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| Event: | New Plymouth District Council  Oākura Rezoning Plan Change |
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| Date: | 26 July 2019 |
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| Before: | New Plymouth District Council independent hearing commissioners:  Bill Wasley  Antoine Coffin |
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**THE COMMISSIONER:** Good morning and welcome. We will reconvene. Just before we start hearing from submitters, Mr Coffin and I just completed a site visit, so we were out at Oakura and surrounding area for a little over a couple of hours. We have visited and driven over the subject site. Mr Simon McKie drove us over that, because it is an operating farm. It is not something that we could just wander on by ourselves.

We also had Zane, who is from the New Plymouth District Council, so he accompanied us on that. The intent had been also to have a representative of the submitters. There was a bit of miscommunication in that process that I have just been advised of, so whilst that is unfortunate, at the end of the day we undertook that site visit.

For the remainder of the site visit it was just Mr Coffin and myself, apart from our visit to the school. Certainly, in terms of the school, we visited the school, and certainly the principal and the chair of the Board who presented yesterday showed us around that site and pointed out various matters related to the school and surrounding area, and Donnelly Street.

We also took the opportunity to drive extensively around, certainly on the seaward side of Oakura, and certainly drove to the Russell Drive area, and also Cunningham Lane, and drove around in terms of Tasman Parade, Jans Terrace, Messenger Terrace, I think it was McFarlane Road or Street, Dixon, Butlers Lane, et cetera, so we have had quite an extensive drive around. We also visited Corbett Park as part of that, and went to the end of Surrey Hill Road, given that there has been comment in terms of the cycle track et cetera.

We have also obviously drove up and further noted where various submitters lived on Wairau Road, and certainly in The Paddocks' subdivision, and we also refreshed our memory in terms of that particular subject, the QEII covenanted area, and also drove up to the end of Wairau Road, and also looked at Tui Grove et cetera, and then also back along the state highway heading south, and also noted the located of Shearer Reserve et cetera, and also spent a bit of time looking at the intersection and certainly the proposed location of any underpass and that type of thing.

So, it has been reasonably extensive, and we also had the opportunity in terms of taking various photos as part of our site visit, particularly around Oakura.

So, without any further ado, we will move to hearing from submitters, and I have got Tom Cloke. Welcome.

**MR CLOKE:** Good morning, and thank you very much for rescheduling me from Wednesday.

**THE COMMISSIONER:** That is fine. If you can just pull the microphone a bit closer, thank you, that would be fine.

**MR CLOKE:** My name is Tom Cloke. I have been employed as an executive officer for the Road Transport Industry Association for almost 30 years. During that time, I've built up an extensive knowledge of the heavy transport fleet, and of the characteristics of heavy vehicles travelling on our roadways, tracking curves, acceleration and de-acceleration, braking and cornering, and load capacities.

As noted in our earlier submission, our industry strongly opposes the proposal of a roundabout situated at State Highway 45/Wairau Road for safety reasons already explained. To reiterate, having a heavy vehicle stopping on an incline (a hill) is simply not an acceptable safe practice, plus the environmental effects that this practice would cause.

We fully support the concept of constructing a new entrance on the proposed estate further to the west on State Highway 45 towards Okato. The entrance would enhance the safety through the area and would give huge safety benefits to the existing intersection at Wairau Road. A speed drop throughout the area is also fully supported by our industry.

I personally travel through the Wairau intersection often, owning a property in the area. One simply puts one's life in one's hands, as this intersection is very unsafe, mainly due to the speeds travelled along State Highway 45 from the west entering Oakura. The new entrance to the west would have a natural speed limiting effect lowering the speed, and also enhance the safety to all users, even those on foot, abreast horses and cyclists.

I hope the Commissioner gives consent for the west entrance, as our industry and myself fully support the Wairau Estate developing.

**THE COMMISSIONER:** Thank you. Mr Coffin?

**THE ASSISTANT COMMISSIONER:** I just wanted to clarify. So, the national road carriers, you are the executive officer?

**MR CLOKE:** Yes.

**THE ASSISTANT COMMISSIONER:** Can you just explain to me what that means?

**MR CLOKE:** I look after the -- it's a bit like the AA of heavy transport.

**THE ASSISTANT COMMISSIONER:** Okay.

**MR CLOKE:** Probably a simple way to put it.

**THE ASSISTANT COMMISSIONER:** Thank you. At paragraph 2, you say having a heavy vehicle stopping on an incline hill is simply not acceptable. So you are talking about all heavy vehicles, or particular types of vehicles?

**MR CLOKE:** No, all heavy vehicles coming under braking and acceleration thereof.

**THE ASSISTANT COMMISSIONER:** And you have stated you have the preference for and the support of constructing a new entrance at the proposed estate, so that is the one that was opposed?

**MR CLOKE:** That was opposed, and I think Mr Comber put some maps in the other day showing the entrance at State Highway 45.

**THE ASSISTANT COMMISSIONER:** This is a hypothetical question. If a roundabout was to proceed at the intersection of Wairau Road and State Highway 45, what measures do you think would be appropriate to make that safe for heavy vehicles?

**MR CLOKE:** Well, I think it's just the location, and it still has the incline, but I mean if it was sort of further away from the incline it could be acceptable. We're not opposed to the roundabout, it's just this roundabout where it's situated.

**THE COMMISSIONER:** Just a couple of questions. In your second to last paragraph you note the new entrance to the west would have a natural speed limiting effect lowering the speed. What do you mean by that?

**MR CLOKE:** Well, I would expect, and if it was proposed, I believe that with that intersection you'd push the speed back to the other side, so it may be 58, 68.

**THE COMMISSIONER:** So, it is having a new speed limit for that area.

**MR CLOKE:** A speed difference for that area pushed back.

**THE COMMISSIONER:** Has your Association engaged with NZTA in terms of those concerns you have outlined?

**MR CLOKE:** We had a pre-hearing meeting earlier, and I have read their evidence since so, yes, nothing further than that.

**THE COMMISSIONER:** Okay. We have got nothing further, so thank you very much.

**MR CLOKE:** Thank you.

**THE COMMISSIONER:** We will move on to Marvin Clough. Welcome.

**MR CLOUGH:** Thank you for the opportunity to present a submission to this hearing.

I moved to the Oakura community nine years ago seeking a village lifestyle for me and my family. Oakura as a community ticks all the village lifestyle boxes, allowing for relaxed living with a few key shops, a well utilised central community hall, a primary school where most of the pupils walk or cycle to school, and safe and easy access to the beach and Egmont National Park.

We, my family and I, are directly affected by the proposed Private Plan Change 48. I will now outline how this private plan change will have a detrimental effect on my lifestyle and village living.

There is a dramatic increase in the number of lots in 399 from the existing 660, which is an increase of 60 per cent. This is not aligned with the approved District Plan and Growth Strategy for Oakura, and I am concerned that this level of increase will change the rural character, village atmosphere, and community spirit of Oakura. This level of change will alter the very character of Oakura, which is out of keeping with the District Plan and the Growth Strategy.

I feel there is an apparent disregard for the current Community Board Plan: A Thirty-Year Vision 2017. I believe the widespread expansion under the proposed development would negatively affect the special character of Oakura and adversely impact on matters such as services and the environmental assets.

With the proposed plan, the increase in traffic volumes will have an adverse effect on safety and traffic efficiency. I reside on Surrey Hill Road with the only access to State Highway 45 via the Wairau Road intersection, therefore additional traffic resulting in longer wait times to access 45, and the increased risk of collision. This would also be the case for any alternative access directly on to State Highway 45.

We regularly cycle to the village and beach and the increased traffic volumes will increase the safety risk of collision and injury between a motor vehicle and a bicycle.

The proposed development will see added pressure to the existing constrained parking at Oakura Beach and Messenger Terrace, adding to the congestion in and around the coastal areas of Oakura, in turn leading to an increased concentrated environmental pollution.

The proposed development will affect the rural character surrounding the village, particularly the views to the ranges. The Oakura Structure Plan in 2016 notes that new development needs to recognise the uniqueness and special values of Oakura, including the views from the sea to the ranges. The proposed development will alter my views to the ranges, adding visual pollution to the natural environment.

I believe there will be an impact from the proposed development on the current programme to achieve a predator free Kaitake Ranges. This is $11.7 million budged to eradicate predators in the ranges and surrounding areas. The addition of 399 lots close to the Kaitake Ranges takes away from lots of hard work already in place with regards to the trapping of the predators and the pests.

From a services point of view, I am concerned about the additional stormwater, and possible wastewater during peak flows, entering the Wairau Stream, which flows directly to Oakura Beach where my family and I need to feel safe playing in the water. There is also the increased risk of flooding of properties of the properties along Wairau Stream. Personal friends of mine living at 100 Wairau Road have already had their property and house flooded in the past eight years, and the proposed development will reduce the amount of permeable areas for allowing natural draining to occur.

There are also concerns whether or not the local fire and emergency team will have sufficient fire-fighting water capacity if the proposed development goes ahead, affecting the community safety.

Intensive development should be in areas that can accommodate large growth from an infrastructure and services point of view. The New Plymouth District Council Plan identifies areas for higher density housing in established areas to accommodate this growth. The submitter details that Oakura is not a suitable place for this type of development.

Within Oakura there are existing areas zoned residential for 158 lots, plus the ability of infill housing, so why do we need additional residential zoned land? In the consent notice and decision of The Paddocks, the land known as Lot 29 was classified as to be not developed as rural zoned land, and furthermore the applicant expressed intention to retain the Lot 29 development with the protected farm status regardless of zoning.

I am concerned that if the proposed plan change is granted this sets a precedence for the council and wider district, allowing rapid conversion of rural land developers to small residential lots.

I feel the existing urban development and infill housing in a controlled manner meets the current and future growth demands of the village in a sustainable way, a way that does not adversely affect the special character of this village.

I oppose in full the proposed Private Plan Change 48.

**THE COMMISSIONER:** Thank you. Mr Coffin?

**THE ASSISTANT COMMISSIONER:** Thank you, Mr Clough. Now, we visited Surrey Road. How far along Surrey Road do you live?

**MR CLOUGH:** I'm at 204 Surrey Hill Road.

**THE ASSISTANT COMMISSIONER:** 204, how far along the road is that?

**MR CLOUGH:** That's 2 km.

**THE ASSISTANT COMMISSIONER:** Two kilometres. So, it is right up, okay.

**MR CLOUGH:** Yes.

**THE ASSISTANT COMMISSIONER:** In terms of bicycle, when you get down to the Wairau intersection with the state highway, how do you get across there?

**MR CLOUGH:** We cross at that intersection. Yes, so as in straight across.

**THE ASSISTANT COMMISSIONER:** You go straight into the centre, pretty much close to the centre line and you just go straight across.

**MR CLOUGH:** Yes. As you know, they're misaligned, so it is tricky.

**THE ASSISTANT COMMISSIONER:** At what time of the day would you do that?

**MR CLOUGH:** Any time of day, really. We do the morning or we do the afternoon.

**THE ASSISTANT COMMISSIONER:** Just over the page on page 2, the second paragraph down, you said personal friends of yours at 100 Wairau Road had their property and houses flooded in the past. Did you see the flooding?

**MR CLOUGH:** I didn't personally see it, but it's been documented. That's the house right on the corner.

**THE ASSISTANT COMMISSIONER:** I do not have any further questions, so thank you.

**MR CLOUGH:** Thank you.

**THE COMMISSIONER:** Anne Clough. Thank you. Just before you commence, in terms of your statement, if there are matters there that have just been covered, we can take those as read. Yesterday I outlined in terms of just minimising the repetition. We have heard a number of, as you would appreciate, submissions related to traffic safety, infrastructure and services, so just if you can bear that in mind as you take us through your statement.

**MRS CLOUGH:** Will do. Thank you.

**THE COMMISSIONER:** Thank you.

**MRS CLOUGH:** Hello, Commissioners. My name is Anne Clough. I also live at 204 Surrey Hill Road.

My family deliberately chose to relocate from Auckland to Oakura in 2010 without our children aged four and six at the time because of the village lifestyle, slower pace of life and close community relationships it would offer, and to also enjoy the space and beautiful relaxing outdoor views and escape the hustle and bustle and anxiety of busy towns.

We enjoy this village environment where you know your neighbours, where a chance meetup at the Oakura Beach can turn into an impromptu potluck barbecue that evening and with the kids running around playing spotlight. Our kids are free to walk and cycle around safely and to get involved with all community opportunities, including sport and cultural opportunities.

I fully supported the community engagement and input into the Oakura Long Term Plan, which included areas of growth, where anybody wanting an input was invited to be involved and to be heard via the Kaitake Community Board and their focus groups, yet now it appears a developer has taken it upon himself to try and push his own ambition upon the community.

**THE COMMISSIONER:** Now, just on your next paragraph, we have had extensive submission on that, and we have heard those already, so I am happy to take those as read.

**MRS CLOUGH:** Right, okay.

**THE COMMISSIONER:** And taking it as read is not ignoring it, but all I am outlining is that those matters have clearly been raised with us, that is all.

**MRS CLOUGH:** Right, okay. So because of those matters in that sentence I won't read out, I now are extremely concerned, and I think I need to say this, I'm extremely concerned as to what will happen if the plan change does go ahead? Would the Farm Parks quickly on-sell the land immediately once consents are granted to non-Taranaki related business people or overseas investment companies, and this would start the destruction of our beautiful community? Who knows based on past events?

Also, what concerns me is what is the point of asking for the involvement of the community if one individual can override the wider community agreed plans? It will destroy the heart of the community and try to separate, rather than join together, the members. What sort of community will this then create?

Furthermore, if this Private Plan Change 48 were to go ahead, it would set a precedent in the future for large farms on the boundary of Oakura village to be rezoned into residential and split into huge subdivisions. Would we suddenly lose control of our village?

If the plan change were to go ahead, the village community that we love so much would change. With the increased population, I worry about the stretch on classroom sizes at Oakura Primary School and Kindergarten, the ability and access for all kids to play and participate in local dance, soccer, rugby, surfing clubs, as facilities and resources will become stretched and entry will need to be made, perhaps, on eliteness within the sports, or entry by who can pay the most money, as demand will outstrip the supply of these wonderful community sport and cultural offerings.

No longer will we have immediate beach access parking and easy access to facilities and shops on the main road. Traffic and congestion fears concern me. No longer will it be safe for our personal kids to bike from Surrey Hill Road, down through Wairau Road and past this huge development, then deal with the increase in traffic turning on to State Highway 45. Even at the moment when we cross, it's like taking your own life into your own hands. The waiting, the wanting to rush across, it will create tension, confusion and possibly a school child fatality, for just in recent ‑‑

**THE COMMISSIONER:** And we have had that information provided to us in terms of that.

**MRS CLOUGH:** Okay. All of them, the tractor, the school child ‑‑

**THE COMMISSIONER:** Yes, we have had the tractor and a related fatality.

**MRS CLOUGH:** Okay. And the request from parents about reducing speeds at both entrances to Oakura before fatalities occur. I have attached with my notes the Stuff news articles on all of these events.

I'm not sure if you've heard this one. For multiple years, concerned Oakura parents continue to write to Transit with regards to each of the five high school buses transporting our children to and from New Plymouth high schools where up to 30 students can be standing on each bus whilst travelling along the 10 km to the 50 km/h start of New Plymouth at 100 km/h on main national highway. With an increase from the many proposed households in the Lot 29, these deadly road statistics and public transport concerns will only grow worse.

We are concerned about our views of the Kaitake Ranges should 400 households, or anything get developed in that location.

I ask you to listen to community members and myself who are opposing the plan change in its entirety, for these are the people who developed the first tennis courts, bowling greens, surf and boardriding clubs. They, and our subsequent locals, created the unique culture of Oakura, and with over 390 submissions that are 100 per cent opposed in totality to the plan change put forward by the Oakura Farm Park Limited, this clearly shows the community feeling. We need to keep our rural zoned land, as that is why we chose to live here, and not in suburbanville in New Plymouth. Please retain the heart of Oakura and our community. Please reject the Plan Change 48 in its entirety and do not rezone any of the land.

**THE COMMISSIONER:** Thank you. Mr Coffin?

**THE ASSISTANT COMMISSIONER:** I have got a question. This is on page 2 of your submission at paragraph 2, where it starts, "The mountains and Kaitake Ranges which give us such a sense of beauty, nature … will get covered in small houses, obliterating our view of the majestic Kaitake Ranges". I am just wanting to know what you are meaning by that in terms of are you meaning the views from your house, or views from somewhere else?

**MRS CLOUGH:** So views looking up from the state highway would be the area I was thinking. On reading the Oakura Farm Park's application form, it talked about houses going down to 300m2, possibly two-storied. That's like living in the centre of Auckland. It's not something that would -- it's not the feel down in Oakura village.

**THE COMMISSIONER:** Just taking that a bit further, in our site visit this morning, Mr Coffin and I went out to Russell Drive on the seaward side. Quite obvious a number of new houses. It would be fair to say a number were not small, so to speak. I would be interested in terms of what we observed there, how is that different to what you may observe in New Plymouth?

**MRS CLOUGH:** Up in The Paddocks you're talking about?

**THE COMMISSIONER:** There is discussion around the character of the village and that type of thing, but it was just interesting in terms of our driving through that particular part of Oakura.

**MRS CLOUGH:** So, Russell Drive, meaning up the hill, you've gone past the campground and up the ‑‑

**THE COMMISSIONER:** Yes, that is correct.

**MRS CLOUGH:** Yes, okay. There's something uplifting. You've just passed through where the beach is on the right-hand side. You've seen the beautiful air and then you come up. Mostly when I drive up there, there might be kids riding their bikes along there, on the scooter, you've got the tennis courts at Linda Place which intersects with Russell Drive.

**THE COMMISSIONER:** Yes, we saw this.

**MRS CLOUGH:** There's a feeling of environment, of neighbours. There's not fences separating everyone. People talk to each other, as opposed to a lot I see in town is fenced and you have your little 600, 500 m2, and that's it. Oakura, Russell Drive, it offers community, openness, where people walk, people engage. The dogs are out, the kids are out. They might be kicking a ball across the street. That's what I see when I drive through Russell Drive, and that's not what I see when I drive through a New Plymouth suburb.

**THE COMMISSIONER:** Thank you. Anything further? Thank you very much.

**MRS CLOUGH:** Thank you very much.

**THE COMMISSIONER:** Elaine Jamieson. Do you have anything to circulate?

**MS JAMIESON:** No, I just have my own notes here. Sorry about that, but I've written all over them.

**THE COMMISSIONER:** No, that is fine, and you would have just heard my earlier ‑‑

**MS JAMIESON:** Yes, I heard the rhetoric. I did. Thank you very much for listening today. This is my five minutes of fun in the sun and my time to speak for what I believe in.

My name is Elaine Jamieson, and I'm here today to express my opposition to the proposed change to the District Plan, which will result in rural land being rezoned to allow a 399-section subdivision adjacent to the mountain and to the village.

I am here today to speak for the mountain, the sea, the birds and the children who will inherit these natural resources. I walk on this beach every single day. I have lived under the shadow of Mt Taranaki for my entire life, and at Oakura for the last ten. I have grandchildren who live in the village.

My main concerns in respect of the proposed development are to do with the environment. I have specific concerns in relation to runoff from initial earthworks, mentioned in the commissioned reports as needing careful management, sludge and silt running down into what is a significant destination beach and tourist attraction for the area and the for the district. In fact, at one stage this beach had international recognition as a blue flag beach.

Future stormwater effects when housing is in place. We're actually talking about a mountain range which experiences significant rainfall. I know. I live there. Rubbish, petrol and diesel spills and grime from roads will all naturally find its way into our beautiful sea and down on to the beach, and I know there is an outlet that I pass every single day where this happens already.

Traffic volumes well in excess of what we currently experience will put extra pressure on a road which is narrow and more rural in nature. This includes a very narrow bridge, which has already seen one fatality, and is a central road to village life, which is heavily used by pedestrian traffic to and from school, shops, beach and homes, and I hope you were there at 9.00 am this morning when all the kids were going to school, and the buses were stopping to pick up the high school kids?

**THE COMMISSIONER:** We were there at 8.30 am.

**MS JAMIESON:** Great, because that's when it all happens. A recent traffic accident occurred, and I won't go into that because you've heard that already. As well as this, the fumes, holdups and inevitable traffic jams as people attempt to cross this busy thoroughfare or just get to work.

I'm concerned about light pollution close to the mountain. We cannot measure the possibility of adverse effects so close to a mountain range on bird and insect life. I would like to see anybody try and predict that.

Introduction of predators to the environment. Indeed, one of the developer's commissioned reports recommended that residents not be allowed cats in close proximity to the ranges. Well, we all know that cats and rats can travel miles, so such a development bordering a nationally significant national park would seem to go against all good sense. The work the TRC are going to make the national park predator free is a huge investment in time and money. I know, because I have family members heavily involved in that, volunteers. Lots of people volunteer in the community in Oakura to make that happen, and this seems to go directly against the benefits that we've already seen happening. In fact, I know one local tramper has said that he's heard kiwi up in that range in recent times, which is really amazing.

Smoke pollution from wood stoves. These seem to be particularly popular in new builds. This will impact air quality in the area, and may affect birds and animals close by adversely.

And another thing that I'm familiar with is the seasonal flight patterns for birds in this area. Many native birds come down off the mountain and roost and feed in local trees. In fact in my garden, and parks over winter. Houses and increased traffic and light will affect their relatively easy journey to the coast.

The school has almost reached capacity. Getting a new school set up and running will take time and money, and where will excess children go in the meantime? Into cars and buses to clog up already over-full routes into town.

These seems to be a lot of details, but details are what affects the big picture, and the big picture for me is, surely, there has to be an extremely good reason why a plan change occurs. There are lots of sections becoming available in Oakura, 200 on the western side of the road already approved, plus plenty of infill housing going on.

In the past five years, five new builds have occurred on an empty section next door to my home. Five new two-storey houses on Dixon Street. Opposite our home, an empty site with a potential for a four further builds is just now on the market. There is a rental down the road which as been advertised for two months with no uptake, so we can't even say we have a rental shortage in Oakura.

Lonely Planet named us the second-best region in the world to visit. I don't think this is because we have a bunch of buildings on the side of our pristine mountain. Let the mountain keep her green apron. Let the sea retain its clear blue water. Let our children grow up in a village which is still walkable, relatively safe, and has clean air and not too much traffic. We don't want to be another Papamoa, Kapiti or Wanaka. We want to retain our unique identity and special character for our children and our children's children, both in Oakura and for all of Taranaki.

**THE COMMISSIONER:** Thank you. Mr Coffin?

**THE ASSISTANT COMMISSIONER:** I do not think I have any questions.

**THE COMMISSIONER:** Just your comment towards the ends of your statement about being walkable. I am just going back to earlier comment in terms of our drive around and that, for example, that Russell Drive area, which would probably be no closer in than the proposed subdivision, the issue of being some distance and therefore not walkable into the village heart, so to speak. Is the rest of Oakura walkable in that context? I am just trying to understand what you mean by "walkable".

**MS JAMIESON:** I walk a lot, and I've heard people talk about children cycling. My grandchildren, they have little bikes, they walk around. For people who like to walk, it's a very walkable village. I know I experience difficulty crossing the road already when I go up to the supermarket, to the little Four Square up there, or up to the library, but we have little tracks that people can use to walk around. So, I guess what I'm thinking about is immediately you have 400 new houses, you have the potential for 800 more vehicles, because people generally have two cars, going in and out of wherever to transport people wherever. I don't think that you would have the same walkability any more because of the traffic that would be generated.

But most people in Oakura, if they work in town, they have to commute. I work in town; I have to commute. So, that's the only time I use my car.

**THE COMMISSIONER:** Thank you.

**MS JAMIESON:** Awesome. Thank you.

**THE COMMISSIONER:** Ross Jennings. Mr Jennings, just a quick perusal of this statement, the last paragraph on the first page has some significant discussion around the school. We have heard from the school, and we have heard from other submitters, and we have also undertaken a visit today, so I am suggesting that we take that paragraph as read because I made the comment yesterday in terms of taking care just in terms of repetition of material we have already been told, or people have spoken to. And just because it is taken as read, it is still considered. I am just saying we have heard from a large number of submitters regarding the school. Thank you.

