

**BEFORE HEARINGS COMMISSIONERS APPOINTED
BY THE FAR NORTH DISTRICT COUNCIL**

IN THE MATTER	of the Resource Management Act 1991
AND	
IN THE MATTER	of the hearing of submissions on the Proposed Far North District Plan
SUBMITTER	John Sturgess for Lucklaw Farm Limited
HEARING TOPIC:	Hearing 4 – Natural Environment Values & Coastal Environment

STATEMENT OF PLANNING EVIDENCE OF STEVEN REMANA SANSON

22 July 2024

INTRODUCTION

1. My name is Steven Remana Sanson. I am a Director / Consultant Planner at Sanson and Associates Limited and Bay of Islands Planning [2022] Limited.
2. I have been engaged by Lucklaw Farms to provide planning evidence in support of their original and further submissions to the Proposed Far North District Plan **[PDP]**.
3. I note that while the Environment Court Code of Conduct does not apply to a Council hearing, I am familiar with the principles of the code and have followed these in preparing this evidence.

QUALIFICATIONS AND EXPERIENCE

4. I hold the qualification of Bachelor of Planning [Hons] from The University of Auckland, graduating in 2013 and I am an Intermediate Member of the New Zealand Planning Institute.
5. I have over 10 years' experience and have previously held planning positions in the Far North District. In my current role I regularly advise and assist corporate and private individuals with the preparation of resource consent applications including subdivision and land use consents and relevant regional council consents. I have also processed resource consent applications for councils, prepared submissions on district plan changes, and processed plan changes.

SCOPE OF EVIDENCE

6. Hearing 4 addresses submission points relating to the PDP – Natural Environment Values & Coastal Environment. The s42A reports splits these matters into four reports in line with the structure of the PDP.
 - a) Ecosystems and Indigenous Biodiversity
 - b) Natural Character
 - c) Natural features and Landscapes
 - d) Coastal Environment
7. The submissions and further submissions of relevance to this hearing are:
 - Submission 550 and the revision 585.
8. In preparing this evidence, I have reviewed the Section 42A reports of relevance. I have also considered the evidence of:
 - Mr John Sturgess
 - Dr Gareth Taylor
9. I have adhered to the instructions of hearing Minute 1 to:

‘take a lead from the s42A Report in terms of content of evidence, specifically that evidence highlights areas of agreement and disagreement with the s42A Report, outlines any changes in Plan wording proposed (along with the rationale for these changes) together with an assessment pursuant to S32AA of the RMA’.

SUBMISSION 550/ 585

10. Lucklaw Farms original submission seeks the following relief:

- A comprehensive rule in the district plan which controls the use of vehicles on beaches by vehicles.

EVALUATION OF SECTION 42A REPORT

Key Issue 9: Rules – general comments

11. Section 5.2.9 of the s42A Report addresses Key Issue 9: Rules – general comments.
12. The s42A Report at [259] maintains the approach that FNDC manages vehicle access in the coastal environment through by-laws.
13. Having read the evidence of Lucklaw Farms, I agree that there is sufficient scope within the submission to continue to seek RMA based controls above MHWS to manage the effect of vehicles on beaches.
14. The evidence of Dr Gareth Taylor notes effects to flora and fauna on the landward side of the MHWS. I rely on his evidence in terms of these effects and the benefits of the proposed rule to control vehicles on beaches.

PROPOSED WORDING

15. I have considered the proposed wording found within Schedule 1 of the Lucklaw Farm evidence. I concur with its general approach but note the following changes are likely required:
 - Sub-clause 3 should relate any mapped historic heritage as provided for in the PDP.
 - Sub clause 4 should relate to any mappers site of cultural significance provided for in the PDP.
 - Sub-clause 5 should relate to more typical flora found landward side of MHWS.
 - Sub-clause 7 should relate to the mapped Vehicle Exclusion Zone to be mapped within the PDP.
 - Sub-clause 8 should not relate to C.1.8 as that is a NRC rule.

- The ‘for the avoidance of doubt’ statement should be removed as this relates to restriction on the use of the CMA. This rule is for use outside of the CMA.

SECTION 32AA EVALUATION

Effectiveness and Efficiency

16. The proposed change is considered to be a more effective and efficient than the current regulatory regime.
17. The RMA process and the inclusion of a rule to manage effects associated with vehicles on a beach is far more effective than a bylaw when considering the recommended objectives and policies of the Coastal Environment chapter.
18. The bylaw at present only restricts vehicles at Coopers Beach, therefore effects are being imparted on all other beaches.
19. The objectives and policies of the PDP require an evaluative exercise for activities and through CE-P10 requires the consideration of a broad range of matters to be considered i.e ecological and cultural matters.
20. This is not currently provided for through the bylaw process.

Costs/Benefits

21. The costs are limited to accepting the wording [or similar] and including them in the relevant part of the provisions of the PDP.
22. Applying appropriate controls closes out the effects on the landward side of the CMA, a process which has been recently engrained by the NRC for effects on the seaward side of the CMA.

Risk of Acting or not Acting

23. The risk of not acting is that the effects associated with vehicles on beaches is not appropriately managed.

CONCLUSION

24. The proposed changes sought by the submission seek to provide effective RMA controls associated with vehicles on beaches.
25. The rule sought [as well as any consequential changes] are considered more appropriate than just a by-law approach as it more effectively and efficiently achieves the objectives of the Coastal Environment.