



HAURAKI DISTRICT PLAN

ASSESSMENT OF ALTERNATIVES, METHODS, BENEFITS AND COSTS (SECTION 32 ANALYSIS)

8 August 2012

TABLE OF CONTENTS

1.0	INTRODUCTION	3
2.0	FORMAT OF THIS S32 REPORT	3
3.0	PROCESS	4
3.1	MONITORING	4
3.2	FULL RMA REVIEW	5
3.3	DISTRICT PLAN REVIEW WORKSHOPS	5
3.4	DEVELOPMENT OF DISTRICT PLAN PROVISIONS	6
3.5	CONSULTATION	6
3.6	NOTIFICATION AND SUBMISSIONS	7
3.7	HEARING AND DECISION MAKING	7
4.0	EVALUATION OF DISTRICT PLAN PROVISIONS	8
4.1	INTRODUCTION	8
4.2	CLIMATE CHANGE	8
4.3	NATURAL HAZARDS	15
4.4	URBAN DESIGN	23
4.5	URBAN AREAS	34
4.6	HISTORIC HERITAGE	54
4.7	LANDSCAPE	62
4.8	BIODIVERSITY	85
4.9	PROTECTION OF RURAL LAND	99
4.10	PROVISION FOR RESERVES AND RECREATION ACTIVITIES	105
4.11	MINERAL EXTRACTION	109
4.12	SIGNS	114
4.13	NETWORK UTILITIES	118
4.14	NOISE	122
4.15	VIBRATION	126
4.16	TREES	130
4.17	WATER SUPPLY CATCHMENTS	133
4.18	4.18 RIPARIAN MARGINS AND ESPLANADES	135
4.19	HAZARDOUS SUBSTANCES	139
4.20	ROAD HIERARCHY / ROAD NETWORK	144
4.21	PERFORMANCE STANDARDS FOR DEVELOPMENT AND SUBDIVISION	147
4.22	SUBDIVISION	150
4.23	EARTHWORKS	156
4.24	PROTECTION OF COASTAL ENVIRONMENT	158
4.25	MAORI/ TANGATA WHENUA	164
4.26	CROSS BOUNDARY ISSUES	169
5.0	APPENDIX A: SECTION 32 RESOURCE MANAGEMENT ACT 1991	177
6.0	APPENDIX B:P TABLE OF DISTRICT PLAN REVIEW WORKSHOPS	179
7.0	APPENDIX C: CONSULTATIONPLAN	185

1.0 INTRODUCTION

- .1 This report contains a summary of the evaluation undertaken during the preparation of the review of the Operative Hauraki District Plan publicly notified in 1 September 1997. It is noted that the s32 analysis is an ongoing process from the date that a proposed district plan is publicly notified and made operative, as a district plan is subject to continual review and change through the plan change process (both council and privately initiated).
- .2 In preparing the district plan review, s32 of the Resource Management Act 1991 ('RMA') requires the Council to consider the alternative ways to achieve the environmental outcomes being sought (refer to a copy of s 32 RMA in **Appendix A**). Essentially, the s32 tests are designed to determine the most appropriate means, and the appropriateness of any selected methods. It assists in reasoning why changes are needed and formalises a process for working out how best to deal with environmental issues. The s32 process requires a rigorous assessment of environmental, social, and economic benefits and costs. This analysis must be transparent and well documented, with all assumptions and decisions justified.
- .3 Section 32(5) RMA requires that Council prepare a report summarising the evaluation that has been undertaken and giving reasons for that evaluation.

2.0 FORMAT OF THIS S32 REPORT

- .1 In summary, a s32 analysis is both a process and an evaluation. Accordingly, this report is separated into two sections, being:

Section 3 – Process

Section 4 – Evaluation

- .2 Section 3 is set out in chronological order. This clearly shows the manner in which development of the Proposed District Plan was undertaken, including (but not limited to) the following:
 - Monitoring the efficiency and effectiveness of policies;
 - Background research and analysis;
 - Initial development of policy direction;
 - Development of district plan provisions to give effect to policy direction;
 - Consultation;
 - Notification and submissions; and
 - Hearing and decision making.

- .3 The evaluation set out in Section 4 takes each of the resource management issues or areas of policy and follows each one of these through the development of objectives, policies, rules and other methods.

3.0 PROCESS

3.1 MONITORING

3.1.1 Plan Changes

- .1 As stated in Section 1.1 above, the Operative Hauraki District Plan has been continually monitored. This has led to a number of plan changes as set out below. As part of each plan change process, a s32 analysis was required to be carried out.

<u>Change No 1</u> : Minor Corrections, Clarifications & Map Changes	Operative from 19 October 1998
<u>Change No 2</u> : Minor Corrections, Clarification & Map Changes	Operative from 20 May 1999
<u>Change No 2 (Amendments 25 and 26)</u>	Operative from 14 September 2001
<u>Change No 3</u> : Residential Rezoning at Paeroa	Operative from 17 July 2000
<u>Change No 4</u> : Rural Subdivision	Operative from 15 December 2004
<u>Change No 5</u> : Kerepehi Industrial Zoning	Operative from 13 April 2005
<u>Change No 6</u> : Minor Amendments and Changes	Operative from 23 July 2004
<u>Change No 8</u> : Rezoning of Residential Land Ngatea	Operative from 30 January 2008
<u>Change No 9</u> : Rezoning of Rural Residential Land at Whiritoa	Operative from 18 August 2006
<u>Change No 10</u> : Rezoning of Rural Residential and Residential Land at Waihi	Operative from 19 July 2006
<u>Change No 11</u> : Rezoning of Rural Residential Land at Whiritoa	Operative from 19 July 2006
<u>Change No 12</u> : Rezoning of Industrial Land at Waihi	Operative from 6 August 2007

3.1.2 Section 35(2)(b) RMA Review

- .1 In accordance with s35(2)(b) RMA, the Hauraki District Council undertook a review of policies for 12 key issues that had been significant over the time that the Operative District Plan has been in force and reported on them in the document titled "*Getting There – A Report on the Achievement of Objectives of the Hauraki District Plan, June 2000*".
- .2 Some of the plan changes listed in Section 3.1.1 above resulted from the analysis undertaken in the "*Getting There*" report.

3.2 FULL RMA REVIEW

- .1 The Hauraki District Council resolved to undertake a full review of the Operative District Plan prior to the 10 year date for the commencement of the review of 1 September 2007 as required by s79(1) RMA, for the following main reasons:
 - Changes in legislation – amendments to the RMA, new legislation (e.g. Local Government Act 2002, Hauraki Gulf Marine Park Act 2000) is making the District Plan out of date;
 - New policy guiding documents must be "given effect to";
 - Waikato Regional Policy Statement is now operative and the District Plan must not be inconsistent;
 - Proposed Waikato Regional Plan is in place and must be had regard to;
 - Hauraki Iwi Management Plan must be taken into account;
 - New national environmental standards (eg. telecommunication facilities, electricity transmission activities) are in effect and the District Plan must give effect to them;
 - New environmental standards (e.g. noise, land development/subdivision) need to be incorporated; and
 - "2nd Generation Plans" are now available to assist in the review of the Hauraki District Plan.
- .2 The Hauraki District Plan Review Committee ('the Committee') considered the paper titled "*Hauraki District Plan 1st Review – Review Discussion Paper (February 2005)*" at its meeting on 1 March 2005. In that paper was set out the outline of the review process along with the resource management issues needing to be considered (separated into significant, minor, consistency and cross boundary issues).

3.3 DISTRICT PLAN REVIEW WORKSHOPS

- .1 A series of workshops were undertaken with the Committee from April 2005 through to May 2009 (refer to the table in **Appendix B**). In separating out issues to be dealt with at discrete workshops, it was recognised by the Committee that all the issues are interrelated and that

although it is artificial to separate the issues out, it is the practical way in which to consider matters, while keeping in mind their interrelatedness. In summary, the purposes of the workshops included:

- .a Understanding of RMA and review process (Workshops 1 & 5);
 - .b Urban issues including urban design, growth potential, infrastructure (Workshops 2, 10, 11, 13, 14, 15, 16, 18, 19, 21, 22, 24, 25, 27, 28, 29, 30, 31, 32, 33, 36 & 39);
 - .c Rural issues including subdivision, rural amenity and catchment management (Workshops 3, 8, 24, 25, 34, 35 & 36);
 - .d Climate change and natural hazards (Workshops 4, 6, 22, 26 & 33);
 - .e Indigenous vegetation (Workshops 7 & 9);
 - .f Conservation and Historic heritage (Workshops 7, 8, 34 & 35);
 - .g Landscape, including coastal environment (Workshops 3, 10, 17 & 18);
 - .h Specific topics e.g. noise, vibration, urban trees (Workshops 6, 7, 9, 23, 25, 32, 34, 38 & 39)
 - .i Cross boundary (Workshops 20 & 23);
 - .j Extractive Industries (Workshops 36)
- .2 As part of each workshop topic, a range of policy directions and methods were provided for the Committee to consider their efficiency and effectiveness in meeting the requirements of the RMA. As each workshop topic was completed, the Committee resolved the general policy direction that they sought to be taken forward for development of the district plan provisions (e.g. issue, objective, policy, methods).

3.4 DEVELOPMENT OF DISTRICT PLAN PROVISIONS

- .1 From the direction given by the Committee on policies and methods, a draft district plan was prepared and the various sections of the document were reviewed by the Committee at a series of workshops during June and July 2009.

3.5 CONSULTATION

- .1 During the investigation and development of policy direction phases, the Committee resolved to undertake limited consultation with key stakeholders (eg. iwi, Department of Conservation, Environment Waikato, NZ Transport Agency, Newmont). The Committee considered that consultation was best undertaken when there was sufficient information and analysis undertaken, options identified and draft district plan provisions developed, in order that those being consulted with could consider the proposal as a complete whole. The Committee considered the principles of consultation that have been set out by the Environment Court

and considered that there is a balance between providing sufficient information so that those being consulted with know what is proposed, but in a manner that makes it clear that decisions have not been made.

- .2 A draft district plan was notified in October 2009, for public feedback. The availability of this document was widely made to stakeholders and the public. The Council also undertook to individually notify land owners affected by changes in zoning, and of identified heritage and other significant features affecting their properties. A series of public open days were held in October 2009, within most of the urban communities around the District to enable the public to discuss any matters on the draft district plan with Councillors and staff. Ongoing consultation continued with key stakeholders and with other land owner interest groups on particular issues. Considerable feedback received on the draft district plan was presented to the Committee at a series of workshops between November 2009 and January 2010. Changes were made in response to comments received on the draft district plan and these were reviewed by the Committee at workshops held between February and June 2010, in finalising the proposed district plan.
- .3 The results of consultation are set out in each of the District Plan Provisions in Section 4 below.

3.6 NOTIFICATION AND SUBMISSIONS

- .1 Refer to Overview Report on Submissions and Hearing Process (FRED 930750).

3.7 HEARING AND DECISION MAKING

- .1 Refer to Overview Report on Submissions and Hearing Process (FRED 930750).

4.0 EVALUATION OF DISTRICT PLAN PROVISIONS

4.1 INTRODUCTION

.1 Section 32(3) & (4) RMA sets out criteria that must be evaluated to test the validity of district plan provisions. This section contains the s32 summary report related to the objectives, policies, rules and other methods of implementation of the Proposed Hauraki District Plan. Each section considers a resource management issue in turn.

The purpose of the RMA is referred to in the evaluation of policies. The purpose of the RMA is to promote the sustainable management of natural and physical resources. The meaning of this is set out in section 5 RMA, which is as follows:

“5 (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) In this Act, sustainable management means managing the use, development, and protection 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 while—

(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.”

The summary evaluation that follows needs to be read in conjunction with a number of supporting documents that the council took into account when developing the proposed district plan. These include:

- Reports to council
- Issues and options papers
- Council workshop papers
- Consultants reports and analysis commissioned by council
- The Council’s state of the environment report
- Monitoring data held by council in regard to the operative district plan and the state of the environment.

4.2 CLIMATE CHANGE

4.2.1 RESOURCE MANAGEMENT ISSUE – CLIMATE CHANGE

The document titled “Climate Change, A Discussion paper for Hauraki” dated March 2008 and considered by Council on 13th May 2008, summarized the resource management issues associated with climate change as follows;

“Hauraki is not likely to see substantial shifts in it’s average temperature or rainfall patterns, but what will be experienced is an increase in the severity of storms, prolonged drought conditions, and a rise in sea-level. How Hauraki decides to put in place measures to cope with this now, will potentially lead to an effect on the whole community, and create opportunities where conditions can be bent to favour some business’s and reduce the

impact on others.

Whether you believe climate change is being accelerated by human activities or that it is the natural progression of global climatic variations is not the question when looking at ways in which to deal with a changing climate. Climate change is happening, records show us this, and the projections are available to ensure it is as painless as possible.

With the information gained, and the potential for additional information available, it is prudent for Hauraki to make a discussion on whether or not to be reactive or pro-active when it comes to the climate affecting its District. There are already plenty of examples where mitigation to the effects are possible, and also where possible reductions in accelerants are plausible. Often techniques to reduce the impact on the environment prove to be more economic business practices, therefore producing a win win situation.”

4.2.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

The document titled “Climate Change, A Discussion paper for Hauraki” dated March 2008 and considered by the Council on 13th May 2008 outlined the following policy direction options and recommendations.

The recommended action points were broken into several Discussion Points, as follows;

Discussion Point 1: A Response Framework

“1. A combination of the following:

- o ‘Modify threat’; ‘Prevent effects’; ‘Change use’; ‘Research’; ‘Change Location*

2. Further discussion related to this issue is considered in discussion point seven”

Discussion Point 2: Projections

“3. Use a simple projection of climate change based on ward areas due to weather monitoring.

4. Provide information on Lims/Pims regarding the potential effect of climate change on an area.

5. That the following assumption be put in place for all engineering/major project scoping documentation, and written into the assumptions in the LTCCP and AP documentation:

<i>Climatic change</i>	<i>Assumption – by 2100 - Hauraki</i>
<i>Temperature</i>	<i>That temperature will rise by 2.5 c</i>
<i>Rainfall</i>	<i>That there will increased annual rainfall of:</i> <i>Plains – 100 mm</i> <i>Waihi – 250 mm</i>

	<i>Paeroa 100 mm</i>
<i>Rainfall intensity</i>	<i>Increase by 20%</i>
<i>Sea level rise</i>	<i>Sea levels will rise by .5m</i>

Discussion Point 3 - Advocacy

- “6. *Promote climate change issues with one voice (as per response framework).*
- 7. *Include climate change issues within the LTCCP, and encourage the community to address the issues it is facing.*
- 8. *Encourage the use and adoption of government directives across council activities.*
- 9. *Encourage partnership approaches with other government agencies, potentially creating memorandums of understanding.”*

Discussion Point 4 – LGA Documentation

- “10. *Ensure LOS cater to the potential threat of climate change (i.e. measure weather patterns, attempt to identify variations).*
- 11. *Encourage partnership approaches with leading government agencies.*
- 12. *Include a section within the LTCCP addressing climate change issues and their possible effects on the District (without scaremongering).*
- 13. *Address the sustainability issue comprehensively with all Annual and long term plan documentation.”*

Discussion Point 5 – RMA Implementation

- “14. *Identify nationally significant features (e.g. Peat Domes) within Hauraki and develop an action plan to mitigate climate change effects.*
- 15. *Encourage the use of renewable energy in the district, especially wind turbines and hydroelectricity.*
- 16. *Encourage through land-use planning and RC consents the planting of trees, and native forest belts.*
- 17. *Set up mechanisms for land-use changes resulting in climate change effects on farming.*
- 18. *Agree in principle to the use of capped solid waste site to be used for the generation of electricity form methane.”*

Discussion Point 6 - Infrastructure

“Adopt the decision making framework as advised by MFE.”

Discussion Point 7 – Carbon Footprint

“19. *That Council agrees in principle to the CCPNZ scheme, and endorses an*

investigation into the implications of doing so.

20. *That if Council does not agree to joining the CCPNZ scheme; that it develops it's own high level strategy internally, and encourages its wider use within the community. This may consist of a number of measure including but not limited to:*

- a. Sustainable procurement commitment*
- b. Recycling of council waste*
- c. Encouragement of work place sustainable transport*
- d. Endorsements of many of the point discussed above."*

4.2.3 ADOPTED POLICY DIRECTION

Section 2.7 of the Document titled "Update on Workshop Outcomes & Policy Directions" presented at Workshop 26 (17 December 2007), details the policy direction for Climate Change as follows;

- "1. Urban strategy is to consolidate residential development in those towns of the District that can be protected (e.g. Waihi, Paeroa and Ngatea), to retain the status quo at Turua & Kerepehi and to "retreat" from unprotected area (e.g. Waitakaruru).*
- 2. Review subdivision and development provisions to ensure they incorporate standards that anticipate the effects of climate change."*

The adopted policy direction can be achieved objectives, policies and rules that control the extent and location of development through subdivision and density standards. For example, restricting development in flood prone areas.

"This matter has been considered in a series of workshops by the District Plan Review Committee over the past 2 years and its policy response to date is a combination of the following:

Coastal

- Inclusion of rules restricting development at Whiritoa and the coastal environment along the eastern coast;*

Hauraki Plains

- Concentration of urban areas at Paeroa, Ngatea, Kerepehi and Turua which can be protected from flooding*
- Discourage residential development from establishing at Waitakaruru, and Oranga Corner;*
- Increasing the subdivision size in the rural area in order that only houses associated with rural activities are established;*
- Setting minimum floor levels in areas subject to inundation and the Piako Flood Ponding Area;*
- Rules requiring buildings (particularly residential) to be set back from rivers, streams, drains, flood protection works etc;*

Urban Areas

- Identification of hazards (e.g. spillways, floodways);*
- Protection of the flood ponding areas in Paeroa from filling or other activities that will reduce capacity to manage stormwater flows;*

- *Extending the residential and industrial boundaries to provide for urban growth in areas where hazards (including the effects of climate change) can either be avoided or managed;*
- *Encouraging higher density of housing development in a comprehensive manner;*

Catchment Areas

- *Retaining rules that restrict the clearance of vegetation;*
- *Identifying and protecting water supply catchments.”*

4.2.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective	Summary evaluation
<p>There are no specific objectives and policies on climate change. Objectives and policies in relation to various issues (especially natural hazards) respond to climate change in various ways. These include objectives and policies:</p> <p>(a) Establishing the appropriate framework to restrict population growth in areas likely to be affected by climate change, particularly on the Hauraki Plains; and</p> <p>(b) Establishing appropriate performance standards to control the proximity of future development areas likely to be affected by climate change.</p>	<p>The majority of scientific opinion predicts a greater frequency and intensity of extreme weather events later this century. Increased storms, floods and droughts may occur. Opinions differ as to the probability of these events occurring. Even if they are of low probability, they have high potential impacts and therefore including considerations of climate change in the district plan objectives is most appropriate to promote sustainable management to secure social and economic wellbeing, as well as health and safety.</p>

4.2.5 POLICIES MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES

Policies	Effectiveness and Efficiency Benefits and Costs
See above under objectives.	

4.2.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.2.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural	788612
2.4	Rural, Coastal & Karangahake Gorge Zones - Subdivision	788615
12	Water Supply and Flood Management - General	791283
21.1	Natural Hazards – Issues/Performance Standards – Floor Levels	791333
21.4	Performance Standards – Erosion Hazard Protection Setback Lines	791339

4.2.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural	788612
2.4	Rural, Coastal & Karangahake Gorge Zones - Subdivision	788615
12	Water Supply and Flood Management - General	791283
21.1	Natural Hazards – Issues/Performance Standards –	791333

	Floor Levels	
21.4	Performance Standards – Erosion Hazard Protection Setback Lines	791339

4.2.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural	929390
2.4	Rural, Coastal & Karangahake Gorge Zones - Subdivision	929393
12	Water Supply and Flood Management - General	929413
21.1	Natural Hazards – Issues/Performance Standards – Floor Levels	929430
21.4	Performance Standards – Erosion Hazard Protection Setback Lines	929433

4.2.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural	929390
2.4	Rural, Coastal & Karangahake Gorge Zones - Subdivision	929393
12	Water Supply and Flood Management - General	929413
21.1	Natural Hazards – Issues/Performance Standards –	929430

	Floor Levels	
21.4	Performance Standards – Erosion Hazard Protection Setback Lines	929433

4.3 NATURAL HAZARDS

4.3.1 RESOURCE MANAGEMENT ISSUE – NATURAL HAZARDS

The document titled “An Overview of Natural Hazards in the Hauraki District, Including a Qualitative Risk Assessment” prepared by Environment Waikato and considered at Workshop 18 on 30 April 2007 summarized the natural hazards of existing and/or potential threat to the Hauraki District as including;

- River and stream flooding;
- Coastal erosion and flooding;
- Severe storm;
- Earthquakes;
- Tsunami;
- Volcanic eruptions; and
- Debris flows.

4.3.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

The document titled “An Overview of Natural Hazards in the Hauraki District, Including a Qualitative Risk Assessment” prepared by Environment Waikato and considered at Workshop 18 on 30 April 2007 made the following recommendations regarding natural hazard priorities for the Hauraki District:

- River flood risk is the highest priority hazard affecting the District and the risks associated with it should be managed as a matter of priority
- The flood risks are largely dependent upon the ongoing management of river flood protection schemes
- District growth areas and priorities are a key driver for flood risk management work
- National and regional directions on river flood risk management will increase the importance of recognising rivers and natural systems and taking a risk management approach.

It was concluded that river flood issues should be addressed as a priority, and that there is a strong need to closely link river flood management, hazard management and district infrastructure/community development work based on District growth priorities.

4.3.3 ADOPTED POLICY DIRECTION

Policy direction for Natural Hazards as for Climate Change detailed in 4.3.2 above.