**MR JENNINGS:** Thank you. I'm speaking on behalf of my sister, Kim Jennings. She's been a teacher all her life, and has worked quite heavily with the New Zealand Education Department.

I moved to Oakura in 1965 with my family when I was two. It was not a fashionable place to live then, and life was rich but very simple. I have witnessed the development and growth of Oakura in a sustained and manageable way since then. People choose to live in Oakura because it is a liveable place. It has a sense of community. It has open space. Growth has been planned and gradual.

Mr McKie's proposal creates many negative externalities for which he will not be responsible. However, the community will be bequeathed with these issues and problems for many decades. Mr McKie will not bear the full environmental and economic cost of the development. The Oakura community will. The cost benefit ratio does not stack up, except maybe for Mr McKie. The costs to our community will far outweigh any benefit. If this had not been the case, there would not have been 393 submissions opposing the rezoning of the land Mr McKie wants to develop.

The subdivision on the south side of State Highway 1 will have many environmental impacts on our community. Why would the council even consider a proposal that is going to negatively impact our environment? As has already been discussed by many experts, we are all aware the growth pressures on their natural environment, and in particular on Wairau Stream. The impact of the development of the visual beauty of the area once destroyed can never be returned.

I travel down Wairau Road from home to drive into the village or New Plymouth. There is already a volume of traffic that builds up at the intersection. With all vehicles from the subdivision entering Wairau Road, this issue will only be exacerbated. Much of the road lacks footpaths.

We need to be looking at smart growth for Oakura that favours environmentally sustainable growth by the use of a well-managed set of sustainable land planning practices, development continue to provide economic towards with fewer social and environmental downsides. Sadly, this development does not do so.

Mr McKie stated that the McKie family recognises the importance of good relationships, and that they have listened to and have a very good understanding of the Oakura community's concerns. I disagree. I do not think you have listened, Mr McKie. Three-hundred and ninety-three people opposed your initial proposal. This is a lot of people for a small community. However, you still want to steamroll over the concerns of these 390 people who live in our community.

One of the most important elements of a community and neighbourhood is the notion of social cohesion. When people feel a part of something where they live, work and function as one, they are more likely to be aligned to common goals, helping to achieve them together. This development will not engage the community, but reduce its vibrancy and liveability.

In essence, when a neighbourhood has focus on people with spaces created to enhance social interaction and encourage collaboration, success becomes a mutual goal. When this happens, the community that lives and strives there benefits hugely, and everyone within comes together to achieve as one collective neighbourhood. This is the type of community the 393 people who are opposing this rezoning want to live in.

We recognise that Oakura needs to continue to grow and develop. This growth does not need to be at the cost of the community and the environment, which will be the face with this subdivision. Developers have an opportunity to show leadership by incorporating liveable community features into any development plans for Oakura, which is definitely not the case with this proposal. We are all aware this subdivision will create many negative externalities that have been outlined by the range of experts.

I strongly encourage the New Plymouth District Council to listen to our community, to learn from decades of environmental planning mistakes, and be brave in declining Mr McKie's application.

**THE COMMISSIONER:** Thank you, Mr Jennings.

**MR JENNINGS:** Thank you.

**THE ASSISTANT COMMISSIONER:** No, we do not have any questions, thank you.

**THE COMMISSIONER:** Just on that point, you would have noticed that the Commissioners do not ask questions of people who read out people's submissions, so we would ask the person who actually made the submission rather than the person who read it, as that is unfair.

Mr Bryan Moyes.

**MR MOYES:** So, you have jumped the list, so you understand this is my presentation, not Rose's. Rose is here if you want her first.

**THE COMMISSIONER:** Sorry, I looked at my list and saw Bryan.

**MR MOYES:** That's okay. There was a risk I was going to have to present it anyway, because she's just managed to slip out of work.

**THE COMMISSIONER:** She is welcome to join you.

**MR MOYES:** Well, it's different presentations.

**THE COMMISSIONER:** That is fine. You would have heard my comment in terms of repetition?

**MR MOYES:** Unfortunately, the council haven't posted all of the -- they've only posted the first two days.

**THE COMMISSIONER:** Were you here to hear the earlier submissions this morning?

**MR MOYES:** Yes, sure. So, which paragraphs of mine would you not like to hear?

**THE COMMISSIONER:** I have not gone through all the paragraphs, but there were matters related to the school, safety and services, we have heard significant submission on that.

**MR MOYES:** Sure. Okay. You might need to read through.

**THE COMMISSIONER:** Move through and we will ‑‑

**MR MOYES:** Okay, you can move me on if you want to.

**THE COMMISSIONER:** Yes. Thank you.

**MR MOYES:** My name is Bryan Moyes and I live at 97 Wairau Road. Firstly, can I state, and this is because of previous experiences with Mr McKie, that I fully reject both of the proposals made by Mr McKie under the Oakura Park Farm Limited name. I reject the proposals in their entirety and, in addition, I would reject any amendment, reduction, or change to the applications made in the future.

As I am speaking at the end of the hearing, I will attempt not to repeat previous submissions, however, I would confirm my support for the submissions of the Kaitake Community Board, Nicolas Gladstone and Scott Grieve.

As a non-professional in the planning industry, it's very hard to know what it is that we are actually talking about with all the smoking mirrors and the side distractions that the applicant has put out. It's very difficult to pin down whether he's applying for 399 lots or, as Mr Skerrett and Mr Comber, have suggested, and Mr Doy, 316 lots. I have got also a very weighty tome from New Plymouth District Council which suggests somewhere nearer to 260 lots. However, I've already made the statement, but I reject them all.

I will try to summarise. The applicant's team appear to be living in the past, and we appear to have reams of evidence that hark back to potential development plans from at least 13 years ago. They continually hark back to old District Plans that were different to the new 2019 Plan that I still don't understand why it's not in place. I can only assume the New Plymouth District Council have just not got around to it.

Mr McKie was not involved in the district planning process by choice. The process involved a huge amount of residents as was absolutely possible. The Oakura District Council made it clear that further development should be between State Highway 45 and the sea. New Plymouth District Council agreed, hence we have a plan that allows for ample expansion of properties in Oakura for the next 20-30 years, and possibly longer. Why then do we need any more in this development?

Mr McKie's land is not part of Oakura's or New Plymouth District Council's plans for future growth. Why is it even being considered?

**THE COMMISSIONER:** If we take the next paragraph and the first one over the page as read, and then if you would start at, "While I mention".

**MR MOYES:** If the proposal goes ahead, no one driving from Oakura will see the amazing view. They will drive along a 2-metre-high bund.

**THE COMMISSIONER:** No, sorry, I was meaning, "While I mention", the paragraph underneath that. We have heard extensively on those matters.

**MR MOYES:** And the tagging on the so-called underpass?

**THE COMMISSIONER:** You can comment on that, yes.

**MR MOYES:** Okay, all right. We're not too worried about the decimation of the animals by cats, but that's okay.

**THE COMMISSIONER:** No, just to clarify, we have heard extensive submissions on that list of matters.

**MR MOYES:** Fair enough. Okay, all right.

So there's a whole list of things that I think will be missing, but we will have an urbanised Oakura by removing natural views, replacing with an inner city housing estate and build an underpass that will be used by taggers and ne'er-do-wells.

While I mention the underpass, my daughter has a horse. There is no way we would let her take the risk of taking a horse under an underpass for her horse. The risk of fright, and so accident, would be too great with vehicles passing overhead. I have three daughters, and had there been an underpass when they were younger, I would have advised them to avoid it. An underpass is not a desirable feature in any community unless absolutely necessary.

Small section sizes, 300m2 or similar. There is a minimum size for sections in Oakura for a reason, to stop infill housing. Oakura, if this were approved, you would have to offer the same to the rest of the Kaitake, and that would mean that most sections in Oakura could then be subdivided either one or two times.

Basically, what I am saying is that if the proposed FUD takes place on the land between the highway and the beach, none of these issues need to arise. Oakura has a plan for steady, stable growth. Mr McKie was invited to the party, but did nothing. I would refer you to KCB's mentions of the appointment that he had with them and the council. And now, although he said that he would not develop this land any further because it was a valuable rural asset for his family, he has now conveniently changed his mind, and he wants to develop this land, which goes against everything that he said before.

Most Oakura residents are stunned that New Plymouth District Council have let it go this far. Why even discuss the application with someone that has issues with honesty previously? So now, just because Mr McKie wants to go back on his word, we are talking about knocking through paper roads, widening Donnelly Street, building roundabouts that do not meet the standards of Austroads, no matter how Mr Skerrett fancies it up.

My driveway would exit straight on to the new roundabout. I don't think that when the roundabout goes to planning, that people will go back to Mr Skerrett and say, "Oh, it's your fault. We can't build this roundabout within standard". Mr Skerrett attended our property, and he verbally confirmed with my wife while he was measuring up that he hadn't worked out how to deal with our driveway access. That problem still doesn't seem to have come to mind, because it's not mentioned anywhere as to how he would deal with the fact that our house would go directly on to the roundabout.

I would also question if they've taken into account the fact that the power poles will have to be put underground, or what they will do with the pumped sewerage that is right on the corner of Wairau Road and the main highway. Wairau Road services the properties to the east that are in the gully. Their sewerage is pumped up by individual pumps to the manhole which is then pumped to the main sewerage line. This would be directly underneath the roundabout.

**THE COMMISSIONER:** Mr Moyes, you are addressing us.

**MR MOYES:** Sorry.

**THE COMMISSIONER:** Thank you.

**MR MOYES:** The proposal is a non-starter and should have been declined as soon as New Plymouth District Council looked at it. If you still think it's a good idea, there were very few houses build on The Paddocks at any one time, but the number of concrete trucks, tradie trucks, material trucks, were a constant stream during the construction phase. I would suggest in the region of 20 journeys per development per day. Multiply that by 20 houses, which is what we're expecting, and you have 400 additional daily journeys, and probably 50 of them will leave at the same time every day.

If roading improvements are needed, make the applicable pay for them first, putting in the infrastructure first, and then developing later.

I have been reading about 10-15 houses being built per year. Does anyone actually believe that fairy tale? He already has his sales office installed and ready to go. He has an attraction to money, and a lack of value in his promises that are not conducive to this part of the proposal.

Oakura has no trust in Mr McKie, Mr Comber, or any of his team, and frankly New Plymouth District Council have, in most people's eyes in Oakura, let us down woefully by giving this matter such consideration.

Oakura has a vision in the Structure Plan where the sun lingers longer, to be a vibrant and distinct community, celebrating links from mountain to sea. If this application is successful, perhaps we should name Oakura McKieville and bring in a new vision where the exhaust fumes linger longer, our children will probably get cancer, and everyone dodges traffic getting from A to B.

**THE COMMISSIONER:** Mr Coffin, questions?

**THE ASSISTANT COMMISSIONER:** I do have a question on your first page, which is three paragraphs down. Sorry, it is on the other page. It is the first paragraph you started reading out, "While I mention the underpass and the horses".

**MR MOYES:** Yes.

**THE ASSISTANT COMMISSIONER:** I just wonder if you could just unpick it for a little. I am not a horse rider a lot, just in terms of the horse rider and an underpass, just the issues.

**MR MOYES:** Horses don't like going in floats. Horses don't like going in trucks. An underpass would be even worse. You're going to have traffic driving over the top. There's no way you would want to be dragging horses through an underpass with traffic going over the top. I mean, it's ludicrous. I don't even know who thought it. I mean, it's probably just something that was thrown in to distract.

You know, you would not want a horse under there. If the horse skittered and then kicked another pedestrian or a child on a cycle, or whatever you want to call it, you know, who's going to be responsible?

**THE ASSISTANT COMMISSIONER:** Thank you.

**THE COMMISSIONER:** Thank you, Mr Moyes. We will go to Rosie Moyes. If you could take a seat. Welcome, Mrs Moyes.

**MRS MOYES:** Thank you.

**THE COMMISSIONER:** If you can take us through your statement please. If there are any matters that have already been highlighted while you have been here, we will take those as read.

**MRS MOYES:** Will do. So, I'm Rosie Moyes and I live with my family at 97 Wairau Road.

**THE COMMISSIONER:** Can you just move the microphone a wee bit closer thanks?

**MRS MOYES:** So I moved here in 2007 from the UK with Bryan and our three girls, and we moved from the other side of the world for a better lifestyle for our family. When we drove around Taranaki looking for places to live, Oakura was the place for us. It was the personification of New Zealand. It was what I always visualised New Zealand to be. There was no doubt in my mind that we wanted to live in Oakura.

Two of our children went to Oakura School. I was blown away by the friendly welcoming community. I started writing for the TOM, Oakura's own community newspaper, keeping residents up to date and in touch. This is the sort of thing that makes Oakura so special, and something I do not want to be lost.

I've seen housing estates developed in the UK, and I do not want Oakura to follow.

As a speaker on the last day of the hearing, I understand that a lot of my points have already been covered. To keep things concise, I would like to endorse the submissions by the Kaitake Community Board, KCB, and also traffic expert Nic Gladstone.

However, I do believe that I have a unique situation to cover, in that our property is situated directly on the crossroads of State Highway 45 and Wairau Road. This is the proposed site of the roundabout to feed traffic to the new proposed housing estate and, yes, there is no doubt that this is a large-scale housing development proposal.

The pressure on the existing road system is undeniable. Referring to KCB point 172, there is no evidence that the roundabout will ease any congestion, and also it states that the irregular alignment of the roads, the stream on the intersection, and the roundabout system, and the incline of the road approaching the roundabout, it would make it unsafe. I believe a roundabout would be more hazardous, not just for vehicles, but also for pedestrians, cyclists and equestrians. I also believe engineers feel to cater for the volume of the traffic, a larger scale roundabout would be necessary and therefore leading to the acquisition of land on one or more corners of the crossroad. It has been stated by the applicant that this would not be necessary.

With the road flow off the roundabout, I feel car drivers will accelerate around the curve of the roundabout. Our drive sits less than 20 metres approximately (less if the roundabout goes ahead) from the highway, leading to serious safety issues entering and exiting our property. In my opinion, there is no alternative driveway position to enter our property, and I have serious concerns for the safety of my family, including grandchildren. There are currently four adults living at the property and four cars.

Noise pollution will increase, as vehicles accelerate around the roundabout, and so too air pollutants.

In my opinion, the property will become unsafe and undesirable. The devaluing of the property is speculation at this point, but is an obvious conclusion should the roundabout go ahead. Until we try to sell, which we will undoubtedly have to do, we will not know the full extent. The end result of the property being less desirable and the increase on the time of the property and the saleability, this development has huge life-changing negative consequences for some, whilst one other stands to gain.

I feel there are more points to cover which are endorsed by the KCB submissions.

In my conclusion, I feel that the proposed Wairau Estate in any shape or form, big or small, is unwarranted, unnecessary and will change Oakura to a little Britain suburbia. I ask that the PPC 48 be declined in its entirety.

**COMMISSIONER:** Okay, thank you. Mr Coffin?

**ASSISTANT COMMISSIONER:** In terms of your house at number 97, are you on the left-hand side or the right-hand side, as you are going up Wairau Road?

**MRS MOYES:** Yes.

**ASSISTANT COMMISSIONER:** Just on the left?

**MRS MOYES:** Yes.

**ASSISTANT COMMISSIONER:** And there are four adults who have got four cars? Are all of the four cars moving each day, like in the morning and the afternoon?

**MRS MOYES:** There is one currently that isn't moving and there's one that's about to be purchased, so we have one on the grass that isn't moving.

**ASSISTANT COMMISSIONER:** So two of the cars are regularly going and out of the property?

**MRS MOYES:** Three at this current point. There will be four.

**ASSISTANT COMMISSIONER:** How long do you normally wait at the intersection to get across?

**MRS MOYES:** From my property or the actual intersection?

**ASSISTANT COMMISSIONER:** From the intersection, sorry.

**MRS MOYES:** Not long, three or four minutes maybe, I don't know.

**ASSISTANT COMMISSIONER:** It is probably something you do not really think about.

**MRS MOYES:** No, no. I mean it changes, it varies.

**ASSISTANT COMMISSIONER:** Are you in a queue when you get to the intersection or is it usually just yourself?

**MRS MOYES:** Normally me and one other. It depends on the time of day.

**ASSISTANT COMMISSIONER:** Yes, but say in the morning, would it be a matter of seconds or tens of seconds that you are waiting?

**MRS MOYES:** The chances are there's only one car in front of me, if that.

**ASSISTANT COMMISSIONER:** Okay.

**COMMISSIONER:** Nothing further, thank you, Mrs Moyes.

**MRS MOYES:** Thank you.

**COMMISSIONER:** Catherine Ongley. Welcome.

**MS ONGLEY:** Good morning.

**COMMISSIONER:** You have nothing to circulate?

**MS ONGLEY:** Apologies, I didn't bring four copies.

**COMMISSIONER:** Okay.

**MS ONGLEY:** But I will hand these over after this.

**COMMISSIONER:** Leave it with Jane and she can provide.

**MS ONGLEY:** Yes, I certainly will.

**COMMISSIONER:** Thank you.

**MS ONGLEY:** My name is Catherine Ongley. I am an Oakura resident and I object to the rezoning application Private Plan Change 48. I moved to Oakura from Wellington in 1998 to work at a local New Plymouth law firm. Very quickly, I realised that Oakura was an idyllic and special place. I live in McFarlane Street with my husband and two children. I have a great appreciation for the character of Oakura and the lifestyle it affords us.

I have read the Landscape and Visual Effects Joint Witness Conferencing Statement. It talks about the subdivision not technically speaking being in the coastal environment and not being an area of outstanding landscape. I believe that consideration needs to be given to the fact that Oakura and the area for this proposed subdivision is right between the coastal environment and the National Park. This is the very thing that --

**COMMISSIONER:** Ms Ongley.

**MS ONGLEY:** Yes.

**COMMISSIONER:** If you can address us.

**MS ONGLEY:** Oh, sorry, address you, yes.

**COMMISSIONER:** Thank you.

**MS ONGLEY:** This is the very thing that creates its special character. I am not against progress or development per se. Oakura has changed over the past 20 years since I moved there. There were more batches, fewer lifestyle blocks, fewer permanent residents in the village and less of what I would call nuclear families. A lot of the old batches have been replaced by more modern and larger homes. The change in demographic and built environment has been gradual and has not detracted from the special character of the village. However, the change proposed by this subdivision is out of proportion to the normal, gradual expansion of the village.

I will not talk about infrastructure because I see that aspect has been covered in other evidence, however I would like to express support for the other residents' statements regarding the strain on infrastructure. In particular, Donnelley Street and the capacity of the primary school.

This is what I appreciate about the township of Oakura. Firstly, it is nestled between the mountain and the sea. More accurately, it is nestled between a beautiful cone-shaped mountain leading down the Pouakais and the Kaitakes to the sea. This is a passage of landscape that I believe should be carefully managed. The proposed subdivision would be out of place with the distinctive character of this passage from the mountain to the sea.

Secondly, it has a beachy and relaxed character. The houses are not monotonous; there are houses of a number of different eras - old batches existing alongside new, modern homes. This adds to the varied, relaxed and inclusive feeling of the village. A new build of intensive housing would be at odds with that character.

Thirdly, it is surrounded by farmland and open space. My family enjoys getting out into these areas; in fact, my regular cycle route includes going to the top of Surry Hill Road. Whereas a lifestyle block subdivision maintains that open space feeling, the proposal for intensive housing will detract from that. I don't believe a bund or a buffer zone is going to effectively mitigate that, because it will close off the area and people will be conscious of what is behind it.

Fourthly, Oakura has the main part of the village on the seaward side of the State Highway. Real estate agents refer to the old Oakura being the block from Dixon Street to Wairau Road. I consider that if there is to be more intensive housing, then it should be located on that side of the State Highway, rather than interfere with the passageway to the mountain.

In summary, I believe that the proposed change and subdivision would significantly change the character and feel of the township of Oakura for the worse and it should be declined. Thank you.

**COMMISSIONER:** Thank you. Mr Coffin?

**ASSISTANT COMMISSIONER:** I did not have any questions, that was really clear.

**COMMISSIONER:** Your term "the passageway to the mountain", essentially do you regard that as in terms of views from coast to mountain or can you just tease that out a bit more for me?

**MS ONGLEY:** Okay, sure. I think the views are part of it, and I am talking about the views from both sides - the views from Oakura and the views from, you know, trampers or the views down from the top of --

**COMMISSIONER:** Oh, both ways?

**MS ONGLEY:** From both ways.

**COMMISSIONER:** Yes.

**MS ONGLEY:** But I also -- but I wouldn't restrict it to the views. I would -- I mean I actually think the lifestyle blocks are in keeping on that side of the highway. But too intensive housing, I think, will detract from that beauty of having the Pouakais, the Kaitakes and then farmland down to the Oakura township.

**COMMISSIONER:** Just in terms of the lifestyle blocks, does that include the Paddocks subdivision, for example?

**MS ONGLEY:** Yes.

**COMMISSIONER:** Okay. Just on the theme of views, you raised concern about the bund.

**MS ONGLEY:** Yes.

**COMMISSIONER:** Hypothetically, if the proposal was approved, how would you see the development, including any houses, impacting on the views of the ranges and beyond?

**MS ONGLEY:** A lot of Oakura residents don't just stay in their homes in Oakura. We use Wairau -- we go up to the top of Wairau Road, we go up Surry Hill Road, we cycle, we tramp up the Kaitakes, that's sort of part of the spirit of the residents of Oakura. So if you're just talking about the views from the Oakura township, then a bund may obviate the view of the subdivision, but we're going to know it's there and we will be ‑- it will be relevant when we're out and about.

**COMMISSIONER:** Okay. Anything further?

**ASSISTANT COMMISSIONER:** No.

**COMMISSIONER:** Okay, thank you very much.

**MS ONGLEY:** Thank you.

**COMMISSIONER:** Jane is behind you, to collect.

**JANE:** I will take that.

**MS ONGLEY:** Thank you.

**COMMISSIONER:** Ms Crook.

**MS CROOK:** Sorry, we're on.

**COMMISSIONER:** Oh, you have got it, okay. I was just going to go to the next submitter until we allow you to sort out the technology.

**MS CROOK:** Sorry, here we go.

**COMMISSIONER:** Thank you, welcome.

**MS CROOK:** Good morning, Commissioners, my name is Ngaio Crook. I live on Mace Terrace in Oakura. And I've taken inspiration today from a famous Star Trek quote, as wellbeing of the many, both now and in the future, really matters. The wellbeing of the many, in this case, Oakura Village, should be the council's primary concern and the lens by which to make the right decision in regard to the proposed Plan Change 48. And that is to reject this request wholly and outright.

The proposed Plan Change provides for the sole enrichment and benefit of the applicant and their family, while at the same time our community will inherit vase amounts of cost, stress, inconvenience and an overall loss of wellbeing, if this proposed change is not rejected.

Today I would like to outline a few key points. Firstly, the importance of taking a holistic approach when considering this proposal, and that so far what has been considered, while it might be legal, is not holistic enough. Secondly, wellbeing. The value of wellbeing within a community and how that really contributes to the Taranaki economy, and how this is under threat by this proposed change.

Thirdly, that our voice matters. Despite the fact that this process is heavily weighted in favour of the applicant, we must be listened to and the collective good must prevail.

So let's consider the bigger picture. Sixty per cent growth is a greedy, unnatural --

**COMMISSIONER:** Now, we have had that word before and I have suggested people withdraw it.

**MS CROOK:** Can I carry on with my sentence and you might --

**COMMISSIONER:** Yes, but I am just suggesting you withdraw that word, that is all.

**MS CROOK:** Can do.

**COMMISSIONER:** Thank you, but, yes, please carry on.

**MS CROOK:** And risky approach to any kind of change in relation to humans or nature. We would not consider having our taxes increased by 60 per cent, although pay rises might be another story. Or would we want to approve the growth of New Plymouth area at the same rate? So why is this even being considered for Oakura? History has shown us time and time again that for communities and nature to co-exist, co-operate and adapt, growth must take an evolutionary approach, not the revolutionary approach of this proposed Plan Change.

