the only location in the Taranaki Region where a relatively uninterrupted ecological corridor could be made from the mouna to the moana.

- Would forever eliminate the productive capacity of the soils and climatically advantaged aspect of the land;
- Would result in children who regularly use the Wairau Stream for swimming being exposed to pesticides and other harmful contaminants known to be associated with urban stormwater;
- Would severely affect the confidence that the Oakura community has in the NPDC and KCB engagement and planning processes that have clearly signalled on numerous occasions a preference for contained growth within Oakura that avoids significant adverse effects on rural character and the unique Outstanding Landscape that we value as the Kaitake Ranges.

Ngā mihi nui

Sam Dixon

24th July 2019

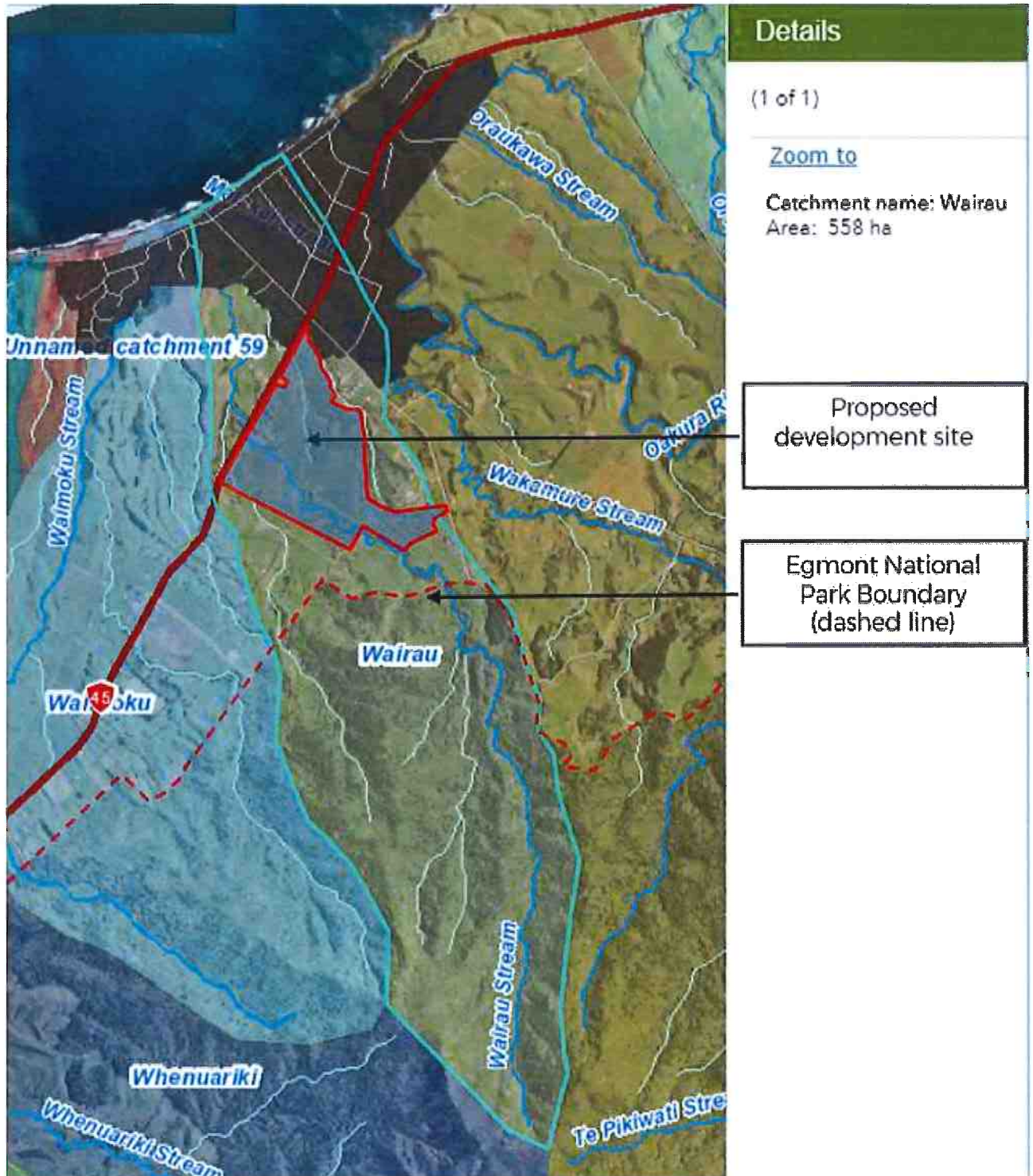
Appendix A: Wairau Stream Catchment

The Wairau Stream catchment is 558 hectares and consists of:

59% indigenous vegetation (330 ha);

27% pastoral grazing land (148 ha);

14% residential/urban (80 ha)



Source: Taranaki Regional Council "Local Maps" GIS website accessed June 2019. River catchment layers turned on.