4.3.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective	Summary of evaluation
All objectives related to natural hazards	These are most appropriate to achieve the purpose of the RMA because they enable people to maintain their social, economic and cultural wellbeing and their health and safety. The general objectives ensure that development maintains the positive effects of natural processes and does not worsen the adverse effects that contribute to natural hazards. Specific objectives seek outcomes appropriate to locations and circumstances. The plan cannot eliminate all risks, because control and prediction of hazards is never total, so a role remains outside the district plan for risk management through building standards, insurance and emergency response.
5.1.2 (5) (Rural Zone) To ensure that any adverse effect of a land use activity on the environment or on the amenities of neighbours is avoided, remedied or mitigated.	This objective is most appropriate to achieve the purpose of the RMA because it allows a wide range of activities, while ensuring adverse effects from natural hazards on the environment and amenity values are managed.
5.3.2(2) (Conservation wetland zone): To maintain the flood control functions of the wetlands.	This objective is most appropriate to achieve the purpose of the RMA because it maintains the natural hydrological function in the flood management of relevant catchments.
5.6.3 (2) (All urban areas) To achieve an urban form for each urban area that maintains and enhances existing character and identity, minimises reliance on fossil fuel use, protects areas with significant natural quality, ecological, heritage and cultural values and does not create or increase natural hazard risks.	This objective is most appropriate to achieve the purpose of the RMA because it links the management of urban form to natural hazards to ensure development does not worsen the effects of natural hazards.
5.6.7 (2) (Ngatea) To ensure land use and development occurs in an integrated manner that recognises the constraints of natural conditions and enhances the built environment.	This ensures that there is no "unplanned" development and expansion, which could worsen the effects of natural hazards.
5.6.10(1) (Whiritoa) To enable the people and community of Whiritoa to provide for residential living in a manner	This ensures that natural hazards (especially coastal hazards) are considered and factored into developments at Whiritoa.

which maintains residential amenity, protects important natural features (e.g. coast, lagoons), recognises natural hazards (coastal erosion) and does not adversely affect the safe and efficient operation of State Highway No. 25.	
5.7.2(2) (Residential zone) To develop residential areas free from the effects of hazards.	This objective is most appropriate to achieve the purpose of the RMA because it ensures that there is no "unplanned" development and expansion of residential areas in inappropriate locations, which could worsen the effects of natural hazards.
5.13.2 (1) (Flood ponding zone) To protect the urban resources of Paeroa from the effects of flooding, and to maintain the ponding design capacity.	This objective recognises the importance in Paeroa of protecting urban resources from the effects of flooding, especially by maintaining the capacity of ponding areas.
5.17.2 (2) (Martha mineral zone.) To provide for the utilisation of the mineral resource in a sustainable manner.	This objective includes natural hazards, as indicated by the related policies. It ensures that hazards are addressed in the management of mineral extraction.
7.8.2 (1) Earthworks To ensure site earthworks associated with land use and subdivision activities avoid, remedy or mitigate adverse off site effects.	This objective ensures that a broad range of considerations (including effects on natural hazards, amenity and heritage values and the Hauraki Gulf catchment) are brought in to the management of the effects of earthworks. It is consistent with the Waikato Regional Plan controls on erosion and sedimentation, which also have a natural hazards aspect.
9.1.3 (6) Subdivision The creation of lots and intensification of subdivision does not increase or create a risk to people, property, infrastructure and the environment due to natural hazards (including residual risk).	Some areas of the district require specific measures to be undertaken to avoid the effects of natural hazards, including flooding, inundation, erosion, subsidence or slippage. This objective promotes sustainable management of natural and physical resources by ensuring that site suitability, and avoidance or mitigation issues are considered prior to subdivision.

4.3.5 POLICIES MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES

Policies	Effectiveness and Efficiency
	Benefits and Costs
5.1.2(5) (Rural zone) Policy (v) Control development in hazard areas.	Effective – achieves objective 5.1.2 (5) by ensuring proposed development in hazard areas is properly assessed for adverse effects of natural hazards. Efficient – limited to hazard areas. Benefits – protects amenity values, environment, health and safety. Costs – Compliance costs to developers; may reduce development potential of some land.
5.3.2 (2) (Conservation Wetland zone) Policies (i) Recognise in the administration of the zone, the protection of botanical and wildlife values, the natural character and flood control functions of the area. (iii) Maintain and control ground levels.	Effective – achieves objective 5.3.2 (2) by recognising the flood control function of wetlands, which is essential to sustainable management and provides the basis for management of ground levels. Efficient – limited to wetlands, combines management of flood control, with ground levels and other aspects. Benefits – retains natural flood functioning, protects amenity values, environment, health and safety. Helps maintain productivity of other land in catchment. Costs – Costs to administering authorities in research and planning; compliance costs to developers; reduces development potential of some land.
5.6.4(2)(a)(i) (All urban areas)	Effective – achieves objective 5.6.4(2) by ensuring natural

<p>Strategic and spatial growth analysis will be used to assist in setting the function, direction and form of urban growth for each urban area.</p> <p>(ii) Promote Environmental Sustainable Design (ESD) to ensure the wellbeing of residents and users is enhanced and adverse impacts on the environment minimised.</p> <p>(iii) Ensure the location and development of residential and business activities is free from natural hazard constraints and minimises adverse effects on natural character, ecological, heritage and cultural values.</p>	<p>hazard risks are included in plans, and factored into development decisions.</p> <p>Efficient – cheaper to plan at start than to retro-fit or mitigate damage later.</p> <p>Benefits – Enhances well-being of residents and landowners, by protecting amenity values, environment, health and safety.</p> <p>Costs – Planning costs to council; compliance costs to developers; reduces development potential of some land.</p>
<p>5.6.6 (2) (Ngatea) (iii) Recognise that current and presently anticipated residential growth rates require proactive management to accommodate future residential living within the constraints of natural hazards and residual risks.</p>	<p>Effective – achieves objective 5.6.6(2) and 5.6.10(1) by ensuring natural hazard risks are part of planning for future, and factored into development decisions.</p> <p>Efficient – cheaper to plan at start than to retro-fit or mitigate damage later.</p> <p>Benefits – Enhances well-being of residents and landowners, by protecting amenity values, environment, health and safety. Retains functioning of natural processes which may have benefits elsewhere; avoids ongoing costs of recovery from floods and other disasters.</p> <p>Costs – Planning costs to council; compliance costs to developers; reduces development potential of some land.</p>
<p>5.6.10(1) (Whiritoa) (iii) Restrict the extent and type of activities and developments that can occur in areas of coastal erosion hazard potential.</p>	<p>Effective – achieves objective 5.6.10(1) by ensuring natural hazard risks are part of planning for future, and factored into development decisions. Ensures that information held by council is available to developers and the public, so that they can make rational land use choices.</p> <p>Efficient – cheaper to plan at start than to retro-fit or mitigate damage later. Efficient for council to research and establish floor levels in flood risk areas, so that work is not duplicated by individuals.</p> <p>Benefits – Enhances well-being of residents and landowners, by protecting amenity values, environment, health and safety. Avoids ongoing costs of recovery from floods and other disasters.</p> <p>Costs – Planning costs to council; compliance costs to developers; reduces development potential of some land.</p>
<p>5.7.2 (2)(a) (Residential zone) Policies (i) Identify hazards such as flooding, filled areas and mine shafts on either the district plan maps and/or Council's Land Information Memoranda and other information systems.</p> <p>(ii) Limit the development of land for residential purposes within areas subject to inundation adjacent to the area zoned for flood ponding purposes in Paeroa.</p> <p>(iii) In areas known to be subject to flooding establish building floor levels to avoid risk to human life and mitigate risk to dwellings and communal buildings.</p> <p>(iv) Avoid intensive residential development and subdivision in areas known to be subject to flooding.</p> <p>(v) Place constraints on development in areas of coastal erosion hazard potential at Whiritoa.</p>	<p>Effective – achieves objective 5.7.2(2) by ensuring natural hazard risks are part of planning for future, and factored into development decisions. Ensures that information held by council is available to developers and the public, so that they can make rational land use choices.</p> <p>Efficient – cheaper to plan at start than to retro-fit or mitigate damage later. Efficient for council to research and establish floor levels in flood risk areas, so that work is not duplicated by individuals.</p> <p>Benefits – Enhances well-being of residents and landowners, by protecting amenity values, environment, health and safety. Avoids ongoing costs of recovery from floods and other disasters.</p> <p>Costs – Planning costs to council; compliance costs to developers; reduces development potential of some land.</p>
<p>5.13.2 (1) (Flood ponding zone) Policy (i) Restrict activities in the area used for flood ponding purposes to those that will not compromise or be incompatible with that purpose.</p>	<p>Effective – achieves objective 5.13.2(1) by recognising flood ponding areas at Paeroa, this is essential to sustainable management and provides basis for management of adverse effects, including the effects of alteration of ground levels.</p> <p>Efficient – limited to flood ponding zone, manages land uses in the zone as an adjunct to wider catchment management.</p> <p>Benefits – retains flood pond functioning, protects amenity</p>

	<p>values, environment, health and safety both in the Flood Ponding Zone and in wider catchment.</p> <p>Costs – Costs to administering authorities in research and planning; compliance costs to developers; reduces development potential of some land.</p>
<p>5.17.2 (2) (Martha mineral zone) Policies (ii) Provide for the social, economic and cultural well being of the people of the District and for their health and safety.</p> <p>(iv) Recognise that the risks associated with the historic underground working areas require a mixture of approaches to avoid, remedy or mitigate those hazards and provide for appropriate longer term land use activities.</p>	<p>Effective – achieves objective 5.17.2 (2) by recognising issues specific to Martha mine, including amenity impacts and particular health and safety issues arising there due to current mine activities and hazards associated with the historic underground workings. Provides the basis for long term management of incompatible uses and rehabilitation of mining areas.</p> <p>Efficient – limited to Martha mineral zone, manages special aspects of land uses in the zone as an adjunct to wider district issues.</p> <p>Benefits – protects amenity values, environment, health and safety in the zone and in wider district and rehabilitation and use of mined land.</p> <p>Costs – Costs to administering authorities in research and planning; compliance costs to developers; reduces development potential of some land.</p>
<p>7.8.2(1)(a) (Earthworks) Policies (iv) Limit the scale and location of earthworks to minimise the risk of instability and damage to other properties, network utilities and the environment and not increase the risk of potential flooding or reduce the function of ponding areas, overland flow paths and spillways, and minimise amenity and public safety impacts.</p>	<p>Effective – achieves objective 7.8.2(1) by ensuring natural hazard risks are part of planning for future, and factored into development decisions on earthworks.</p> <p>Efficient – integrates hazard assessment with assessment of other effects of earthworks; cheaper to plan at start than to retro-fit or mitigate damage later.</p> <p>Benefits – Protects amenity values, environment, health and safety. Avoids ongoing costs of recovery from subsidence, sedimentation and erosion.</p> <p>Costs – Compliance costs to developers; reduces development potential of some land.</p>
<p>9.1.3 (6) (a) (Subdivision) Policies (i) Ensure that new subdivision and development is located, designed and undertaken so as to avoid the need for further hazard protection works.</p> <p>(ii) Ensure that where hazard protection works are necessary as part of subdivision, their form, location and design are such as to avoid or mitigate potential adverse environmental effects.</p>	<p>Effective – achieves objective 9.1.3 (6) by ensuring natural hazard risks are considered as part of subdivision planning and assessment.</p> <p>Efficient – integrates hazard assessment with overall assessment of subdivision; allows for risks to be avoided or mitigated in the subdivision design, which is more efficient than retro-fitting or mitigating damage later.</p> <p>Benefits – Protects amenity values, environment, health and safety. Avoids ongoing costs of recovery from floods, slips and other events.</p> <p>Costs – Compliance costs to developers; reduces development potential of some land.</p>

4.3.6 RISK OF ACTING OR NOT ACTING

The timing and severity of individual hazard events are always uncertain. However, many effects of natural hazards are predictable on a general statistical basis. For example, the average return period of floods of particular magnitudes can be calculated and confidently allowed for in planning processes. Climate change may result in weather-related hazards such as floods becoming more frequent and more severe. The extent of the changes due to climate change has been researched extensively world-wide and consensus is starting to emerge, however all forecasts retain some uncertainty.

The risk of acting through the district plan is that land may be left undeveloped and not be used to its full potential during periods when no hazard events occur. The risk of not acting through the district plan is that development would occur in hazard prone areas and the next hazard event would have

more serious impacts than if action is taken. Impacts might include more severe health and safety effects and property damage, as well as increased disaster response and recovery costs.

4.3.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural	788612
3.1	Urban Design/Urban Areas of Towns & Townships	788952
3.2	Residential – Zone/Structure Plans/Subdivision/Map Changes	788953
4	Extractive Industry – Issues/Martha Mineral Zone/Golden Cross Mineral Zone	791225
12	Water Supply and Flood Management - General	791283
18	Earthworks	791307
21.1	Natural Hazards – Issues/Performance Standards – Floor Levels	791333
21.4	Performance Standards – Erosion Hazard Protection Setback Lines	791339
22.1	Subdivision – For All Zones	791340

4.3.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural	788612

3.1	Urban Design/Urban Areas of Towns & Townships	788952
3.2	Residential – Zone/Structure Plans/Subdivision/Map Changes	788953
4	Extractive Industry – Issues/Martha Mineral Zone/Golden Cross Mineral Zone	791225
12	Water Supply and Flood Management - General	791283
18	Earthworks	791307
21.1	Natural Hazards – Issues/Performance Standards – Floor Levels	791333
21.4	Performance Standards – Erosion Hazard Protection Setback Lines	791339
22.1	Subdivision – For All Zones	791340

4.3.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural	929390
3.1	Urban Design/Urban Areas of Towns & Townships	929394
3.2	Residential – Zone/Structure Plans/Subdivision/Map Changes	929395
4	Extractive Industry – Issues/Martha Mineral Zone/Golden Cross Mineral Zone	929402
12	Water Supply and Flood Management - General	929413

18	Earthworks	929419
21.1	Natural Hazards – Issues/Performance Standards – Floor Levels	929430
21.4	Performance Standards – Erosion Hazard Protection Setback Lines	929433
22.1	Subdivision – For All Zones	929434

4.3.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural	929390
3.1	Urban Design/Urban Areas of Towns & Townships	929394
3.2	Residential – Zone/Structure Plans/Subdivision/Map Changes	929395
4	Extractive Industry – Issues/Martha Mineral Zone/Golden Cross Mineral Zone	929402
12	Water Supply and Flood Management - General	929413
18	Earthworks	929419
21.1	Natural Hazards – Issues/Performance Standards – Floor Levels	929430
21.4	Performance Standards – Erosion Hazard Protection Setback Lines	929433
22.1	Subdivision – For All Zones	929434

4.4 URBAN DESIGN

4.4.1 RESOURCE MANAGEMENT ISSUE – URBAN DESIGN

The “Urban Design Position Paper” prepared by Boffa Miskell considered at Workshop 10 identified the following urban design issues for the Hauraki District;

- Residential Infill;
- New Subdivision;
- Quality Development;
- Residential Zone;
- Town Centres;
- Heritage;
- Connections & Linkages;
- Coastal Development;
- Flood Risk and Climate Change.

The Hauraki District contains several towns and smaller unserved urban areas. The urban design issues for each of these towns and areas varies and therefore have been addressed individually in the “Urban Design Position Paper”. The identified issues are as follows.

Waihi

- “- *Managing future growth in Waihi town centre to maintain existing level of character and quality (managing the threat of big box retail).*
- *Defining & managing urban boundaries in the developing NE and SW edges of the town.*
- *Provision for future industrial development.*
- *Tourism, and the gateway aspect of Waihi to the Bay of Plenty and vice versa.*
- *Managing additional residential capacity is a key issue for Waihi – infill vs Greenfield development.*
- *Maintaining residential amenity and providing for future growth.*
- *Connections (vehicular, pedestrian & cycle & open space) between existing, development and new urban areas.”*

Paeroa

- “- *Integration and management of SH traffic with retail function and streetscape treatment of mainstreet.*

- *Maintaining residential amenity and character with further infill and new subdivision development;*
- *The location of industrial uses and interface between industrial and commercial activities along the mainstreet (northern end), and redundant rail line;*
- *Definition of town entrances;*
- *Flood ponding areas require improved integration with urban fabric of Paeroa;*
- *Improving identity of natural landscape features – such as Ohinemuri River, Coromandel & Kaimai Ranges, Karangahake Gorge.”*

Ngatea

- “- *Defining and managing urban boundaries in developing southwest and northeast edges of town.*
- *Future industrial expansion/development and implications for nearby residential neighbourhoods.*
- *Amenity/quality of gateway experiences along SH2.*
- *Connections between existing, developing and new residential areas.*
- *Ensuring quality development, particularly in relation to public realm elements – footpaths, lighting, street furniture/planting.”*

Kerepehi

- “- *Interface with SH2.*
- *Implications for residential amenity with growth of industrial uses, and identity of town as an industrial precinct.*
- *Living/working relationship with Ngatea. Desirability of increasing residential land supply or ‘servicing’ from Ngatea.*
- *Aging housing stock and flood risk in low lying areas.*
- *Use of and maintenance of Kerepehi Domain?”*

Turua

- “- *Possible elevation of road status for Hauraki Road to state highway to reflect the high number of vehicles that travel along it.*
- *Growth and expansion to the east of the town, particularly along Waihou Street presents a flooding risk.*
- *Treatment and maintenance of riverfront edge along Waihou Street (incorporating the jetty).*
- *Speed of traffic, and apparent vehicle priority of mainstreet/Hauraki Road*

- *Town is not considered appropriate for residential growth given flood issues.”*

Whiritoa

- “- *No more Greenfield sites within existing physical boundaries, and managing desire for infill.*
- *Access onto SH25 (also if development pressure to drift onto other side of road).*
- *Is increasing density desirable in certain locations? (Increased intensity & ‘building up’).*
- *Servicing and infrastructure – feasibility & expectations, no reticulated water.*
- *Rising land prices.*
- *Maintaining or encouraging a coastal identity (in terms of Coromandel/Bay of Plenty).*
- *Maintaining access to coast/walkability within town, and provision of active open space areas.”*

Waikino

- “- *Maintaining charm and character of existing development, landscape, streetscape and townscape qualities.*
- *If 2500m² minimum lot size is no longer relevant, should a new density standard be set?*
- *Maintaining landscape quality – views and slopes is important.”*

Waitakaruru

- “- *Dispersed nature of the commercial, retail and community functions.*
- *Should growth be directed to certain locations (based on sea level rise, flooding uses and consolidation of town centre).”*

Mackaytown & Karangahake

- “- *Maintaining the landscape quality, and discrete charm and character from inconsiderate subdivision and infill.*
- *Ensuring new development or redevelopment occurs with respect to the natural landscape and vegetation of the Karangahake Gorge.*
- *Maintaining vegetative cover, avoid the creation of large inconsiderate visible expanses of impermeable surfaces.*
- *Lack of protection in a quality landscape area from ‘typical’ residential development.”*

4.4.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

The “Urban Design Position Paper” considered the manner in which the Operative District

Plan has worked and set out the policy direction options and recommendations. The policy direction options and recommendations were as follows;

Waihi

- “ Ensure that development along Waihi Mainstreet reinforces its distinctive heritage, streetscape and built form (scale, location and grain of buildings) qualities.*
- *Gateway opportunities and enhancing entry points into Waihi along the northeast and southwest parts of the town should be investigated;*
- *Use natural features of Waihi to define the boundaries of urban areas (e.g. the Ohinemuri River, the Waitete Stream, the hills to the north and west), and to inform development design responses;*
- *Maintain the linear/grid street structure where possible to provide good levels of connectivity and definition for the overall structure of the town;*
- *Seek to maintain the existing character of older residential streets with low kerbs, and generous grass verges. They bestow a distinctive residential charm and character that contributes to the residential qualities of Waihi;*
- *Identification of areas subject to instability (as a result of mining activities, other man-made or natural occurrences) should occur in order to avoid incompatible (residential) development and the creation of spaces and links that become redundant in the urban fabric of Waihi;*
- *Future development should respond to the natural landform of Waihi. Redevelopment within existing urban areas needs to be managed to ensure that resultant built form responds to existing scale, form and character.”*

Paeroa

- “ Town centre entry points, and vistas should be retained and reinforced through streetscape and development;*
- *Consider both the visitor experience and local community needs in mainstreet (re)development;*
- *Emphasise the presence of heritage/character buildings and local landmarks;*
- *Utilise natural landscape features to reinforce unique landforms of Paeroa;*
- *Use curves along the mainstreet reinforce the entry experience and identity of Paeroa (vistas to buildings and natural landscape backdrop);*
- *New residential development to connect with and complement existing urban areas;*
- *Incorporate vacant and redundant pieces of land (such as rail line, and food ponding areas) into the urban area through either compatible development, planting, and adaptive well-design open spaces/linkages;”*

Ngatea

- “• *Integrate the range of community & recreational facilities (with commercial) in town centre. Emphasise these as community focal nodes.*
- *Street planting to add definition to mainstreet, and highlight entrance/gateways, and minimize presence of vehicles & parked cars.*
- *Use Piako River and bridge as an arrival/departure feature.*
- *Connect new areas with existing (in terms of street layout – cars & pedestrians, infrastructure and built form). Ensure connectivity and legibility – greatest potential in Ngatea due to flat landform.*
- *Ensure potential of future connections in roading, infrastructure and recreational networks.*
- *Reinforce Ngatea front yard residential setback with planting/fencing or buildings. Road carriageway width and streetscape treatment shall be designed accordingly - use of street trees.*
- *Use roading, or buffer treatments to separate more sensitive activities from industry.”*

Kerepehi

- “• *Investigate re-use, refurbishment or redevelopment of existing buildings and sites within the town centre of Kerepehi.*
- *Encourage revitalization of town centre.*
- *Create visible and legible pedestrian connections between the town centre, school, community and cultural activities. The range and proximity of uses within Kerepehi provides opportunities to create a walkable & accessible community.*
- *Consolidate industrial activities to eastern side of town, and adopt a Council managed approach for any expansion.*
- *Encourage re-use of existing industry sites for industrial and compatible business uses.*
- *Manage industrial business operations to reduce effects on residential/urban area amenity.”*

Turua

- “• *Create a centre focused around Bagnall Place. The Muddy River Cafe, jetty and view out towards the ranges provide a suitable location to strengthen the attraction and identity of Turua.*
- *Any new residential development should locate to the west of the town to avoid food risk. New development should seek to reinforce the existing regular lot and block shape.*
- *The issue of whether the road status of Hauraki Road is to be elevated should be determined in the near future. It may be suitable for traffic calming measures and pedestrian crossings to be introduced to create a more pedestrian friendly mainstreet.*

- *The Waihou River provides a visual stimulus, recreation resource and alternative transport route for Turua, these attributes should be enhanced.”*

Whiritoa

- “• *Maintain coastal community and holiday/bach feel of town*
- *Understand the effects and extent of infill and redevelopment proposals on the street, neighbourhood and town-wide basis. Actively manage this at the design and consenting stages*
- *Lot configurations should acknowledge on-site manoeuvring, and private open space requirements*
- *Provide a high level of footpaths, connections between development, open space, river and coast*
- *Encourage walkability within town*
- *Maintain and reinforce important coastal, cliff or esplanade views/access”*

Waikino

- “• *Ensure density and development controls actively assist in maintaining and enhancing the unique character of Waikino.*
- *Ensure development complements the natural landscape/topography and enables key views to be maintained.”*

Waitakaruru

- “• *Seek to consolidate town centre, or create identifiable and legible ‘precincts’ for the town. Encourage development to ‘fill the gaps’ between the two activity clusters.*
- *Maintain the integrity of the twin bridges.”*

Mackaytown & Karangahake

- “• *Landscape quality and vegetative cover is a distinctive feature of both townships and should be protected from inconsiderate removal, building design, building location and street design.*
- *Identify a way to utilise the landscape and hamlet character of these two townships to inform and direct further development.”*

4.4.3 ADOPTED POLICY DIRECTION

Section 2.6 of the Document titled “Update on Workshop Outcomes & Policy Directions” presented at Workshop 26 (17 December 2007), details the policy direction for Urban Design as follows;

- “1. *District Plan objectives and policies should reflect the existing character of urban areas,*

and be more outcome focused.