There has been an erosion of trust. Our community has suffered an erosion of trust in a number of areas. Firstly, with the council, whose key aspects of the strategic framework include putting people first, caring for our place and supporting a prosperous community. All the consultation and collaboration the Oakura community has participated in over the years as part of developing a sustainable plan for growth and in the enhancement of our community are made a mockery of with this proposed change.

The council should not compromise all the work that has gone before, and that is to take a targeted and adapted approach to growth in our community. Just because someone sees a financial opportunity too good to be true, should not undo all this good work.

Many of us in the community have a low level of trust in the applicant, based on the supposed intentions and promises made in relation to Lot 29 with the Paddocks subdivision. It is also one of the reasons that a phased approach to growth via this proposal, or a scaled down version of this Plan Change is unacceptable and untrustworthy, and it cannot be considered.

I say that this proposal cannot possibly honour New Plymouth District Council's Strategic Framework. Our community cannot possibly trust the intentions of the applicant and this proposed change.

Many social and environmental problems come about as a result of governments not taking a holistic approach when bringing about change. The proposed Plan Change does not take a holistic view of the environmental and infrastructure impacts of our village. The proposed Plan Change does not take a realistic view of the level of investment required to adequately scale up all aspects of our infrastructure and what impacts that might bring.

The consequences of this proposal are many and will long outlive any financial, legal and moral obligations that the applicant may have. This application does not provide solutions, for example, like how to ensure safety for the kids on all of our roads. I live on Mace Terrace, which is opposite McFarlane Street, where you went today, and I use the intersection at Dixon Street and State Highway 45 near the Four Square every day. Recently, as you know, there was a girl who was hit there by a car. And many pedestrians have experienced near misses, as people enter the village at high speed. We already heard this morning that heavy traffic is not going to be able to be satisfied with a roundabout in a location like that either, but this doesn't even seem to be included in this proposed change.

We also cannot put a price on the impact of additional pollution caused by 60 per cent growth. Pollution, in terms of air quality, noise, light, waterways and the visual landscape. Oakura's fibre Internet connection, which we waited so long to get, has been developed not with this kind of growth in mind. Many people within our village work from home and use the Internet. We actually have a higher percentage of Internet users in our village, according to the census, than New Plymouth. I imagine that the applicant will not be paying for additional Internet capacity to Oakura, if our capacity is reached.

So not only is this whole process costing both ratepayers and us citizens a lot of unnecessary time and money, but this proposed change is attempting to create a solution to a problem that our village just doesn't have.

The community has clearly indicated how it would like to see future growth within our midst, that maintains the character of the village, and this proposed change has never been a part of that.

The applicant has indicated that the reasoning behind some of the dense housing within the proposed change is to service the needs of the elderly. It is interesting to note that, according to our most recent census information, Oakura has proportionally fewer elderly residents and more children in its population than in New Plymouth. Our village currently offers all aspects of housing to meet the needs of the community and it has a strong family focus.

The night of the 2007 tornado in Oakura saw our volunteer fire brigade knock on every single door within the village to ensure that our elderly and people living alone were safe and supported that night. This action and the way residents responded to help those in need that night, when we were struck by a natural disaster, says a lot about who we are as a community.

Wellbeing of our community. The applicant describes the land subject to the proposed change as having a sense of peace and calmness that cannot be bought. This is how our whole community feels about our village now, not just this land that is being considered within the proposed Plan Change. The sense of peace and calmness is very much under threat, due to this change, for our whole village. Part of the council's obligations within current legislation is to ensure that the use, development and protection of resources is managed in a way or a rate which enables people and communities to provide for their social, economic and cultural wellbeing, as well as for their health and safety. This proposal, without a doubt, endangers the wellbeing of our community.

Our village is populated by people who contribute positively in many ways to the Taranaki economy. We could not even imagine what the cost would look like to erode that wellbeing on the New Plymouth economy, if this proposed plan was to continue.

We live here to enjoy the slower village pace and the closeness that a small settlement brings. As I have said, there are many elements within our community that have not come into consideration when assessing this proposed Plan Change and what 60 per cent growth brings. We are not prepared for, and nor have we signed up to live, through the disruptions, interruptions and extensive lag times that will come about when our broader infrastructure quickly exceeds capacity to the proposed change, followed by the time it will take for local and national government agencies to react, find and allocate funding, plan and then attempt to rectify the capacity issues.

**COMMISSIONER:** No, you have --

**MS CROOK:** I know that one's been done. I'll turn it off.

**COMMISSIONER:** No, were you concluding or that is it?

**MS CROOK:** No. No, I am not concluding. I know we have talked a little bit about the school.

**COMMISSIONER:** Yes, I was just going to raise that, that we have had extensive submissions and evidence on that.

**MS CROOK:** Sure, so we can move past that one.

**COMMISSIONER:** Yes. It is still taken as read.

**MS CROOK:** Thank you. Finally, our voice matters. The decision to initially accept this proposed Private Plan Change has been a very costly misjudgement by the council. The numbers speak for themselves, in terms of how our community feels about this proposal, with over 400 people submitting opposition to it. Our community has only been strengthened by uniting together to contest this proposed Plan Change. The way this process works means that the odds are stacked against us and we have been fortunate that we have people in our midst who are able and prepared to contribute vast amounts of time, professional support and money, to oppose this proposal, in a bid to retain our quality of life and the character of our village.

The council would never entertain a proposal to grow New Plymouth at a rate of 60 per cent via one landowner. No local government, honouring its strategic framework of putting people first and caring for our place, ever would.

It is often said that people fear public speaking more than they fear death. So that fact, that over 100 people have submitted evidence to this hearing over the course of this week, they took time off work to do so, and spent many hours and evenings and weekends reading plans and documents, to be informed and be here at this week, must surely be a wake-up call to the council, and perhaps maybe even to the applicant.

So, finally, we are the community and our voice matters. We must be heard and listened to. The needs and wellbeing of our community must outweigh the wants of a landowner who has pledged in the past to keep the land for farming. No matter how the applicant may like to frame it, this proposal and any watered down version, is being put forward solely to serve and provide benefits to the applicant and his family. Our community is speaking loudly and clearly to you, Commissioners. This proposal does not serve our interests or wellbeing. The cost to our wellbeing is too high a price to pay. I ask that you please reject this proposed Plan Change and know that a whole community is supporting you in that decision. Thank you.

**COMMISSIONER:** Okay, thank you. Mr Coffin?

**ASSISTANT COMMISSIONER:** I just had one question, because much of the rest of the presentation is very clear. This is actually on the first page at the last sentence, where you say:

"At the same time our community will inherit vast amounts of cost, stress, inconvenience and overall loss of wellbeing."

I was wondering if you could elaborate a little bit more on the "vast amount of cost" that you see coming, and perhaps a little bit more about the wellbeing, over and above what you have already put in your submission?

**MS CROOK:** Sure. So I think a number of people have talked about some of the costs today. Obviously, we have -- we are well served in terms of the resources that we have in the community and the things that we can offer people who live in the village. So I think some of those costs are not necessarily monetary, but they are things that people will miss out on, they are opportunity costs or things that will no longer be available to everybody.

In terms of wellbeing, I think that there is a lot of research now into the cost of wellbeing in society, and I think that a lot of us have moved to Oakura to maintain our wellbeing, by being in a place that is -- allows you to be relaxed; a lot of us have quite high-pressured jobs. And so there is a huge cost, in terms of healthcare, in terms of workplace cost - when people become stressed, they have anxiety, and then those things flow out into other areas in society. So I think part of this is looking, you know, we all lived through the getting the sewerage put through our village. We had a spike in crime when that happened a few years ago. There was a lot of disruption, a lot of strangers in town and interesting things happening and roads being closed and footpaths dug up. These are all things that disrupt the normal flow of life.

**ASSISTANT COMMISSIONER:** Thank you.

**COMMISSIONER:** On your second bigger picture slide, you discuss smart and targeted growth. If you can just tease out a bit more, in terms of your definition of the "smart and targeted growth", particularly the smart part I am just interested in that.

**MS CROOK:** Well, I think that we have probably, as Catherine said previously, the village has enjoyed an evolutionary style of growth. So I can give an example on Mace Terrace; we have had two additional residences nestled into existing properties, and that seems to have been managed quite successfully. So there are ways to achieve, you know, additional demand for housing in Oakura, without such a largescale development - that feels quite disconnected from the rest of the village. You know, I encourage our kids to walk and bike as much as possible and I do the same myself, so I think, you know, the council supports the "Let's go" campaign in schools and we try and encourage the kids to do that outside of school. So smart growth, to me, would look at some of those holistic types of goals we have in the community, to look at how we can achieve those things. I think the people living in a subdivision in this kind of area would feel quite disconnected from the rest of the village. I think that they would always have to drive to get to amenities and I think they would definitely have to drive to get to places like the beach. Some of the targeted and smart growth is around nestling in places where people can still walk, they can still get to things more readily, and that they feel connected and part of that community. For me, smart growth is also about, you know, taking the big picture in terms of what do the community want and what are they prepared to work with, and it doesn't feel like that has happened in this case.

**COMMISSIONER:** Just on that matter of taking the big picture, what do you see that involving and what would the role of the council be in that big picture, developing that along with you?

**MS CROOK:** I think it involves time and this feels a bit rushed to me, in terms of allowing for those things to surface. So I think we are quite an engaged community and we are lucky enough --

**COMMISSIONER:** Yes, we have gathered that.

**MS CROOK:** So I think it's allowing people to come forward with ideas. I don't think people are opposed to growth. I think that they want to surface their concerns and also find good solutions. At the moment, we feel like we are on the back foot. We aren't able to solution at this point. We are having to respond. I mean I think generally in society we don't look holistically enough at the effects of things that we do, and so bringing other agencies into it could be interesting as well, in terms of healthcare, especially if you're looking at supporting the growth of housing for elderly people, and other agencies that might be able to assist, especially the Ministry of Education, all those kinds of networks need to be tapped into, to look at successful growth.

**COMMISSIONER:** Thank you for that, thanks very much.

**MS CROOK:** Thank you.

**COMMISSIONER:** We now move to Megan Gundesen, the Taranaki Equestrian Network. Welcome. Do you have any statement to table?

**MS GUNDESEN:** I don't.

**COMMISSIONER:** No, that is fine.

**MS GUNDESEN:** Just the talk. Well, thank you --

**COMMISSIONER:** Proceed with the talk, thank you.

**MS GUNDESEN:** Thank you for allowing me to make this submission at pretty much the last minute, it is much appreciated. Now, I am going to speak to the 25 hectares of this proposal, as opposed to the 19 hectares which is the residential aspect of the proposed development. So 25 hectares has been put aside for equestrian purposes - fantastic. We thoroughly endorse that and look forward to it happening, if the application is approved.

Now, to give you the background for where I am sitting, I chair, and have done for a decade, the Taranaki Equestrian Network. Now, we represent the equestrian community's needs throughout Taranaki. We are an umbrella group for a whole lot of horse groups. We have got a pretty engaged audience; we've run meetings, newsletters, surveys and there is probably an active riding community of around 1,500 throughout Taranaki.

I would just like to tell you about the equestrian community, which exists in Oakura. I get some statistics from AgriBase's research in 2009, which said there 80,000 horses in New Zealand, which puts about 5,000 in Taranaki. And from the surveys that we have done in 2010 and 2018, we are looking at approximately 1,000 horses in the Oakura area, so it's really known as a horsey area; I think anyone in the equestrian scene in Taranaki would say that Oakura is a horsey area.

**COMMISSIONER:** That is okay to use that term, a horsey area?

**MS GUNDESEN:** It's good with us, and may it increase. So, you know, for instance, there are two top New Zealand dressage riders live in Surry Hill Road; we have a top New Zealand level showjumper in Surry Hill Road; we have a former Olympian, Helene Tompkins, born in Surry Hill Road, so right in the heart of the area we are proposing. As an example of the very passionate community of equestrians that live out there, there was a proposal in 2015, where the pony club grounds were going to be moved and a community swimming pool was going to go where the pony club grounds are, and on two days' notice, we called a meeting on 4 January 2016, because there was so much concern on Facebook about this proposal. And so we co-ordinated a meeting, the Taranaki Equestrian Network did, and we had over 80 people flood into the Butler's Reef, and were very upset at the thought that the pony club might be shifted. At that stage there was an idea from the council that a multi-sports hub would go up virtually in the area that is now being looked at for this McKie subdivision. So it was sort of all part of a plan that the council had going, those, well, relatively few years ago. So I guess the point of that is just the numbers that live there and, bang, they were there in a flash and they were having their voice heard.

Now, I think there is a really clear need for the type of equestrian lifestyle blocks that are proposed here. The 10 acre block which is what we have traditionally had, is just outdated. It's hard to sell - talk to any real estate agent - they're hard to sell, they're too big. People need 1 to 2 hectare blocks, particularly when there is a bunch of them together. Horses like to be in herds, they like to be together, so it's not cool to have, you know, a horse on its own on 1 hectare, but it's very good to have 12 or more together on 12 lifestyle blocks.

So people returning to New Zealand will love this. I've had so many people ask me, you know, "When's this going to happen? I know someone from overseas returning. It's so exciting, the thought that there might be smaller blocks that we could return to". Older people would love not to have a 10 acre block to have their horses on, but to just have 1 or 2 hectares to look after. It's going to appeal to all age groups and I would think they will probably be whipped up in a snap, you know, they really will be.

Equestrians need arenas to ride in, to get out of the, you know, bog and the mud in the winter. They need safe access to open spaces, which will happen because they will be able to ride round the bridle trail and then down to the beach. So they're going to have a communal area, you know, it's a decent size, 60 by 30 is proposed, that's very exciting. And it's going to be really nice to be able to ride along behind the bund; that will be perfect for us, and then get to the bottom of the tributary and go through the underpass. And, I guess, in the fullness of time hopefully ride on a strip behind Lower Wairau Road down to the beach. So I think there is absolutely a clear need for it, and we are all for it.

Now, just in terms of community benefit, I mean there is already a vibrant community there, as I have said. The lifestyle blocks are going to be beautifully maintained and laid out, because horses can't be done behind the wheel of a car or in front of a computer. It's a very hands-on thing and they need obviously paddocks, they need stabling, they need yards. And so the benefit for the local people and the local economy is going to be fantastic because, again, it's not something that can be dreamed up by a graphic designer. You actually have to get out there and you have to spray the land, you have to plant the grass, you have to cut the hay, put in the drainage, build the stables, and then there is all the maintenance involved. So there is a lot of hands-on jobs that are great for local contractors, by having lifestyle blocks.

So our statistics on the sort of money that will go into the local economy is $12.5 million per annum as a result of these lifestyle blocks, and I will tell you how we arrived at that. The New Zealand Horse Network, a really respected national group, researched what people -- like we said to counsel a couple of weeks ago, what us fools with our horses spend on our horse, and about $12,500 per annum and you multiply that by the 1,000 odd horses in the area, so you're talking a lot of money into the local economy.

So basically, to summarise, I think there is a very clear need and there is a lot of community benefit and we fully endorse the Equestrian Lifestyle Blocks in this proposal.

**COMMISSIONER:** Okay, thank you. Mr Coffin?

**ASSISTANT COMMISSIONER:** I have two questions. One is there is the proposal for the underpass, are you familiar with it?

**MS GUNDESEN:** Yes.

**ASSISTANT COMMISSIONER:** You seem like the right person to ask; are there any particular issues that the horse and the horse rider would face, in terms of an underpass going through? Could the horse be spooked or find it difficult to go under the underpass?

**MS GUNDESEN:** Not at all, there's lots of precedent for it. You know, it's amazing what we can train horses to do. In the First World War, 10,417 New Zealand horses went; 4 came back, but they were all trained to run into cannon fire. That's the sort of thing that we can get horses to do, and I have myself ridden horses through an underpass, through a stock tunnel; barely could clear my head. There was a good 50 horses. So you just get one that's been through it before and the next one will follow.

**ASSISTANT COMMISSIONER:** Sort of the height and the width, minimum requirements for a horse and rider?

**MS GUNDESEN:** Oh, I think that's in the proposal. It depends how many other users you're looking at.

**ASSISTANT COMMISSIONER:** But what you saw, you thought that was adequate?

**MS GUNDESEN:** Yes, it's done to the Rolls Royce standard, what's in the Wairau Estate, this Plan Change application, off the British Horse Society recommended specifications. But, honestly, it can be pretty minimal and horses can fit through, but in this situation you need to get horses and walkers and runners and cyclists through.

**ASSISTANT COMMISSIONER:** Yes.

**MS GUNDESEN:** So we have suggested that it's probably a good idea to have 1.5, say, wide for the horses and then have everyone else go. It's not so much for the horses, it's more for the people to feel comfortable.

**ASSISTANT COMMISSIONER:** Would you need separation, like, between them? Would you need like --

**MS GUNDESEN:** Oh, a couple of rocks or something down the middle.

**ASSISTANT COMMISSIONER:** Okay. My other question is just related to the $12,500 per horse per annum. I am assuming that's like for stock feed and materials?

**MS GUNDESEN:** Yes, that doesn't include the purchase of the horse, the purchase of transport, but it does include the fuel to get around. And it includes lessons and it includes feed and it includes maintenance of lifestyle block areas. So it doesn't include purchase of infrastructure, but it does include maintenance of infrastructure. And that is dedicated in the Taranaki Manawatu area, so it was more in Auckland and Christchurch, but it was slightly less in Taranaki Manawatu.

**ASSISTANT COMMISSIONER:** Okay, thank you, that was really helpful.

**COMMISSIONER:** I do not have any questions, so thank you very much.

**MS GUNDESEN:** You are welcome.

**COMMISSIONER:** With your notes, Ms Gundesen, can you leave those with Jane?

**MS GUNDESEN:** Do you think they will be able to read them?

**COMMISSIONER:** As long as they are better than my handwriting.

**ASSISTANT COMMISSIONER:** Yes, and as long as they are the same as what you have outlined.

**MS GUNDESEN:** Yes.

**ASSISTANT COMMISSIONER:** Yes, thank you.

**COMMISSIONER:** We will now move to Sarah Foreman. Welcome.

**MRS FOREMAN:** Thank you.

**COMMISSIONER:** If there are any matters --

**MRS FOREMAN:** Yes, there's bound to be.

**COMMISSIONER:** -- that have already been highlighted, we will take those as read.

**MRS FOREMAN:** Yes, I will try and avoid those ones. Yes, I will.

**COMMISSIONER:** But, yes, please take us through your statement.

**MRS FOREMAN:** Okay, thank you for the opportunity to speak, by the way. My husband I moved to New Plymouth nearly six years ago from rural Taupo. My husband was born and grew up in New Plymouth and went to school here. He became very ill, so decided to come back to his hometown in his latter years. In Taupo we lived near Acacia Bay, a very small village with just a dairy, a pub and a thriving garden centre. Four of our children were educated at New Plymouth Girls High School and New Plymouth Boys High School, as boarders.

We used to come to Oakura often, as our kids surfed and we loved the village feel and atmosphere, access to a huge amount of local arts and music, and the lovely sense of remoteness, yet still reasonably close to New Plymouth. We have nearly always lived in a rural environment, as I have horses, so Oakura seemed the perfect choice.

I would define Oakura as a little village within a farming and coastal area. Prior to coming here, I was the Secretary of the Mapara Valley Preservation Society in Taupo, but in truth I was the cornerstone of that society, working up to 30 hours a week for 8 years, to save Taupo's special areas, especially those with unique, rural amenity and sensitive areas such as outstanding natural areas and significant landscape areas from inappropriate development.

I will use that word "inappropriate", as that is exactly what this proposed Plan Change is. The Mapara Valley Preservation Society and I worked closely in liaison with the Environmental Defence Society in Auckland, with Gary Taylor and his team of experts. As you can see from my attached CV, I was very active - and this CV is not even up-to-date. I believe I gave over 112 submissions, including being a witness in the Environment Court.

Our main areas of concern as a society, and litigation related to the protection of landscapes from inappropriate, that word again, development. We also focused on the efficient use of resources, both natural and physical; low impact design and maintenance, and the sustainable management of lakes and waterways.

With the aid of the Environmental Defence Society, we have had several Environment Court wins and were awarded a Department of Conservation Award in 2008 for our services to the central North Island.

I was a member of the working group for the Taupo West Rural Structure Plan; a member of the Strategic Partners Forum for Taupo Growth Management Strategy; member of the Strategic Partners Forum for the Mapara Valley Structure Plan; a former member for the Taupo District State of the District Report; and an active member of the Lakes and Waterways Action Group.

Having come to New Plymouth, I decided I had done my bit with regard to environmental work, but firstly when the Fitzroy Golf Course was proposed for a planned intense subdivision, and then when this Private Plan Change 48 was announced, on closer investigation, I could see the same pattern - and I won't use that word - of developer self-interest as happened in Taupo, and I had to submit.

I am very aware of the pre-development promises followed up by those broken promises of people who actually do not care how the community feels or thinks. You cannot just sit back and allow developers to flout the rules and come back in for a second bite.

The Mapara Valley Preservation Society worked closely with Taupo District Council to improve the District Plan, to protect those sensitive areas in the rural environment and to prevent these situations occurring. A few years back I knew the RMA inside and out, but time and, I have to say, a bit of age, tends to make one forget a lot of the detailed information. However ... do you want me to leave the next bit out?

I cannot forget part 5, section 2(a), which states that the purpose of the Act is the sustainable management of natural and physical resources in a way or at a rate which enables people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety. It is quite clear that this proposed Plan Change does not fulfil that part of the Act.

Development exploitation is something that makes me angry and upset. All over New Zealand, lovely little towns with unique history, character and friendly, close communities are coming under pressure from developer exploitation. The very qualities that attract people to them, both visitors and residents, are ruined by inappropriate - and I use that word again - development.

New Zealand is unique and we actually do have some lovely, quiet seaside villages, but they are being gobbled up at an alarming rate. Once gone, it cannot be reversed. How do you define a small village feel? Low population, tightknit communities that work together for the betterment of their village and each other. Most people know one another, if not by name, then by face and everyone pitches in to help. Strong community focus groups, a small school, playcentre, library, pub, a marae, an old hall, fish and chip shop, church, fire service, a little local newspaper, et cetera.

And 100 per cent pure New Zealand, Oakura is advertised as a picturesque, relaxed atmosphere, family friendly, close-knit community, a village indeed. At the moment it's almost entirely walkable in the urban area and it is the residents' desire to have it that way.

Charlie Harrington, the film maker, who stayed here during the filming of The Last Samurai, described it as a beautiful, exotic, faraway place. We made good friends and keep in touch with him to this day, and so do our kids. There is a lovely photo of him and his family and friends, sitting beside an outdoor fire with the Sugar Loaves in the background.

I could ramble on and the community's expert witnesses have covered all points, but I would like to bullet point a few. Is this proposed development at a scale that is consistent with landscape values, rural character and amenity of the surrounding environment? No. The natural, rural feel will be lost and any big housing area adjacent to an ONLA and SLA must not be allowed.

How can you ensure - I guess that's been covered - the pests?

**COMMISSIONER:** Yes, thank you.

**MRS FOREMAN:** I won't go through that, but all the work that Taranaki Regional Council has done, will undoubtedly be undone if the Plan Change is allowed. Is this the area most preferred by both New Plymouth District Council and the community for future urban residential growth? No. It's been clearly stated in the Oakura Structure Plan and subsequent documents that the seaward side of State Highway 45 be used for main, residential growth. Mary Buckland, in her work for the - oh, that's been said already, or can I say it again?

**COMMISSIONER:** No, you can.

**MRS FOREMAN:** Thank you. Mary Buckland, in her work for the New Plymouth District Council, states:

"It is really important that any expansion of Oakura is contained within the line entitled Area of Focus of the Structure Plan. Further development along the coastal area, either to the west or east, should be discretionary with conditions related to location, visibility and retention of the natural character. It is important to have strong edges to both the lifestyle areas and coastal settlements, particularly in high value landscapes and coastal areas."

The council has an obligation to be sure that development provides a certainty to the community for its future, and to know the reason why the area is valued and loved, its activities, its character and these should all be considered in any proposed development.

Commissioner Tobin determined that the Paddocks subdivision would leave that large area of open farmland for amenity values and farming as a sustainable, natural resource. This community never envisaged that would be ever revisited, and we feel angry and cheated that the applicant would have another go - 400 houses, 160 houses, whatever, on that side of the highway will have a huge impact on the visual, rural amenity of our little village and facilities will be pushed past the maximum. Will it benefit the community? No.

Imagine the years and years of rumbling trucks and service vehicles going up Wairau Road, already a narrow road and very urban, for a development such as proposed.

**COMMISSIONER:** Your next paragraph has been -- the matters you raise have been well covered.

**MRS FOREMAN:** Okay. I would like to put a personal note on that, then.

**COMMISSIONER:** Yes, you can.

**MRS FOREMAN:** My husband was the driver of the car that caused the accident with the tractor, so it has a very real -- the traffic is very, very real.

And, finally, there are already enough vacant lots to fulfil the immediate future growth requirements, and in a much more suitable area on the seaward side of the highway, adjacent to existing urban areas. I consider this proposed Plan Change to be inappropriate and request it be declined in its entirety. I will just pull myself together.

**COMMISSIONER:** Thank you, Mrs Foreman. Mr Coffin?

**ASSISTANT COMMISSIONER:** I do not have any questions.

**COMMISSIONER:** You talk about, where you quote Mary Buckland, in that paragraph.

**MRS FOREMAN:** Yes.

**COMMISSIONER:** In terms of acknowledging the Structure Plan and subsequent documents. Are there any particular gaps, from your perspective and, given your extensive involvement in other processes, whether the relevant documents are well connected, or not, in terms of providing clear, strategic direction for Oakura?

**MRS FOREMAN:** I think that it has been covered by a lot of other submitters; that it needs to be done in increments. A development of a massive scale such as proposed is just totally inappropriate. I think the people here in Oakura need to be consulted more by the council as to what they desire, and I think that the people who have spoken this morning have clearly stated that the other side of the highway is the most suitable. And obviously, for reasons of all the things that have been mentioned to do with run-off and pollution, pesticides and all those kinds of things, which I am very, very familiar with and have done a lot of work on over the years in Taupo; intense subdivisions up high like that, cause so many problems further down.

**COMMISSIONER:** Thank you. There are no further questions, so thank you very much.

**MRS FOREMAN:** Thank you.

**COMMISSIONER:** We will move to Rebecca Scott. Welcome.

**MS SCOTT:** Thank you.

**COMMISSIONER:** If you can take us through your statement.

**MS SCOTT:** Great, okay, good afternoon. Thanks for letting us all submit. I am a resident of the small, but beautiful seaside village called Oakura and I am one of the more than 400 residents who have sent in a submission to the council, opposed in its entirety, to the land change from rural to residential and subsequent subdivision in Oakura.

As stated previously, this proposed subdivision will have a far reaching impact on our community should you, the Commissioners, allow it to proceed. My husband I have brought up three children in the village, all of whom have attended Oakura School. My family have been active in the community for over 15 years, involved in various voluntary positions within the school and the community: for five years, the cricket co‑ordinator for the Oakura Junior Sports Club, coaching and managing sports teams, the Oakura Tennis Club and various committees and fundraising for the Oakura skate park, surf lifesaving club and the community tennis courts at Linda Street. We know the community and do not accept that this land change will have any positive effect to Oakura.

I am sure you have heard of all the various reasons why this land change should not happen, but just to be clear again - and I am just going to mention these very briefly - the school does not have the capacity, the roads cannot cope with the extra traffic. The Kaitake Ranges view shaft will be destroyed, the water quality will decrease, and I could go on for the next hour or longer on the negative effects to our community. But I know that over 100 people have done this before me, and if you have read the submissions to the New Plymouth District Council, 400 plus residents have also explained in their terms the negative effect of this proposed land change to Oakura. Not a single submission was received in complete support. Surely this is telling.

Honesty and values are at stake here. Not that many years ago, the NPDC consulted with the Oakura community and their planning experts and came up with a carefully constructed plan, funded by ratepayers, for the gradual future development of Oakura. The areas on the seaside of the village planned for future development would fit into the existing layout and complement the future development of the village. We also know the developer made a verbal agreement to residents buying sections at his Paddocks subdivision that the remaining farmland would remain rural and quoted that the consent -- that when he gave the consent that that supposedly guaranteed this.

Myself, like most parents, try to see inconsistent messages and teach our kids the values of rules. If rules are broken there are consequences. For example, if we drive 110 km in a 100 km zone and are caught we get a speeding ticket, a fine and demerit points. If we don't put enough money in the parking meter you can be sure that the NPDC parking wardens will be very quick to give us a parking ticket. Break a rule and there is a consequence; simple but effective. Two of our teenage children have had written statements read over the last few days opposing the proposed land change from rural to residential, as they like us still believe that honesty is a trait worth defending. It brings communities together and makes them stronger.

**THE COMMISSIONER:** Your next paragraph, your second word, can I suggest you withdraw that?

**MRS SCOTT:** Okay.

**THE COMMISSIONER:** It will not change the point you are --

**MRS SCOTT:** No, sure, okay. A developer and the NPDC who won't follow their own planning colleague's advice sends a terrible message to our children and next generations that rules can be broken when they suit a particular party. Quite frankly we feel let down by NPDC that the plan change request was not rejected at the application stage. Many of us hold the view that NPDC are behaving like property developers and wanting return on investment rather than considering the needs of their ratepayers as they are charged to do.

Some discussion around the new green school near Oakura has been heard in recent days. The green school is to be a fee paying school with fees somewhere in the range of $12,000 to $30,000 thereabouts. It will have no zone, that is, children could reside anywhere in Taranaki or beyond and attend. We don't think these families would want to live in a highly condensed subdivision on the wrong side of State Highway 45. These families often choose lifestyle blocks and will likely have the means to do so; while fees at Oakura are just over $100 a year and the school is highly regarded. We don't see that many Oakura School students will move to the green school. Oakura School is zoned so only caters to those within the local Oakura zone. The point I am making is that if the developer thinks green school families will purchase his sections he is wrong. We are laypeople, as we are considered in this process, when really we are experts in our community. We have trust in the RMA and other legal processes governing things like this. We believe you Commissioners are here to do the right thing for our environment, the community that we live in every day. Please don't let us lose this faith in these processes as it would be a turning point for the future trust in our District Council, the RMA, and the quality of life for the 1,500 residents of Oakura.

Surely the consequences should be that the plan change is dismissed outright. Stand up, be bold, as the residents of Oakura and the experts opposing this have done. Decline this land change in its entirety. Make a stand and listen to the people and say no. Thank you.

**THE COMMISSIONER:** Okay, thank you, Mrs Scott. Mr Coffin?

**MR COFFIN:** I have some questions and these are related to your first page, the second paragraph, and particularly your voluntary role that you have had with the school community for some time. There are two parts to the question, looking at the different sports you have been involved in, and I am just wanting to get from where you know that these sports are being played. So we have heard about the school and Corbett Park but I just wanted to know if there were other places where the different sports that you have been involved in have been played.

**MRS SCOTT:** Yeah, sure. Well obviously surfing and lifesaving obviously is the beach. There's a lot of sports played there. The tennis is obviously played at the school and it's also played -- we have two community tennis courts --

**MR COFFIN:** I saw those up the top there, yes.

**MRS SCOTT:** Yes, at Linda Street.

**MR COFFIN:** And cricket, whereabouts is that?

**MRS SCOTT:** Cricket is played at the school, every weekend there's -- the fields are full of cricket players.

**MR COFFIN:** Is that children and adults as well?

**MRS SCOTT:** That's children.

**MR COFFIN:** Just children, okay.

**MRS SCOTT:** And then also Corbett Park.

**MR COFFIN:** Okay. In terms of capacity, like are the parks being used all the time? Would it be your view that if there were more children or more people that you would need more parks, more spaces?

**MRS SCOTT:** Yes, definitely. I mean, there's -- I know there's practices on every night at Corbett Park. During winter -- during terms -- actually all year at Oakura school there's either soccer teams practicing on the field after school and at lunchtimes, and there's also -- in the summer there's cricket teams practicing, and there could be five or six teams practicing on any given day. And that's not to mention there's touch rugby, look, I could name quite a few other sports that use the fields as well.

**MR COFFIN:** Are you aware of any plans for extra grounds anywhere or reserves or spaces?

**MRS SCOTT:** No, not that I'm aware of.

**MR COFFIN:** Thank you.

**THE COMMISSIONER:** We do not have anything further so thank you, Mrs Scott.

**MRS SCOTT:** Okay, thank you.

**THE COMMISSIONER:** So we move to Allie Black. Good afternoon. How do I pronounce your surname?

**MR TSCHEUSCHLER:** Tscheuschler.

**THE COMMISSIONER:** Tscheuschler, did I get that right?

**MR TSCHEUSCHLER:** Yes.

**MS BLACK:** That's why I reverted to Black.

**THE COMMISSIONER:** We will just be a wee moment.

**THE COMMISSIONER:** I do not want to call you Mr T.

**MS BLACK:** Do it.

**MR TSCHEUSCHLER:** Lots of people do, don't worry.

**MS BLACK:** People just stare at us blankly until we answer our name.

**MR TSCHEUSCHLER:** Just wait for the pause and then ...

**THE COMMISSIONER:** Just hang on for a moment. Okay, Mr Coffin and I were just discussing in terms of we are getting close to the end of hearing submitters. We have several submitters for after the luncheon adjournment. What we intend to do, we will hear from the submitters who are lined up at the moment, we will then take a five minute break and then we will then carry on and hear from those submitters who are currently scheduled for after the luncheon adjournment. I understand, Stephen Looney, are you ... okay, no just stay seated at the moment, I was just checking you were here because after the five minute break we will hear from you. Steven Wood? No. Grant Stewart? Okay, Paul Coxhead? Mary Bishop? Mr Hislop is here, okay. So, Jane, if you can endeavour to contact those people who were due after 2.00 pm to see if they can come earlier that would be good. So we will hear as many of the submitters who do arrive and then we will take a shortened luncheon adjournment. Okay, thank you.

**MS BLACK:** Okay, I'm Allie Black, I live in 917 South Road. I'm a local resident and I moved into the area approximately six years ago because I felt that Oakura offered a superb lifestyle and a safe environment in which to raise my children. Specifically the size and compact nature of the village offers an environment that to me resembles what it was like to grow up in New Zealand through the 1980s. As a child I remember the freedom of being able to cycle amongst my friend's houses after school, to hang out in public places without fear of being harassed or molested. Oakura's close knit community allows our children to experience some freedom and independence whilst moving among a caring and watchful neighbourhood. I have a child at the local kindergarten and another at the school. I am heavily involved with the local pony club and my children both participate in surf lifesaving. My husband surfs our beaches and I ride my horse regularly in the area.

I was supposed to speak on Wednesday but I am now pleased that I had the opportunity to hear some of the evidence and local residents speaking against this proposed plan change. The thing that strikes me in participating in this hearing is how inherently flawed the planning process is. You have a community that feel they have been lied to by a developer who provided assurances in developing his Paddocks subdivision that he would not further alter the character of the land. Those that supported that development did so relying on his word and now here we are as a community pledging our time and financial resources to fight a subdivision of a massive scale on the exact piece of land that was to be protected.

Both sides have gathered expert witnesses to debate the technical issues such as traffic management and planning principles, but what has now been made so clear to me and hopefully to you, and what I feel so humble to be part of, is a community that feels such a deep love and abiding respect for their village, its environment and character, that they have come, supported, listened and spoken out against what they feel will forever change what is the essence of Oakura. Preparing submissions and speaking in this format is daunting and uncomfortable for most people so I hope, Commissioners, that you take note of how much effort individuals have gone to in standing against this plan request.

All the technical points have been covered, all the objections heard, so I won't dwell on the many flaws that I felt were contained in this plan change request, but I noted on Wednesday that you were interested in understanding what makes this place unique so I will read for you the comments about our village made by a famous Hollywood location scout who came to Taranaki and resided in our village for 13 months while The Last Samurai was filmed. He was asked, "What was the impact on your personal life?" and he gave the following response:

"We moved into a small town right outside of New Plymouth called Oakura. Most of us lived in Oakura, Tom Cruise, the production designer and ten other crew members got beach houses. I flew my wife and four kids down. My youngest was 6 and my oldest was 16. The kids went to school and loved it so much they all said, 'Daddy, sell all my toys at home, I want to stay here'. They wanted me to move there. We all loved it, it was the best experience out of all 66 movies. Me and my family got to live in a beautiful, exotic, faraway place and I am still in touch with my neighbours in Oakura on Facebook and through email. I am still talking to all of them all the time and my kids still talk to their friends they made down there. We made good friends. We did some boating and fishing. It's funny, I play electric guitar and I moved into this beach house a couple of months before my family came down. I was alone with my landlord and I was walking in there with my guitar and my amplifier and said, 'Gees, sometimes I like to play the guitar at night and some of these houses are pretty close together' and he said, 'You moved into the right house over here. Over there lives a drummer, and the base player lives over here'. Every fortnight they have a big party on their deck. Their band was called the Decktators. All the musicians in the neighbourhood would come over and we had these big jam parties. We had lots of fun."

He was asked, "Did you ever make it up the mountain?"

"Yes, I did a lot of hiking with my kids and of course they had never seen a waterfall before, or anything like that, and I skied up there too. It was cool, literally, because the same day I was swimming in the morning near my house and then we went skiing afterwards. When you can stand on a black sand beach and go swimming in the morning and look up and see the snow on the mountain and then you can go up and go skiing in the afternoon, that's pretty amazing."

And I just really felt that that summed up the uniqueness of our village and why we're so protective about what it represents for us so I thought that, yes, maybe that just gave you a little bit of special insight.

**THE COMMISSIONER:** Yes, thank you for that. Mr Coffin?

**MR COFFIN:** I do not have any questions, that was really clear, thank you.

**THE COMMISSIONER:** Okay, thank you.

**MR TSCHEUSCHLER:** Just a little bit of a jumble up, trying to shift around the days and everything so we're submitting together at the same time. Just firstly where it says "Commissioner" of course I mean the plural. I'm Trent Tscheuschler, resident in Oakura area for the past six years. My submission on the proposed submission of Oakura Farm Parks properly relates specifically to the 200-400 m high, 600 m long bund or fence wall, hereafter referred to as the bund wall, that's yet to be fully specified by the applicant to be constructed along State Highway 45.

I would firstly like to preface my talk to discuss the impacted parties of the subdivision so that the Commissioners in their assessment of the proposal can be certain as to the affected parties. In assessing any development in a rural area with highly regarded vista and view shafts(?) which highlights the picturesque environment that we live in, the Commissioners must consider the overall greater good. Who are the greater and who are the minority in this battle over the landscape treasured so much? The greater represent not only the existing communities but those who live close by and adjacent communities, those from outside the region who come to visit Taranaki, and those from overseas who come to enjoy the 100 percent pure New Zealand brand that we sell so strongly to our potential overseas visitors. It is certainly one of the reasons why I moved to New Zealand and this region in particular.

Who is the minority in this battle? It is the one man, the applicant, the one man who aims to earn millions of dollars at the expense of the greater good. The Commissioners must consider the greater good in assessing the application to ensure the wants of the applicant are not overvalued and their expert evidence doesn't cloud and overwhelming sentiment that the development represents a poor outcome for the community and its future. The destruction of the environmentally beautiful landscape that the greater treasure and enjoy will be gone forever and only one individual will receive the benefits.

So now the topic of the bund wall proposed by the applicant to increase the number of lots to make the subdivision financially viable; and I note that was his words and not mine. In researching the bund wall I sought to find out where similar bund walls have been raised in rural environments. I could not find a similar example of a bund wall in a rural environment; not in the NZTA Noise Barrier Design Guide, not in internet searches, not in any of the travels to date I have undertaken around the country and certainly not where the bund had a significant impact on an outstanding vista. And this is true even in an urban environment around Auckland and Wellington.

It is difficult to ascertain the reason for the applicant wishing to build the bund wall for anything other than financial gain, as highlighted in the request for private plan change and application to vary consent noticed dated 15 March 2018. The applicant has spoken in his submission of working for the greater good of the community, however, he has pressed ahead with the bund wall proposal whilst also stating that the bund wall represents a larger financial gain. The applicant hasn't hidden away from the fact that the bund wall will hide the rural landscape and Kaitake Ranges from the community he is apparently working in the best interest of, instead attempting to downplay the significant vista that the Kaitake Ranges and surrounding landscape provide. And the Kaitake Ranges being the outstanding natural landscape that they are, the area subsequent around that area is also considered impactful on that outstanding natural landscape. The applicant certainly isn't acting for the greater good. Why are bund walls normally necessary? The purpose of these walls is to offset vehicle noise where roads are required to be built in close proximity to existing houses for the most part. That is to allow more vehicles serving thousands of road users daily to allow them to travel to work in a timely fashion. In this instance the reverse is true. The bund wall is being used to allow the applicant to squeeze more sections into one of the most beautiful parts of Taranaki.

So in reviewing the proposed land change I question why the Oakura and Taranaki communities, the visitors from other regions of New Zealand, and overseas visitors sold on the 100 percent pure New Zealand image would be placed behind the benefits of the applicant. I ask why the applicant should gain at the expense of all the other families in the local community. Finally, why the outstanding aspect of the Kaitake Ranges that is viewed from State Highway 45 be destroyed for the benefit of a minority. This private plan change request in any form, big or small, is unwarranted, unnecessary and unethical. The number of submitters in opposition versus the minority in favour should speak volumes to the Commissioners. I ask that PPC48 be declined in its entirety.

**THE COMMISSIONER:** Thank you. Mr Coffin?

**MR COFFIN:** I have just got one question. You have highlighted the concern in terms of the bund wall hiding the rural landscape and the ranges. So what do you define as "the ranges" because the bund wall, just hypothetically if it is 2 m you could potentially look over that and still the ranges. So I am just interested on that part of your statement.

**MR TSCHEUSCHLER:** It's really hard to assess that given that the applicant hasn't actually specified the height of the bund wall. From my research and looking at the NZTA barrier design guide, given the wind impact that you would have in Oakura being subject to westerly breezes, I couldn't work out how the bund wall could be anything less than 4 m high to achieve the outcome that he was looking for. Now, I'm not an expert, I've just read the guide and made the assumptions based on the information provided in it. So, yes, certainly my submission is based on the wall being 4 m high.

**THE COMMISSIONER:** So just the second part of the question, how would you define the ranges?

**MR TSCHEUSCHLER:** The ranges?

**THE COMMISSIONER:** Yes, for example is it just those parts of it that are part of the national park or is there a wider definition from your perspective?

**MR TSCHEUSCHLER:** I would it is wider. The Kaitake Ranges themselves, so the national park apportionment from the boundary outwards is the part that's of greatest visual impact in my view. But then I don't know, I guess it's like looking at a river with a city in the background, what catches your eye the most. Without the river there would the city look better, worse? I think you've got to look at the complete scene to be able to understand the beauty of the landscape and to rule out the rural landscape in front of that is I guess -- it's going to have an impact, in my view.

**THE COMMISSIONER:** Okay, nothing further so thank you.

**MR TSCHEUSCHLER:** Thank you.

**THE COMMISSIONER:** Okay, we will just take a five minute adjournment and then, Mr Looney, we will go to you. You are more than welcome in the adjournment to settle yourself at the table. Thank you.

(A short adjournment)

**THE COMMISSIONER:** Afternoon, Mr Looney. Welcome and over to you.

**MR LOONEY:** Good afternoon, Commissioners. Thank you for this opportunity. My name is Steve Looney and I along with my forebears and own family have been a part of the Oakura landscape now for six generations. My great-great-grandparents, John and Rosie-Ann Looney, were the first European owners of what is now known as Lot 29. Their tenure on the land was the essence of sustainability in its purest form which allowed them the opportunity to participate and contribute to the early development of the Oakura community. Their children were among the founding students of Oakura School. My own three sons all had the benefit of attending Oakura Primary School. I am hoping my two grandchildren will make it seven generations. I fully support the summaries of Cam Twigley's expert planning evidence, Peter Kensington's expert landscape evidence, Nicholas Gladstone's statement of evidence on traffic and the KCB's entire submission.

I grew up in and around Oakura. I've lived the village lifestyle and enjoyed every aspect of its environment. I've walked all the tracks in the Kaitake Ranges and have swum in all the rivers, and am still surfing all the beaches. I along with my forebears have enjoyed a physical, emotional and spiritual connection with the landscape. We are European tangata whenua. I have measured time in the growth of Oakura by the passing of all the people and the generations through the village. After listening to one of the layspeakers recently I was moved by their honesty and their integrity describing how they felt about the Oakura village and the impact that PPC48 will have on the village for them. I admit that the Paddocks represents what is to my mind a workable solution, that is, in balance with the surrounding environment and the Oakura community. With the Paddocks decision OFP have entered into a relationship with the community and the landscape, to be upheld by a series of condition limiting further expansion. I believe that OFP have breached a threshold of fair play, and to justify their argument have now deliberately created the misconception that Oakura lacks land supply for housing when it has been shown there are plenty available. Now I am going to talk about those numbers there, is that ...?

**THE COMMISSIONER:** We can take that as read thanks.

**MR LOONEY:** Yes, okay. I also note that TradeMe Property is currently advertising four unsold Paddocks sections under the heading, "End of year financial sell out", demand having not yet caught up with that supply. Oakura requires managed, staged and targeted growth which presently does not include the village growing to the size indicated by the FUD overlays. However, should demand ever justify larger scale expansion beyond the current supply of infill and existing urban zoned areas in Oakura the community view is that it be established on the seaward side of Surf Highway 45, with particular reference to the western FUD. Already partly zoned, the greater western FUD represents the best workable solution to effect the best outcome for larger scale growth should it be required. Backed by Surf Highway 45 on its southern side, and book ended by the Kaitake Golf Course on its western flank, the western FUD quietly assumes its availability as the next cab off the rack. With its proximity to Oakura Beach it has the potential to cater for an impressive combination of both pedestrian walkways and cycle ways that would allow for the integrated and seamless flow of its residents into existing village amenities. An adaptive development approach could then allow for community infrastructure and amenities to be upgraded over time and in smaller bites. This way infrastructure and amenity assets designed to mitigate growth issues would become more customised and better targeted to meet community expectations.

When a community galvanises itself into action as Oakura has done in this instance, by that same action it is also defending the ratepayer funded community development schemes that are created with the full support of its territorial authority, the New Plymouth District Council. Considering the weight of opposite rallied against WES thus far, should it be allowed to proceed, the future act of engaging the Oakura community, or any community for that matter, to contribute to contribute towards its own development initiatives with its own territorial authority would seem pointless. NPDC is the ultimate decision maker and in this case could also be seen as complicit by accepting a private plan change rigorously opposed by the Oakura community together with the full support of its Community Board, the KCB. Confidence in the New Plymouth District Council to support its own community initiatives would be lost. With their attempt then to take a second bite at the cherry, Oakura Farm Park are now promoting WES as a solution to a problem that does not exist and, as mentioned previously, are now choosing to dishonour their relationship with the community. In good faith, the following commitments were made to support the Paddocks project. Are you happy that -- for me to read those next five?