- 2. Urban design, amenity and sustainability terminology should be incorporated into the objective and policy framework. This is to ensure a clear direction on these matters is taken at this higher level, which is particularly important for resource consent applications (specifically non-complying) when an assessment must be carried out against the relevant objectives and policies.*
- 3. Either in the District Plan, or other district-wide strategy/document, an understanding of the major towns and townships should be provided. Up until now, these urban areas have grown as rural service towns, despite this they have developed their own individual urban and cultural identities. These identities should be recognised and provided for through the planning framework.*
- 4. Further direction in the District Plan should be provided on the 'fundamentals' of good urban design/development. Aspects such as: the layout and structure of urban areas, movement networks, open space and (the ability for a range of) dwelling types need to be in place at the start of development. It is difficult to 'retro-fit' most of these elements into the urban structure at a later date. As such, these aspects need to be considered at the start of any greenfield development or comprehensive infill.*
- 5. Centreplans for the main towns (Waihi, Paeroa, Ngatea) should be prepared to encourage (not discourage) street tree planting and private streetscape investment that exceeds Council standards, particularly along key roads and mainstreets.*
- 6. Amend the density controls for the Residential Zone. Density controls are a key driver to the form and character of residential development, and there currently appears to be a mismatch between the type of development provided for by the District Plan and that actually occurring in urban areas. This will reduce the risk of incompatible development occurring in towns that is also permitted under the District Plan.*
- 7. Further guidance on subdivision layout, and interface between private residential development and the street should be provided.*
- 8. Redevelopment in existing urban areas should occur where possible 'comprehensively' as opposed to unmanaged infill. New and appropriate assessment criteria or other methods should be introduced to ensure Council can manage and consider such applications suitably. Incentives for developers should be created to encourage this to occur.*
- 9. Recognise the unique landscape and townscape character that exists in townships such as Waikino, Karangahake and Mackaytown. These towns require a different residential management/zone approach that is more responsive to these elements. A new low density zone is recommended.*
- 10. A Code of Practice should be developed specifically for Hauraki District that better addresses Hauraki District-specific matters. It should also provide more than just a baseline standard, it should encourage and permit more flexible responses and where appropriate through the use of performance (as well as prescriptive) solutions, and include some qualitative considerations (in terms of street tree planting, open space provisions, pedestrian/cycle connections).*
- 11. Code of Practice could include and encourage "Low Impact Design" methods for earthworks, stormwater and other infrastructure.*
- 12. Consider reformatting the Code of Practice so that becomes less of a checklist and places more responsibility on developers to demonstrate how the performance standards have been met, whether through the "acceptable" standard or by alternative approaches."*

Note – Many objectives in the plan refer to urban design outcomes. The ones of general application are included in the section below. Other sections contain objectives with local application. See in particular, the “Urban Areas” section below for items specific to particular towns and townships.

4.4.4 OBJECTIVE <u>MOST APPROPRIATE</u> TO ACHIEVE THE PURPOSE OF THE RMA	
Objective	Summary of evaluation
5.6.3(1) (All Urban Areas) To manage the development of urban areas in a way that maintains and enhances the physical infrastructure resource and uses the least amount of natural and physical resources (including land and energy resources).	This objective is most appropriate to achieve the purpose of the RMA because it ensures (among other outcomes) that resources are used and developed in a sustainable manner that results in achieving quality urban design outcomes and amenity standards that ensure urban areas are developed to recognise their distinctive character so that they are interesting, convenient, accessible environments to live in and visit.
5.6.3 (2) To achieve an urban form for each urban area that maintains and enhances existing character and identity, minimises reliance on fossil fuel use, protects areas with significant natural quality, ecological, heritage and cultural values and does not create or increase natural hazard risks.	This objective is most appropriate to achieve the purpose of the RMA by ensuring that the character and identity of the towns of the district is preserved. Urban form underpins the social wellbeing of the residents.
5.7.2 (1) (Residential zone) To provide for residential development that maintains and enhances neighbourhood amenities and qualities consistent with the aspirations of the individual communities within those areas. 5.7.2(3) To avoid, remedy or mitigate any adverse effect of residential and non-residential developments on the environment and character of the locality.	These objectives are most appropriate because they recognise that existing design elements, such as the open character and building set backs within existing residential zones, help to secure the social wellbeing of residents. They also seek to resolve conflicts between different land use pressures and the character and amenity of the particular town or area.
9.1.3(2) Subdivision that provides for and reinforces the existing built form and distinct urban character of the established urban areas.	This objective achieves the purpose of the RMA by promoting social and economic wellbeing through design and standard of urban subdivision, which can have a determining influence on the attractiveness of an area to live in. The objective will ensure subdivision in the urban areas facilitates the maintenance and preservation of the established settlement/development pattern and achieve quality urban design outcomes in order to protect amenity and environmental values and the economic, social and cultural wellbeing of these communities.

4.4.5 POLICIES <u>MOST APPROPRIATE</u> TO ACHIEVE THE OBJECTIVES	
Policies	Effectiveness and Efficiency
	Benefits and Costs
5.6.3 (All Urban Areas) 5.6.3(1)(a)(i) Determine the extent of urban areas based on the function they serve, the ability	Effective – achieves objective 5.6.3(1) by ensuring that development is designed to meet the demands of growth in the next 10 years, is within natural and physical constraints, and is properly serviced.

<p>to provide public services to each urban area, and natural and physical constraints.</p> <p>(ii) Zone sufficient land for urban activities (e.g. residential, town centre, industrial, township & recreation) to provide for the existing and potential needs for the next 10 year planning period.</p> <p>(iii) Provide services appropriate to existing and potential demand.</p>	<p>Efficient – ensures adequate supply of land suitable for urban activities that can be efficiently serviced.</p> <p>Benefits – protects amenity values, environment, health and safety.</p> <p>Costs – Planning costs to council; compliance costs to developers; may reduce development potential of some land.</p>
<p>5.6.3(2)(a)(i) Strategic and spatial growth analysis will be used to assist in setting the function, direction and form of urban growth for each urban area.</p> <p>(ii) Promote Environmental Sustainable Design (ESD) to ensure the wellbeing of residents and users is enhanced and adverse impacts on the environment minimised.</p>	<p>Effective – achieves objective 5.6.3(2) by ensuring that development in urban areas is designed to address adverse effects of growth and impacts on the environment.</p> <p>Efficient – limited to urban areas, and assists developers by stating in advance how developments should manage growth and environmental effects.</p> <p>Benefits – sustainably manages growth and environmental values.</p> <p>Costs – Planning cost to council; compliance costs to developers.</p>
<p>5.7.2(1)(a)(i) By requiring activities in residential areas to be sited, designed and operated in such a way that avoids, remedies or mitigates adverse noise, privacy and traffic effects on health, safety and amenity values through performance standards that have been accepted by the community as an effective way to maintain residential amenity qualities..</p> <p>(ii) Provide for residential development where servicing constraints do not exist.</p> <p>(iii) Provide for higher density residential development (comprehensive residential developments), where these can be accommodated in a manner that promotes good urban design and does not detract from the character of the locality.</p> <p>(iv) Provide services to a standard that can meet the demands of the intensity of development.</p> <p>(v) Provide flexibility for the development and operation of a range of non residential activities which are not incompatible in scale, intensity and character with the residential area in which they are located.</p>	<p>Effective – achieves objective 5.7.2(1) by ensuring proposed development in urban areas is assessed for adverse effects on amenity by reference to urban design principles, especially the impacts of higher density residential development.</p> <p>Efficient – urban design ensures compatible activities that reduce social friction. It also promotes development that can be efficiently serviced.</p> <p>Benefits – protects amenity values, environment, health and safety.</p> <p>Costs – Planning costs to council; compliance costs to developers; may reduce development potential of some land.</p>
<p>5.7.2(3)(a)(i) Ensure development and subdivision is designed and located to:</p> <p>(1) integrate well with the immediate locality;</p> <p>(2) contribute positively to the streetscape;</p> <p>(3) provide occupants of</p>	<p>Effective – achieves objective 5.7.2(3) by ensuring proposed subdivision and development in urban areas is properly assessed for adverse effects on amenity, especially the impacts of buildings on the urban environment.</p> <p>Efficient – ensures a built environment with high amenity values and efficient infrastructure.</p> <p>Benefits – protects amenity values, environment, health and safety.</p>

<p>dwelling with a reasonable outlook, access to sufficient open space and reasonable aural and visual privacy.</p> <p>(ii) Ensure development and subdivision can be effectively serviced by local infrastructure or in a manner that does not have a detrimental effect on the environment.</p> <p>(iii) Ensure development and subdivision can safely cater for on site traffic, parking and servicing needs and has safe and practical vehicular access to a public road.</p>	<p>Costs – Planning costs to council; compliance costs to developers; may reduce development potential of some land.</p>
<p>9.1.3(2)(a)(i) Require an appropriate and acceptable level of urban amenity as part of subdivision design.</p> <p>(ii) Ensuring the design and layout of subdivisions will:</p> <p>(1) Provide for a safe and efficient road network that effectively integrates with the surrounding area;</p> <p>(2) Provide for safe and direct movement through and between neighbourhoods for pedestrians and cyclists;</p> <p>(3) Maximise allotment frontage to public roads and reserves;</p> <p>(4) Provide access to open space and reserves;</p> <p>(5) Provide good solar orientation for residential allotments, open space and reserves;</p> <p>(6) Provide a variety of allotment sizes;</p> <p>(7) Retain and integrate natural features;</p> <p>(8) Avoid proliferation of cul-de-sacs where these are not associated with topographical constraints.</p> <p>(9) Include use of shared road environments where sustainable.</p> <p>(10) Avoid adverse effects of traffic generation on the transport network.</p>	<p>Effective – achieves objective 9.1.3(2) by ensuring subdivision design provides for urban amenity, integration with road network, pedestrians and cyclists, access to open space and other design features.</p> <p>Efficient – providing for these values at the subdivision design stage makes it efficient for subsequent building and development to follow through and maximise the benefits.</p> <p>Benefits – subdivision design and standards contribute to amenity matters such as streetscape (through the planting of trees and the design of the street), lot size, shape and layout and security (through street lighting and position of lots) and road safety.</p> <p>Costs – Compliance costs to developers; may reduce subdivision potential of some land.</p>

4.4.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.4.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
3.1	Urban Design/Urban Areas of Towns & Townships	788952
3.2	Residential – Zone/Structure Plans/Subdivision/Map Changes	788953
18	Earthworks	791307
22.1	Subdivision – For All Zones	791340

4.4.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
3.1	Urban Design/Urban Areas of Towns & Townships	788952
3.2	Residential – Zone/Structure Plans/Subdivision/Map Changes	788953
18	Earthworks	791307
22.1	Subdivision – For All Zones	791340

4.4.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
3.1	Urban Design/Urban Areas of Towns & Townships	929394

3.2	Residential – Zone/Structure Plans/Subdivision/Map Changes	929395
18	Earthworks	929419
22.1	Subdivision – For All Zones	929434

4.4.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
3.1	Urban Design/Urban Areas of Towns & Townships	929394
3.2	Residential – Zone/Structure Plans/Subdivision/Map Changes	929395
18	Earthworks	929419
22.1	Subdivision – For All Zones	929434

4.5 URBAN AREAS

4.5.1 RESOURCE MANAGEMENT ISSUE – URBAN AREAS

The “Sustainable Growth of Towns and Zoning Overview Position Paper” considered at Workshop 22 on 26 June and 9 July 2009 outlined the resource management issues for urban areas as follows.

*“In **Workshop 2** the Committee was provided with an overview of current legislation and government responses to sustainable urban development. Whilst central government initiatives are focused more on the larger cities the responses are relevant to all urban areas of New Zealand, being:*

- *Cities as centres of innovation and economic growth*
- *Liveable cities that support social wellbeing, quality of life and cultural identities*

The urban areas of Hauraki District have not been subject to the same pressures that are confronting some of the larger urban centres of New Zealand (e.g.. Auckland – traffic, Hamilton – greenfield urban growth, Christchurch – air quality). Therefore the current provisions of the district plan for guiding and managing urban growth have not been fully tested. However, in recent years there has been a noticeable increase in infill residential development particularly in Waihi and Whiritoa as well as a demand for new growth areas

in these two settlements and Ngatea. This has provided an opportunity to assess the impact of infill development as it is currently provided for in the district plan and identified the need for careful management of new growth areas to ensure their integration and connectivity with the towns and the ability to provide adequate and cost effective infrastructure to service the areas as demand requires.

Workshop 2 highlighted the challenge for the Council in taking the principles from the various guiding documents and adapting them to the Hauraki situation with respect to zoning patterns, new growth areas, subdivision and development standards. Linkages with the proposed Council Code of Urban Subdivision is also critical in terms of achieving sustainable development and good urban design.

In **Workshop 2**, the Committee was also provided with an overview of the role, function and potential issues within each of the urban areas, with a particular focus on the existing and proposed infrastructure for each of the settlements. The provision of infrastructure is essential to sustain the growth of the urban areas and is directly interrelated to land use patterns, which in turn has a direct impact on the sustainable development of the towns.

Consideration of urban issues for each of the townships was considered in more detail through **Workshops 13 to 16**, where the Committee undertook site visits of each of the towns and identified potential new residential growth areas and specific re-zonings to accommodate town centre and industrial area expansions.

Workshop 18 provided an overview of natural hazards in the Hauraki District including a qualitative risk assessment. The assessment concluded that river flood risk is the highest priority hazard affecting the District and the risks associated with it should be managed as a matter of priority. The flood risks are largely dependent upon the ongoing management of river flood protection schemes. Identification of growth priority areas will be a key driver for ongoing flood risk management work. Therefore there is a strong need to closely link river flood management/district infrastructure and district growth priorities if we are to achieve sustainable urban development.

Workshop 19 considered a position paper on urban design, urban amenity and urban sustainability matters. The paper considered how residential infill and new subdivision should be managed to advance positive environmental outcomes. The position paper recommended that a minimum density approach to development in a 'general residential zone' use a more standard approach. A minimum site size of 525m² is suggested as providing sufficient space to accommodate a range of dwelling types and more consistency and certainty from a servicing and stormwater management perspective.

The purpose of this Position Paper is to re-assess and confirm the potential new residential, commercial and industrial growth areas against available information on:

- Urban growth
- Infrastructure Capabilities/constraints
- Natural Hazards
- Urban Design Considerations

The urban areas addressed in this Position Paper are:

- *Kerepehi*
- *Turua*
- *Ngatea*
- *Paeroa*
- *Waihi*

4.5.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

The Committee were presented with a range of zoning options within the established urban areas as part of the broader strategies of addressing fragmentation of rural productive land, climate change, natural hazards and urban design considerations. For the major towns within the District these are set out in the “Sustainable Growth of Towns and Zoning Overview Position Paper” considered at Workshop 22 on 26 June and 9 July 2009, for the remaining settlements within the District the policy direction options and recommendations have come through various other earlier workshops.

In summary, the options considered the location and extent of future industrial and residential land, within the main towns which can or are protected from the effects of climate change and which can be efficiently and effectively serviced by urban infrastructure and are able to be well integrated with the existing transport network. The recommendations are largely reflected in the adopted policy directions outlined in 4.6.3 below.

4.5.3 ADOPTED POLICY DIRECTION

Sections 2.5 and 2.6 of the Document titled “Update on Workshop Outcomes & Policy Directions” presented at Workshop 26 (17 December 2007), details the policy direction for Urban Areas which were further refined through a series of urban areas workshops (27 – 33) and in response to public feedback on the draft district plan, as follows;

Whiritoa

1. *Whiritoa to be contained within its current boundaries.*
2. *Whiritoa infill location and subdivision/development design needs to be managed to address amenity issues. Increase minimum lot size as for other urban areas to provide improved urban design through building layout and separation.*

Waihi

1. *Waihi expansion to be generally in the north east - avoid crossing the Ohinemuri*

River or Waitete Stream in order to retain connections with Waihi town.

- 2. Possible industrial zone across the Waitete Stream west of Dean Crescent not to be pursued due to costs of bridge crossing, potential flooding, servicing and difficulty in obtaining access off SH 2.*
- 3. Rezone the Industrial areas at Clarke and Gilmour Streets as Residential (ensure that scale etc of existing activities is identified to address any existing use rights debate).*
- 4. Rezone the Morseby Ave/Martha Street/Mueller Street area north of Seddon Street as Town Centre (noting that the provisions of the Town Centre zone may need to be altered to accommodate light manufacturing/engineering type activities).*
- 5. Rezone Industrial (Light) zone east of the stream to include the new Mitre 10 and Funeral sites (i.e. ½ way down Devon Street).*
- 6. Rezone the Residential areas on the corners of Silverton & Johnston and Hazard & Johnston as Town Centre.*
- 7. Retain Rural Residential Zone at Orchard Road, Sliverton Road /Victoria Street and Bradford Street areas.*
- 8. Indicate by policy direction that future residential growth shall be to the northeast between Oldfield Road (SH 25) and Reservoir Road/Wharry Road.*
- 9. Consider rezoning land at eastern end of Barry Road for active recreation surrounded by Rural Residential Zone, subject to availability of land for sports complex.*
- 10. Identify through policy direction that land for future industrial is likely to be provided outside the current urban boundary and would be dependent on availability of infrastructure.*

Waikino

- 1. Development needs to be undertaken recognising the gold mining history and the Karangahake Gorge Scenic Corridor.*
- 2. Council sand quarry designation to be removed underlying Rural Zone to remain.*
- 3. Seek to retain the current residential hamlet character – larger size lots, limited infrastructure (ie. footpaths, kerb and channelled roads, street lighting), housing nestled amongst trees*
- 4. Rural residential to be considered in the Princes Street and in the Old Waitekauri Road/Larsen Road (including the Stubb property) areas.*
- 5. Agree with making lot sizes larger (ie. 1000m²)*

Mackaytown/Karangahake

1. *Development needs to be undertaken recognising the gold mining history and the Karangahake Gorge Scenic Corridor.*
2. *Seek to retain residential hamlet character – larger size lots, limited infrastructure (ie. footpaths, kerb and channelled roads, street lighting), housing nestled amongst trees.*
3. *Rezone land between Albert Street and Rahu Road as Residential.*
4. *Rezone block of land northeast of Rahu Road as Residential (Low Density).*
5. *Rezone land to the west of County Road as Residential.*
6. *Potential increase in tourism development (eg. access to the underground pumphouse) will place pressure on parking and access, and also lead to demand for tourism businesses and accommodation. These need to be provided for.*

Paeroa

1. *Paeroa development to recognise the stormwater/flooding hazards. Urban development outside the existing urban areas to be carefully considered with respect to retaining connections with Paeroa town.*
2. *Retain Industrial zoning over stockyards north of Opukeko Road.*
3. *Retain Industrial and Rural zones in the Junction Road and Grey Street area.*
4. *Retain Rural Zone over land along Rotokohu Road.*
5. *Retain the Industrial zoning along Coronation Street and extend zoning to land west of Coronation Street and north of Opukeko Road to SH 2.*
6. *Rezone the underlying zoning of the Railway Designation between Taylor Avenue and Coronation Street to Reserve, with area between Brenam and Evers Streets as Industrial. Potential for cycle/walkway to be developed linking to the Maritime Museum.*
7. *Retain land west of Buchanan Street as Rural.*
8. *Rezone land east of the Northview subdivision, north of Waimarie Drive to SH 26 (generally along the higher elevation) as Residential.*
9. *Rezone land at end of Taylors Street as Residential (Low Density)*
10. *Retain the Reserve Active Zone over the Paeroa Race Course.*
11. *Remove Industrial zone from land adjoining the Town Centre Zone and amend the Town Centre zone to provide for light engineer/manufacturing activities.*
12. *Investigate the rezoning of land in the northern triangle between Puke Road (SH 2), Ohinemuri River and refuse recycling area for residential or rural residential.*

13. Investigate rezoning of land off Raroa Road for residential.

Turua

1. Turua general approach is to contain the urban area due to issues around the effects of climate change and potential flooding and intention to focus urban growth on the Plains at Ngatea.
2. Limited expansion of Residential Zone on the west side of Hauraki Road, between Piako Road & Rata Street and south of Raratuna Street, subject to LIDAR survey results. Review capacity of the WWTP pump stations and reticulation to accommodate these area.
3. Retain residential character – larger size lots and grid street layout.