**THE COMMISSIONER:** Yes.

**MR LOONEY:** Okay. In good faith, the following commitments were made to support the Paddocks project. The area of farm we want to retain as part of this subdivision will remain a highly productive farming unit which needs protecting from further subdivision in our view. The location chosen will protect the open landscape giving rural appearances that will be preserved and maintained forever. If the identified Oakura structure plan triangle, the south FUD, is developed, views up to the Kaitake Ranges will be obstructed by buildings. Residential housing along the main highway into Oakura, which will spread roughly to the lake we have built, will in my view destroy the character of the village. Retaining the dairy farm unit will continue to be economic and will sustain our family and future generations of farming families with a livelihood and career opportunities now and into the future. At that hearing Judge Tobin also stated the following:

"It is noted that the applicant expressed the intention during the hearing of retaining lot 29 with a 'protected farm status' in the longer term, regardless of the zoning."

Also noted is that the applicant's QEII and KNE only came about because of Judge Tobin ruling in favour of the Paddocks development. Had that not occurred, the applicant's fall back position was to carve the entire farm into 18 4 hectare blocks. Fair enough, it's in the rules, but no QEII, no KNE and no pa protection.

I now understand then that the applicant's QEII and KNE was never an act of selfless environmental stewardship, nor a gift for the community to enjoy at their pleasure. Contrary to the rules for the maintenance of covenant, the Mckie QEII since being planted has been left unmaintained. For many that outcome represents the applicant's indifference when it comes to abiding by the rules as the area is now home to well established stands of woolly nightshade and common gorse and bears no resemblance to the promotional pictures that depicted how it was going to look. As a QEII covenant holder myself, the different between subdivision condition 4 on lot 29 and a QEII covenant is that the covenant exists in perpetuity and cannot be undone ever.

To summarise, to be successful Oakura Farm Park are now openly contradicting themselves as they attempt to dishonour a relationship previously undertaken with the Oakura community and its landscape. To achieve that they are departing from what I would argue are some basic principles. These are personal integrity, personal credibility and personal accountability. Ironically all these attributes are what Oakura Primary School works very hard at instilling in their year 7 and 8 students as they prepare them to engage with the outside world.

Lot 29 is an iconic location that sits proudly at the forefront of the Kaitake Ranges. Its natural features form a spectacular backdrop to a small scale seaside village. It needs to stay protected. WES in any form, big or small, is unnecessary, unwarranted and unethical. I ask that private plan change 48 be declined in its entirety.

**THE COMMISSIONER:** Okay, thank you, Mr Looney. Mr Coffin? We do not have any questions of you so thank you, Mr Looney.

**MR LOONEY:** Okay, thank you.

**THE COMMISSIONER:** Steven Wood?

**MR WOOD:** Good afternoon, ladies and gentlemen. My name is Steven Wood. I'm a third generation in the village on my mother's side. The grandfather, Captain Grey, he was a pilot in two World Wars, received a land allocation up at the end of Croydon Road. I've been living in the village since the late 70s, apart from 10 years in Aussie. I've been involved with the Oakura Boardriders from the early days, the rugby club, (inaudible) club, golf club and coached kids' sport, both rugby and soccer. I first looked at this with open eyes and I looked at the pros and cons and read various submissions from those who were for and against. Benefits were a roundabout and equine trails and stuff, both I would say highly questionable.

Now, with the underpass for the equine and the horses, various points that I would like to raise is where's it going to go? If it goes under the road they can't take horses down through the valley as such because of the -- it's private land thereafter, so the only other option was to turn it and track along the main road. So what's going to happen there is you're going to have horses trotting along the road or the edge of the road, trucks barrelling through. Now horses don't really cope with that sort of disturbance. The other thing I'd have to say, if you got a horse going under a road through a tunnel, what's going to happen if there's say a kid there or someone pushing a pram and they meet a horse halfway through. It's a recipe for disaster.

So those two carrots that were dangled out I'd say are unworkable. The roundabout is marginal, to say the least. You've got the brow of the hill. I can't see it working. I guess the expert evidence is quite contradicting itself in you've got the Land Transport rules and then you've got the McKie's specialist who is arguing for it. So there was those two things.

The other thing that was a benefit, I thought, is that the Council is going to get a lot of rates out of it. So I can see their point of view, they're going to want the subdivision purely on a financial incentive.

There was the need for sustainable growth and to me this wasn't it. I mean, it just wasn't -- it was too big. The cons in my eyes were the pressure on the infrastructure, and you've probably heard this before so I'm just going to whizz through it. You probably need to double just about everything on every front; the parking, the sewage, the storm water, the schools, the roading, the power, the internet. This is just far too big. The size of the lots, 300 square metres, with a question on how many and how this could change as in 2010 there was only supposed to be 29 lots. Now it seems the goal posts have changed and possibly will be forever changing. I was under the impression of the 25 lots now -- if it was me who purchased a lot in the Paddocks under this illusion I'd be feeling quite ripped off, to say the least.

The sale of land, we would hope it would go to local interest but once he has consent it could go to anyone. Now, I spent some time in November in Cambodia and I went to town in Sihanoukville where basically the Chinese have moved in and taken over the whole town. Now, if this subdivision got sold to any interest, it could be Russians, it could be Chinese, it's just a recipe for disaster. We have no control over this, which kind of scares me, purely on the size of the subdivision, the amount of people that would come in. If you filled up the village with one ethnic race it would be an us and them situation. It wouldn't work out well. So that's one of my main concerns.

We have no control on the pests and the national park predator free -- excuse me, I've been chain sawing. Better usage of land, the impact on farming and the housing so close to a pipeline, and the lack of the details on the drawings around the pipeline and how it's going to be affected. If he wants to put an equine park there there's going to be issues with the pipeline. I'm -- my background is in pipelining, I've been involved in that industry for about 20 years. One of my major concerns is around the storm water into the Wairau Stream. We live at number 6, which is down the bottom end, and we're under the pump when it rains. I've seen various floods over the years and the whole valley full of water. No doubt you've seen the videos and the pictures. The NPDC have done some gabion basket and rock walling, which is now starting to fail. So to me you can't stop the forces of nature. Remembering a cubic metre of water is a tonne, and it really hammers down there when it floods. So all the banks are undercutting, where they've put the baskets in it's just falling to bits on either side of them.

These were done to protect their sewage pipeline and they raised the water level with the basket to give them coverage on the pipeline, creating a small waterfall. The fish pass that I requested to be put in has failed and if I may note that NPDC has shown its hand by not only ignoring my request to rectify it but not acknowledging my request and walking away from what I consider their duty. If this goes ahead the pumping station will be under threat. If it does I would consider this gross negligence, to be an understatement. Twenty years ago it was a fine gentle creek, now we have issues in the last few years and it has gotten way worse. I would say that we can put this down to storm water runoff from the Paddocks subdivision and various other developments. Whatever they did didn't work and quite clearly you can't stop or slow the discharge of storm water efficiently. Where does this leave us and who becomes liable? Where is climate change heading? It's a perfect storm, people.

On the eels, I'm the person the KCB alludes to as the local resident who feeds them, and yes they are longfin eels and they are under threat. I hope this subdivision doesn't wipe them out. If flooding doesn't impact on my pets the pollution surely will. The reason I live in Oakura, well, years ago as a kid we would spend holidays at the campground and grandparents' farm. Loved every minute of it. Then teenage years and I was hooked on surfing so much and had a lot of mates out there I surfed with. Being close to the coastal surf spots was a bonus so when a house came up to rent I was in. I ended up purchasing back in around 1982 right on the beachfront, then went to Aussie looking for work to pay for it. Ten years later we moved back and back then we thought this was an ideal spot to raise a family. The place has everything I needed, climate, beach, surf, friends, not too big a town, a river at the backyard with a bit of bush, and I could walk to most places. I have always thought, "Where else would I really want to live and be happy?" I love this place. I feel this subdivision is too large and so wrong on so many levels. It would impact on my own way of life and happiness. I feel the overwhelming need to protect our way of life and the future generations to come. I hope that you guys and the NPDC listen to the community's heart and voice on this.

Also a special thanks to all the personnel who have made such an effort to bring us all together on this. You know who you are and thank you. One of the things that I picked out this morning, reading all the submissions again, Mike McKie says he ‑‑ item 16 on it was a gradual transition and he says, "I believe it'll be at a slower rate". Now, when he says "I believe" there's no guarantee that that's going to happen. It's like saying, "I believe in the Tooth Fairy". He can sell as many as he wants, whenever he wants. There's no guarantee on that, and to me that's scary. So after looking at it and reading all the submissions I'm opposed to it. Thank you.

**THE COMMISSIONER:** Thanks, Mr Looney. Mr Coffin?

**MR COFFIN:** Just in your words, how many longfin eels are there? Do not worry, I am not going to go and catch them.

**MR LOONEY:** It kind of goes from 20 maybe down to 5, so it varies. So I've got probably 2 or 3 that'd be in the vicinity of about 40 years old.

**MR COFFIN:** And they are able to move up and down the stream?

**MR LOONEY:** Well they struggle on the so-called fish pass that was supposedly supposed to be put in has been washed away, and so the bigger eels can get past it, they'll actually come up on my grass and they'd travel around it. But all the whitebait and smaller fish won't go past it. But, yes, there's been generations of eels come and go, 20 years I've been feeding them and they've certainly grown. I don't feed them every day, just whenever I go fishing, sort of thing.

**MR COFFIN:** And in your experience they would have gone right up the (overspeaking)

**MR LOONEY:** Well they are all the way up. I mean, you go all the way up to Bruce Harvey's place and he's got pet eels as well, so he's sort of where the tributary meets the top of the Wairau. But, yes, there's certainly plenty of eels in the river and there is the odd shortfin but mostly longfin.

**MR COFFIN:** Okay, and the water quality from your perspective looks pretty good?

**MR LOONEY:** It's pretty good until someone decides to tip some milk or there's been some sort of flood damage and it's -- a big chunk of the bank has fallen in and it turns silty. But on the whole I'd say the water quality is great. It doesn't really have a lot of iron in it and it's one of the few areas around the coast where there isn't iron in the water. I mean, you move further down towards the golf course you've got a lot of iron coming through. So I've actually done quite a bit of water divining over the years as well, so I kind of keep an eye on the water and you can tell what's coming down.

**MR COFFIN:** Thank you.

**THE COMMISSIONER:** Okay, thanks, Mr Wood. Grant Stewart? Welcome, Mr Stewart.

**MR STEWART:** Howdy. I just got here.

**THE COMMISSIONER:** Thanks, did you get a message from --

**MR STEWART:** I got a message ten minutes ago.

**THE COMMISSIONER:** Thank you.

**MR STEWART:** That's all right. Good afternoon all, my name is Grant Stewart. I'm a local resident of Oakura for 20 odd years. Back in the 60s my family used to camp at the end of what's now Jans Terrace and to date since then most of the development in the village has not had a negative effect and the village has managed to retain its character for what it is. I believe this new proposal will have a very negative impact on the character of the village. I haven't got all the technical stuff, I think that's been well covered. I also believe the continuous erosion of our natural environment for the sole purpose of developing and a small group of people to make a lot of money; it's enough, it's time we changed our thinking. I don't believe these people care much for the local communities or the environment and this development will place more pressure on all of our infrastructure, schools, roads, the bush, the beach, and pretty much everything. It's not in the best interest of the community and I plead with you guys if in fact you care about what the majority think, it's not a good idea, don't do it. It's a bad idea. That's pretty much it from me.

**THE COMMISSIONER:** Thank you. Mr Coffin?

**MR COFFIN:** I am just clarifying, you are on Messenger Terrace, is that right?

**MR STEWART:** Yes, beachfront. I used to live up the top of Wairau Road, very top. So I've seen it grow, I've seen it get developed. So far, not so bad. When I drove up Wairau Road this morning luckily for me I turn right to go down to the coast for a surf, and what you see when you turn on to the main road is grass and bush. The developments that are there are tucked in behind the trees as you turn the corner. What's proposed will just stick out like a sore thumb. It's just -- it's an appalling idea in my opinion and many others.

**MR COFFIN:** Thank you.

**THE COMMISSIONER:** In your second paragraph you talk about that most of the development in the village has not had a negative impact. Your reason for that statement?

**MR STEWART:** There's a lot more houses in the village than obviously there was in the 60s but they've been in amongst other properties, they are all on the seaward side of Highway 45. They've all been blended on Donnelly Street, they're all blended in amongst the existing houses. There's a new area up on Jans Terrace, up by Norton Mollers(?) place and that -- it all fits in, it's all in amongst the trees. The character has been retained from the mid-60s in my opinion.

**MALE SPEAKER:** Would you say the topography, like it is little valleys that has contributed to --

**MR STEWART:** Yes, it is, absolutely, absolutely. It's not on a big sort of sloping face where it's just visible. It's all tucked in and it doesn't impact in a negative way on the community and how it feels. The environment hasn't been badly impacted by the development, and there's a lot more people out there since the mid-60s, heaps more people, numbers I'm not sure.

**THE COMMISSIONER:** Thanks very much, Mr Stewart.

**MR STEWART:** Cool, thank you.

**THE COMMISSIONER:** Paul Coxhead. Welcome, Mr Coxhead. So I see that you have got two statements here, so which one are you going through first?

**MR COXHEAD:** Thank you. I'm doing my one.

**THE COMMISSIONER:** Okay, thank you.

**MR COXHEAD:** My name is Paul Coxhead. I live on Messenger Terrace in a home we built 40 years ago. I have been heavily involved in the community during this time from scouts, rugby club, chairperson of the local lions club and chairman of the school committee. In 2001 I was an original member of the committee to set up the very successful Oakura Junior Sports Club. I am vice president of the Oakura Bowling Club and currently serving my second term on the Kaitake Community Board.

My concerns for the plan change to rezone are many, including the increase in vehicle traffic and ability of our roads to cope, extra pressure on all our infrastructure, parking, views restricted, etc. But a major concern is storm water. We are having increased erosion since the establishment of the Paddocks subdivision and even though systems were put in place to alleviate this, in heavy rainfall they have not been successful. I feel this new subdivision will cause major damage downstream, eroding the creek causing problems with the sewage pump station and depositing extra rubbish on the beach.

Mr Comber touched on the possibilities of erosion to the low lying houses along the beachfront of Messenger Terrace caused by rising sea levels. I agree that with the weather extremes which we are getting more common now it would take just one weather bomb to cause us major damage. What Mr Comber didn't include was the effect of the extra storm water of the proposed Wairau Estate Subdivision would have on this problem. You saw yesterday, or it was the day before probably, photos of the flood damage to the Wairau Stream. It was point 147 on the KCB submission. This combined with high tides and extreme weather could cause some major damage. If an extreme weather incident caused erosion to low lying Messenger Terrace properties it is also likely to cause major damage to the very exposed Tasman Parade, the only access to all the properties on the western side of Wairau Road. The residents would then have no access to or from their properties.

What we need is another access to connect this part of Oakura. By allowing the rezoning of the Wairau Estate subdivision I believe this will probably never happen. By keeping future development on the seaward side of State Highway 45 Cunningham Lane and Russell Drive would be joined, forming an alternative access route. Maybe with some careful planning in time Arden Place and Shearer Drive properties could also be linked to this new access road, keeping all traffic off the beachfront, and this area could then be turned into a beautiful, safe beachfront experience for all to enjoy.

**THE COMMISSIONER:** Thank you. You have got an aerial plan attached, was there anything there you wanted to highlight to us?

**MR COXHEAD:** No, just probably that Tasman Parade is very unprotected and very exposed and if there is, like I say, a weather bomb, that is the only access. As you've said, you inspected the Russell Drive, Cunningham Lane area so -- but the houses on the -- up Jans Terrace there have only got one lot of access and it is a very -- it could be very exposed if we did get some sort of extreme weather. But I think if we did ever -- if we ever could hook up Arden Place and Shearer Drive to that, well then it would leave half of Tasman Parade anyway without any traffic. You could form a nice picnic area, a safe area with no traffic for the children, for the surf club, for everyone to enjoy that area.

**THE COMMISSIONER:** And we did drive along and stop there at our site visit this morning. Mr Coffin?

**MR COFFIN:** Just a couple of quick questions. Rugby club, is that at Corbett Park, is it?

**MR COXHEAD:** Yes.

**MR COFFIN:** Okay, and the scouts, whereabouts are they?

**MR COXHEAD:** They used to be down in Dixon Street. They don't exist now, and it's where -- it was mentioned earlier there's a subdivision there now with four or five houses and the old scout den has been turned into a house. But it used to be a very strong scout group when --

**MR COFFIN:** And the bowling club? I just do not recall seeing (overspeaking)

**MR COXHEAD:** The bowling club is behind the hall on the main road, just about opposite Donnelly Street.

**MR COFFIN:** How many members at the bowling club?

**MR COXHEAD:** The bowling club itself has about 25 playing members and about 90 social members.

**MR COFFIN:** Thank you.

**THE COMMISSIONER:** So you can take us through your wife's statement.

**MR COXHEAD:** I'll take my wife's -- she is here but she's looking after our great-granddaughter who is a sixth generation on her side of the family to live in the village. My grandparents were one of the first families to live in Oakura as permanent residents. When I was ten we moved here from Wellington and I just loved what Oakura offered, the lifestyle, the close, supportive, friendly community and the feeling of belonging in a small village. We have now resided in Oakura for 42 years and Paul and I have always been involved in the community. We have raised 3 children here, our 9 grandchildren and 2 great grandchildren are the fifth and sixth generations to live locally. Prior to retiring five years ago I worked from our house as a home based educator for 22 years. My roll was often full over these years with a waiting list and I still get asked if I will continue to work as there is always a need for childcare, especially for under two year olds.

My concern re the size of this proposed subdivision and application for rezoning is the pressure and demand it will put on our current early childhood preschool and home based educators. The kindergarten and the two local preschools already have waiting lists and the home based educators also have limited spaces for under two year olds. The sudden growth of a large subdivision like the proposal will change our close knit village into a town like feeling instead of what we have now which is a caring, supportive, small community. We do not need 300 odd more sections as this will only create pressure on the whole infrastructure of Oakura. Any development should be at a steady pace on the seaward side of Oakura, not spilled out towards the ranges where rezoning is proposed, ruining views, putting pressure on environment and looking and feeling like a big town and not a village. We just do not need the zoning to be changed. It will ruin what we have enjoyed for many years and there is already enough room allowed for steady growth in the current zoned residential area.

Myself and many others who are presenting submissions against this proposed Wairau Estate rezoning this week have chosen to live in a village, not a town.

**THE COMMISSIONER:** Thank you. Thanks very much. Has Mary Bishop arrived? Welcome back. Thanks for responding to the text.

**MS BISHOP:** Yes, thank you.

**(Transcription ends)**

**(Transcription begins)**

**MS BISHOP:** I am sorry, do you have this on text? I think you have it on your computer. It has been sent through. This is a statement on behalf of Janko and Rebecca Reinders who have an emergency and are flying out of the country for a death in the family.

**THE COMMISSIONER:** Oh, okay.

**MS BISHOP**: So that is why they are not here to speak and is actually just a very short statement in support of their opposition to the Plan Change.

**THE COMMISSIONER:** Yes, that is fine. So that has been emailed to --

**MS BISHOP:** Yes. No problem. They wanted to emphasise one point and here it is:

"We purchased our property, 16 Pahakahaka Drive [which is my neighbour, by the way] in the autumn of 2017. Before the purchase we were verbally informed by [they refer to Mike as by his first name, Owen, Mr McKie I guess as the protocol] Mr McKie that some housing may be planned in the farmland in front of our home, currently Wairau estate plan."

You should understand that they live at the bottom of the subdivision, the very closest to the farmland that is being developed. So it is literally across the pathway. So it is directly across. And they were one of the last people to purchase.

"Mr McKie did inform that some housing may be planned in the farmland in front of our home, currently Wairau estate plan. He did inform me that this development included sections in the same style as in our subdivision and there would be mix of some larger houses and smaller houses close to Highway 45, namely elderly homes close to the transformer house [they mean the transformer that is on 45].

Three weeks after we purchased the land I received a pamphlet showing the real layout and that close to 400 houses were going to be built. Majority small homes and certainly not in the same style or set up as what Mike, Mr McKie, indicated before purchasing the property.

Furthermore, Mr McKie drove me around in his Jeep specifically on the meandering unsurfaced footpath towards 45. He indicated how great and safe this would be for families and children to walk towards the beach and that this path would remain as this was protected land.

No mention was made about the significant entrance dam and road crossing this path for a 400-home subdivision before I purchased the property. He only told me this after I bought the land. This certainly does not feel safe and will become the main visual feature to look on to from our property.

I feel that this information provided and the picture painted by Mr McKie before our purchase is not a representative reflection of what is currently planned.

Janko and Rebecca Reinders."

**THE COMMISSIONER:** Okay, all right. Thank you very much. Thanks for coming in.

**MS BISHOP:** Yes. Thank you.

**THE COMMISSIONER:** So, we move to the last submitter on my list, Mr Hislop. I understand you are presenting on behalf of your wife, is that correct?

**MR HISLOP:** Yes.

**THE COMMISSIONER:** Just while the statement is being circulated, I indicated after you had presented Tuesday --

**MR HISLOP:** Yes, I did ask again.

**THE COMMISSIONER:** -- I may have more questions. So given the passage of time and the number of submitters who have presented, I did have some in terms of working through the statement that those matters had been responded to.

**MR HISLOP:** Yes.

**THE COMMISSIONER:** And also given we have also taken the in-depth site inspections.

**MR HISLOP:** Yes, I understand. However, Mr Kiss made a statement -- said a phrase yesterday and I just wonder if you would indulge me to -- because I think a perception, or a misunderstanding, may have occurred as a result of what he said and I would just --

**THE COMMISSIONER:** Okay.

**MR HISLOP:** Are you happy for me to --

**THE COMMISSIONER:** I am happy for you to …

**MR HISLOP:** He said yesterday that I tapped him on the shoulder to join the Oakura focus group.

**THE COMMISSIONER:** Oh, yes. Yes.

**MR HISLOP:** And I would just like to reiterate that the Oakura Focus Group, of course which the Kaitake Community Board are all members. It is the same thing. At a meeting it decided what technical expertise they needed to join, and he was one of the people. Obviously I would have rung him and asked him if he would like to join. But I certainly did not go around and tap anyone on the shoulder.

**THE COMMISSIONER:** Okay.

**MR HISLOP:** I just thought I should say that.

**THE COMMISSIONER:** No. No. Thanks for clarifying that.

**MR HISLOP:** The other thing, and I think I am sure I am speaking for everybody here as the last person, can I just say thank you very much for both your professional and even-handed approach to this whole business and as people have said this morning, it has been particularly traumatic for a lot of people who do not do this sort of thing. So your good nature and professionalism and keeping to the point has been very much appreciated I am sure by everybody on both sides of the fence, if you like.

And the other point I would just like to say that we have got a great deal of gratitude for Jane for all the work that she has done up there. Jane is often the first port of call for the Community Board when we go into council and one thing and another and we have a term for her and it is called "unobtrusive excellence" and I think she has demonstrated that this week. So thanks, Jane.

**THE COMMISSIONER:** And thank you for your --

**MR HISLOP:** And -- yes. Yes.

**THE COMMISSIONER:** -- comments, Mr Hislop. It is appreciated.

**MR HISLOP:** I am actually presenting this with some relish. It is not often after 49 years of marriage that I have had the opportunity to speak for my wife. It is usually the other way around. So I look forward to it.

**THE COMMISSIONER:** She is obviously not here?

**MR HISLOP:** She -- no. She is not. She is on grandparent -- grandchildren duty. She was called away to Wellington on grandchildren duty.

**THE COMMISSIONER:** Thank you.

**MR HISLOP:** Okay.

"My name is Peta Bisset Hislop. I am 73 years old and have two wonderful daughters and three very special grandchildren. I have been a resident of Oakura on and off since 1951 when my parents bought a cottage in the Keyhole Reserve which is still owned by our family. I live in the village, in the same house my husband and I built 47 years ago. [I often say we only need one house]. We spend a lot of time on the beach and in the community's parks and reserves around the village. Oakura, its residents and environs are very close to my heart.

I was very fortunate to be a teacher at Oakura School for 30 years. I have taught a succession of local children and have taught the children of many of those I taught in the earlier years. I have even taught quite a few grandchildren of my first pupils."

I would just like to say if I can do an aside here, you had two speakers this morning that I taught at Oakura school as well.

"This has provided me with a special connection to the Oakura community and has enriched my life in our picturesque and much loved village.

I have also been a part of the school as it has grown and have seen that growth managed very well over the years. The school is a special place and provides much of the glue that connects the community together. Through its children and the involvement of their parents in school activities, our residents are connected socially to each other in a way that larger communities cannot do.

We are extremely lucky to have such a well-managed and happy school. The children here grow into great people who become real assets for the community and further afield in later years. I believe their early school years have added much value to each and every one of them.

Oakura School has always operated as a close-knit community where each family has a genuine stake in it. There has always been a great sense of unity especially as the goals are shared by the parents and teachers alike. There is much parent involvement and a feeling of belonging has been central to the school's success over the years.

The school is at its maximum number now and can in no way absorb the number of children that space would have to be found for should the subdivision go ahead. It would prove a real disaster if we lost our beautiful green space at school where children play and interact so happily. In order to accommodate the large numbers of extra students generated by the proposed subdivision our play spaces would be covered with extra classrooms and concrete.

For many of my years at school I did road patrol on the main road to ensure that the children coming and going from school crossed safely. In more recent years I, along with other staff members, witnessed near accidents with motorists travelling too fast or barely stopping when the road patrols signs went out. Since I have retired from the school there has been a massive increase in the volume of traffic through our village. Many cars are travelling well above the speed limit as they rush to get to their destinations.

The further increase in the volume of traffic if the subdivision went ahead would make it even more dangerous for everyone crossing the road, especially for our little people. Parking is much more congested up at the shops these days and in summer it can be nearly impossible to find a park at the beach.

All the locals, like me, live with the reality that we live in a popular and special place. That does bring lots of visitors and new residents. However, our unique place will only remain so if the community has a say in how its growth is managed. If that does not happen, we will end up ruining the very reasons so many people love Oakura as much as our family does."

**THE COMMISSIONER:** Okay, thank you, Mr Hislop.

**MR HISLOP:** You are welcome.

**THE COMMISSIONER:** So that statement concludes the hearing of those submitters who wish to be heard. In a moment we are going to a shortened luncheon break but just while there are a number of people in the room I just wanted to acknowledge, and I will say some further comments later on today, but I just wanted to outline in terms of submitters in terms of -- Mr Coffin and I do appreciate that this process can be daunting. He and I have been involved in it as commissioners for a long number of years. So we have certainly got used to it and well understand in terms of the -- from time to time the emotional and difficult situation that people may find themselves in in terms of fronting up and presenting their views.

So I would just like to on behalf of also Mr Coffin to acknowledge that. We appreciate it can be a very challenging situation and we have certainly endeavoured to allow people to outline their concerns.

On that note, thank you, submitters. We will now adjourn until 2.40 pm and then we will hear from Mr Wesney. So it is a short lunch hour. So for people who are coming back it will be quite a timely turnaround and then we will hear from Mr Wesney. We provided a number of matters to him towards the end of the hearing yesterday and he will also be responding to matters that obviously he has heard, both from the applicant and witnesses, submitters and witnesses in terms of any further advice that he wishes to provide to us.

So we will reconvene at 2.40 pm. Thank you.

(Adjourned until 2.40 pm)

**THE COMMISSIONER:** Okay, we will reconvene. We will hear from the council. So Mr Wesney, over to you.

**MR WESNEY:** Thank you, Commissioner. So, thank you. So I will just introduce the council team, the advisers who are here today and we have got one hopefully joining via telephone right now.

**GRAHAM:** Hello, Graham here.

**MR WESNEY:** Hi, Graham. You are live on the air in the hearing.

**GRAHAM:** Hello.

**MR WESNEY:** Gan you hear us okay, Graham?

**GRAHAM:** Yes, I can hear you. Can you hear me?

**MR WESNEY:** Yes, loud and clear. Thank you. So I am just introducing the council team and then we will kick off from there.

**FEMALE SPEAKER:** Hamish, we cannot hear you.

**MR WESNEY:** Okay, I will bring the microphone slightly closer and just indicate if you need me to speak up. So in terms of the council team, to my right is Anna Stevens, a planner with me at Boffa Miskell who has been assisting me with the report and the process and some of you probably have had direct contact with Anna. Then from right to left, Emma McCaig(?), landscape architect; Mark Caul(?), council's (inaudible), and to his right is Graeme Pool. I am not sure, Graeme, your official title but --

**MR POOL:** Water Operations Engineer.

**MR WESNEY:** Thank you. And then on the telephone is Graham Doughty(?) from ACON who is council's traffic adviser. So we have been listening intently to all the evidence that has been presented this week and just the first comment I would like to make is there has been some comments around the process that has been followed and some criticism and concerns expressed by submitters around why are we here, why has not council rejected this Plan Change already because it is so obvious. It is contrary to different plans.

I would just like to acknowledge and comment, and Commissioner, you made an observation earlier in the week in terms of this is a process provided for under the Resource Management Act that when council -- anybody can make a request to council, any council in New Zealand, to change a District Plan and when they do so, the council has some options as to what it can do when it receives that request.

One of those is to reject the Plan Change request at the initial stage, but the grounds on which the council can reject the request are very, very limited and they are things like, has the council looked at this from a District Plan perspective in the last two years? Is it vexatious or frivolous? And of all the reasons, there were no reasons in this case for council to reject it. And then there is the process where it accepts it and then if it does, it then goes through the process which the council has undertaken.

So I just wanted to make that comment at the outset in terms of why we are here. It is because of the Resource Management Act that the council is responsible for implementing, that this process is provided for by that Act.

In terms of responding to the evidence, to me there is a significant breadth and depth of evidence we have heard over the last five days and we have done our best as we have worked through that during the week and Emma, Mark and the two Grahams they have received various questions from us as we have gone through the week and they have been firing their answers back to us. And that is still an ongoing process.

To me, there are still some unresolved matters where there are points of detail that have come up in evidence that we do not have the answers for you or, from my perspective, sufficient confidence or detail for those answers that have been raised in evidence to give you that information right here, right now. We can give you an initial response if that would be helpful but my preference would be to complete a full away and come back to you with that detail.

Secondly, there are some points we have noted that we need to check that information ourselves and they are specific questions that you have asked submitters and we feel we need to cover those in more detail than what we have prepared so far in the time we have had available.

So with that, I propose to just go through what I propose to respond to and leave it in your hands then as to how we progress from there; whether you want us to give you a verbal initial response or whether you would like us to go away and prepare a fuller written response for you.

So I can just outline the matters now?

**THE COMMISSIONER:** Yes, and if you could provide an initial response, Mr Coffin and I will be prepared to provide the opportunity for a more detailed and in-depth response to be provided. So what that would mean, just so everyone is clear in the room, is that the hearing would be adjourned this afternoon to allow that information to be provided to us. It would be available to all parties in terms of the transparency of the process but in terms of what then comes from Mr Wesney and the team, there is not an opportunity for submitters to comment on that. So that is provided to us.

There is the opportunity, however, for Mr Moldani in terms of his reply submissions to comment on those matters.

**MR WESNEY:** Thank you. So in terms of just initial response. It is structured in four main areas. So the first is just around some statutory considerations that have come up during the hearing. The second section will be around the planning context. The third is around the principal matters in contention and at that point I will hand over to the different experts to take us through their high-level responses to the points that have been raised. Then I will come back and conclude at the end in terms of the overall evaluation of the Plan Change and the Consent Notice request.

So in terms of the statutory considerations, the first is the relationship between the evaluation and decision on the Plan Change and the Consent Notice. There was reference in the applicant's evidence and also from some of the technical expert evidence from submitters and legal submissions as well around those two decisions and how they relate to each other.

I concur with the answer to one of your questions to Mr Twigley around that matter in that the matter is inter-related; that the same issues need to be considered for the Plan Change and the Consent Notice. So I consider that they need to be assessed together but the ultimate decision needs to be applied under those relevant tests of the Act in terms of section 32 and 104 principally.

The second overall statutory matter that has come up is the adequacy of the information for the Plan Change and the Consent Notice variation, and one of the challenges with plan changes, whether it is private plan changes or plan changes that a council initiated, is the level of detail for something of this nature and it is a common issue in terms of when you are dealing with something of a large scale as to what level of detail do you need to understand the effects to determine the matters.

So just with that, there are a couple of parts of the Act which you will be familiar with that I will just highlight to you. So these are in schedule 4(a) for the relevant -- which is relevant to the Consent Notice. Also in section 32(1)(c) where they both say that the assessment of the information has sufficient detail that relates to the scale and significance of the effects.

So just highlighting that so you know, because as we will go through every one of the points in principal contention we have considered that question as well as does it meet those requirements in terms of is it of a scale and significance for the effects?

Then the other clause in relation to adequacy of information is the part in section 32 where it refers to the risk of acting or not acting. If there is uncertain or insufficient information, and so that only applies to the Plan Change and it is something that you will need to turn your mind to. It is something we have turned our mind to, as if there is insufficient or uncertain information, should you act in terms of granting or rejecting the Plan Change? What are the risks of doing that? If you were to grant it, what was the risks of the particular provisions you may choose or not choose to put in there based on what information we do or do not have at this point in time?

So again, I just wanted to highlight that to you, that that is an option and something you will need to turn your mind to.

**THE COMMISSIONER:** Mr Wesney, it just may be helpful if you could briefly explain what the section 32 report is about so that all the parties have some understanding of it given it is one of the documents that we need to consider and also need to provide for an updated section 32 as part of our consideration of the applications.

**MR WESNEY:** Okay. So section 32 in general terms is a cost-benefit analysis and it is not what an economist would call a cost-benefit analysis in terms of monetarising all the environmental or economic social cost. It is a consideration on valuation of the environmental, economic, social, cultural aspects of this Plan Change. It is a weighing up of the benefits of those four aspects and also the costs of that and do the costs versus the benefits, where does that balance or where does that weight fall.

So when we are advising the council, that is what we will be considering in our evaluation. What are those relevant costs and benefits? That is what you ultimately, as commissioners, will consider as well.

In considering those benefits and costs, that is in the context of the planning documents. So the question is, what is the current objectives in the District Plan around urban growth? This is where I said earlier this is the sort of detail we have not turned our mind to fully to really work this through in the time we have had available this week. Is the Plan Change that is being sought under the section 32 test the most appropriate approach to achieving that objective for urban growth in the District Plan? Then above that, does it give effect to the Regional Policy Statement? Which is the region-wide document and then we have had reference to the National Policy Statement on urban development capacity which is the planning document that applies nationwide. Does the Plan Change, or does the Operative Plan give effect to that document?

So that is what section 32 is at a general level.

**THE COMMISSIONER:** Thank you.

**MR WESNEY:** So the next section I will take you through and, again, it is just an initial response. There is a number of planning documents I have just referred to but also what I call the local planning documents that the Kaitake Community Board and other references have been made in evidence through this week.

Commissioners, you have asked different submitters at different times as to what was the relationship between those in terms of what came first. When was The Paddocks subdivision application lodged and a decision made in relation to Plan Change 15, for example, that introduced the (inaudible) area? Then mention has been made to the 2006 Structure Plan and then more recently the 30 year vision that the Kaitake Board has gone through.

So considering all of that during this week I have kept going back to each of those documents to refresh myself with the chronological order of how they came about and from my perspective I think it has been very helpful, and where I have started to develop this is to go through the chronological order of those documents to get us to this point where we are today.

Looking at all those documents there is a theme that emerges in terms of what is important to Oakura and how it has planned for growth over time. I think that is particularly helpful for yourselves as commissioners to understand that pattern.

I can take you through that in a very high level now, if that would be helpful.

**THE COMMISSIONER:** Thank you.

**MR WESNEY:** So I started at the Operative Plan back in 2005, and as you asked Mr Comber a question around the philosophy of the Operative Plan and I concur with his comments that that was, I think it was back on Tuesday, in terms of what the Operative Plan was, where it is in a fixed space plan, and at the time there was no real strategic planning approach to urban growth.

In the written material we have started to prepare there is an extract from the Plan Change 15 section 32 report which, effectively, confirms that approach which I think you will find helpful.

Then 2006, there was the Coastal Strategy and the Oakura Structure Plan and if you read the introduction to the Coastal Strategy it talks about a 20-year, how growth and development in the coastal settlements primarily, but also the wider coastal environments in the New Plymouth district, is to be managed over the next 20 years, and with that what comes through in the Coastal Strategy for the section on Oakura it sets out the challenges and opportunities for the town, its goals and how it will be implemented with reference to development of a Structure Plan, but the words that start to get referenced, back in 2006, are for example one of the goals is:

"Provide for growth within Oakura and environs in a manner that maintains and enhances the community sense of place as a vibrant village."

To me this theme, from that point on, is that there is a continuation of a theme here around the community sense of place and a vibrant village, and you have asked a number of submitters, "What does that mean?" and I will highlight, as I go through a few more documents, that some of the detail on that is contained in those documents as well.

So then there was the Structure Plan that followed that Coastal Strategy in a few months and there have been references in various submitters' evidence to elements of that Structure Plan and there has been a focus on a spatial plan, the drawing of the Structure Plan, but when you look at the document that accompanies that spatial plan there is a lot of detail in the Structure Plan, report, around how and what it was going to be implemented as, and I think Mr Twigley referred to the development of a coastal environment, a coastal community environment area, so effectively a new zone for coastal settlements, but that never eventuated, but what the document does do is highlight and describe elements of what would constitute a coastal community environment area, and, to me, when I look back at that and the evidence we have heard from a number of residents there is a correlation there between what is in this plan change and the matters you are considering and what was set out in 2006.

**THE COMMISSIONER:** Just for clarification, you have talked about the Structure Plan and a document accompanying it?

**MR WESNEY:** Yes.

**THE COMMISSIONER:** So what was that called?

**MR WESNEY:** The Structure Plan Report.

**THE COMMISSIONER:** Okay.

**MR WESNEY:** So this is why I am just asking for some time to compile this, because at the moment that is sitting as appendix 2 of this report and that is a work in progress, because I think you need to look at this in the context of the whole, because as I said earlier there has been extracts of this information put in front of you, but I think you will find it particularly helpful to look at it in the whole.

**THE COMMISSIONER:** Mr Twigley from memory talked about an implementation plan?

**MR WESNEY:** Yes, so that is part of that Structure Plan Report.

**THE COMMISSIONER:** Okay.

**MR WESNEY:** So there is definitely three parts to the Structure Plan Report. There is the report itself, the implementation plan and then the actual spatial plan.

**THE COMMISSIONER:** Also I think he indicated that that did not get implemented or go anywhere?

**MR WESNEY:** No, so I have made that note. So far there are quite a few elements of that 2006 Structure Plan which referred to changing the District Plan which were never implemented via a plan change. Plan changes were prepared but they did not proceed to notification.

**THE COMMISSIONER:** Did it ever go to the council or perhaps you will not know that now?

**MR WESNEY:** We can find that out.

**THE COMMISSIONER**: I would be interested in that also, thank you. Okay?

**MR WESNEY:** So the next report in order in terms of that has been referred to was a BECA(?) report, which was a technical report looking into implementation of the growth areas identified in the 2006 Structure Plan and Mr Comber referred to that and I think area H or J was what became the South FUD. I just made a note that that was only produced as a draft report for council. It was never finalised, and that is because council decided to focus on a district-wide response to urban growth issues at that time, so that work was parked, effectively. In context with that as well it was mentioned the Land Supply Review and the framework for growth, so that was the overall approach for the New Plymouth district in responding to the increasing population growth and housing that was happening at that time, but I noted in, I cannot remember which submitter mentioned it, the Oakura area was excluded from that because of the Coastal Strategy and Structure Plan that had been done two years before but what that did do, it was the precursor to plan change 15 which introduced the future development areas.

So continuing the sequence "The Paddocks" application was lodged with council, so just a couple of dates I have referenced, just for the order of the sequence of events, so the plan change was lodged in 2009, "The Paddocks" decision was made in March 2010, and that was after the plan change 15, which introduced the future development area, was publicly notified in November 2010.

**THE COMMISSIONER:** The plan change was notified in November?

**MR WESNEY:** Yes, November 2010 and plan change 27, which was the rural subdivision plan change, was notified in September 2010. So both plan changes were notified prior to "The Paddocks" decision being made.

**THE COMMISSIONER:** That rural plan change, did that reduce opportunities for lifestyle-type subdivision?

**MR WESNEY:** Yes, so that replaced the 4 ha minimum lot size approach to a more -- what I would describe as a more refined approach to subdivision.

So in terms of plan change 15, the future development area overlay and Mr Twigley again -- you asked him around how he would describe the purpose of that, so again I have just included a quote in the document we have been preparing around what the purpose of that plan change was, which was described as an interim measure to protect land from being fragmented to enable it to be developed for urban purposes in the future. In simple terms, in essence, that is what it was seeking to do. Then plan change 27, the rural subdivision one, that is as I have just described, it was seeking to provide a more refined approach to rural subdivision to maintain rural character.

After that sequence of plan changes there was the, "Oakura - a growing community" community engagement project and process, which went from 2014 to 2016 and that was described by the Kaitake Community Board in their evidence.

**THE COMMISSIONER:** Did you have a date?

**MR WESNEY:** 2014, and in the document we have prepared I have quoted from the preamble and the preamble is highly relevant to these proceedings and I will just read out the first paragraph, just to give you a flavour of what it says:

"Well before the start of this community engagement project, the New Plymouth District Council had already indicated an area on the outskirts of Oakura as being potentially suitable for urban development (FUD) and had placed the FUD Planning Overlay on this wide area on the District Plan maps. Council officials had also been signalling that the investment in the Oakura to New Plymouth sewage scheme would enable the village to grow to much larger than it currently is. Part of the purpose of this community engagement project was to test whether it was appropriate to grow the village to the size and at the rate shown in the FUD Planning Overlay."

So it is materially relevant to these proceedings.

**THE COMMISSIONER:** Okay.

**MR WESNEY:** Then it goes on to talk about the very issues we have been hearing about this week, and then in terms of the section in that document entitled "Growth industry/talent" which has been referred to in parts at different times from evidence there is a series of about eight bullet points, and I will just read out some of the words there:

"Further investigation is required to determine long-term potential and constraints for residential growth.

Staged rezoning of rural land identified in Oakura Structure Plan to support sequential village growth and provision of variable housing choices, rather than large-scale tract housing development of uniform housing types.

Commercial activity demand and location to be further investigated.

Increased density, small lot sizes and higher site coverage rules targeted in appropriate areas of new residential development and/or the CBD.

Rural lifestyle 1 to 5 ha lots provided in appropriate locations but retaining low building density and open character.

Protecting existing character on beachfront and in CBD."

So as I said earlier there are themes coming through in these local planning documents.

The next document is the Kaitake Community Board plan, the 30-year vision, which was prepared in 2017 and again in the introduction, in the executive summary, there is a description there of what the future of Oakura looks like from a growth and development perspective. I will not read that paragraph out but I think you understand the chronological order and the theme of these documents.

The next document that has been referred to during these proceedings is the New Plymouth Council's long-term plan, which was adopted in 2018 and I just reference that because there were different numbers quoted from that report and also what is in the council's housing, building and business land assessment capacity assessment and also details around infrastructure funding, so Mark and Graeme will respond to that in terms of those points in detail, but I have just highlighted that and gone back to check some of those details.

Then in 2018 also the draft District Plan was released for public comment so that is the District Plan that will replace the current Operative District Plan and in effect the draft plan is changing from the current operative plan, which is a fixed space plan, to what I describe as an activity-based plan, which is a more common type of District Plan around the country, but in terms of the urban growth aspects and the zoning and the future development areas effectively they were rolled over from the Operative District Plan into the draft District Plan and as the Kaitake Community Board in their submission and a couple of individual submitters have referred to the Kaitake Focus Group, I just want to comment that the council has been working with that focus group over the last 18 months to consider the feedback that was received on the draft plan to develop the provisions that will go into the proposed District Plan.

Then considering the order of events this plan change was lodged early last year and was publicly notified in June last year and then a month later the Taiao, Taiora Environmental Management Plan was notified and that was referred to yesterday by Taranaki iwi.

Second to last is the Housing and Business Development Capacity Assessment, so that was prepared by council over the last 12 months and a draft was released for feedback to some stakeholders early this year and it is going to council in the next council meeting round for their information to be made a final report.

**THE COMMISSIONER:** Just on that, in your earlier comments related to the long-term plan were you indicating there was some misalignment or difference in the figures in the LTP and the capacity assessment?

**MR WESNEY:** There is, and that is one of the things we need to just double-check the numbers. My understanding is that more recent population projection numbers have been used in the capacity assessment compared to what was used back in the long-term plan.

**THE COMMISSIONER:** As long as that is clear.

**MR WESNEY:** That is the sort of detail we need to check.

**THE COMMISSIONER:** Yes.

**MR WESNEY:** Just to respond on the content of the capacity assessment, there was conflicting evidence about whether the current operative plan provides for the short or medium-term requirements for the council to meet its obligations under the National Policy Statement on Urban Development Capacity. Just to confirm the council's position that the operative plan does provide that short and medium-term capacity requirement, so there is no need for this plan change in terms of providing additional land to meet that requirement.

Lastly, in terms of what is imminent, is the notification of the proposed District Plan. The council is planning to have that finalised in the very near future and publicly notified potentially later in August or early September, and as you will be aware, based on what was in the draft District Plan, that has looked at urban growth, providing for housing in Oakura and the rest of the district overall.

**THE COMMISSIONER:** In terms of our consideration of the applications that would be having regard to the current planning frameworks?

**MR WESNEY:** Yes.

**THE COMMISSIONER:** The reason I raise that, Mr Wesney, and if a decision or recommendations on this matter happen to occur after the proposed District Plan was notified is it your view that that proposed District Plan would not be for consideration or have any impact on any decision on this matter?

**MR WESNEY:** I think you would have to consider it as another matter, just because of contextual, but because you have heard no evidence on it that would be the extent of ... so that is the chronology of the events in terms of the planning context.

Now I will just take you through, at a high level, the principal matters in contention and give you our initial response and some of them will be high level, broad things and then there are other ones which might just be points of detail where you have asked a specific question and we have got a specific response to those questions.

So just as a sort of scene setting, in terms of the matters in contention, there is, in my view, a key policy in the Operative District Plan around consideration of this matter, and that is policy 23.1 and that relates to the design and layout of future urban areas through Structure Plans and in that policy there are eight specific matters that a Structure Plan in the future urban area are to consider and ultimately achieve.

So the first matter we have turned our mind to, and just for your reference the order of the section follows the subject matter in our section 42A report we have previously prepared, so it just follows that. So the first consideration was the appropriateness of the rezoning, particularly the scale, nature and extent of zoning. So as I said earlier in terms of the National Policy Statement on Urban Development Capacity, there is currently sufficient provision of residentially zoned land in Oakura to meet the short and medium-term timeframes under the National Policy Statement, so there is no need for this additional land and that includes taking into account the analysis Mr Doy undertook for the applicant in terms of the slope analysis and a reduced yield for some of the residentially zoned land in Oakura. With that small reduction in the number of lots it still meets those two medium to short-term timeframes.

We heard from Mr Greensill yesterday in terms of the property, the farm, he owns and operates to the south and potential reverse sensitivity effects that property may experience and also the constraint on the operation in terms of additional houses or new houses that get built and needing to separate his effluent discharge from those houses. I have looked at the consent that Mr Greensill has and it does refer to a 150-metre setback from any dwelling. The map he provided that was attached to his statement showed that 150 metres from the property boundary. I can understand how and why he did it, from a simplicity perspective, but I think that does overstate the impact of that setback on his property. With the proposal for rural lifestyle properties along the south side of the plan change area the size and shape of the houses will not be built on the boundary. There is a setback in the District Plan of 15 metres from any side boundary, so they will be at least that distance and I expect, looking at the land in that location, that the dwellings would be located further to the north from the boundary and not within 15 metres or near 15 metres from the boundary. Also, he highlighted the area going up the slope. Where the rural lifestyle lots are located they are down on the flatter, lower elevations so the rear eastern half I think of his property there would be limited potential for dwellings up in that location, so I think that again overstates it, but I understand from his evidence that that area does not get used anyway for irrigation because of the steepness of the land. So there will be some impact if the plan change was approved and the new dwellings were constructed near the south boundary but not to the degree that he showed but I also concur with his general comments that when houses come closer that is a known issue, that increase in complaints about odour where you do have new residents living closer to dairy farms.