Kerepehi

1. Extend the residential zoning on both sides of McGowan Avenue up to Cemetery Road (i.e. up to the marae) and block south of Miro Street subject to LIDAR information confirming suitability of land for residential development.
2. Extend the industrial zoning on the north side of Kerepehi Town Road over the next adjoining lot (3.6 hectares). Structure Plan to be developed.
3. Replace Industrial Heavy Zone at end of Rakino Street with Residential.
4. Retain Township Zone over existing properties and to properties across the road (e.g. old picture theatre site).

Ngatea

1. Ngatea to be the residential focus for the plains area.
2. Extension of Industrial Zone in the Kohunui Road vicinity to the west of the existing industrial area to be placed on hold. Focus industrial development at Kerepehi. Need for additional service industrial land for Ngatea to be reviewed should residential growth create a demand. However, could indicate by policy direction where Council would see industrial growth occurring (ie. to the west of Kahunui Street), but that buffer and protection of residential amenity of critical consideration.
3. Rezone the 5 residential properties on the western corner of SH 2 and Kohunui Street to Industrial Light.
4. Rezone 4 properties on eastern corner of Darlington to Town Centre.
5. Rezone land behind supermarket and Copper Kettle as Reserve Active (land currently leased to school).
6. Retain Town Centre zoning over Gemstone and Council depot sites.
7. Rezone Masonic units on Dent Street as Residential.
8. Rezone Council offices as Reserve.

9. Investigate designation or rezoning of land on Pipiroa Road corner to provide access and parking for the Ngatea Domain.

10. No extension of the residential zone at this stage. as Plan Change 8 provided adequate greenfields land for the short to medium future.

All Residential Zone Areas

1. Increase minimum lot size, retain front yard and increase frontage width of lots for residential development.

2. Review code of practice for urban subdivision, particularly with respect to road design (e.g. kerbs, widths).

Waitakaruru

1. Remove Township Zone from properties between Canal West Road and Waitakaruru Canal.

Patetonga

1. Remove Township zone in part from properties on the north east side of SH 27.

2. Remove Reserve zoning from land southeast of school.

Rural Residential Development

1. Rural Residential zone around urban areas to be retained. New rural residential zones to be provided for in the rural areas by plan change (rezoning) – direct rural residential zoning to appropriate areas that do not impinge on high quality soils or future growth options of urban areas.

4.5.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective	Summary of evaluation
5.6.3 (All Urban Areas) (1) [See Urban design section] (2) [See natural hazards section.]	
5.6.4 (Waihi) (1) To enable the people and community of Waihi to provide for its service town role to the surrounding rural area, as well as its role in the mining and tourist industries, at the same time as maintaining an attractive residential environment. (2) To enable and encourage development that responds to and enhances the distinctive natural and built character of Waihi.	This objective is most appropriate to achieve the purpose of the RMA because it enables Waihi people to provide for their social, economic and cultural wellbeing in managing the activities and functions of their town, and enables and encourages appropriate development for the town.
5.6.5 (Paeroa) (1) To enable the people and	This objective is most appropriate to achieve the purpose of the RMA because it enables Paeroa people to provide for

<p>community of Paeroa to provide the resources and infrastructure to meet the demands that Paeroa faces as the "central" urban area of the District, due to its location at the intersection of transport routes, the location of administration and civic activities (central, regional and local government), substantial industrial, recreation and residential activities in the town and its importance to tangata whenua.</p> <p>(2) To ensure land use and development occurs in an integrated manner that recognises the constraints of natural conditions and enhances the built environment.</p>	<p>their social, economic and cultural wellbeing in managing the activities and functions of their town, and enables and encourages appropriate development for the town.</p>
<p>5.6.6 (Ngatea)</p> <p>(1) To enable the people and community of Ngatea to provide for its service town role to surrounding rural areas, and its role as a liveable residential and recreation centre.</p> <p>(2) To ensure land use and development occurs in an integrated manner that recognises the constraints of natural conditions and enhances the built environment.</p>	<p>This objective is most appropriate to achieve the purpose of the RMA because it enables Ngatea people to provide for their social, economic and cultural wellbeing in managing the activities and functions of their town, and enables and encourages appropriate development for the town.</p>
<p>5.6.7 (Kerepehi)</p> <p>(1) To ensure a liveable and attractive residential environment for the community of Kerepehi while supporting the needs of existing and emerging industrial activities, and recognising the role that the Kerepehi Marae plays for tangata whenua.</p>	<p>This objective is most appropriate to achieve the purpose of the RMA because it enables Kerepehi people to provide for their social, economic and cultural wellbeing in managing the activities and functions of their town, and enables and encourages appropriate development for the township.</p>
<p>5.6.8 (Turua)</p> <p>(1) To recognise and protect the attractiveness of Turua as a residential environment in its own right, and manage any adverse effects that may result from the mixture of commercial, service and industrial activities in parts of the township.</p>	<p>This objective is most appropriate to achieve the purpose of the RMA because it enables Turua people to provide for their social, economic and cultural wellbeing in managing the activities and functions of their town, and enables and encourages appropriate development for the township.</p>
<p>5.6.9 (Secondary Rural Partly Serviced Townships)</p> <p>(1) To enable the people and communities of these Townships to provide for their wellbeing, while recognising the "special" characteristics and restrictions to development in Waikino, Mackaytown, Karangahake, and Waitakaruru.</p>	<p>This objective is most appropriate to achieve the purpose of the RMA because it enables Waikino, Mackaytown, Karangahake, and Waitakaruru people to provide for their social, economic and cultural wellbeing in managing the activities and functions of their town, and enables and encourages appropriate development for the townships.</p>
<p>5.6.10 (Whiritoa)</p> <p>(1) To enable the people and community of Whiritoa to provide for residential living in a manner which maintains residential amenity, protects important natural features (e.g. coast, lagoons), recognises natural hazards (coastal</p>	<p>This objective is most appropriate to achieve the purpose of the RMA because it enables Whiritoa people to provide for their social, economic and cultural wellbeing in managing the activities and functions of their town, and enables and encourages appropriate development for the town.</p>

<p>erosion) and does not adversely affect the safe and efficient operation of State Highway No. 25.</p>	
<p>5.7.2 (Residential Zone) (1) To provide for residential development that maintains and enhances neighbourhood amenities and qualities consistent with the aspirations of the individual communities within those areas. (2) See Natural hazards 5.7.2 (3) To avoid, remedy or mitigate any adverse effect of residential and non-residential developments on the environment and character of the locality.</p>	<p>This objective is most appropriate to achieve the purpose of the RMA because it addresses the desire of residents to carry out home and leisure activities free from the detrimental effects of noise, fumes, dust and other adverse effects that can be associated with work, business, recreation and other activities. It also addresses the negative effects associated with living in higher densities and non-residential activities.</p>
<p>5.8.2 (Low Density Residential Zone) (1) To retain land of high productive capability for existing and future rural production activities. (2) To provide areas that are attractive for low density residential development and can be serviced to appropriate standards, and which minimise reverse sensitivity effects on existing lawfully established rural based activities. (3) To ensure that low density residential development does not detrimentally effect the environment. (4) To sustain the existing urban areas.</p>	<p>These objectives are most appropriate to achieve the purpose of the RMA because they seek to maintain the potential of productive land. They enable a range of low density residential development options to cater for the market demands. They also assist in sustaining the economic, social and cultural viability of the towns, by allowing low density residential development on the outskirts of the town in areas that are not likely to be suitable for more intensive residential development in the future due to topographical and/or infrastructure servicing constraints. These objectives are complementary to the objectives and policies in the Rural Zone.</p>
<p>5.10.2 (Township Zone) (1) To provide for commercial, community, residential and light industrial activities to support and strengthen the viability of the smaller townships in a manner that avoids, remedies or mitigates adverse environmental effects of those activities. (2) To maintain a sufficient "land bank" to provide for new township activities to develop.</p>	<p>These objectives are most appropriate to achieve the purpose of the RMA because they seek to manage the range of activities provided for in this zone, which can have adverse effects on the environment, including the potential to create conflicts. They also provide for the economic wellbeing of the townships by recognising the need to have room for expansion as demand may require.</p>
<p>5.11 (Town Centre Zone) (1) To ensure the development of business, retail and community activities and associated transport networks do not create a detriment to the amenities of adjoining areas or lead to wasteful use of resources (especially land and infrastructure). (2) To provide for a safe, convenient, pleasant and environmentally friendly environment for business, shopping and community activities. (3) To enable a range of business activities, without generating adverse effects on the function of the town centres as community focal points. (4) To maintain and enhance the historical style and scale of buildings which contribute to the</p>	<p>These objectives are most appropriate to achieve the purpose of the RMA because they address the specific requirements that need to be provided for in Commercial areas, such as access, parking, servicing and direct association with compatible activities, and the need to maintain the amenity, viability and vitality of town centres.</p>

attractive character of the town centres of Paeroa and Waihi.	
5.12.2 (Industrial Zone) (1) To provide for industrial and associated activities, that support and strengthen the economic base of the District generally and the main urban areas in particular and to provide future employment opportunities. (2) To promote and safeguard the health, safety, convenience, amenity and general welfare of inhabitants and workers within industrial zones and in adjacent non-industrial zones. (3) To consolidate the Town Centres.	These objectives are most appropriate to achieve the purpose of the RMA because they maintain and enhance social and economic wellbeing by providing an industrial resource (including land, buildings and services) for current and future generations. The objectives also manage the operation of industrial activities to ensure that the amenities enjoyed by people and communities (e.g. clean air, quiet) are continually enhanced and improved. The objectives also recognise the contribution that industrial activities can make to the town centres.

4.5.5 POLICIES MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Policy	Effectiveness and Efficiency Benefits and Costs
5.6.3 (All Urban Areas) (1) [See Urban design section] (2) [See natural hazards section.]	
(Waihi) 5.6.4(1)(a) i. Make adequate provision for Waihi Town and its role as a service town to the surrounding rural areas as well as its role in the mining and tourist industries. ii. Recognise the significance of mining and the ongoing associated developments on the social and economic wellbeing of the residents of Waihi, subject to maintaining the amenity values of Waihi. iii. Recognise and protect the Goldfields Steam Train complex, protect buildings and sites for their historic importance, and seek to retain and enhance of other heritage features (eg. group of historic "Miners Cottages"). iv. Provide some low density residential areas at the edge of Waihi as an alternative living choice. v. Recognise the location of existing industrial activities and provide for the location of new industrial activities. vi. Protect the amenity of residential environments from adverse effects of commercial, mining and industrial activities.	<p>Effective – achieves objectives for respective urban areas by ensuring:</p> <ul style="list-style-type: none"> .a Optimum use of the urban servicing infrastructure physical resource; .b Development does not expand onto land of high productive potential where this can be avoided; .c Minimal adverse impacts on ecological, heritage and cultural values; .d Avoidance of natural hazards or identified natural and physical resources of significance; and .e Use of the least resources to keep the urban areas functioning effectively. .f Their distinctive character is maintained and makes them interesting, convenient, accessible environments to live in and visit. <p>In this way, urban development will be undertaken in a manner which sustains the potential of natural and physical resources to meet the reasonably foreseeable needs of the future generations.</p> <p>Efficient – Ensures integrated and efficient use of resources and infrastructure.</p> <p>Benefits – avoids poor urban design, natural hazard risks, adverse impact on amenity values, and the loss of rural land for productive purposes.</p> <p>Costs – Compliance costs to developers; may reduce development potential of some land; monitoring and liaison costs to Council. development for some towns.</p>

<p>5.6.4(2)(a)</p> <ul style="list-style-type: none"> i. Enhance the mainstreet historic mining character of the central area in respect of the form, scale, bulk, location, heritage and architecture of buildings and infrastructure. ii. Respect the existing townscape character of Waihi (street layout, existing residential character, cottages) in new development and encourage visual and physical linkages to local features such as the Pumphouse, Waitete Stream, Ohinemuri River, hills of the Coromandel Range (to the north of Waihi). iii. Enhance the presence of town centre heritage/character buildings and local landmarks through streetscape design and any redevelopment/development initiatives that may affect the viewing quality and appreciation of these buildings/features. iv. Use the natural features around Waihi to define the boundaries of the urban area (eg the Ohinemuri River, the Waitete Stream, the hills to the north and west). v. Concentrate administrative, commercial and business activities to the Central Business Area in a manner that does not detract from the amenities of the town and the state highway frontage, while recognising the economic benefit of appropriately located and well designed large format retail developments outside of this area, in a manner that does not adversely affect the efficient functioning and community focus of the town centre. vi. Maintain and enhance the amenity of the residential environment in the Residential and Low Density Residential zones. 	
<p>(Paeroa)</p> <p>5.6.5(1)(a)</p> <ul style="list-style-type: none"> i. Concentrate administrative, commercial and business activities to the Central Business Area in a manner that does not detract from the amenities of the town and the state highway frontage, while recognising the economic benefit of appropriately located and well designed large format retail developments outside of this area, in a manner that does not 	

adversely affect the efficient functioning and community focus of the town centre..

ii. Recognise the location of existing industrial activities and seek to direct future industrial growth to the land between Coronation Street and State Highway 2.

iii. Provide some low density residential areas on the hills to the north and east of Paeroa as an alternative living choice.

iv. Provide for recreational activities, particularly on the Paeroa Domain and Centennial Park to proceed and expand.

v. Provide for the development of the four marae in the immediate vicinity of Paeroa.

vi. Use the natural features of the Ohinemuri River, the hills to the east and the lower lying land to the north-west and south as the boundaries to the town. The good quality soils to the north also act as a limiting factor to urban expansion in this direction.

5.6.5(2)(a)

i. Ensure new residential development supports a safe and convenient open space network (streets and walkways) of high amenity that provide connections to existing development and maximises the potential for future links to surrounding areas.

ii. Encourage adaptive reuse or innovative development of the vacant railway land without compromising its possible future use for transport purposes.

iii. Protect the amenity of adjoining residential environments from adverse effects of commercial and industrial activities.

iv. Maintain and enhance the amenity of the residential environment in the Residential and Low Density Residential zones.

v. Enhance the presence of town centre heritage/character buildings and local landmarks through streetscape design and any redevelopment/development initiatives that may affect the viewing quality and appreciation of these buildings/features.

vi. Respect the existing townscape character of Paeroa (street layout, existing residential character) in new residential developments.

vii. Protect and enhance local vistas towards the Paeroa Post Office Building and the Karangahake Gorge and Ranges.

<p>(Ngatea) 5.6.6(1)(a)</p> <ul style="list-style-type: none"> i. Encourage the development of a compact, high amenity Central Business Area. ii. Recognise the active recreation activities that occur on the Ngatea Domain and encourage improved integration of these activities with the remainder of the Central Business Area. iii. Retain the established open street frontage character within existing and new residential areas. <p>5.6.6(2)(a)</p> <ul style="list-style-type: none"> i. Use the natural feature of the Piako River to form the eastern boundary of the town. ii. Ensure new residential development supports a safe and convenient open space network (streets and walkways) of high amenity that provides connections to existing development and maximises the potential for future links to surrounding areas. iii. Recognise that current and presently anticipated residential growth rates require proactive and integrated management to accommodate future residential living within the constraints of natural hazards and residual risks. iv. Concentrate administrative, commercial and business activities to the Central Business Area in a manner that does not detract from the amenities of the town and the state highway frontage. 	
<p>(Kerepehi) 5.6.7(1)(a)</p> <ul style="list-style-type: none"> i. Provide for industrial activities that are likely to establish on the former dairy factory site and on the industrial land to the north of Kerepehi Town Road in a manner that does not detract from the amenities of the town and the state highway frontage. ii. Manage the existing mixture of commercial, light service industrial and residential activities in some parts of the town to ensure high quality living and work environments. iii. Recognise and provide for some additional residential land to support the anticipated need for additional housing associated with existing and future industrial developments within the town. iv. Recognise and provide for the development of the Kerepehi Marae. 	

<p>(Turua) 5.6.8(1)(a)</p> <p>i. Seek to rationalise land use on the western side of Hauraki Road in favour of residential activities, with limited expansion due to the low lying nature of surrounding land and the quality of the soils for productive purposes.</p> <p>ii. Confine the mixture of residential, commercial and industrial activities to the area located on the eastern side of Hauraki Road.</p> <p>iii. Encourage a focus, or hub of activities to develop around Bagnall Square that enhances the unique aspects of Turua – the Waihou River and jetty and view out towards the Coromandel-Kaimai Ranges.</p>	
<p>(Secondary Rural Partly Serviced Townships) 5.6.9(1)(a)</p> <p>i. Continue to provide for existing residential activities over all of the areas presently used as such in Mackaytown, Karangahake and Waikino, while taking into account the unserviced nature of the Townships (particularly for effluent disposal).</p> <p>ii. Provide for some mixed use activities in the small service centre of Waitakaruru to sustain its community focus in the locality in a manner that does not rely on existing use rights.</p>	
<p>(Whiritoa) 5.6.10(1)(a)</p> <p>i. Restrict residential activities to existing areas.</p> <p>ii. Protect the coastal and wetland/estuary margins from activities that have an adverse effect on those environments.</p> <p>iii. Restrict the extent and type of activities and developments that can occur in areas of coastal erosion hazard potential.</p> <p>iv. Limit the commercial area of Whiritoa, recognising the seasonal variation and demand for these activities.</p>	
<p>(Residential Zone) 5.7.2(1)(a)</p> <p>i. By requiring activities in residential areas to be sited, designed and operated in such a way that avoids, remedies or mitigates adverse noise, privacy and traffic effects on health, safety and amenity values through</p>	<p>Effective – achieves objectives 5.5.2(1) - (3) by ensuring maintaining, developing and enhancing a resource and an environment to meet the social and economic needs of the existing and future communities to a high standard of residential amenity desired by the community.</p> <p>Efficient – application of policy and controls is limited to defined areas, where servicing is not constrained and physical resources are efficiently utilised.</p> <p>Benefits –residential amenities maintained and enhanced,</p>

<p>performance standards that have been accepted by the community as an effective way to maintain residential amenity qualities.</p> <p>ii. Provide for residential development where servicing constraints do not exist and ensure any required infrastructure upgrades are borne by the development.</p> <p>iii. Provide for higher density residential development (comprehensive residential developments), where these can be accommodated in a manner that promotes good urban design and does not detract from the character of the locality.</p> <p>iv. Provide services to a standard that can meet the demands of the intensity of development.</p> <p>v. Provide flexibility for the development and operation of a range of non residential activities which are not incompatible in scale, intensity and character with the residential area in which they are located.</p> <p>5.7.2(2)(a) See Natural hazards</p> <p>5.7.2(3)(a)</p> <p>i. Ensure development and subdivision is designed and located to:</p> <ol style="list-style-type: none"> 1. integrate well with the immediate locality; 2. contribute positively to the streetscape; 3. provide occupants of dwellings with a reasonable outlook, access to sufficient open space and reasonable aural and visual privacy. <p>ii. Ensure development and subdivision can be effectively serviced by local infrastructure or in a manner which can protect the health and safety of residents and does not have a detrimental effect on the environment.</p> <p>iii. Ensure development and subdivision can safely cater for on site traffic, parking and servicing needs and has safe and practical vehicular access to a public road.</p>	<p>anticipated future residential growth areas co-ordinated with Council's infrastructure and integrated with established communities, avoids poor urban design and natural hazard risks.</p> <p>Costs – Compliance costs to developers; may reduce development potential of some land; monitoring and liaison costs to Council.</p>
<p>(Low Density Residential Zone) 5.8.2(1)(a)</p> <p>i. Provide for low density residential activities in a number of locations on land suitable for that activity and of lesser quality for productive purposes.</p> <p>ii. Restrict low density residential activities on land of high productive capability.</p>	<p>Effective – achieves objectives 5.8.2(1) – (4) by provision of a low density residential style of living on land of lesser value for productive purposes and in a manner that does not detrimentally affect the natural and physical environment</p> <p>Efficient – application of policy and controls is limited to defined areas, and use of productive land resource minimised.</p> <p>Benefits – maintains and enhances natural features and character, minimises the potential for reverse sensitivity effects on legitimate rural based activities, supports urban</p>

<p>5.8.2(2)(a)</p> <p>i. Locate low density residential development adjacent to the main urban areas, and in locations that can be readily serviced, and with minimal impact and demand on the transport network.</p> <p>ii. Provide differing lot sizes appropriate to the amenity and character of the locality.</p> <p>iii. Protect and enhance the rural-residential amenities of the <i>zone</i> (eg privacy, space, quiet) by controlling the scale, location and type of activities compatible with the environment they are located within.</p> <p>5.8.2(3)(a)</p> <p>i. Ensure minimal disturbance to natural landforms such as ridges, streams, knolls, gullies, indigenous vegetation and to waterbodies during subdivision and subsequent development.</p> <p>ii. Require urban services to be provided where available to avoid or minimise any detriment to the environment caused by an intensification of development</p> <p>5.8.2(4)(a)</p> <p>i. Seek to locate low density residential developments adjacent to existing urban areas where such development would not hinder their development and/or consolidation.</p>	<p>infrastructure and services</p> <p>Costs – Compliance costs to developers; may reduce development potential of some land; monitoring and liaison costs to Council.</p>
<p>(Township Zone)</p> <p>5.10.2(1)(a)</p> <p>i. Provide for a mixture of activities in the <i>zone</i>.</p> <p>ii. Ensure that adverse effects of activities within the <i>zone</i> are avoided, remedied or mitigated on the environments within the <i>zone</i> and adjoining <i>zones</i>.</p> <p>5.10.2(2)(a)</p> <p>i. Monitor the uptake of land and <i>buildings</i> and the type of activities in the <i>zone</i>.</p> <p>ii. Rezone appropriate parcels of land for township activities when the availability of unoccupied land or <i>buildings</i> within the Township Zone is low.</p>	<p>Effective – achieves objectives 5.10.2(1) & (2) by maintaining and enhancing a resource and an environment that meets the community needs of the townships.</p> <p>Efficient – application of policy and controls is limited to defined areas.</p> <p>Benefits – flexibility to accommodate a range of retail, business and community activities needs without detriment to the environment and the amenities of the townships.</p> <p>Costs – Compliance costs to developers; may reduce development potential of some land; monitoring and liaison costs to Council.</p>
<p>(Town Centre Zone)</p> <p>5.11.2(1)(a)</p> <p>i. Consolidate business, retail and community facilities and activities within the areas presently used for and recognised as the "town centre".</p>	<p>Effective – achieves objectives 5.11.2(1) – (4) by maintaining and enhancing a physical resource and an environment that has had substantial resources invested into it for business activity and community sustainability.</p> <p>Efficient – application of policy and controls is limited to defined areas. Reduction in resource use, particularly of non-renewable resources, contributed to through promoting a</p>