At this point I do not have a conclusion for you on the appropriateness of the rezoning in terms of scale and extent. The additional points that will come around landscape and visual effects, traffic and access we will tease that out a bit further and I will come back to that.

From a traffic, parking and access perspective, Graeme, are you still on the line?

**GRAEME:** Yes, sorry.

**MR WESNEY:** Excellent, so I will just hand over to you, Graeme, just at the high level, if you can just give your response to the questions we pose to you around the access to the State Highway option and also the roundabout and so on.

**GRAEME:** Okay. From my perspective the application in January talked to a roundabout at the Wairau Road/State Highway 45 intersection and that included traffic volumes likely to be generated from the FUD West area, as well as the proposed plan change and I think that in terms of the traffic volumes to be generated is correct, taking into account your earlier comments, Hamish, around the chronological order.

The second traffic impact assessment report had an alternate access on to State Highway 45 further to the south and it used traffic volumes only from the proposed plan change. So in terms of the assessment of the volumes in the second assessment, that was not done with the volumes that I believe should be accounted for, so that is the first point. Secondly, the alternate access that was proposed in the second traffic impact assessment, from my perspective it is preferable to have another access on to State Highway 45 and that is in relation to the plan change area 48, which essentially could also be utilised for the FUD West area, so that is my preference there.

With regard to the type or the form of that intersection or the intersection at Wairau Road, there are two elements to look at there. One is generally from a capacity perspective and then there is another from a safety perspective. With the single access, so the Wairau Road intersection, so that would be for all volumes from FUD West, a roundabout would be the appropriate form for capacity and for safety. If only the plan change area was to come through that intersection then from a capacity perspective modifications to the existing crossroad intersection could suffice, but in terms of safety I still think that a roundabout would be required.

Any intersection on to State Highway 45 with alternative access would need to go through the same assessment process, but overall the speed approach from the south needs to be reduced sufficiently to recognise the urban character shifting further south and an appropriate 50kmh speed area would be required if that urban area were to develop south.

With regards to legal land available for a roundabout, I think in both locations, the one where the State Highway 45 access is proposed and also the existing Wairau Road access it is very difficult to come to a conclusion. The information is very high level and because of that my initial feel is that a roundabout would require land from neighbouring properties. Once you take into account the requirements of footpath width and potentially they might be shared paths as well especially down at the Wairau Road/State Highway 45 access incorporating more active modes from the proposed development on the plan change 48 area and I think it is mostly in that north-east quadrant where there is a bank there and the way that it is drawn shows to me that you cannot achieve visibility requirements because of the presence of that bank and also the grade leading up to that roundabout. I know that the applicant said previously that that roundabout could be shifted north-west. It is a possibility but again there is very little information to be able to make a determination as to whether it would still fit. A roundabout down at the State Highway 45 access, the alternate access, would not fit if it was centrally positioned along the current State Highway, but it is potentially possible to install a roundabout and have a larger proportion of it into the plan change 48 area, but again that would require realignment of the State Highway and other measures put in place to reduce speeds on the approach.

With regard to Oakura School and looking at the effects from the increase in urban properties from the plan change and likely to be the FUD West as well, the stretch from State Highway 45 to Hussey Street is not quite wide enough at the moment to facilitate cars parked on each side and a lane in each direction, so I think there is potential that traffic trying to drive into the sites at pickup times and drop-off times are conflicting with traffic coming out and that it essentially means queuing on the State Highway whilst those vehicles wait for the people along Donnelly Street to sort themselves out. So I'm recommending some widening from on Donnelly Street from State Highway 45 up to Hussey Street to ensure that there's good movement in both directions to prevent unnecessary and lengthy queuing on the State Highway.

I've made a recommendation around use of the paper road between Donnelly Street and Upper Wairau Road. I've recommended that that's not found as a road but it is still maintained as an active mode choice of route and essentially looked at in terms of making that usable for all active modes.

That's similar with the linkage from Hussey Street to Buckland Lane, I think that paper road should be left unformed and the linkage improved to facilitate active modes and also along Buckland Lane there's no footpath at the moment and so one should be put in there to essentially give acknowledgement to what I believe will be the high potential for active mode use from the plan change area.

And finally I think with increased volumes that will come from the plan change area and the FUD West and they will come through, a lot of those roads will come through towards New Plymouth, is that there should be some measures through the town of Oakura to ensure that people can have safe crossing points.

And the last intersection as you leave Oakura towards the north, just next to the Four Square there, that will probably need a safety assessment in regards to crash risk exposure from the increased traffic that will move towards New Plymouth and measures put in place if the crash risk exposure increases, to bring that back down to an acceptable level.

That's I guess my summary conclusions to that.

**MR WESNEY:** Do you have any questions, Commissioners, of Mr Doherty?

**THE COMMISSIONER:** Yes, I do. It is Bill Wasley, the Commissioner, here, Mr Doherty. I just want to make sure I heard correctly - because it is not the easiest to hear - in respect of the information that you have before you, do I correctly understand that you are not confident that either roundabout could fit on the current road reserves available, is that correct?

**MR DOHERTY:** That's correct, from the way that they are drawn and from my knowledge of design standards, yes, that is correct.

**THE COMMISSIONER:** Okay, thank you.

**MR COFFIN:** It is Antoine Coffin, the other Commissioner, I am wondering if you had any views you could share with us in regards to the underpass that has been proposed?

**MR DOHERTY:** The underpass that has been proposed is a certain distance away from the actual intersection to the south and I think it has the potential to not be used if it's not appropriately designed to I guess make it appealing. Just I remember viewing a drawing that Mr Skerrett showed myself and Ms Greenough from the Transport Agency and the -- it required a lengthy journey to get into the underpass and then also there was a lot of ramping down as close to the State Highway, there were safety concerns around that as well. So there was concern that it -- in terms of pedestrian desire lines that people might just cross over the road regardless.

**MR COFFIN:** Thank you.

**MR WESNEY:** Thank you. Do you have any questions for Mr Doherty, any further ones, or can we let him go?

**THE COMMISSIONER:** No, given that we will have a more comprehensive response provided by you, Mr Wesney, that is all we have at this stage.

**MR WESNEY:** So just an overall conclusion then in terms of traffic, parking and access, I referred to policy 23.1 earlier and one of the requirements there is that connectivity and accessible urban form is provided for. In examining that one, I feel the applicant has been a little bit hamstrung by the New Zealand Transport Agency in terms of their approach to this matter, where they have got their planning policy guidance around limited access roads and new connections to the State Highway and understand that policy says, where there is alternative access available, then that is to be used.

But I feel that they have failed to take into account the Structure Plan that exists for Oakura and the Urban Growth Plans in terms of the two FUD areas in the District Plan and to look at this in a more integrated land use and transportation approach. So I was expecting to hear that from them yesterday or on Wednesday, whenever they were scheduled to appear. So I think, yes, as I said, I feel that has had a very significant influence on the design of the Structure Plan and so I understand why the applicants put forward the proposal in the form it is, because of that position from the Transport Agency.

But, as I said, I think that has been unhelpful from an overall perspective, particularly when you look at that policy in terms of a connected and accessible urban form. All the comments that have been coming through is that a connection to the State Highway is preferred, both from a technical perspective, but also from a community perspective in terms of a connected network, which is not just for motor vehicles, but for all active modes of transport as well.

**THE COMMISSIONER:** Just on the NZTA, Mr Wesney, so in terms of what they were going to present, if they had appeared, so the Transport Agency remain uncertain as to whether a roundabout is the appropriate treatment for the intersection.

**MR WESNEY:** Yes.

**THE COMMISSIONER:** So obviously some further advice around that would be helpful.

**MR WESNEY:** I understand that is also related to their questions around the funding and timing of that roundabout; it is not just from a safety and efficiency perspective. That is from reading their statement.

**THE COMMISSIONER:** What we need to consider though in terms of the plan change is in terms of whether any mitigation that is proposed is appropriate.

**MR WESNEY:** Yes.

**THE COMMISSIONER:** In terms of matters related to national funding that is something for others to consider but it is really understanding whether, in terms of the effects raised, whether the mitigation - or any mitigation - and the appropriateness of that, both in terms of the Wairau Road intersection with the Highway, but also in terms of the subsequent advice around the alternative access.

Mr Doherty mentioned, in terms of that alternative State Highway 45 roundabout, I think I heard him say that also providing potential access into FUD West?

**MR WESNEY:** Yes, that is correct.

**THE COMMISSIONER:** Without looking at the planning, is that defined at all on any of the Structure Plan?

**MR WESNEY:** Yes, there is road alignment shown but I am not even sure I could refer to them as conceptual even, they are very indicative in terms of where they go and I think Mr Kiss in his example highlighted a plan he worked on in 2014 shows different locations, so that is one of the challenges, there is no plan for FUD West as such from those indicative Structure Plans.

So that is where we have arrived at in terms of traffic, parking and access; that there is insufficient information at this time and also in terms of the appropriate measures to address them.

**THE COMMISSIONER:** We could well have some further questions around that.

**MR WESNEY:** So the next topic is landscape and visual impact, so I will hand over to Ms McRae.

**MS MCRAE:** I have been here all week listening to the submissions and in considering the application, the further evidence that's been submitted by the applicant and the subsequent responses from submitters, it's apparent to me there's still a number of fundamental aspects of the proposal for which information is still outstanding, without which it's impossible to fully understand the potential landscape and visual effects of the proposal.

The application and subsequent information provided have not adequately addressed a number of key landscape and visual issues in relation to the proposed development, including the effect of the proposed development on rural character and effects on the Kaitake range outstanding landscape. There is inadequate assessment of other effects of the proposal such as construction effects, cumulative effects, and the effects of night lighting.

Considering the surrounding landscape character and sensitivity, for a development of the scale and nature that's proposed, further detail of certain matters and justification for key features of the proposal is required. The Wairau Estate Structure Plan provided with the application lacks any meaningful landscape-led structure and landscape mitigation with the applicant's LVIA and subsequent peer review response placing too heavy a reliance on development controls such as recessive calibration and development density to mitigate potential effects.

So further consideration needs to be given to the development layout, its staging, integral mitigation measures such as planting, development layout, and examples of how differing densities or character areas will assist with mitigation.

Other matters in relation to landscape and visual effects for which sufficient detail is outstanding, and I have summarised these, they would be: justification for the location, scale and extent, of the proposed development based on a considered landscape analysis of the site and its surroundings; effectiveness of the proposed rural lifestyle area as a buffer; access from the State Highway and ancillary development relating to this, including the proposed roundabout or T-junction, the underpass and the noise bund; details of the proposed staging of the development; details of proposed stormwater management bunds; details of the proposed road crossing of the Wairau Stream tributary and any other proposed stream crossings within the development; and details of the proposed landscape planting and any other mitigation features.

In addition to this, the proposal raises a number of questions relating to important landscape and urban design decisions about the scale and location of future development in Oakura. In reviewing all the information that has been presented, it is clear that an integrated approach needs to be taken to establish a new urban edge for Oakura and this should be based around a detailed landscape and visual analysis, which considers and responds to the surrounding landscape character.

So that's where I've got to.

**THE COMMISSIONER:** Can you just explain what you have just outlined regarding the integrated approach to the urban edge and what you are looking for in terms of that type of work?

**MS MCRAE:** The type of thing that I would be looking for - and I think Mr Kensington mentioned this in his evidence - is some kind of constraints and opportunities analysis looking at the actual landscape features, like the streams, the topography, and using that as a way to indicate where it might be appropriate to extend the urban edge to, rather than what we've got currently, which is just a cadastral boundary.

**THE COMMISSIONER:** When Mr Kensington was presenting and we had a question and answer session in terms of matters in the original policy statement and he highlighted reference in the RPS to the ring plain.

**MS MCRAE:** That's correct, yes.

**THE COMMISSIONER:** Is there any significance in what is in the RPS or reference to the ring plain in your view from a landscape perspective?

**MS MCRAE:** I think that discussion was in relation to the outstanding landscape, correct?

**THE COMMISSIONER:** Yes.

**MS MCRAE:** So I think the significance of the ring plain in relation to the outstanding landscape, so that ring plain area was sort of defined by a landscape character study that was carried out for the New Plymouth and it was first carried out in 1995 and then reviewed in 2006 by LA4 Landscape Architects and Mary Buckland, and you will have heard people refer to the LA4 report or Mary Buckland is one and the same report throughout.

So that defined a number of different character areas for the district and it also defined those areas that are outstanding landscapes and that's been carried through from that 1995 assessment to the 2006 review, which became part of the District Plan in 2005 and then is carried on through to the RPS.

But what I think is significant about the ring plain in this instance is it's your perception and understanding of the Kaitake outstanding landscape is influenced by that ring plain landscape, so that has this broad open pastoral landscape that rises towards the ranges and you have clear views of that very distinct boundary edge of the outstanding landscape and I think that it's a change in that relationship that there would be adverse effects from that change. So I think that's what Mr Kensington and I are in agreement on.

**THE COMMISSIONER:** So, in your understanding, the ring plain, does that start at the coast and up to the ranges?

**MS MCRAE:** Yes.

**THE COMMISSIONER:** Thank you.

Mr Westney?

**MR WESNEY:** So then looking at policy 23 again - and picking up a theme here in terms of how we have looked at each of these principal matters in contention - the policy refers to that:

"The type, location and density, of the development is suitable for the site and that special features are recognised and those features that are of particular significance are protected."

So based on the evidence we have heard over this week, my view is that those two matters are not achieved by the plan change that has been sought in terms of the scale, the extent and nature, of the development.

So the next brief topic is noise. So we heard technical evidence from Mr King on behalf of the applicant. To me there was different perspectives from submitters about the effectiveness of the bund in terms of noise but I did not hear any particular reason why Mr King's evidence would not be accepted. The principal concerns that were coming through around the noise bunds were from a visual perspective and relating it back to the traffic and access requirements.

Mr King showed three different options for how the noise bunds, the extent and the location of the bunds, based on where an access to the State Highway may or may not be located. So that is the unresolved issue in relation to the noise bund is the connection with whatever access may or may not occur to the State Highway.

Then once that urban form - from an access perspective - is concluded then consideration of the relationship between the development area to the State Highway would be considered there and is the noise bund actually needed or not in terms of the future environment of that extent of the State Highway, so just a brief comment there on noise.

The next subject was open space and reserves. So one of the questions that came up regarding open space and reserves was ownership and maintenance of the stormwater detention areas and I will ask Mr Hall to respond to this later on, or he could respond to it now, but we have asked both from a three waters perspective, but also from the Council's Parks team have responded in terms of they have both said it is common for stormwater detention areas to be located within Council land and particularly on Council reserves and there is just particular requirements around the design of those requirements from a maintenance perspective is important. So when those bunds and stormwater detention areas are being design that would be a consideration that would be needed at that time.

The second matter in terms of open space and reserves was the availability of sports fields in Oakura, so if this plan change was approved and the increased population that would come with it, there is concern expressed around the need for additional sports fields and the Parks team at the District Council have referred us to a 2012 Community Needs Analysis that was undertaken and that looked at this exact issue and that was based on the current provision of facilities in Oakura and based on the anticipated steady growth in terms of about 2 per cent per year increase in population.

That study concluded that there would be a need for what they referred to as a multipurpose sport facility in the future and, if you recall the 2014 Structure Plan, Mr Kiss showed that in the West FUD there was a point identified in there where a multipurpose facility could be located. So that is identified as a future need as growth occurs at Oakura, there would be a need for additional sports fields.

Then the last point related an esplanade reserve downstream on the Wairau tributary and this is in relation to where the underpass would be located and whether there will be a path that could connect down and we were shown aerial photographs where there was a gap, I think it's about five properties between the edge of the State Highway and where there is an esplanade reserve at the moment. The Council's Parks team just identified it is in their Open Space and Recreation Strategy for a reserve link to be created along that full length of that tributary. That is also shown in the draft District Plan.

So, if those properties were subdivided in the future, that would be a requirement they set aside an esplanade reserve along there, but also I heard that the landowners - I think one of the submitters referred to it - in that location were not willing at this point to sell land or provide for access over that land. But from a future planning perspective there is seen to be a link, an esplanade link along that tributary.

The next section is the three waters infrastructure, so I will hand over to Mr Hall and whether you would like Mr Hall to go through all the three waters at one time or whether we just step it through in terms of the water supply, wastewater and stormwater, we will just do one by one, would that be your preference, Commissioners?

**THE COMMISSIONER:** Yes, thank you, and I presume you have briefed Mr Hall on the matters that were raised during the course of the hearing?

**MR WESNEY:** Yes.

**THE COMMISSIONER:** Okay, Mr Hall.

**MR HALL:** Hello, my name's Mark Hall, I'm the manager of the three waters at the New Plymouth District Council, so I've got a list of questions here that have been forwarded to me by Mr Wesney for some comment. They have obviously been collected over the term of the hearing, so they might seem a little bit disjointed.

So the first one was in regard to the difference between the consented take for the aquifer and what we've termed the sustainable yield. Now I'm not a geotechnical engineer so I'll make that clear, so the information I've gleaned is actually from looking at the Environmental Impact Assessment that was prepared for the application for this water take consent back in 2001.

The consent was applied for and granted prior to the drilling of a second bore, so what happened is the Council set its desired flow rates and studies were done, an initial bore, the first bore, was put in at the site. The results of that bore, when it was commissioned, were actually better than what was anticipated. The consent was then put in and granted for the amount of 3,700 cubic metres per day. Then the second bore was installed and the second bore didn't actually yield as much as what was expected and the testing that was done was only done up to that 2,500 cubic metres per day, so that is my understanding of why there is a difference.

The second question was actually what is the sustainable aquifer yield based on? Well it is based on those drawdown tests of both bores.

The third question was, average daily use, user demand was 743 cubic metres per day and the greatest demand was 1,497 cubic metres per day and then it was, "Can you provide advice on whether the bores were secure or insecure?"

I think there's two things that have sort of been maybe mixed up there, the term "secure" has a particular meaning in terms of water supply, particularly with regard to bores. So I'll just quickly talk to both points.

The first point, those numbers are taken from our website. The average daily demand that is quoted of 443 cubic meters per day; that's actually a five-year average; during any given year though the average daily demand can be higher or less than that, and then similarly the peak.

Not only that, the data that's on there is raw data, so it's taken directly from our SCADA without any rationalisation of that data or interpretation.

With regards to the "secure", whether a bore is secure or not is actually a term under the drinking water standards and it really refers to its quality and whether or not more treatment is required. So currently the Oakura bores are actually defined as secure. However, following the Havelock North incident, the Ministry of Health has indicated that the ability to rely on secure bore status is actually something that's under review and is actually in fact likely to be removed. So all indications are that secure bore status will be removed from there.

**THE COMMISSIONER:** Does that have any particular implication?

**MR HALL:** No; that's purely about how much treatment we give the water, so it's not about quantity.

**THE COMMISSIONER:** But at this point both bores are secure?

**MR HALL:** As has been submitted during the hearing, whilst we have two bores, one bore is now out of action, out of service, and the other bore that we are using is secure.

There were a couple of other similar questions, which seem to be really referring back to the aquifer capacity, what were the assumptions and variables that Council used to inform its aquifer capacity and what were the assumptions and variables used to inform its calculations? Well, as I said, it is really that sustainable yield was what was demonstrated by actual testing when those bores were commissioned.

It did ask how do we allocate the water, we don't really allocate water. We're obliged that if a dwelling is within our water supply areas we have to supply it, we are obliged to supply the water. And once we do supply the water we cannot not supply the water.

**THE COMMISSIONER:** So in your water supply areas?

**MR HALL:** Yes.

**THE COMMISSIONER:** Okay. How do they line up with residential zoning, future urban development areas, et cetera?

**MR HALL:** Typically they are the same as the residential zone. Having said that, that would be an urban water supply area. We do also have rural water supply areas and they do have a different level of service, so an urban water supply area will have what's called an on-demand level of service where people can use as much water as they require. In a rural area they have what's called a restricted flow level of service where a restrictor limits the amount of water being fed in to the property to a predetermined amount.

**THE COMMISSIONER:** Do you have water meters, Mr Hall?

**MR HALL:** Yes. Just for clarification, they're not compulsory and we don't have what's called universal metering, so we do not charge ordinary residential properties via meter, we charge via a targeted rate. Having said that, there are some that are on meters through a voluntary basis.

There was a question:

"Has the Council given the applicant any assumptions for variables that may have given rise to the applicant's use of the 2.33 peaking factor?"

So there was a table that was submitted and it was in regards to how many allotments can be supplied from that proven aquifer yield. We didn't actually provide the 2.33 peaking factor but we assume that this has really been back-calculated using the number of the proven aquifer yield and the maximum number of dwellings that we had provided. So we provided two figures and they have back-calculated that.

**THE COMMISSIONER:** So just turning to you, Mr Wesney, on page 49, paragraph 13.95 of your 31 May 42A report, you talk about:

"If the aquifer is unable to support abstraction greater than the currently proven 2,506 ..."

Then that provides your reasoning for recommending 167.

**MR WESNEY:** Yes.

**THE COMMISSIONER:** Just so I am clear, I just recall some commentary around the allocation of water between the West FUD and the South FUD.

**MR WESNEY:** Yes. So there was criticism of that and I accept that criticism in terms of an arbitrary number and a way to do it. I note, apart from Mr Twigley, there was no alternative suggestions from the applicant or other parties about how that water should be apportioned. The applicant put forward alternative yields for the two FUDs but then effectively accepted the 50/50 split in their opening legal submissions. So where I am at in terms of this matter around water supply and allocation that is the current capacity of the system as we sit here today. Given our conclusions on traffic and access and landscape and visual, at this point I have not turned my mind to what to do around water supply allocation because their overall conclusion around the scale extent of the development is unanswered in my view and I will come back to that at the end in terms of an overall conclusion.

**THE COMMISSIONER:** I may have missed something in the papers, so if consent was granted, along with your recommendation of 167, so that is the maximum then in terms of abstraction from the bore, what happens with the land that is already zoned for residential purposes, or is that accounted for?

**MR WESNEY:** That is already accounted for. So that is where the balance 248 comes from, so the theoretical yield for what is already zoned residential and the ability for in-fill based on the Housing and Capacity Assessment Report; that is already apportioned.

**THE COMMISSIONER:** So all of the land that has consents and all of the undeveloped but zoned residential all accounted for?

**MR WESNEY:** Yes, so it is just then this 248, who has access to that.

**THE COMMISSIONER:** Thank you.

**MR WESNEY:** There are a couple of other matters, Mr Hall, I am just wondering whether we need to cover those or not, they are related to the current and future plans for fire-fighting water supply in Oakura and also there is a question around the additional land Council may be seeking for a water treatment plant and/or reservoir, and then lastly around the philosophy of the Council around water conservation.

Commissioners, would that be helpful for ...?

**THE COMMISSIONER:** Yes, thank you.

**MR HALL:** Okay. So the question is, "What is the current and future plans for fire-fighting water supply in Oakura?" So we're aware that we do have some areas where the fire-fighting level of service is not met. In the long-term plan there was a proposal to construct a second trunk main to supply water to these areas and also increase the capacity to deliver water from the main treatment plant into the Oakura reticulation.

In addition to that, we're actually undertaking even more detailed assessment using hydraulic modelling to actually determine other areas, which may fail to meet the level of service.

The current status of that main as it's laid partway to the bottom of the Paddock subdivision, it has not been laid to achieve the fire-fighting requirements, we do have to extend that from there to State Highway 45 and then along to connect in to the reticulation at the intersection of State Highway 45 and Wairau Road.