<p>ii. Allow for development of extensions to the town centres in areas which add "depth" to the town centre.</p> <p>iii. Restrict the level of retailing and home occupation activities in the industrial and residential areas respectively.</p> <p>iv. Activities sited, designed and operated to avoid, remedy or mitigate adverse amenity effects on adjacent residential and reserve areas, and on the efficient operation of main traffic routes.</p> <p>5.11.2(2)(a)</p> <p>i. Segregate, wherever possible, pedestrian and vehicular traffic.</p> <p>ii. Require the provision of verandahs over defined pedestrian areas, to protect pedestrians from the effects of the elements.</p> <p>iii. Adopt parking and traffic management controls and practices that seek to avoid congestion and parking problems and enhance pedestrian safety and amenity.</p> <p>iv. Ensure the maintenance of sunlight and daylight into adjoining residential properties, and into areas of public open space (footpaths, reserves).</p> <p>v. Ensure that a continuity of display window frontage is maintained in the main pedestrian areas.</p> <p>vi. Ensure activities located on main traffic routes and/or that attract large numbers of vehicles are located and designed such that potential adverse effects on traffic movement, efficiency and safety and adverse effects on pedestrians are avoided, remedied or mitigated.</p> <p>5.11.2(3)(a)</p> <p>i. Large format retail activities to be located outside of the defined pedestrian areas.</p> <p>ii. Activities which have the potential to cause objectionable or noxious effects shall be excluded from the Town Centre Zone.</p> <p>5.11.2(4)(a)</p> <p>i. Ensure new development, alterations and additions to the street façade in the pedestrian areas of the Paeroa and Waihi town centres are sympathetic to the character of the streetscape.</p>	<p>compact commercial area, reducing traffic conflict and ensuring optimum use is made of existing services and infrastructure.</p> <p>Benefits – maintains and enhances the visual street appeal and overall pleasantness of the community foci of Paeroa Waihi and Ngatea for shoppers and visitors. Potential adverse impacts on adjacent sensitive zones and the transport network are minimised.</p> <p>Costs – Compliance costs to developers; may reduce development potential of some land; monitoring and liaison costs to Council.</p>
<p>(Industrial Zone)</p> <p>5.12.2(1)(a)</p> <p>i. Recognise areas presently used</p>	<p>Effective – achieves objectives 5.12.2(1) - (3) by ensuring an industrial resource (including land, buildings and services) is maintained and enhanced for future generations.</p>

<p>for industrial activity.</p> <p>ii. Restrict from the industrial areas, those activities that would hinder industrial activities establishing and/or would be more suitably located in other areas.</p> <p>iii. Recognise that there are other legislation, organisations and procedures that will to a certain degree control the adverse effects of industrial activities.</p> <p>iv. Industrial, service and limited retailing activities are located and provided for in a manner that avoids, remedies or mitigates any adverse environmental effects on adjoining land and activities, the viability of town centres and the traffic function of main traffic routes.</p> <p>v. Industrial activities that involve noxious, hazardous or offensive elements are located and provided for in a manner that avoids, remedies or mitigates the adverse environmental effects of those activities on adjoining activities and <i>zones</i>, and on the traffic function of main traffic routes.</p> <p>5.12.2(2)(a)</p> <p>i. Recognise that there are other legislation, organisations and procedures that will to a certain degree control the adverse effects of industrial activities.</p> <p>ii. Industrial, service and limited retailing activities are located and provided for in a manner that avoids, remedies or mitigates any adverse environmental effects on adjoining land and activities, the viability of town centres and the traffic function of main traffic routes.</p> <p>iii. Industrial activities that involve noxious, hazardous or offensive elements are located and provided for in a manner that avoids, remedies or mitigates the adverse environmental effects of those activities on adjoining activities and <i>zones</i>, and on the traffic function of main traffic routes.</p> <p>5.12.2(3)(a)</p> <p>i. Recognise areas presently used for industrial activity and providing for expansion of industrial activities into appropriate areas.</p> <p>ii. Restrict from the industrial areas, those activities that would hinder industrial activities establishing and/or would be more suitably located in other areas.</p>	<p>Efficient – application of policy and controls is limited to defined areas. optimum use is made of existing services and infrastructure.</p> <p>Benefits –operation of industrial activities managed and controlled to ensure that the amenities of the environment, are enhanced and improved and adverse effects on the natural resources are minimised.</p> <p>Costs – Compliance costs to developers; may reduce development potential of some land; monitoring and liaison costs to Council.</p>
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4.5.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.5.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
3.1	Urban Design/Urban Areas of Towns & Townships	788952
3.2	Residential – Zone/Structure Plans/Subdivision/Map Changes	788953
3.3	Low Density Residential – Zone/Structure Plans/Subdivision/Map Changes	788954
3.4	Township – Zone/Subdivision	788994
3.5	Town Centre – Zone/Map Chnages	789006
3.6	Industrial – Zone/Structure Plans/Amenity protection Area/Subdivision/Map Changes	791221

4.5.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
3.1	Urban Design/Urban Areas of Towns & Townships	788952
3.2	Residential – Zone/Structure Plans/Subdivision/Map Changes	788953
3.3	Low Density Residential – Zone/Structure	788954

	Plans/Subdivision/Map Changes	
3.4	Township – Zone/Subdivision	788994
3.5	Town Centre – Zone/Map Chnages	789006
3.6	Industrial – Zone/Structure Plans/Amenity protection Area/Subdivision/Map Changes	791221 866254

4.5.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
3.1	Urban Design/Urban Areas of Towns & Townships	929394
3.2	Residential – Zone/Structure Plans/Subdivision/Map Changes	929395
3.3	Low Density Residential – Zone/Structure Plans/Subdivision/Map Changes	929396
3.4	Township – Zone/Subdivision	929397
3.5	Town Centre – Zone/Map Chnages	929398
3.6	Industrial – Zone/Structure Plans/Amenity protection Area/Subdivision/Map Changes	929399

4.5.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
3.1	Urban Design/Urban Areas of Towns & Townships	929394

3.2	Residential – Zone/Structure Plans/Subdivision/Map Changes	929395
3.3	Low Density Residential – Zone/Structure Plans/Subdivision/Map Changes	929396
3.4	Township – Zone/Subdivision	929397
3.5	Town Centre – Zone/Map Changes	929398
3.6	Industrial – Zone/Structure Plans/Amenity protection Area/Subdivision/Map Changes	929399

4.6 HISTORIC HERITAGE

4.6.1 RESOURCE MANAGEMENT ISSUE – HISTORIC HERITAGE

The document titled “Historic Heritage Features Analysis for Hauraki District Council” prepared by Opus Consultants Ltd and considered at Workshop 8, on 21 August 2006 identified the resource management issues regarding historic heritage as follows;

“The heritage resource provides a unique identity to the people of Hauraki District and should be recognised and protected. The management of the heritage resource implies a duty of care to pass it on to future generations with the least possible loss or damage. There has been over time an adverse effect on the heritage resource primarily due to the following factors:

- *There has been inadequate identification of the resource. For protection to occur the resource has to be fully identified, researched and documented. Resources have not been available to undertake this work. Under these circumstances it is difficult to ensure that the heritage resource as a whole is sustainably managed. The lack of identification increases the possibility of unnecessary damage, modification or destruction during development. This increases uncertainty for all parties in the process.*
- *The history of the District is complex and until recently an holistic approach to built heritage has not been considered necessary or affordable. The legislative framework has changed this. There has also been an increasing awareness of the significance of the historic resource within the community. This has been driven in part through the restructuring of heritage management bodies whereby the profile of heritage, both locally and nationally, has been raised.*

- *A predominately regulatory approach implemented in first generation RMA Plans coupled often with inadequate consultation has created a negative perception amongst owners of heritage items. A lack of knowledge and understanding has led to fear and uncertainty. A more proactive approach backed by good information and thorough consultation should help to address these concerns.”*

4.6.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

The document titled “Historic Heritage Inventory for Hauraki District Council” prepared by Opus Consultants Ltd and considered at Workshop 8, on 21 August 2006 identified the following policy three options and recommendations for a new District Plan and beyond;

- *Retain the status quo*
- *Protect all heritage items in the District through the use of rules irrespective of whether the items are of national, regional, sub-regional, local or neighbourhood significance*
- *Provide levels of protection fro heritage items and landscapes dependent on their significance. Those items of national or regional significance are provided with higher levels of protection that those of sub-regional, local or neighbourhood significance*

The third policy option was recommended, with a higher level of protection afforded through the plan rules for items of national and regional significance than items of lesser significance. In order to justify this approach an inventory of heritage items needs to be developed and the methodology behind the development of the inventory needs to be clear and robust. The focus of the inventory is to provide a representative range of heritage that reflects the history of the area and includes places that may not immediately appear significant. The methodology is set out in the document titled “Historic Heritage Inventory for Hauraki District Council” referred to above.

In order to meet the purpose of s32 the heritage inventory was prepared with a number of purposes in mind namely:

- *To identify the values of significant historic buildings, cultural landscapes and streetscapes with the intention of consulting with the community and ultimately listing these significant items or areas in the District Plan. The inventory also affords Council the opportunity to determine whether District Plan listing is the most appropriate and effective means of heritage protection or whether other methods would provide advantages and ensure appropriate levels of protection.*
- *To provide an enduring community resource that could be used for educational and advocacy purposes*
- *To potentially provide a web based tool to provide tourism information and advice.*

- *To provide some guidance on where Council or community investment should be made*
- *To aid owners/developers and Council to seek funding for heritage projects from a range of funding organisations.*

4.6.3 ADOPTED POLICY DIRECTION

Section 2.4 of the Document titled "Update on Workshop Outcomes & Policy Directions" presented at Workshop 26 (17 December 2007), details the policy direction for Historic Heritage as follows;

- "1. General approach in the District Plan (as updated by Opus) to be carried forward.*
- 1. The categorisation of features into "A, B & C" to be tested through community consultation."*

4.6.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective	Summary of evaluation
5.6.3(2) (All Urban Areas) To achieve an urban form for each urban area that maintains and enhances existing character and identity, minimises reliance on fossil fuel use, protects areas with significant natural quality, ecological, heritage and cultural values and does not create or increase natural hazard risks.	These objectives are most appropriate to achieve the purpose of the RMA insofar as they (as an adjunct to other objectives) promote cultural and social wellbeing by recognising and providing for the protection of historic heritage, and the natural and built character, and in particular the heritage character of the Waihi and Paeroa town centres, from inappropriate subdivision, use, and development.
5.6.4(1) (Waihi) To enable the people and community of Waihi to provide for its service town role to the surrounding rural area, as well as its role in the mining and tourist industries, at the same time as maintaining an attractive residential environment. (2) To enable and encourage development that responds to and enhances the distinctive natural and built character of Waihi.	
5.6.5(2) (Paeroa) To ensure land use and development occurs in an integrated manner that recognises the constraints of natural conditions and enhances the built environment..	
(historic heritage) 6.1.3(1) To protect a range of built	These objectives are the main objectives in the plan in relation to historic heritage. They are most appropriate to

heritage items that reflect the past history of the Hauraki District from the adverse environmental effects of other activities.	achieve the purpose of the RMA insofar as they recognise and provide for the protection of historic heritage from inappropriate subdivision, use, and development - (which under section 6 is required as a matter of national importance). Heritage conservation contributes to social and cultural wellbeing, and indirectly to economic wellbeing through activities such as tourism.
6.1.3(2) To protect significant archaeological sites which contribute to the District's heritage, knowledge and appreciation of the past.	
6.1.3(3) To recognise and protect sites of significance to Maori.	
6.1.3(4) To promote greater public awareness of the value of and need to protect those features which are of heritage value to the District.	
6.1.3(5) Sustainable management of the built heritage resource by encouraging and promoting adaptive reuse of the built heritage features resource.	
5.14.3(2) (Reserve zone) To protect natural and physical resources that are matters of national importance or are of significant value to the community.	This objective is most appropriate to achieve the purpose of the RMA because it recognises that one means of protecting heritage features is through reserve zoning, which can be used to protect and manage such features.

4.6.5 POLICIES MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES

Policies	Effectiveness and Efficiency
	Benefits and Costs
5.6.3(2)(a)(iii) (All Urban Areas) Ensure the location and development of residential and business activities is free from natural hazard constraints and minimises adverse effects on natural character, ecological, heritage and cultural values.	<p>Effective – achieve objectives 5.6.3(2) by ensuring the significant heritage and cultural values that contribute to the character of urban areas are protected as important components in the distinctive built character of the settlements.</p> <p>Efficient – limited to significant heritage features, does not rule out all modification of heritage items.</p> <p>Benefits – protects heritage values and amenity values of town.</p> <p>Costs – Compliance costs to developers; may reduce development potential of some land.</p>
<p>5.6.4(1)(a)(iii) (Waihi) Recognise and protect the Goldfields Steam Train complex, protect buildings and sites for their historic importance, and seek to retain and enhance of other heritage features (e.g.. group of historic "Miners Cottages").</p> <p>5.6.4(2)(a)(i) Enhance the mainstreet historic mining character of the central area in respect of the form, scale, bulk, location, heritage and architecture of buildings and infrastructure.</p> <p>(ii) Respect the existing townscape character of Waihi (street layout, existing residential character, cottages) in new development and encourage visual and physical linkages to</p>	<p>Effective – achieve objectives 5.6.4(1) and (2) by ensuring heritage features of Waihi are protected as important components in the distinctive built character and attractiveness of Waihi which the objectives seek to maintain.</p> <p>Efficient – limited to Waihi, does not rule out all modification of heritage items.</p> <p>Benefits – protects heritage values and amenity values of town.</p> <p>Costs – Compliance costs to developers; may reduce development potential of some land.</p>

<p>local features such as the Pumphouse, Waitete Stream, Ohinemuri River, hills of the Coromandel Range (to the north of Waihi).</p> <p>(iii) Enhance the presence of town centre heritage/character buildings and local landmarks through streetscape design and any redevelopment/development initiatives that may affect the viewing quality and appreciation of these buildings/features.</p>	
<p>5.6.5(2) (a)(v) Enhance the presence of [Paeroa] town centre heritage/character buildings and local landmarks through streetscape design and any redevelopment/development initiatives that may affect the viewing quality and appreciation of these buildings/features.</p>	<p>Effective – achieves objectives 5.6.5(2) by ensuring heritage features of Paeroa are protected as important components in the built environment and attractiveness of Paeroa which the objectives seek to maintain. Efficient – limited to Paeroa, does not rule out all modification of heritage items. Benefits – protects heritage values and amenity values of town. Costs – Compliance costs to developers; may reduce development potential of some land.</p>
<p>5.14.3(2) (Reserve zone) (a)(i) Provide for active and passive recreation opportunities, as well as protection of ecological, historic and other environmental resources.</p>	<p>Effective – policies achieve objective 5.14.3(2) by ensuring that the heritage items can be properly managed by responsible agencies, by providing the option of reserve zoning. Efficient – allows for reserve zoning as a management option in appropriate cases. Benefits – protects heritage features. Costs – Council management costs, development restrictions on some land.</p>
<p>6.1.3(1)</p> <p>(i) Identify and afford protection to a representative range of historic heritage items of value to the community and the nation, recognising that it is not sustainable to protect all built heritage in the District and that some items have greater heritage value and deserve a higher level of protection than others.</p> <p>(ii) Minimise the effects of activities, subdivision and development which could damage or destroy the historic heritage values associated with scheduled historic items.</p> <p>(iii) Ensure the heritage and amenity values of the built heritage resource are not adversely affected by a change in context or physical location.</p> <p>(iv) Encourage the design of new buildings and structures and external alterations or additions to building facades to be compatible with the scale, detailing, style, materials and heritage character of the Waihi and Paeroa Town Centre pedestrian frontage areas.</p> <p>(v) Liaise with and seek advice</p>	<p>Effective – achieves objectives 6.1.3(1) to (4) by ensuring a range of heritage features including sites of significance to Maori are protected. Efficient – concentrates on protecting heritage features of greatest heritage value. Proposes a range of methods of implementation, to match means to desired outcomes. Will seek specialist advice where necessary. Benefits – protects heritage values and amenity values. Costs – Compliance costs to developers; may reduce development potential of some land.</p>

from the New Zealand Historic Places Trust on heritage planning generally and on all matters relating to sites registered by the NZHPT.

(vi) Consult with and seeking advice from the Tangata Whenua on all matters relating to identified waahi tapu sites, areas, and other features of significance to them.

(vii) Draw to the attention of developers the requirements of the Historic Places Act 1993 where the Council is of the view a proposed development may involve the destruction, damage, or modification of any archaeological site.

6.1.3(2)(a)

(i) Identification and scheduling of archaeological sites with significant historic, cultural, scientific, heritage or visual amenity value.

(ii) Ensuring that subdivision, land use and development does not result in inappropriate damage or destruction of scheduled archaeological sites and their surrounds.

(iii) Drawing the attention of developers and property owners to the requirements of the Historic Places Act 1993 where a proposed subdivision, land use or development may involve the destruction, damage, or modification of any archaeological site.

(iv) Include advice notes with resource consents advising developers and property owners of their obligations under the Historic Places Act with regards to archaeology.

6.1.3(3)(a)

(i) Identification and protection, in consultation and partnership with local iwi, sites of significance to Maori.

(ii) Avoidance of a reduction of historical, cultural and spiritual values associated with sites of significance to Maori.

(iii) Avoid, remedy or mitigate the adverse effects of subdivision, use and development on identified Areas of Significance to Maori.

(iv) Ensure that local iwi are consulted over the use, development or protection of

sites of significance to Maori.	
6.1.3 (4)(a) (i) Providing special incentives in the form of monetary assistance, advice, site identification and other appropriate means specified from time to time in the Council's Long Term Community Plan. (ii) Liaising and cooperating with landowners of heritage sites, tangata whenua and other groups and organisations involved in the protection of features of heritage value.	
6.1.3(5)(a) (i) The continued use or adaptive reuse of scheduled heritage buildings to be encouraged, provided any adverse effects of the activity on the heritage values can be avoided, remedied or mitigated. (ii) Relaxation or waiving parking requirements or bulk and location rules where this would encourage sustainable reuse and protection of heritage values.	Effective – achieves objectives 6.1.3(5) by adopting flexible methods to encourage adaptive reuse of heritage features, while ensuring conservation of identified heritage values. Efficient – encourages alternative uses of heritage buildings, to increase the range of possible uses and therefore increase potential rent and reduce subsidies otherwise needed for heritage conservation from private individuals, charities and public bodies. Proposes a range of methods of implementation, to match means to desired outcomes. Benefits – protects most important heritage values and amenity values. Costs – Compliance costs to developers; may reduce development potential of some land.

4.6.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.6.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions.

Topic Number	Topic Name	File Reference Number
3.1	Urban Design/Urban Areas of Towns & Townships	788952
5	Reserves – General/Zones/Subdivision/Map Changes	791236
8	Historic Heritage	789033

4.6.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions.

Topic Number	Topic Name	File Reference Number
3.1	Urban Design/Urban Areas of Towns & Townships	788952
5	Reserves – General/Zones/Subdivision/Map Changes	791236
8	Historic Heritage	789033

4.6.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:.

Topic Number	Topic Name	File Reference Number
3.1	Urban Design/Urban Areas of Towns & Townships	929394
5.0	Reserves – General/Zones/Subdivision/Map Changes	929403
8.0	Historic Heritage	929406

4.6.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
3.1	Urban Design/Urban Areas of Towns & Townships	929394
5.0	Reserves – General/Zones/Subdivision/Map	929403

	Changes	
8.0	Historic Heritage	929406

4.7 LANDSCAPE

4.7.1 RESOURCE MANAGEMENT ISSUE – LANDSCAPE

The document titled “Hauraki District Landscape Assessment, September 2006” prepared by LA4 Landscape Architects and O’Connor Planning Consultants and considered at Workshop 17 on 16 April 2007, identified the resource management issues by landscape units and discussed the importance of each of these units. This discussion is summarized below;

1. - Western Hills (Hapuakohe Range)

This landscape is of District wide significance because of the rolling topography and mixture of pasture and native bush in gullies.

- *The rolling rural/native forest character of this unit should be retained.*
- *It is important to conserve the existing bush, and enhance the areas of native forest onto the slopes and in the valleys;*
- *This type of landscape can be adversely affected by activities such as:*
 - ❖ *monoculture forestry;*
 - ❖ *quarrying;*
 - ❖ *roading patterns and earthworks;*
 - ❖ *siting and design of buildings and structures such as power pylons, cell sites and wind turbines; and*
 - ❖ *the removal of indigenous vegetation.”*

2. - Hauraki Plains

- *The loss of native vegetation over the past 150 years and the transition to farming activities which have had significant adverse effects on the landscape, and also on water quality and the habitat values of the Waihou and Piako Rivers. From a landscape point of view these areas are extremely sensitive to development because of the flat topography and the lack of screening. It is important that buildings be kept well clear of the river corridors and estuaries.*
- *Subdivision of rural residential sites has the potential to adversely affect the ‘patchwork quilt’ qualities of the plains. This should be avoided, or its effects mitigated. This might be achieved by requiring new building sites to be located close to roads like at present or around rural townships such as Ngatea, Waitakaruru, Turua, Netherton and Kerepehi. Also, it is important that remaining clumps of*

indigenous vegetation (mainly remnants of kahikatea), be retained, and where practicable added to with new planting.”

2A. - Kopuatai Peat Dome

- *The preservation of the peat dome is considered to be a matter of national importance and also involves cross boundary issues.*
- *The peat dome is sensitive to decline due to changes in, or lowering of water tables.”*

3 - Coromandel Ranges

- *Much of the land contained in this unit is owned by the Department of Conservation. The forest areas are indicated on Hauraki District Plan planning maps (8, 13 and 14).*
- *This area displays high levels of remoteness and wildness, as well as significant natural character values.*
- *This is an outstanding landscape and therefore in terms of section 6 of the Resource Management Act 1991 any subdivision, use or development of the land has to be very carefully managed to ensure that this landscape is protected.*
- *The key elements to be protected are:*
 - ❖ *The bush covered ridgelines;*
 - ❖ *The homogeneity of the bush covered hills;*
 - ❖ *Wildness and remoteness which is achieved by a lack of built structures; and*
 - ❖ *the very high natural character.*
- *These elements can be protected by avoiding activities such as the following on the steep vegetated slopes and flanks of the range:*
 - ❖ *monoculture forestry;*
 - ❖ *quarrying;*
 - ❖ *roading patterns and earthworks;*
 - ❖ *rural residential development;*
 - ❖ *buildings and structures, such as power pylons, cell sites and wind turbines (though the adverse effects of these may be able to be mitigated through appropriate siting and design); and*
 - ❖ *the removal of indigenous vegetation.*
- *Some activities will be able to be located in the lower portions of the valleys where there are already cleared areas and a mix of activities.*
- *Appropriate plan provisions will need to be drafted to protect the outstanding landscape and provide for an appropriate level of development in the areas not identified as outstanding that will not detract from or adversely affect the outstanding*

landscape values.

- *The fact that much of the land in the Coromandel Range is in Crown ownership will ensure that development can be avoided or carefully controlled.”*

4 - Karangahake Gorge

- *This unit displays high natural character and landscape quality values.*
- *Buildings and structures introduced into this landscape have the potential to adversely affect the scenic qualities of the gorge.*
- *Earthworks have the potential to adversely affect the landscape values of the gorge if they are undertaken in a visually prominent location or in a manner that does not ‘fit’ with the topography of the area.*
- *There is a significant weed problem through vegetation areas within the gorge. Weed species need to be removed and managed in order to improve the health and ecological viability of native vegetation areas which in turn will add further to the natural character values of the gorge.”*

5 - Foothills

- *This landscape unit can accommodate additional development such as rural residential and a range of rural land use activities so long as:*
 - ❖ *The rolling rural/native forest character of this unit is retained;*
 - ❖ *that areas of native forest on the slopes and in the valleys is protected; and*
 - ❖ *that buildings, roads and accessways are sited within the folds of valleys and not on the outer flanks of the ranges. Also, that any earthworks and vegetation removal are undertaken in a manner that preserves the integrity of the visually exposed slopes.*
- *As development increases in this landscape unit it will be increasingly important to retain and protect existing pockets of native vegetation in order to mitigate the effects of development on this landscape.”*

6 - Primary production lowlands around Waihi

- *This landscape is quite sensitive to change because of its openness in places.*
- *Riparian areas of streams are generally devoid of vegetation which raises both landscape and water quality issues.*
- *It should be noted though that any additional subdivision should be undertaken in a manner that continues the existing pattern of development with shelterbelts or hedges acting as screening for buildings or alternatively located adjacent to Waihi or existing settlements as this is an important feature of the existing landscape and allows development to occur with minimal adverse landscape or visual amenity effects.”*

7 - Coastal Foothills

- *The main characteristics of this unit are the steep bumpy and rolling land form and the mixture of land uses including pasture, indigenous forest and pine blocks. These characteristics and the overall landscape quality may be compromised through the inappropriate siting of buildings and insensitive earthworks that do not 'fit' with the topography.*
- *This landscape unit includes the coastal cliffs and slopes above as well as the rolling land sloping inland away from the coast.*
- *Subdivision of land within the coastal edge or coastal slopes should be avoided. This is because these areas are steep and exposed and additional development in these locations is likely to generate a level of adverse effect that could not be appropriately mitigated.*
- *Additional future development can be accommodated within this unit provided it is not sited on exposed hillsides or coastal slopes.*
- *Homogenous exotic forestry regimes should be avoided on the coastal slopes but can be accommodated on the inland slopes.*
- *Any new buildings or structures on the coastal edge or coastal slopes should be subject to design controls such as height, colour, reflectivity and landscaping requirements to ensure that they can be sited with minimal impact in order to achieve the objectives the NZ Coastal Policy Statement, Hauraki Gulf Marine Park Act and the provisions of s.6 of the RMA. There is an opportunity to enhance the coastal edge with appropriate native planting and undertake weed and pest control to improve existing native vegetation.*
- *Any subdivision occurring on the inland slopes will need to ensure that existing native bush or natural features are protected in order to ensure that the effects of additional development are appropriately mitigated."*

The Outstanding Natural Features in the Hauraki District were identified as follows;

- Otane (432m)
- Maungakawa (535m)
- Pukeitonga (512m)
- Waihou River
- Piako River
- Pukekawa
- Mt Karangahake
- Kopuatai Domed Peat Swamp

The Outstanding Landscapes in the Hauraki District were identified as follows;

- Coromandel Range

The Landscapes of District Wide Significance were identified as follows;

- Western Hills and Hapuakohe Range
- Karangahake Gorge
- Coastal Foothills

4.7.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

The document titled "Hauraki District Landscape Assessment, September 2006" prepared by LA4 Landscape Architects and O'Connor Planning Consultants and considered at Workshop 17 on 16 April 2007, reviewed the manner in which the Operative District Plan has worked and set out the policy direction options and recommendations for each of the landscape units as follows;

1. - Western Hills (Hapuakohe Range)

- *Identify a Hapuakohe Range Policy Area across that area identified as Landscape Unit 1. This policy area will be an overlay to the Rural Zone.*
- *To achieve this it is recommended that the following resource management issues, objective and policies be added to the Rural Zone provisions:*

❖ **Resource Management Issue:**

Maintain and enhance the valued landscape of the Hapuakohe Range (Western Hills). The landscape is characterised by rolling topography and a mix of open pastureland with pockets of native vegetation on slopes and in valleys. This landscape character is prone to threat as a result of the adverse effects of land use activities such as exotic forestry and quarrying, earthworks and structures.

❖ **Objective:**

To maintain and enhance the landscape character of the Hapuakohe Range.

❖ **Policies:**

To use rules in the Plan to require resource consents for, and to control the effects of, land use activities that may adversely affect the landscape character of the Hapuakohe Range.

To use other methods to encourage land owners in the Hapuakohe Range and foothills to protect and enhance areas of native vegetation, and to follow design guidelines for the construction of access ways and building platforms.

- *Within this landscape unit require resource consents to be obtained for any exotic forestry activity. It is recommended that exotic forestry be assessed as a Restricted Discretionary Activity with the following assessment criteria applying:*

❖ *The effects of the exotic forestry plantings on the landscape and visual qualities of*

landscapes of District Wide Significance.

- ❖ *Whether or not the exotic forestry results in the removal of existing established native vegetation.*
- ❖ *Whether or not the removal of the forestry in the future will adversely affect visual and landscape values and provision for such effects to be mitigated.*
- *Within this policy area require resource consent for earthworks exceeding 200m³ of cut or fill. Such an activity should be assessed as a Restricted Discretionary Activity and subject to assessment criteria as follows:*
 - ❖ *The effects of the earthworks on the landscape and visual qualities of the Hapuakohe Range and foothills.*
 - ❖ *The degree to which the earthworks will alter the natural contour of the land and the effects of this in relation to visual and landscape qualities.*
 - ❖ *The effects of the earthworks on existing native vegetation.*
- *Mining, clean fill or quarrying activities should be further restricted in this Policy Area than they are in the Rural Zone due to the potential for landscape effects in this area to be adversely affected as a result of such activities. It is recommended that all such activities above a volume of 200m³ require resource consent as a Discretionary Activity. Small scale activities will achieve consent if effects are able to be mitigated but this activity status will enable larger projects to be notified and for the Council to refuse consent.*
- *Rules should be introduced within this Policy Area to manage the potential adverse visual and landscape effects of Network Utilities. Currently the Hapuakohe Range is primarily zoned as Rural which enables a range of structures and lines to be constructed, with no maximum height for the transmission of electricity up to 66KV or to any mast, tower, aerial etc not exceeding 20 metres in height, or 5 metres in height above a building, as a permitted activity. It is considered that potentially the effects of structures less than 20 metres in height in this location may have adverse effects on landscape and visual quality that may be more than minor. Consequently it is recommended that the following activity statuses for network utilities be changed within this Policy Area:*
 - ❖ *Any pole, aerial, mast, tower or similar structure not exceeding 9 metres in shall be permitted.*
 - ❖ *Any pole, aerial, mast, tower, turbine or similar structure exceeding 9 metres in height or any transformer, line, mast or ancillary equipment for the transmission of electricity at a voltage exceeding 66KV shall be assessed as a Discretionary Activity.*
 - ❖ *Currently the assessment criteria for network utilities being assessed as a Discretionary Activity are set out under Rule 5.1.6.3 of the Plan. In addition to the existing assessment criteria set out in Rule 5.1.6.3 it is recommended that the following be added in relation to the establishment of network utilities in the Hapuakohe Range Policy Area:*

- *The effects of the network utility on the visual and landscape qualities of the Hapuakohe Range and its foothills and the ability of such effects to be mitigated through the use of colour, landscaping and siting techniques within a reasonable time frame and to a level where such effects are not more than minor.*
- *Design guidelines are recommended to be introduced separately to the District Plan to specify how driveways and earthworks for house sites etc can be undertaken to minimise visual and landscape effects. The design guidelines would specify that driveway locations etc should follow contours rather than cross against contours and detail how landscaping can be utilised to ensure that driveways and built structures 'fit' within the landscape.*
- *There are existing provisions within the Plan in Chapter 7.2 that specifically refer to the native vegetation on the Hapuakohe Range and the rules within Chapter 7 cover the removal of indigenous vegetation within areas that are in private ownership and have been identified in the schedule contained in the Plan. It is stated that additional areas will be added, however in the Hapuakohe Range, because of the importance of existing remnants of vegetation to the character and landscape quality of the area it is considered that native vegetation removal in general, above an area of 1000m² should be controlled by requiring resource consent for a Restricted Discretionary Activity. The relevant Restricted Discretionary assessment criteria would be:*
 - ❖ *The effects of the vegetation removal in relation to the visual and landscape qualities of the Hapuakohe Range.*
 - ❖ *Any measures proposed to remedy or mitigate the effects of vegetation removal.*
 - ❖ *The reasons for requiring the vegetation removal in relation to issues of health, safety and stormwater management."*

2. - Hauraki Plains

- *Apart from existing townships the land in this landscape unit is primarily zoned Rural. It is therefore recommended that the following provisions be added to the Rural Zone provisions and the provisions for subdivision.*
- *Reword bullet number 4 of 10.1.2 **Resource Management Issues** as follows:*
 - ❖ *Recognising significant ecological, landscape, amenity and heritage values and the need to facilitate the protection ~~of them~~ and enhancement of these areas through subdivision rules.*
- *Add the following **objective** to Chapter 10 subdivision:*
 - ❖ *To enhance the ecological and landscape quality of land areas on the Hauraki Plains and the primary production lowlands around Waihi by enabling a limited amount of incentive based subdivision based on planting as well as physically and legally protecting areas of native vegetation that reflect historical vegetation patterns and types.*
- *Add the following **policies**:*
 - ❖ *On land areas on the Hauraki Plains and rural land areas around Waihi township*

to provide for a limited amount of subdivision in situations where it will not conflict with the other objectives and policies for subdivision but will provide a meaningful opportunity to enhance the landscape, water ways and ecological areas through the planting of areas of native vegetation, reflecting historical vegetation patterns and types.

- ❖ *Subdivision applications for enhancement planting based subdivision shall be supported by reports assessing the ecological and landscape values of the proposed planting in relation to the effects of creating an additional site/s.*
- **Add the following *Rules*:**
 - ❖ *Under the existing rules for subdivision add specific assessment criteria requiring legal and physical protection to be provided in relation to sites being created on the basis of protecting heritage or environmental features. Both physical and legal protection should be required to be in place prior to 224 sign off. Physical protection should include provisions for ongoing weed and pest control and fencing to be ensured by way of s.221 Consent Notice. Legal protection should be by way of legal covenant or similar.*
 - ❖ *Add the following new Rule for Enhancement Planting lots in the Rural Zone and Rural-Residential zones:*
 - *As a Restricted Discretionary Activity provide for one additional site to be created based on a minimum area of 3 hectares of planting. Any such subdivision shall only be consented to in situations where all of the relevant assessment criteria are met and the visual amenity and landscape values of the area will not be compromised. Additionally in the Rural Zone any subdivision shall not adversely impact on the productive quality of the land.*
 - *Such applications shall be supported by ecological and landscape reports prepared by suitably qualified people, addressing –*
 - *the type and nature of the planting to be undertaken;*
 - *identification of the effects of what is proposed on the environment (including potential enhancement of ecological values, and effects on amenity and landscape values);*
 - *weed and pest control plans;*
 - *All required planting as well as all measures for the legal and physical protection of the planted area shall be completed and in place prior to the issue of the s.224 certificate.*
 - *Any such subdivision shall also satisfy the general assessment criteria and rules for subdivision.*
- **Add the following new Rules to Chapter 9 Performance Standards for Developments and Subdivision:**
 - ❖ *Buildings shall not be sited closer than 100 metres to the banks of the Waihou and Piako Rivers. Any infringement of this “River yard” shall be assessed as a*

Restricted Discretionary Activity subject to the following assessment criteria:

- *Buildings sited within 100 metres of the banks of the Waihou or Piako Rivers shall not detract in any more than a minor way from the visual quality of the river corridors.*
- *Any application to infringe the yard shall be accompanied by proposals to mitigate the effects of development within the visual corridor of the river.”*

2A. - Kopuatai Peat Dome

- *It is recommended that a Management Plan be established jointly by DoC, Waikato Regional Council, Matamata Piako District Council, Hauraki District Council and Iwi. The key purpose of the Management Plan is to implement a sustainable management regime for the peat dome, and of surrounding land areas, the use or development of which may impact the peat dome.*
- *Controls relating to the setbacks of buildings from the edges of the Peat Dome, and to any land drainage around the Peat Dome area, should be implemented through the Management Plan to ensure consistency across the TLA boundaries.*
- *Because this is a DOC Reserve change is unlikely. However activities such as earthworks, drainage, buildings (including mai-mais) and public access, should be very carefully managed.”*

3 - Coromandel Ranges

- *Identify on the planning maps those areas of the Coromandel Range that are identified as an outstanding landscape.*
- *Add a **Resource Management Issue** as follows:*
 - ❖ *Large parts of the Coromandel Range have been identified as an outstanding landscape. Activities on privately owned land within the outstanding landscape have the potential to adversely affect the scenic landscape qualities of the outstanding landscape.*
- *Add the following **objective**:*
 - ❖ *Protect the scenic landscape qualities of those areas of the Coromandel Range that have been identified as an outstanding landscape.*
- *Add the following **policy**:*
 - ❖ *Within the area identified as an outstanding landscape land use activities that may result in the removal of native vegetation and / or earthworks are restricted by rules in the Plan; whilst outside the outstanding landscape areas activities are controlled but to a lesser extent to ensure that they occur in a manner that will not adversely affect the overall scenic and landscape qualities of the Range.*
- *Within the areas identified as outstanding landscape provide for the following as Non-Complying activities:*
 - *Exotic forestry*

- *Network utilities and structures such as wind turbines, power pylons, cell sites.*
- *Quarrying and mining activities.*
- *The removal of indigenous vegetation unless in emergency situations and / or to protect public safety.*
- *Enable rural-residential development to occur within areas identified as outstanding landscapes, where this activity is already provided for, provided that –*
 - *a comprehensive design is put forward with the subdivision application, or in instances where subdivision has already occurred, with the application for land use consent for (a) building(s)*
 - *the comprehensive design shall address –*
 - *provision for vehicle access;*
 - *siting and design of (the) building(s), including earthworks, size and design of building(s), materials and finishes*
 - *The comprehensive design shall provide for the development in a way that avoids adverse effects on the landscape values of the Coromandel Range, or mitigates such effects so they are no more than minor.*
- *Outside of the areas identified as outstanding landscapes provide for the following activities as Discretionary Activities:*
 - ❖ *Exotic forestry*
 - ❖ *Network utilities and structures such as wind turbines, power pylons, cell sites.*
 - ❖ *Quarrying and mining activities.*
- *Provide for the removal of native vegetation exceeding an area of 500m² as a Restricted Discretionary Activity subject to assessment criteria as follows:*
 - ❖ *The removal of native vegetation shall only be undertaken where it will not detract from the scenic landscape qualities of the Coromandel Range.*
 - ❖ *A key factor contributing to the landscape quality of the Coromandel Range is the bush covered ridgelines and this feature shall be considered in assessing any application for the removal of native vegetation.*
- *It is recommended that a management plan be established between the relevant organisations (Environment Waikato, DoC, Thames Coromandel District Council, Hauraki District Council and Matamata Piako District Council) to provide a comprehensive and consistent approach to the management of the ‘tops’ of the Coromandel Range and the Kaimais’ to ensure that these slopes retain their outstanding landscape significance. Such a management plan could set the agreed approach and the range of mechanisms to be used to achieve the agreed outcomes. Each organisation would then implement the common goals within their own jurisdiction.”*

4 - Karangahake Gorge

- *As discussed in relation to the Hapuakohe Range Policy Area it is recommended that Council develop a set of design guidelines for the construction of access ways and building platforms etc. The same design guidelines can be used to guide development in the Karangahake Gorge.*
- *It is recommended that the existing zonings be retained and that a new Rule be added for new dwellings within the Rural Zone contained within the Karangahake Gorge to be assessed as a Restricted Discretionary Activity subject to the following assessment criteria:*
 - ❖ *Any new dwelling shall be sited as far as is practicable on flat land and shall use mitigation measures such as landscaping and recessive colours to ensure that the structure is not directly visible from roads, public reserves or walkways.*
 - ❖ *Earthworks for new access ways or building platforms for dwelling shall be minimised as far as in practicable and applications for consent for new dwellings shall demonstrate that the design guidelines for earthworks and building location have been applied.*

Reasons:

- ❖ *New development in this landscape unit has the potential to adversely affect the visual and landscape qualities of the gorge. Therefore new development should be carefully restricted and located on flat land with controls to ensure that buildings and structures are screened from public walkways and roads; and that combinations of recessive colours with a low reflectivity and landscaping are utilised to ensure buildings fit within this landscape.*
- *Use other methods, such as rates relief, community funded projects, landcare groups, public education or collaborations with DoC to achieve weed eradication and native enhancement planting in this landscape unit.*
- *Within this landscape unit require resource consents to be obtained for any exotic forestry activity. It is recommended that exotic forestry be assessed as a Restricted Discretionary Activity with the following assessment criteria applying:*
 - ❖ *The effects of the exotic forestry plantings on the landscape and visual qualities of the landscapes of District Wide Significance.*
 - ❖ *Whether or not the exotic forestry results in the removal of existing established native vegetation.*
 - ❖ *Whether or not the removal of the forestry in the future will adversely affect visual and landscape values and provision for such effects to be mitigated.”*

5 - Foothills

- *Under the existing rules for subdivision add specific assessment criteria requiring legal and physical protection to be provided in relation to sites being created on the basis of protecting heritage or environmental features. Both physical and legal protection should be required to be in place prior to 224 sign off. Physical protection should include provisions for ongoing weed and pest control and fencing to be*

ensured by way of s.221 Consent Notice. Legal protection should be by way of legal covenant or similar.

- Provide for the removal of native vegetation exceeding an area of 1000m² as a Restricted Discretionary Activity subject to assessment criteria as follows:
 - ❖ The removal of native vegetation shall only be undertaken where it will not detract from the scenic landscape qualities of the Coromandel Range.
 - ❖ A key element to the landscape quality of the Coromandel Range involves bush covered ridgelines and this feature shall be considered in assessing any application for the removal of native vegetation.
- Apply the design guidelines that have been discussed for earthworks for access ways and building sites.”

6 - Primary production lowlands around Waihi

- Reword bullet number 4 of 10.1.2 **Resource Management Issues** as follows:
 - ❖ Recognising significant ecological, landscape, amenity and heritage values and the need to facilitate the protection ~~of them~~ and enhancement of these areas through subdivision rules.
- Add the following **objective** to Chapter 10 subdivision:
 - ❖ To enhance the ecological and landscape quality of land areas on the Hauraki Plains and the primary production lowlands around Waihi by enabling a limited amount of incentive based subdivision based on planting as well as physically and legally protecting areas of native vegetation that reflect historical vegetation patterns and types.
- Add the following **policies**:
 - ❖ On land areas on the Hauraki Plains and rural land areas around Waihi township to provide for a limited amount of subdivision in situations where it will not conflict with the other objectives and policies for subdivision but will provide a meaningful opportunity to enhance the landscape, water ways and ecological areas through the planting of areas of native vegetation, reflecting historical vegetation patterns and types.
 - ❖ Subdivision applications for enhancement planting based subdivision shall be supported by reports assessing the ecological and landscape values of the proposed planting in relation to the effects of creating an additional site/s.
- Add the following new Rule for Enhancement Planting lots in the Rural Zone and Rural-Residential zones:
 - ❖ As a Restricted Discretionary Activity provide for one additional site to be created based on a minimum area of 3 hectares of planting. Any such subdivision shall only be consented to in situations where all of the relevant assessment criteria are met and the visual amenity and landscape values of the area will not be compromised. Additionally in the Rural Zone any subdivision shall not adversely

impact on the productive quality of the land.