There was a question regarding whether we're seeking land for an additional water supply treatment plant and/or reservoir and the answer is no. Essentially we have enough operational water storage.

Then there was a question about Council's philosophy for water conservation and/or supplementary on-site water supplies, ie collection of rainwater and reuse of greywater. So Council do promote water conservation and we do this through water conservation advertising and information on our website and we have a water education officer to try and proactively promote water conservation messages.

On the issue of tanks, we don't formally promote the use of tanks but nor do we actually have an objection to the use of the tanks, provided however they are not interconnected with Council's water supply.

Given we do not have a wide use of rainwater tanks as a means of supplementing a water supply, our experience locally is obviously very limited. However, we have looked at experience elsewhere and I have a paper that was presented at a Water New Zealand Conference by Ian Rabbits in around about 2009. It really looked into the use of rainwater water tanks as a means of supplementing the main Council water supply. In a nutshell he said it is unlikely to provide the perceived benefits that people think.

Now, one of the issues is a very simple one, when the water demand is at its highest, typically it's dry and it has not rained, and therefore the tanks do run dry. Mr Rabbits did run a fair bit of modelling, which did show that these tanks would run dry. The consequence of when a tank runs dry is perversely it can then actually increase water demand because people then fill their tank. Not only that, it could potentially increase the peak because, instead of just using the amount they may have used on their garden, for example, maybe 1,000 litres, they fill their tank, which might be 5,000 litres. So, if this was replicated on a large scale, there could actually be higher peaks, it could actually have the opposite desired effect.

There are also risks around dual plumbing and the use of rainwater and/or greywater. Any installation of those would absolutely have to follow best practice and they would have to meet the building code requirements.

**MR WESNEY:** So that is us on water, thank you. So the next section was wastewater.

**MR HALL:** The first question was about:

"What is the capacity of the wastewater system and what are the limitations?"

The capacity of the wastewater treatment system, I have expressed it in a flow of 25 litres a second and that can then be represented in a number of dwellings. The number of dwellings is dependent upon the occupancy rate that is used, it is very sensitive to that, so it can be, if a 2.6 occupancy rate has been used, which is something that the planners proposed, you may be looking at something like 664 dwellings. At ultimate demand we're looking at a peak flow of something like 62.5 litres per second and it is 1,661 dwellings at ultimate demand.

The limitation on that, so the difference between the current capacity and that future capacity, is actually around the number of what's called pump trains and electricity, so at some point, once we get over that 25 litres a second, we need to introduce another set of pumps and we also need to upgrade the power supply to the pump station.

Then there was a question of what is in the current long-term plan and infrastructure strategy? Actually there were no specific updates included in the LTP.

**MR WESNEY:** So that is us responding to the wastewater matters. So the final section for Mr Hall is stormwater.

**MR HALL:** Question of:

"What is Council's position on the ownership and maintenance of stormwater detention areas and the consideration of ongoing maintenance requirements where vegetation is established?"

Our position is that Council should own and maintain those. That includes any associated vegetation. And maintenance can involve the provision of sacrificial vegetation for things like access and also for periodic removal and replanting to maintain the appropriate size and ground coverage of that vegetation.

So there was a point that the current proposal is that stormwater detention ponds will be mostly located in the open space areas and vested with Council. From a three waters perspective that is acceptable.

Then we are asked to confirm Council's current modelling requirements for rainfall data. So this one, we are in the process of approving the new revisions to the New Zealand Standard 4404, local amendment for New Plymouth, and in fact that is going to Council in August, in about three weeks' time, for adoption.

In that new standard is the use of the HIRDS version 4 tables for the design storms. But technically right now, because that standard is not formally adopted by Council, the current standard is actually the tables, I guess the old tables from the early 2000s, which are the New Plymouth District Council stormwater tables.

What we have been doing with sub-dividers and developers is encouraging the use of HIRDS recently because we do consider that best practice.

**MR WESNEY:** The final question was just around the adequacy of the stormwater assessments.

**MR HALL:** I don't think we do have enough information to make an informed decision. The current catchment management plan for Oakura was prepared in 2001 and, as has already been noted just by myself now and by others earlier in evidence, it is based on the old rainfall duration table, which is now considered out of date. So to understand the impacts on the Wairau Stream of any further large-scale development, and that would include this plan change or if it was the West FUD, we really would need to see scenario modelling for different RCP, so scenarios for climate change, and also ensure the entire catchment is considered and also giving some pretty careful consideration to time of concentration.

One of the things, when we look at the topography of both the South and West FUD, is there is a large chunk of the West FUD, entirely north of State Highway 45, which does drain towards the Wairau Stream.

And the one further thing is that I think the stream bed and bank stability would also need to be considered as, although with detention we do attenuate peak flows, we do end up with higher flows for a longer duration and we would probably need suitably-qualified geotechnical advice on what that would mean.

**THE COMMISSIONER:** Yes, because we have had a number of submitters raise concerns in terms of stormwater and the impacts that have occurred, in their view, but they have also picked up, both from a flooding, but also in terms of stream bank erosion and those types of things. So I suppose we have some uncertainty in terms of stormwater, the impacts in respect of the proposal, and any effects, so I suppose it is enabling us to be satisfied on that matter, given it has been a significant issue raised by submitters through the course of the hearing.

**MR WESNEY:** So that is where we are at in terms of infrastructure, so wastewater, there are measures to manage wastewater, and for water supply, water can be supplied but up to a certain limit and there is a question around allocation of that remaining allocation, and then in terms of stormwater there is more information needed to be able to make an informed assessment of that matter.

So just to take us through to the remaining areas of contention, I will hand over to Ms Stevens to do that.

**MS STEVENS:** Thank you. So the next matter is community infrastructure, which I acknowledge has been widely touched on. So we acknowledge that with an increase in population resulting from this proposed development, there is very likely to have an increased demand on community infrastructure, such as Oakura Primary School, Oakura Play Centre, Oakura Volunteer Fire-Fighting Service, the Four Square and other local shops.

The additional population will no doubt place additional demand on existing service and facilities with submitters at the hearing identifying that some services are already at capacity, such as Oakura School current classrooms and the fire and emergency facilities.

Conversely, this increase in population could have a positive effect on community infrastructure in that the upgrade and/or expansion of this infrastructure to cater for this growth could also benefit existing residents. In addition, new community infrastructure could be established offering a wide range of goods and services, including potential for new local employment opportunities.

However, we consider that under policy 21(3)(b) community infrastructure is a relevant consideration and needs to be provided in a co-ordinated manner so that the population growth is steady and existing community infrastructure can cope with the increase in demand.

It is clear that the Oakura community values their community infrastructure such as the school and the open spaces. We consider that the scale of the proposal would result in the community infrastructure being at risk of being unable to cope with the increased demand.

So just moving on to the next matter of consideration if that's all right?

**THE COMMISSIONER:** What is your next matter you are moving to?

**MS STEVENS:** Environmental impacts.

**THE COMMISSIONER:** Okay, before you move there, we would be interested in the written advice you are going to provide to us and you have referenced 21(3)(b), can you just read that out again for me please?

**MS STEVENS:** So in 21(3)(b) it states that:

"The infrastructure is provided in a co-ordinated manner by considering location, type and staging."

**THE COMMISSIONER:** Okay. We would be interested in your advice on how that could be achieved, given that we are considering a matter under the RMA and I presume in terms of community infrastructure you are also talking about infrastructure provided by other agencies, as in Government agencies, over and above anything the Council potentially could provide. So certainly interested in what some of those mechanisms or approaches are in terms of our jurisdiction in respect of considering the plan change. It would be fair to say I am not too sure yet how far we can go in terms of giving effect, if we were minded to approve the applications, on 21(3)(b). I would be interested in your advice on that.

**MS STEVENS:** Did you want that just in the written statement?

**THE COMMISSIONER:** No, I am not looking for that now.

**MS STEVENS:** So just turning to environmental impacts, so the evidence presented at the hearing has raised significant concerns with the environmental impacts on the proposal. The main environmental impacts of concern relate to pests, particularly cats, and effects on the water in the streams.

I will just keep this high level, but the points we have outlined relate to cats and this has been widely discussed. Mr Bevers's evidence said it may be difficult to implement and enforce the prohibition of cats when the current District Plan discusses the potential of bylaw. We consider that both the District Plan or bylaw as a statutory/regulatory measure could be effective as a preventative method. However the costs and difficulties of enforcement may outweigh the benefits of these regulatory tools to manage the effects of cats from the development. Other non-regulatory methods such as education have not been identified or evaluated. At this time, we consider additional information on methods to manage the effects from cats and other pests needs to be further evaluated.

So the next point to touch on is earthworks. Some submitters raised concerns with regards to earthworks and effects associated with these earthworks related to sediment run-off and degradation of water quality. As the development is likely to be progressively undertaken in stages, the scale and extent of earthworks would be confined to a limited area. The nature and scale of earthworks is anticipated to be similar to other greenfield residential development in the district.

New Plymouth District Council and Taranaki Regional Council have existing measures for managing earthworks of this nature and scale, therefore we consider the effects from earthworks can be effectively managed.

The next point I want to touch on is the water catchment, which was raised yesterday I believe, or the day before, by Mr Dixon, where he questioned Mr Bevers's assertion that both the central and southern tributaries of the Wairau Stream are of moderate ecological value, noting that the Wairau Stream catchment has a unique nature. We concluded additional information is required for stormwater, as touched on previously. As part of this information we consider further ecological assessment should be undertaken of the wider catchment and of the potential effects of the development on the surrounding ecology. So that's environmental effects.

We do have historic heritage, which is acknowledged, and will be acknowledged in our written statement, but I would like to turn to social impacts if that's okay?

**THE COMMISSIONER:** Thank you.

**MS STEVENS:** So a reoccurring theme throughout the evidence from submitters at the hearing was the perceived social impacts that the development could have on the village, its occupants, and of people's enjoyment of Oakura. Of particular note was the loss of Oakura's character and the risk to community values was repeatedly raised. Submitters contended that the proposed extent, scale and form of development was at odds with the character of Oakura. They anticipated organic growth of Oakura and the community strategic plans and the village lifestyle.

The request does raise a positive assertion that a greater population will lead to more volunteers and people wanting to participate in local community groups to enhance the services provided. However, generally there is a lack of adequate assessment of the social impacts of the proposal and how the proposal will change the social fabric of the village.

So the next matter I want to address, if it's okay with you, tangata whenua matters.

**THE COMMISSIONER:** Just on the social impacts, so you are acknowledging there is a need for some further information. Have you given any thought at this stage how that information is required to be provided and then considered? I am just posing the question, is this a requirement for some type of social impact assessment or the like, or are there some other mechanisms? We do not need a response now, but it is for consideration.

**MS STEVENS:** It's noted, thank you. We will go into that in our written statement.

So turning now to the final matter of contention is tangata whenua matters. So the evidence from submitters at the hearing highlighted concerns with the level of engagement with tangata whenua, both Ngāti Tairi and Taranaki Iwi. This lack of engagement was evident both through the hearing, Taranaki Iwi's submission delivered by Ms Wano-Bryant, and through multiple submitters, raising the adequacy of the request assessment against Taiao Taiora, Taranaki Iwi's environmental management plan.

Ms Wano-Bryant highlighted engagement that had occurred previously with the applicant, which we acknowledge, and she also contended that there has been a lack of engagement with Taranaki Iwi indicating that this engagement should have commenced at the initial stages of this proposal, such as when the initial technical investigations were commenced.

Ms Wano-Bryant also highlighted that no cultural impact assessment has been undertaken despite a commitment by the applicant to undertake one. She also advised that, if the applicant is going to work genuinely with Ngāti Tairi, they need to ensure Ngāti Tairi fully understand the application and all the associated evidence in support.

So, in response to this and to the evidence, we consider the cultural impact assessment should be commissioned prior to determining this plan change. This assessment would assist in understanding whether the matters in section 6E of the RMA have been recognised and provided for. In addition, through this assessment process, further engagement with tangata whenua should occur. This information and engagement and further consideration of Taiao Taiora would inform the outcome to the proposal and how those outcomes should be incorporated into the plan change provisions and the Structure Plan.

I also recommend that Ngāti Tairi is more actively engaged with on all aspects of the proposal and their influence is seen in the Structure Plan design and outcomes as well as the implementation itself.

**MR WESNEY:** Thank you. Just one final comment on these matters, just from evidence presented this morning, Ms Gundesen from the Taranaki Equestrian Network referred to the rural lifestyle properties and those properties being used for equestrian purposes. I just make the observation that there is no requirement they are to be used for equestrian purposes. I understand from her evidence that they are likely to be popular and in high demand for people with horses, but that there's no requirement in the plan change that they be used for equestrian purposes. They could be used, as with rural zoning, they could be used for any rural purpose or just developed as a large-scale residential property.

**THE COMMISSIONER:** Thank you.

**MR WESNEY:** So, just to conclude, one of the questions you asked us yesterday was an evaluation on part 2, particularly in terms of social impacts. I have turned my mind to it but have not formulated a response yet, so that is still a work in progress. Then the evaluations I referred to earlier in terms of section 32, the overall evaluation, the two options, as I see it now, is the plan change as it has been sought as one option and the second option is the operative plan, so I need to just review that evaluation ain terms of section 32. Then similarly in terms of 104 for the consent notice is evaluate that.

**THE COMMISSIONER:** From memory, one of our other requests, Mr Wesney, was in terms of those matters that are more appropriately dealt with at plan change vis-à-vis through any subsequent consent process.

**MR WESNEY:** Yes. So just from an overall conclusion then in terms of where we are at, you will have picked up there is a number of matters indicating further information is needed to make an informed assessment on that. So from the section 32 clause I highlighted right at the start of the presentation around the risk of acting or not acting on insufficient information; that option is available to yourselves that you might consider that there is insufficient information but you might choose to act because the risks are acceptable to you or appropriate to you in terms of that, or alternatively the risks are too great and you might choose not to accept.

So we are on that today from an overall conclusion and recommendation perspective is that the plan change should either be rejected based on insufficient information or the effects, as we know them at this point, the adverse effects are likely to outweigh the benefits of the proposal.

An alternative recommendation would be that the applicant reconsiders the proposal in its form in terms of the scale and the extension nature of the development and whether there is an alternative approach to the design, because I acknowledge there has been significant time and investment on their part in this process and if there was an alternative scheme, but obviously that would have to be within scope. So that is our response at this point.

**THE COMMISSIONER:** Thank you. I am just thinking, Mr Wesney, in terms of the discussion we were just having about the social impact, it would be good to also consider the specific demographics of the current Oakura community and the proposed residents who would be living in the proposed plan change area.

**MR WESNEY:** Noted, thank you.

**THE COMMISSIONER:** That was really clear from the submitters this week in terms of the demographic, I am thinking age but also behaviours and all those types of things.

**MR WESNEY:** Yes, nationalities and so on; that came through.

**THE COMMISSIONER:** So before we adjourn we will just come back in terms of what the process will look like going forward. Having said that, what you have given a high-level overview on we will receive in due course - at a date to be determined by us - that more detailed formal response.

So we will pause there for the moment and we will go to Mr Muldowney.

**MR MULDOWNEY:** Thank you, sir. As you signalled at the outset of the hearing, you did not have an expectation that there would be any attempt to close on behalf of the applicant today and clearly in light of the section 42A report that is not possible. So you did ask whether I wanted to make some form of closing and all I will say is that what we do need to do is explore the process. I am happy to have a process conversation now rather than a substantive conversation that will happen in the closing.

In terms of what I have heard it seems that the next step in the process is the written form of what you have just received and then I think from there it is pretty clear that there is going to be a need for some further expert evidence. My reading of the situation is that, if I understood the final comments that were made by Mr Wensley, there is a bit of a decision to be made as to whether or not the applicant wishes to furnish further information and I think it can be expected that the answer to that will be yes, to the extent that there have been loose ends identified in the section 42A report they will want to be covered off in further evidence.

What I can signal is that I think that there are probably simply some areas of disagreement between the experts that will not be capable of being resolved and you will have to make judgments on which experts you prefer. But I think that there is a likelihood that the applicant's response will be a mixture of referring back to evidence previously given and reinforcing evidence that has previously been given on behalf of the applicant, and possibly the need for some further evidence.

So in terms of the further evidence, it seems that certainly the traffic-related matters will require addressing. The landscape matters I think will require addressing. It seems as if there is a fairly entrenched difference of opinion in terms of landscape and if I listened to the witness carefully it seems as if there is just a differing view fundamentally on impacts and many of the issues that were identified in that evidence I think have been addressed in the applicant's expert evidence provided by Mr Bain. So we will see how far we need to go in terms of the landscape matters, it may just be a matter of you making some decisions as to which witness you prefer there.

Then in terms of the potable water situation I had thought that might be a matter that you need more evidence on but, based on what we heard today, it sounds as if the constraints that we had originally identified around potable water may not be as significant as we thought, but it sounds as if stormwater is something that you will need to hear back from.

So it seems as if there is a sweep of further expert evidence that you will need to hear and it would make sense that come after you have heard from the 42A report authors in written form. What I would be suggesting is that we will then have to timetable in some form of rebuttal, or not rebuttal, I should say reply, but that would be strictly expert and it would be strictly confined to new matters that have been raised.

So that all can work perfectly well. The only issue that I am troubled by in terms of trying to establish a timetable is the suggestion that there should be a cultural impact assessment and how that fits in to any timetable that you might want to establish here.

So, for example, I am thinking that the 42A report, if the authors could get that report written within a fortnight and then there was an opportunity for further evidence, say four weeks after that, reply evidence in a fortnight after that, and then closing say a fortnight thereafter, that would probably take us through to September or late-September I imagine.

Now, whether a cultural impact assessment can be undertaken or if it is to be undertaken within that timeframe I am not sure. I am not sure anyone in this room would be.

**THE COMMISSIONER:** Yes, and just on this, Mr Coffin and I were just having a very quick ... That has been proposed by the reporting officers. We will need to - once we get the formal response from the officers - consider that and then potentially provide some direction in terms of what we may require.

**MR MULDOWNEY:** Yes, and we will be guided by you on that. Bearing in mind that underlying all of this there is the ultimate position that the applicant finds themselves in where they can say, "We think that, based on the evidence that has been provided, you can make that determination under section 32 around the risks of acting or not acting, but I would prefer not to have to run the gauntlet there. If there is a direction from you as to what you would prefer to receive then we will attend to it or attempt to attend to it.

**THE COMMISSIONER:** So in terms of the process matters, Mr Muldowney, in terms of the closing and what is contained in that, that is essentially responding to matters that have come up through the hearing. The closing does not normally include new evidence. I would be interested in your view then on how we deal with the new evidence.

**MR MULDOWNEY:** Sorry, I do not understand the point, sir. I will not close until the evidence is closed and what I am hearing today is that the evidence should not close because there are evidential gaps that need to be addressed.

**THE COMMISSIONER:** Yes.

**MR MULDOWNEY:** So what I --

**THE COMMISSIONER:** Sorry, in terms of your submissions, it is just the matter of exercising our minds then in terms of, if there is new evidence required, are you suggesting we then need to reconvene the hearing?

**MR MULDOWNEY:** No, I would attempt to conclude the hearing without having to physically reconvene, so that is why I am suggesting that the 42A report authors produce their written work; the next thing that happens is that the applicant makes its decisions on what, if any, further information it wants to provide to you as evidence to address evidential gaps that the 42A author has identified and, as I said, that may or may not be everything that has been identified if the applicant has a different view. But I think there needs to be that opportunity and then there needs to be an opportunity for any party to produce reply evidence dealing with anything that has come in. Then, once that reply evidence is in, I would close.

If you have any difficulty with the idea of me closing after that evidence sequence that I have described, then if you see a procedural problem in any of that I am keen to hear it. But if it means reconvening then I am in your hands as to whether you think that is the most appropriate next step.

**THE COMMISSIONER:** What will be helpful, can a memorandum from you, outlining the suggested process as you see it, and then we will obviously consider these matters. It is also dependent in terms of whether there is a conclusion reached on new evidence and what the extent of that may be also.

**MR MULDOWNEY:** Yes. When you say a conclusion reached, do you mean by the applicant as to how it wishes to respond?

**THE COMMISSIONER:** Yes.

**MR MULDOWNEY:** Yes, that is right. That is absolutely right. If we come away from today and on reflection say, "No, we are satisfied with the body of evidence that has been provided, the section 42A report can say what it wants, we are now ready to put this in your hands for a decision", then there is no need for any evidence. So that is a conversation that we will need to have.

But anticipating that the result of that conversation is, "Let us as best we can address some of the evidential gaps that the 42A author has identified as being of concern", we will need a timetable to deal with that.

**THE COMMISSIONER:** Yes, appreciate that.

**MR MULDOWNEY:** So I am happy to pick all of that up and deal with it in a memorandum.

**THE COMMISSIONER:** Thank you. That would be helpful. When would that be available? I am not looking at writing on Monday.

**MR MULDOWNEY:** Could we say Wednesday, 5.00 pm, next week?

**THE COMMISSIONER:** Yes, that is fine.

Then turning to you, Mr Wesney, in terms of you providing the formal 42A response, Mr Muldowney suggested a fortnight.

**MR WESNEY:** A fortnight, that would be, yes, I would be very happy with that.

**THE COMMISSIONER:** Okay, so what we will do: we will await your memorandum; we will issue a direction so that everyone is clear on the process then in terms of the timeframe for the 42A response; and obviously we will then consider the matters in the memorandum and respond to those. I am just reluctant to give a timeframe for that response because obviously Mr Coffin and I will need to confer on that.

Anything else, Mr Wesney? Mr Muldowney?

**MR MULDOWNEY:** Only to say thank you to you both for your care and attention to this matter. It has been a challenging week in terms of the body of evidence and the amount of information that you have received, so we are very grateful for your attention and thank you for your management of the process.

**THE COMMISSIONER:** Thank you. While I made some comments before we adjourned for that very late lunch, I would just like to acknowledge all the parties and all the participants in this process. When I first agreed to chair the panel on this there was not much documentation to look at, so I suppose as the process has gone on the extent of the proposition, the number of submitters, and certainly - apart from chairing District Plan hearings - this is probably one of the larger ones I have undertaken. So I would just like to acknowledge the way that people have presented, further acknowledging that for some it has been a real challenge and quite emotional. As I noted earlier I understand all of that and for some people this may have been the first time they have been exposed to this process, so I would just like to acknowledge and thank you for that.

Mr Coffin and I were talking over lunch and there are probably a number of matters why this hearing stands out, but in particular the preparation by submitters, so just acknowledging all of that work that has gone in also, but also the provision of written statements. Because often in a hearing submitters come along and it is either a verbal presentation or a very brief sort of half a page, but certainly the work that has gone in, in terms of preparing and then presenting over the last few days, so I would just like to acknowledge everyone on that basis.

Also acknowledging Jane, who has provided wonderful support for Antoine and I and obviously assisting all of the parties in terms of smooth running.

I would also like to acknowledge your forbearance in terms of I have never had a hearing that has gone on to the early evenings, so we have had some very long days, so just acknowledging all of that and also your forbearance in terms of we have had an ongoing change in the order of people presenting, but we have tried hard to give people a fair hearing, notwithstanding my comments about repetition from time to time, but hopefully you feel when you go away at least you have had the opportunity to put your concerns on the table.

So thank you, reporting officers, applicant, witnesses, submitters and the Council staff.

(Offline question)

**THE COMMISSIONER:** That is something for me to consider because I have asked a memorandum from Mr Muldowney. Process matters, we will need to give consideration to and what that looks like. So I appreciate Mr Grieve is not here but those matters also, Mr Muldowney's memorandum, that is all public, it is all part of a transparent process, so Mr Coffin and I will need to give some consideration to those matters.

(Offline question)

**THE COMMISSIONER:** I have said we will give some consideration to that because we will have to determine what the process looks like. We have obligations in terms of natural justice and that is an overriding requirement, both in terms of the RMA and the hearings process.

Okay, so, on that, thank you. Have a good weekend and we will adjourn the hearing. Thank you.

(Hearing adjourned)