- ❖ *Such applications shall be supported by ecological and landscape reports prepared by suitably qualified people, addressing –*
 - *the type and nature of the planting to be undertaken;*
 - *identification of the effects of what is proposed on the environment (including potential enhancement of ecological values, and effects on amenity and landscape values);*
 - *weed and pest control plans;*
- ❖ *All required planting as well as all measures for the legal and physical protection of the planted area shall be completed and in place prior to the issue of the s.224 certificate.*
- ❖ *Any such subdivision shall also satisfy the general assessment criteria and rules for subdivision.*
- *In addition to incentive based subdivision utilise other methods such as rates relief, education, funds for planting, collaborations between Council and community groups including encouraging the establishment of community landcare groups to encourage native replanting of riparian areas.”*

7 - Coastal Foothills

- *Retain the extent of the residential zoning at Whiritoa but do not extend it, particularly not across the State Highway.*
- *Retain forestry as a Discretionary Activity but on coastal slopes the activity status should become Non-Complying.*
- *Require Restricted Discretionary resource consent for new buildings and structures within the Coastal Policy Area subject to the following assessment criteria:*
 - ❖ *Buildings and structures should be sited so that they sit within the landscape in a manner that minimises the amount of earthworks required.*
 - ❖ *Buildings and structures should be finished in natural materials or recessive colours with a low reflectivity value that enable the building to blend into the landform backdrop.*
 - ❖ *Landscaping shall be used to ensure that buildings and access ways to them are integrated into the surrounding environment.*
- *Under the existing rules for subdivision add specific assessment criteria requiring legal and physical protection to be provided in relation to sites being created on the basis of protecting heritage or environmental features. Both physical and legal protection should be required to be in place prior to 224 sign off. Physical protection should include provisions for ongoing weed and pest control and fencing to be ensured by way of s.221 Consent Notice. Legal protection should be by way of legal covenant or similar.*
- *Within this landscape unit require resource consents to be obtained for any exotic*

forestry activity. It is recommended that exotic forestry be assessed as a Restricted Discretionary Activity with the following assessment criteria applying:

- ❖ The effects of the exotic forestry plantings on the landscape and visual qualities of the landscapes of District Wide Significance.
- ❖ Whether or not the exotic forestry results in the removal of existing established native vegetation.
- ❖ Whether or not the removal of the forestry in the future will adversely affect visual and landscape values and provision for such effects to be mitigated.

- **Exotic Forests**

Some areas of the Coromandel and Western Ranges and coastal hills are planted in exotic pine forest.

A consistent monocultural cover of pine is the main element that dictates the character of these areas, although high and steep volcanic landforms are also a feature. Because these pine plantations are located on the flanks of the Ranges and along the coast, they form the backdrop when viewed from some places. There are places where native species are regenerating beneath the pines.

The spatial qualities range from intimate enclosure under the forest canopy and in enclosed valleys where the steep landforms provide a sense of enclosure, through to very expansive scale in areas when the trees are being felled.

Analysis

The prominent element that adversely affects landscape character and value is the homogenous *Pinus radiata* cover which is in contrast to the mixed olive tones of native forest. The key characteristics are an almost total consistency of colour, texture and form. The resulting landscape therefore lacks interest and variety, other than shadows cast by some of the trees, and the underlying variations in topography.

The most prominent impact arises when the forest is being harvested, leaving the landscape denuded and scarred. Combined with the loss of vegetation cover is the scarring of logging tracks, which add to the sense of severe disturbance. This impression is heightened by the contrast of pale clay coloured soil in the cleared areas, with the dark green of neighbouring blocks of remaining forest.

In some places trees have been planted up to coastal ridgelines leaving an uncomfortable saw toothed appearance along the ridge.

Elements that contribute to absorption capability are primarily topographic enclosure, and screening provided by the pines. This screening is lost when the pines are harvested. Detracting from VAC are the continuity and simplicity of the forest canopy, and the extreme exposure of the high landforms and flanks in some pine areas.

Provided that the visually exposed ridges and flanks are not modified, in some parts of these units, for example in the valleys, additional development could be incorporated.

Natural Character Values

These units have low natural character values.

Significant Issues

- *In landscapes that are identified as outstanding the establishment of pine plantations and forestry activities should be avoided as the adverse effects in landscape and visual terms are unacceptable and not able to be avoided or appropriately mitigated. Within landscapes of district wide significance, the establishment of pine plantations should be controlled so that the individual landscape and visual amenity effects can be properly assessed and appropriate conditions applied to manage landscape and visual effects.*

Note: Provisions relating to exotic forestry in landscape units of district wide significance have been recommended within the individual landscape units.

Recommended Planning Solutions:

- *Identify all outstanding landscapes and landscapes of district wide significance on the planning maps.*
- *Add a **Resource Management Issue** as follows:*
 - ❖ *Outstanding landscapes and landscapes of district wide significance may be adversely affected or degraded as a result of land use and subdivision activities.*
- *Add the following **objective**:*
 - ❖ *Protect the special landscape qualities of those areas of the District that have been identified as an outstanding landscape or a landscape of district wide significance.*
- *Add the following **policy**:*
 - ❖ *Within the areas identified as an outstanding landscape or a landscape of district wide significance land use activities are restricted by rules in the Plan.*
- *Within the areas identified as outstanding landscape provide for the following as Non-Complying activities:*
 - *Exotic forestry”*

4.7.3 ADOPTED POLICY DIRECTION

Section 2.11 of the Document titled “Update on Workshop Outcomes & Policy Directions” presented at Workshop 26 (17 December 2007), details the policy direction for Landscape as follows;

“The Committee generally endorsed the “Planning Recommendations” contained in the Landscape Assessment presented at Workshop 17, apart from the specific matters noted below:

Landscape Unit 1 – Western Hills

1. *Agreed that landscape has district wide significance, but development can be absorbed into this landscape.*
2. *Use of rules and assessment criteria to manage siting of development and access roads.*
3. *Exotic forestry should not be restricted (other than with respect to forest access roads).*
4. *Tighten up rules relating to the removal of native vegetation such that it becomes a non-complying activity to remove native vegetation for the purposes of planting exotic forest. There was discussion that this can easily be monitored through the aerial photograph and GIS system that the Council operates.*
5. *Examine the Environment Waikato rules applying to the removal of exotic forestry.*
6. *Trigger for resource consents for earthworks exceeding 200m³ to low. Examine the Environment Waikato rules relating to earthworks and establish a development control for earthworks relating to all activities based on EW consent volume triggers and high risk erosion area definition.*
7. *Introduce a rule for new buildings in the Hapuakohe Range to state that if the reflectivity value of the building will be 35% or less then the building, subject to all other development controls, will be a permitted activity. If the reflectivity value is to be greater than 35% then resource consent will be required as a Restricted Discretionary activity. Discretion will be restricted to matters relating to landscape and visual effects as well as building siting and design, and landscaping.*

In summary it was the view of the Committee that forestry was different to other activities, such as utilities that are recommended to be controlled, because forestry is a rural productive land use.

Landscape Unit 2 – Hauraki Plains

1. *Provide incentives for subdivision that encouraged the planting of kahikatea and preservation of swamp areas.*
2. *Restrict subdivision to protect the productive value of land on the Hauraki Plains.*
3. *Possibly some potential to enable subdivision around existing towns but this will need to be identified as part of a wider strategic view of the future growth of the District.*
4. *Increase the minimum site size for subdivision on the Plains e.g. 50 – 60 hectares. In order to do this specific guidance as to an appropriate site size would need to be obtained from a farming or land management expert.*
5. *Existing designation and provisions applying to the flood plains and the river corridors are considered adequate to manage any potential landscape or rural character effects in relation to the river corridors. Additional provisions are not considered necessary.*

6. *Extend this landscape unit to encompass valuable farming land in the valley floor areas of the Komata Peaks and the Maratoto valley areas. Identify the areas to be included based on land class and also re-check the existing provisions managing activities on the basis of land class.*

Landscape Unit 2A – Kopuatai Peat Dome

1. *No need for specific landscape provisions over and above what is already in the District Plan.*

Landscape Unit 3 – Coromandel Range

1. *Retain existing District Plan provisions for this area irrespective of whether DoC seeks to designate.*
2. *Need to look at provisions for open cast mining and tracking in this area.*

Landscape Unit 4 – Karangahake Gorge

1. *Need to include Owharoa Falls and Waitawheta River as a feature in this landscape.*
2. *This landscape is considered to be of community and regional significance. The provisions of the Karangahake Gorge Scenic Corridor Policy Area to be reviewed (including the boundaries) to give greater protection to this landscape.*
3. *Look at tightening up the vegetation removal rules to minimise the removal of vegetation or require resource consent whereby conditions can be imposed regarding weed and pest control and requiring enhancement planting. Need to develop an “encouraging” approach that allows for the removal of trees for safety (eg. SH 2) and removal of pest species. Ensure policy is about the visual quality of the vegetation (primarily) with the ecological values (secondary).*

Landscape Unit 5 – Foothills of the Coromandel Range

Refer to Landscape Unit 1.

Landscape Unit 6 – Primary Production Lowlands Around Waihi

1. *Provisions to encourage riparian planting along the streams in association with subdivision and development.*
2. *Retain land for productive purposes but lot size more flexible than Hauraki Plains.*

Landscape Unit 7 – Coastal Foothills

1. *Potential for some lifestyle development on the western side of SH25, but residential development at Whiritoa should not jump SH25.*
3. *No removal of indigenous vegetation along immediate coastal edge.*
4. *Forestry in the Coastal Policy Area is already a discretionary activity so it was the view of the Committee that no additional controls are required.*

5. Need to reconfirm the boundary and provisions of the Coastal Policy Area.”

4.7.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective	Summary of evaluation
5.1.2(2) (Rural zone) To protect, preserve and enhance the significant landscape character of the natural environment of the zone.	This objective is most appropriate to achieve the purpose of the RMA as it ensures that landscape values of the natural environment are protected throughout the rural zone and in the Conservation and Coastal zones. Some landscapes will be outstanding in terms of section 6 RMA (and specifically identified in the plan) and others will have amenity values that are had regard to under section 7 RMA.
5.2.2(1) (Conservation (Indigenous Forest) Zone) To protect and enhance the <i>biological diversity</i> and outstanding landscape character values of the zone.	
5.3.2(1) (Conservation (Wetland) Zone) To preserve, protect and enhance the <i>biological diversity</i> and the outstanding natural character values of the wetlands in the zone.	
5.4.2(1) (Coastal Zone) To preserve the natural character of the coastal environment and ensure its protection from inappropriate subdivision, use and development.	The purpose of the RMA will be advanced by this objective by ensuring the natural character of the coastal environment is preserved and that the coastal environment is protected from inappropriate subdivision, use and development.
5.5.2(1) (Karangahake Gorge Zone) To protect the outstanding natural features, landscape and amenity values of the Karangahake Gorge from inappropriate subdivision, use and development.	This objective is most appropriate to achieve the purpose of the RMA because it seeks to protect the outstanding natural features, landscape and amenity values of the Karangahake Gorge from inappropriate subdivision, use and development. In terms of section 6 RMA.
5.14.3(2) (Reserve zones) To protect natural and physical resources that are matters of national importance or are of significant value to the community.	This objective is most appropriate to achieve the purpose of the RMA because it recognises that one means of protecting significant and/or important features is through public ownership (Council). Where this cannot be achieved, then the provisions of the reserve zones can be used to protect and manage such features.
6.3.3(1) (Landscape) Protect the integrity and the aesthetic and intrinsic values of outstanding natural features and landscapes and the high visual amenity values of significant natural features and landscapes.	This objective is most appropriate to achieve the purpose of the RMA because it focuses on the landscapes that are the most valued in the district in three categories. First, the objective addresses the requirement under section 6 RMA to recognise and provide for the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development. Secondly, the objective fulfils a requirement under section 6 RMA, which is to recognise and provide for the preservation of the natural character of the coastal environment. Thirdly, the objective ensures particular regard is had to protecting landscapes of district wide significance which, while not outstanding, have high amenity value.

4.7.5 POLICIES MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES

Policies	Effectiveness and Efficiency Benefits and Costs
<p>5.1.2(2)(a) (Rural Zone)</p> <p>(i) Ensure that landscape features of particular significance in the District are protected.</p> <p>(ii) Ensure the erection of buildings, earthworks and removal of indigenous vegetation do not detract from the significant landscape character of the natural environment.</p>	<p>Effective – achieves objectives by ensuring proposed development is properly assessed for adverse effects on the landscape features of particular significance.</p> <p>Efficient – application of policy and controls is limited to defined areas. Incentives and publicity ensure that protection efforts will be sustainable through support by landowners, stakeholders and the public..</p> <p>Benefits – maintains and enhances natural features and character, indigenous biodiversity, water quality, and aquatic and adjoining terrestrial habitats.</p> <p>Costs – Compliance costs to developers; may reduce development potential of some land; monitoring and liaison costs to Council.</p>
<p>5.2.2(3)(a) (Conservation (Indigenous Forest) Zone)</p> <p>(i) Recognise in the administration of the <i>zone</i> the protection of the significant botanical and wildlife values, natural landscape character and soil and water protection roles of the <i>zone</i>.</p>	
<p>5.3.2(1)(a) (Conservation (Wetland) Zone)</p> <p>(ii) Recognise in the administration of the <i>zone</i>, the protection of botanical and wildlife values, the natural character and flood control functions of the area.</p>	
<p>5.4.2(1)(a) (Coastal Zone)</p> <p>(i) Protect, preserve and enhance the landscape character of the coastal environment.</p> <p>(ii) Identify landscape features of particular significance and ensure that particular regard is had to protecting those features.</p> <p>(iii) Ensure the erection of <i>buildings, earthworks</i> (particularly cuttings associated with creating access tracks) and removal of <i>indigenous vegetation</i> does not detract from the significant landscape character of the coastal environment, particularly along the margins of the coast, estuaries, rivers and streams.</p>	
<p>5.5.2(1)(a) (Karangahake Gorge Zone)</p> <p>(i) Protect, preserve and enhance the landscape character of the Karangahake Gorge environment.</p> <p>(ii) Identify landscape features of particular significance in the Karangahake Gorge and ensure that particular regard is had to protecting those features.</p> <p>(iv) Ensure the erection of</p>	

<p>buildings, earthworks and removal of indigenous vegetation does not detract from the outstanding landscape character and amenity values of the Karangahake Gorge.</p> <p>(v) Encourage and recognise private landowner initiatives to protect identified significant ecological areas.</p> <p>(vi) Liaise with the Department of Conservation to ensure a consistent and coordinated approach to resource management in the Karangahake Gorge environment is adopted.</p>	
<p>5.14.3(2)(a)(i) (Reserve zones) Provide for active and passive recreation opportunities, as well as protection of ecological, historic and other environmental resources.</p>	<p>Effective – policies achieve objective 5.14.3(2) by ensuring that the natural features and landscape values of land are properly managed by responsible agencies, by providing the option of reserve zoning.</p> <p>Efficient – allows for reserve zoning as a management option in appropriate cases.</p> <p>Benefits – protects natural features and landscapes.</p> <p>Costs – Council management costs, development restrictions on some land.</p>
<p>6.3.3(1)(a)</p> <p>(i) Control the subdivision, use and development of land so that the adverse effects on aesthetic and intrinsic values and on the visual and physical integrity of outstanding landscapes and natural features are avoided.</p> <p>(ii) To maintain as far as practicable, the elements, features and patterns that contribute to the quality of significant natural features and landscapes.</p> <p>(iii) To ensure the significant natural coastal environment features and coastal environment landscapes are preserved and protected from inappropriate subdivision, use and development.</p> <p>(iv) To encourage and provide for appropriate development which will remedy or mitigate the adverse effects of past land uses and enhance the natural character and amenity values of the coastal environment.</p> <p>(v) To promote the restoration and enhancement of existing degraded natural features and landscapes.</p>	<p>Effective – achieves objective 6.3.3(1) by ensuring proposed development affecting identified landscapes and features assessed for adverse effects on the landscape.</p> <p>Efficient – controls will be limited to identified features and landscapes.</p> <p>Benefits – protects landscapes and features of national importance, as well as identified amenity landscapes from the adverse effects of development.</p> <p>Costs – Compliance costs to developers; may reduce development potential of some land.</p>

4.7.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.7.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural Issues/Zone/Landscape protection Area/Map Changes	788612
2.2	Coastal Issues/Zone/Map Changes	788931
2.3	Karangahake Gorge Issues/Zone/Map Changes	791201
2.4	Rural, Coastal & Karangahake Gorge Zones - Subdivision	788615
5	Reserves – General/Zones/Subdivision/Map Changes	791236
9.1	Indigenous Biodiversity – Issues/General	791256
9.2	Indigenous Biodiversity – Significant Natural Areas	791261
9.3	Indigenous Biodiversity - Subdivision	791263
10	Outstanding & Significant Natural Features & Landscapes	789044
11	Significant Trees	791281

4.7.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Urban Design/Urban Areas of Towns & Townships	788612

2.2	Coastal Issues/Zone/Map Changes	788931
2.3	Karangahake Gorge Issues/Zone/Map Changes	791201
2.4	Rural, Coastal & Karangahake Gorge Zones - Subdivision	788615
5	Reserves – General/Zones/Subdivision/Map Changes	791236
9.1	Indigenous Biodiversity – Issues/General	791256
9.2	Indigenous Biodiversity – Significant Natural Areas	791261
9.3	Indigenous Biodiversity - Subdivision	791263
10	Outstanding & Significant Natural Features & Landscapes	789044
11	Significant Trees	791281

4.7.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Urban Design/Urban Areas of Towns & Townships	929390
2.2	Coastal Issues/Zone/Map Changes	929391
2.3	Karangahake Gorge Issues/Zone/Map Changes	929392
2.4	Rural, Coastal & Karangahake Gorge Zones - Subdivision	929393
5.0	Reserves – General/Zones/Subdivision/Map	929403

	Changes	
9.1	Indigenous Biodiversity – Issues/General	929407
9.2	Indigenous Biodiversity – Significant Natural Areas	929408
9.3	Indigenous Biodiversity - Subdivision	929409
10.0	Outstanding & Significant Natural Features & Landscapes	929411
11.0	Significant Trees	929412

4.7.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Urban Design/Urban Areas of Towns & Townships	929390
2.2	Coastal Issues/Zone/Map Changes	929391
2.3	Karangahake Gorge Issues/Zone/Map Changes	929392
2.4	Rural, Coastal & Karangahake Gorge Zones - Subdivision	929393
5.0	Reserves – General/Zones/Subdivision/Map Changes	929403
9.1	Indigenous Biodiversity – Issues/General	929407
9.2	Indigenous Biodiversity – Significant Natural Areas	929408
9.3	Indigenous Biodiversity - Subdivision	929409

10.0	Outstanding & Significant Natural Features & Landscapes	929411
11.0	Significant Trees	929412

4.8 BIODIVERSITY

4.8.1 RESOURCE MANAGEMENT ISSUE – BIODIVERSITY

The document titled “Hauraki District Council Analysis of Indigenous Vegetation & Habitats of Indigenous Fauna” prepared by Kessels & Associates Ltd dated 31 October 2006 and considered at Workshop 10 on 13 November 2007, discussed the legislative requirements to consider Biodiversity as a resource management issue, the ecological districts in the Hauraki District, and the key threats to these ecological districts. The following bullet points summarize biodiversity as a significant resource management issue for the Hauraki District.

- (i) Section 6(c) of the Resource Management Act 1991 identifies the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna as being of National significance. In this regard, biodiversity is a significant issue for the Hauraki District.
- (ii) The Hauraki District contains a wide range of areas that contain significant indigenous vegetation and/or habitats of indigenous fauna. Some of these include the vast Kopuatai and Torehape peat domes dominating the central flood plains, the distinctive tawa clad ridgeline of the Hapuakohe Range, the scattered kahikatea stands of the plains, the tidal mud flats and mangrove forests of the Miranda Coast, the steep dense bush hill country of the Coromandel Range, and the pohutukawa clad coastal forests between Whiritoa and Waihi.
- (iii) Although some of these significant areas, such as the Kopuatai Peat Dome, are protected by the Crown, many of the smaller, yet ecologically valuable natural areas remain on private land. Some of these areas are legally protected by QEII open space covenants, Council Reserves Act covenants or consent notices, but a significant amount remain unprotected either legally or physically, mostly within the lowland and coastal areas.
- (iv) The ecosystems with the highest proportion of unprotected land within the Hauraki District have been identified as:
 - coastal forests;
 - estuarine margins (including swamps, forest and shrubland);
 - riparian (stream, river, coastal margin) ecosystems, especially in lowland areas;
 - lowland forests of all kinds;
 - lowland shrublands; and
 - kauri and kauri-beech forests.
- (v) The ecosystems within the Hauraki District fall within various ecological districts, that are defined by climatic, geological, topographical and biological factors. New

Zealand is divided into 85 ecological regions and 268 ecological districts. The ecological districts within the Hauraki District and the key threats to these districts are summarised as follows:

Hauraki Ecological District

- (vi) The Hauraki Ecological District is located in the centre of the District and covers the alluvial lowlands of the Hauraki Plains, including the extensive peatlands of Kopuatai Peat Dome and Torehape Peat Dome. Kahikatea stands are scattered across with plains.
- (vii) The key threats to the Hauraki Ecological District include stock intrusion into small lowland forest areas, weeds threatening regeneration in small blocks, and intensive landuse practices adjacent to the Torehape and Kopuatai Peat Domes resulting in further clearance, weed intrusion and drainage.

Waihi Ecological District

- (viii) The Waihi Ecological District is located to the east of the District, and covers the southern end of the Coromandel range, the northern tip of the Kaimai range, the Ohinemuri River Catchment (including the Karangahake Gorge), and the east coast between Whangamata and Waihi Beach.
- (ix) The key threats to the Waihi Ecological District include possum browsing of coastal forest, and stock intrusions into unfenced forest remnants.

Hapuakohe Ecological District

- (x) Most of the Hapuakohe Ecological District, to the west, is located within the Hauraki District, and includes the Hapuakohe Range, the Hangawera Hills, and rolling hill country rising to a high point of 535 metres on Mangakawa.
- (xi) The key threats to the Hapuakohe Ecological District include stock intrusion into forest/shrubland areas, possum browsing of forest and wetland vegetation, logged kauri forest, aerial spraying, and clearance of shrubland and gully head forests.

4.8.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

The document titled "Hauraki District Council Analysis of Indigenous Vegetation & Habitats of Indigenous Fauna" prepared by Kessels & Associates Ltd dated 31 October 2006 and considered at Workshop 10, on 13 November 2007 considered the manner in which the Operative District Plan has worked and set out the policy direction options and recommendations.

The policy direction options were identified as follows;

"There are a wide range of methods and "tools" available to Council to achieve its RMA requirements to protect significant natural areas and biodiversity values. These are

shown as Figure 2. Opportunities for Council to meet its RMA obligations include:

- *Financial and educational assistance to Landcare groups;*
- *Implementation of District Plan policies which encourage voluntary covenants and assistance with management and restoration;*
- *Significant opportunities for subdivision proposals to incorporate ecological linkages between coastal habitats, gullies and inland habitats;*
- *Coastal forest, lowland forest and wetlands are very important scientifically and a feature of Hauraki District. Assistance should be given to those landowners undertaking protection and enhancement of these natural features;*
- *Council needs to establish formal partnerships with landowners who have large and significant ecological significant areas, Landcare groups, tangata whenua, regional council and other agencies in order to provide focused and efficient assistance to worthy protection and enhancement projects; and*
- *Policies which encourage voluntary/subdivision covenants and assistance with management appear not to be that successful but improvements can be made in subdivision incentives and ecological significance determination.”*

The key policy recommendations were as follows;

“Proposed Ecological Policy Areas

It is proposed that the overall basis for developing indigenous vegetation/fauna/biodiversity policy is structured around seven “Proposed Ecological Policy Areas”, similar to the existing Operative Plan. However, the Proposed Ecological areas are based on ecological district boundaries, regional and national policy guidelines, land tenure and the special features and issues pertaining to each area (refer to Figure 3)

Further, there is a scientific link between Proposed Ecological Policy Areas and significant habitat types found within the District as a whole and with the EW Regional Policy Statement Criteria. This link can be expressed as the special features generally found within each ecological policy area:

1. *Miranda Bird Coast: This policy area recognises the special coastal wetland values along the edge of the Firth of Thames, which provide habitat for wader and wetland birds and is of International significance;*
2. *Hapuakohe Hill Country: provides upland bush habitat for a number of native fish species, including two nationally threatened species (short-jawed kokopu and longfin eel) as well as containing unusual kauri-beech forest types;*
3. *Hauraki Plains: This area is mostly highly productive farmland and the ecological values are generally low. However, the distinctive lowland forest remnants are an acutely threatened habitat type from a national perspective. The rivers and canals in this area provide important spawning habitats and migration corridors for many native fish. The remnants also create linkages between the forests of the Coromandel Ranges and Hapuakohe for native birds.*

4. Peat Domes: *The Torehape and Kopuatai Peat Domes are of International Significance, very sensitive to modification and vulnerable to degradation from surrounding drainage practices.*
5. Coromandel Ranges Hill Country: *This very large and rugged policy area mostly consists of DoC managed bush, which is generally of high value and protected. However, activities on its margins and animal pests degrade this area's biodiversity values.*
6. Eastern Coastal: *consists of coastal forests and wetlands and rugged coastal cliffs. These habitat types are nationally threatened and provide habitat for numerous threatened plants and animals. The lowlands of the Waitekauri Valley have been included in this area, as while some of this area drains to the west, it is effectively one ecological landscape area. Creating linkages between the Waihi coastline and Waikino will provide habitat for many native bird species.*
7. Karangahake Linkage Zone: *This policy area (or zone) recognises the Operative Plan's robust policy, in that the Karangahake Gorge provides an important ecological link between the Kaimai and Coromandel Ranges. It is considered important for the Hauraki District for landscape, amenity, historic and ecological values, so that specific policy for the gorge is essential."*

Key Issues

The key issues which pertain to habitats of indigenous vegetation and fauna as well as maintaining biodiversity within Hauraki are:

1. *How to ensure that the remaining vegetation in the flat lands of the Hauraki Ecological District is protected from stock access and weeds.*
2. *How to ensure intensive landuse practices adjacent to the Torehape and Kopuatai Peat Domes do not cause further clearance, weed intrusion and drainage.*
3. *How to ensure that the ecological values of the gully forests of the eastern hills of the Hapuakohe Ecological District and unprotected forests of the Waihi Ecological District is retained.*
4. *How to control animal pests from continuing to degrade the indigenous fauna and flora habitats of the District particularly the coastal forests of the Waihi Ecological District.*
5. *How to recreate ecological links between the hill country and the coastal and lowland habitats of the District.*

Suggested Policy Direction

Given the differences in ecological values throughout Hauraki it is considered necessary to develop an approach that recognises the distinctive needs of the ecological districts. This approach should allow for development potential where an ecologically significant resource is protected in perpetuity, with ongoing management required. This can be achieved by continuing to apply the "Ecological Area/Zone" approach used in the existing Operative Plan. The existing zones need to be altered and expanded to reflect the distinct natural characteristics of each of the ecological districts and provide a range of

implementation methods specific to address the key threats found in each proposed ecological area.

There needs to be greater emphasis on linkages between hill lands and lowland and the coasts to provide suitable habitats for species such native fish and investigate suitable implementation methods to support this policy. These linkages will invariably follow major stream and river gullies and valley systems, which could be specifically mapped and identified on the planning maps.

Allowing for greater development potential where ecologically significant resources are protected and managed in perpetuity will encourage protection and management of the District's remaining significant ecological areas. More rewarding incentives for landowners to protect significant areas by creating a tiered structure for lot yield based on the ecological significance and size of a natural area protected is required as the uptake of the existing subdivision incentives has been slow. This incentive rule will need to be linked to robust assessment criteria, including requirements for ongoing weed and animal pest control and consideration of adverse effects associated with subdivisions, such as restrictions on placing dwellings within natural areas and required an appropriately qualified person to assess the application. For the conservation lot subdivision incentives to be effective, it is important to tighten up some of the other subdivision rules, while at the same time create greater incentives for the conservation lot methods. This will effectively result in the same rural-residential/lifestyle lot yield and result in greater benefits for the District's biodiversity values. Encourage community lead restoration projects. Place greater emphasis on providing funding for community groups involved in ecological protection and restoration through the annual plan process.

Place greater emphasis on monitoring the extent and ecological health of natural areas,

Particularly those areas which have been protected through conservation lot subdivision.

Each Proposed Ecological Area should have policy and methods specific to the desired ecological outcomes for that area. Some examples of what could be done within each ecological area are as follows:

1. Miranda Bird Coast: Recognise that flood protection works can enhance and protect wader bird and whitebait habitats;
2. Hapuakohe Hill Country: Create methods to encourage landowners to protect and restore gully forests, linking the DoC managed lands with lowland streams;
3. Hauraki Plains: Protect supportive methods for landowners to fence off and protect kaihikatea stands and provide ongoing management support. Encourage EW and private landowners to re-vegetate river and canal margins as part of their flood control functions.
4. Peat Domes: Work more closely with adjoining landowners, EW, Fish and Game Society and Department of Conservation staff to link in with monitoring and restoration projects adjacent and within the peat domes. Consider developing stringent policy and rules for activities which involve clearance or drainage of peat dome vegetation.
5. Coromandel Ranges Hill Country: Encourage landowners to protect and manage

bush with reasonably generous conservation lot rules. Provide assistance with animal pest control.

6. *Eastern Coastal: Develop policy and incentive methods to work closely with tangata whenua, community groups and business to encourage protection and restoration. Develop strong rules to restrict vegetation clearance.*
7. *Karangahake Linkage Zone: Link any policy here with relevant landscape and historic protection policies to ensure that the special values of the gorge are managed in a co-ordinated and strategic way. Cooperation with DoC is particularly important in this zone.*

Significant Indigenous Vegetation and Fauna Habitat Assessment Criteria

Council should continue to use the mapping of significant natural areas approach but update the mapping to reflect more accurately the present extent and ecological value and health of the remaining natural features.

The criteria for determining ecological significance of these sites should be based on the EW RPS criteria as well as the latest nationally accepted ecological theory and consistent with previous case law, but also reflect local community values and restoration priorities.

4.8.3 ADOPTED POLICY DIRECTION

Section 2.12 of the Document titled "Update on Workshop Outcomes & Policy Directions" presented at Workshop 26 (17 December 2007), details the policy direction for Indigenous Vegetation as follows;

1. *General approach in the District Plan (as updated by Kessels & Associates) to be carried forward.*
2. *The categorisation of features into different levels of protection to be tested through community consultation.*
3. *Provide greater encouragement for protection of indigenous vegetation through subdivision and development (this may mean that existing subdivision provisions need to be "tightened" to direct into areas where protection of indigenous vegetation can be achieved.*
4. *Recording of each feature to be undertaken with Environment Waikato and the results of this work to be reported back to the Committee."*

As part of the consultation process on the draft district plan the Council notified all land owners with an identified significant natural area seeking feedback on the location, extent and condition of the identified areas. Site visits of a number of areas were conducted where requested by land owners and a further technical assessment was made. This ground truthing exercise assisted with refining the mapping and significance of the areas.

4.8.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective	Summary of evaluation
<p>5.1.2(3) (Rural Zone) To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna (significant natural areas).</p>	<p>These objectives are most appropriate to achieve the purpose of the RMA because they contribute directly to the life-supporting capacity of ecosystems. In addition, section 6 RMA requires the plan to recognise and provide for the protection of areas of significant indigenous vegetation and habitats of indigenous fauna. The objectives also contribute to the outcomes sought under the Regional Policy Statement, Waikato Regional Plan, and the NZ Biodiversity Strategy. The district has lost a large proportion of its original native vegetation and wetlands through agricultural activities, urban development, subdivision and other human activities. Therefore it is important that remnant areas of ecological significance are protected.</p>
<p>5.5.2(1) (Karangahake Gorge Zone) To protect the outstanding natural features, landscape and amenity values of the Karangahake Gorge from inappropriate subdivision, use and development.</p>	
<p>5.4.2(1) (Coastal Zone) To preserve the natural character of the coastal environment and ensure its protection from inappropriate subdivision, use and development.</p>	
<p>(Biodiversity & Significant Natural Areas) 6.2.3 (1) To protect remnant areas of significant indigenous vegetation and habitats of indigenous fauna for the purpose of preserving their intrinsic and amenity values for the benefit and enjoyment of future generations. 5.2.3(2) To maintain and enhance the life supporting capacity of ecosystems, and the extent and representativeness of the District's indigenous biological diversity. 6.2.3(3) To promote greater public awareness, support for and involvement in the protection of remnant natural areas of ecological significance.</p>	
<p>5.2.2 (1) (Conservation Indigenous Forest Zone) To protect the biological diversity and natural character values of the zone. (2) To maintain the soil and water protection function of the zone. (3) To recognise the scientific, educational, historic, cultural, recreational and amenity values of the zone. (4) To facilitate efficient conservation management and public use and recreational and visitor opportunities without having an adverse effect on biodiversity, landscape, historic, or cultural values of the zone and the amenity values of adjacent zones. (5) To facilitate further investigation of the location, type and extent of mineral resources, in a manner that is consistent with other objectives and policies of the zone.</p>	

(6) To avoid, remedy or mitigate the adverse effects of prospecting, exploration and mining activities.	
5.3.2(1) (Conservation Wetland Zone) To preserve and protect the biological diversity and the natural character values of the wetlands in the zone. (2) To maintain the flood control functions of the wetlands. (3) To recognise the educational, economic and scientific role and historic and cultural values of the wetlands. (4) To enable recreational use of the wetlands to the extent compatible with the other objectives of the zone and the wetland's legal status and the amenities of the area beyond the zone boundary.	These objectives are most appropriate to achieve the purposes of the RMA because they conserve and protect the wetland complex in its natural state, which contributes to life-supporting capacity and includes matters of national importance. The maintenance of the indigenous vegetation cover and ground surface levels are essential components of the anticipated outcomes. (Note - flood control aspects evaluated under Natural Hazards, above.)
5.14.3(2) (Reserve zones) To protect natural and physical resources that are matters of national importance or are of significant value to the community.	This objective is most appropriate to achieve the purpose of the RMA because it recognises that one means of protecting significant and/or important features is through public ownership (Council). Where this cannot be achieved, then the provisions of the reserve zones can be used to protect and manage such features.

4.8.5 POLICIES MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES

Policies	Effectiveness and Efficiency Benefits and Costs
5.1.2(3)(a) (Rural Zone) (i) Identify and protect significant indigenous vegetation ecosystems and wildlife habitats (significant natural areas) on private land. (ii) Encourage and facilitate private landowner initiatives to protect identified significant ecological areas. (iii) Ensure the maintenance of indigenous biodiversity by avoiding, remedying or mitigating the adverse effects from use and <i>development</i> . (iv) Provide appropriate mechanisms to assess indigenous biodiversity for 'significance'.	Effective – policies achieve objectives by ensuring that significant indigenous vegetation and habitat on private land is protected, with landowner support. Efficient – application of policy and controls is limited to significant areas. This will be sustainable through support by landowners. Benefits – protects life-supporting capacity of ecosystems, ecological values, amenity values, and the natural environment. Costs – compliance costs to developers; may reduce development potential of some land. Costs to council of communicating with landowners and publishing information, and monitoring costs.

<p>(Karangahake Gorge Zone) 5.5.2(1)(a) (iii) Protect areas of indigenous vegetation and habitats of indigenous fauna (significant natural areas). (iv) Ensure the erection of <i>buildings, earthworks</i> and removal of vegetation does not detract from the outstanding landscape character and amenity values of the Karangahake Gorge. (v) Encourage and recognise private landowner initiatives to protect identified significant natural areas.</p>	
<p>(Coastal Zone) 5.4.2(1)(a) (iii) Protect areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna (Significant Natural Areas). (iv) Ensure the erection of <i>buildings, earthworks</i> (particularly cuttings associated with creating access tracks) and removal of <i>indigenous vegetation</i> does not detract from the significant landscape character of the coastal environment, particularly along the margins of the coast, estuaries, rivers and streams.</p>	

<p>Biodiversity & Significant Natural Areas)</p> <p>6.2.3 (1) (a)</p> <p>(i) Ranking natural areas in terms of their relative significance using recognised methods.</p> <p>(ii) Providing incentives and development opportunities where protection and management of natural areas of ecological significance is obtained.</p> <p>(iii) Protection of Significant Natural Areas through the use of regulation.</p> <p>(iv) By progressively improving the level and accuracy of information on Significant Natural Areas, so that it can be effectively used for information, education and regulatory methods and monitoring.</p> <p>6.2.3(2)(a)</p> <p>(i) By managing the scale, intensity, and location of subdivision and land development activities in a way that avoids, remedies or mitigates adverse effects on areas of indigenous vegetation.</p> <p>(ii) Manage the protection and enhancement of ecosystems of importance for both the natural processes they offer and any ecological benefits in terms of connectivity, buffering or the provision of habitat for threatened species and for cultural reasons (traditional associations with indigenous biodiversity) through the subdivision and land use consent process.</p> <p>6.2.3(3) (a)</p> <p>(ii) Maintaining communication with affected landowners, Department of Conservation, iwi and other organisations who can assist in the management and conservation.</p> <p>(iii) Ensuring that information obtained and other legislative means of protection are readily available to the public.</p>	<p>Effective – policies achieve objective 6.2.3 (1), (2) & (3) by ensuring that the indigenous vegetation and habitat to be protected is ranked according to a recognised system, and that there is public and stakeholder support and assistance for the protection measures.</p> <p>Efficient – application of policy and controls is limited to identified “significant” areas. Incentives and publicity ensure that protection efforts will be sustainable through support by landowners, stakeholders and the public.</p> <p>Benefits – protects life-supporting capacity of ecosystems, ecological values, amenity values, and the natural environment.</p> <p>Costs – compliance costs to developers; may reduce development potential of some land. Costs to council of providing incentives, costs of communicating with landowners, Department of Conservation, iwi; costs of publishing information.</p>
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<p>(Conservation (Indigenous Forest) Zone 5.2.2 (1-3) (a) (i) Recognise in the administration of the [Conservation Indigenous Forest] zone the protection of the botanical and wildlife values, natural character and soil and water protection roles of the zone. (ii) Maintain the net total area of indigenous vegetation cover including areas of regenerating indigenous vegetation. (iii) Minimise ground surface disturbance in the zone. (iv) Recognise that the conservation values of the Conservation (Indigenous Forest) Zone may vary within the zone.</p>	<p>Effective – policies achieve objective 5.2.2(1), (2) and (3) by ensuring that the conservation values of land within the Conservation Indigenous Forest zone are recognised and provided for. Efficient – identifies specific land to form Conservation (Indigenous Forest) Zone to indicate priority given to protection efforts, and to ensure sustainable management through support by Department of Conservation, stakeholders and the public. Benefits – protects life-supporting capacity of ecosystems, ecological values, amenity values, and the natural environment. Costs – Department of Conservation management costs. Minor costs to council</p>
<p>5.2.2(4)(a) (i) Recognise that the Department of Conservation and the District <i>Council</i> may carry out emergency, conservation protection, enhancement works and where appropriate provide and manage recreational facilities within the <i>zone</i> on public land which is the responsibility of those bodies. (ii) Avoid, remedy or mitigate the adverse effects of activities that have the potential to compromise, damage or destroy the indigenous vegetation ecosystems or the amenity values of adjacent land uses.</p>	<p>Effective – policies achieve objective 5.2.2(4) by ensuring that the conservation values of land within the Conservation Indigenous Forest Zone are properly managed by responsible agencies. They also ensure that the amenities of adjacent land users (including infrastructure items) are not adversely affected by activities in the zone. Efficient – allows for management activities by responsible agencies. Benefits – protects life-supporting capacity of ecosystems, ecological values, amenity values, and the natural environment. Protects adjacent land uses. Costs – Department of Conservation and council management costs.</p>
<p>Conservation (Wetland) Zone 5.3.2(1-3)(i) Recognise in the administration of the [Conservation Wetland] zone, the protection of botanical and wildlife values, the natural character and flood control functions of the area. (ii) Maintain and manage the existing indigenous vegetation cover including areas of regenerating indigenous vegetation. (iii) Maintain and control ground levels.</p>	<p>Effective – policies achieve objective 5.3.2(1), (2) and (3) by ensuring that the conservation values of land within the Conservation Wetland Zone are recognised and provided for. The zoning recognises the importance of the wetland complex as a wildlife habitat of international significance, its conservation value in terms of being the largest lowland peat bog which still remains in New Zealand and which still retains its original vegetation, and its natural hydrological function in the flood management of the catchment. (Note – flood control policies separately evaluated under Natural Hazards.) Efficient – identifies specific land to form Conservation Wetland Zone to indicate priority given to protection efforts, and to ensure sustainable management through support by Department of Conservation, stakeholders and the public. Benefits – protects life-supporting capacity of ecosystems, ecological values, amenity values, and the natural environment. Costs – Department of Conservation management costs. Minor costs to council.</p>

<p>5.3.2(4-5) (a)(i) Recognise that the Department of Conservation may carry out emergency, conservation protection, enhancement and enjoyment works within the [Conservation Wetland] zone.</p> <p>(ii) Avoid, remedy or mitigate the adverse effects of activities on adjacent land uses.</p>	<p>Effective – policies achieve objective 5.3.2(4-5) by ensuring that the conservation values of land within the Conservation Wetland Zone can be properly managed by responsible agencies. They also ensure that the amenities of adjacent land users (including infrastructure items) are not adversely affected by activities in the zone.</p> <p>Efficient – allows for management activities by responsible agencies.</p> <p>Benefits – protects life-supporting capacity of ecosystems, ecological values, amenity values, and the natural environment. Protects adjacent land uses.</p> <p>Costs – Department of Conservation and council management costs</p>
<p>5.14.3(2)(a)(i) (Reserve zone) Provide for active and passive recreation opportunities, as well as protection of ecological, historic and other environmental resources.</p>	<p>Effective – policies achieve objective 5.14.3(2) by ensuring that the conservation values of land can be properly managed by responsible agencies, by providing the option of reserve zoning.</p> <p>Efficient – allows for reserve zoning as a management option in appropriate cases.</p> <p>Benefits – protects life-supporting capacity of ecosystems and the natural environment.</p> <p>Costs – Council management costs, development restrictions on some land.</p>

4.8.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.8.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions.

Topic Number	Topic Name	File Reference Number
2.1	Rural Issues/Zone/Landscape protection Area/Map Changes	788612
2.2	Coastal Issues/Zone/Map Changes	788931
2.3	Karangahake Gorge Issues/Zone/Map Changes	791201
2.4	Rural, Coastal & Karangahake Gorge Zones - Subdivision	788615
5	Reserves – General/Zones/Subdivision/Map Changes	791236
9.1	Indigenous Biodiversity –	791256

	Issues/General	
9.2	Indigenous Biodiversity – Significant Natural Areas	791261
9.3	Indigenous Biodiversity - Subdivision	791263
10	Outstanding & Significant Natural Features & Landscapes	789044

4.8.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural Issues/Zone/Landscape protection Area/Map Changes	788612
2.2	Coastal Issues/Zone/Map Changes	788931
2.3	Karangahake Gorge Issues/Zone/Map Changes	791201
2.4	Rural, Coastal & Karangahake Gorge Zones - Subdivision	788615
5	Reserves – General/Zones/Subdivision/Map Changes	791236
9.1	Indigenous Biodiversity – Issues/General	791256
9.2	Indigenous Biodiversity – Significant Natural Areas	791261 869292
9.3	Indigenous Biodiversity - Subdivision	791263
10	Outstanding & Significant Natural Features & Landscapes	789044

4.8.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural Issues/Zone/Landscape protection Area/Map Changes	939390
2.2	Coastal Issues/Zone/Map Changes	929391
2.3	Karangahake Gorge Issues/Zone/Map Changes	929392
2.4	Rural, Coastal & Karangahake Gorge Zones - Subdivision	929393
5	Reserves – General/Zones/Subdivision/Map Changes	929403
9.1	Indigenous Biodiversity – Issues/General	929407
9.2	Indigenous Biodiversity – Significant Natural Areas	929408
9.3	Indigenous Biodiversity - Subdivision	929409
10	Outstanding & Significant Natural Features & Landscapes	929411

4.8.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural Issues/Zone/Landscape protection Area/Map Changes	929390
2.2	Coastal Issues/Zone/Map Changes	929391
2.3	Karangahake Gorge	929392

	Issues/Zone/Map Changes	
2.4	Rural, Coastal & Karangahake Gorge Zones - Subdivision	929393
5	Reserves – General/Zones/Subdivision/Map Changes	929403
9.1	Indigenous Biodiversity – Issues/General	929407
9.2	Indigenous Biodiversity – Significant Natural Areas	929408
9.3	Indigenous Biodiversity - Subdivision	929409
10	Outstanding & Significant Natural Features & Landscapes	929411

4.9 PROTECTION OF RURAL LAND

4.9.1 RESOURCE MANAGEMENT ISSUE – RURAL

The “Rural Position Paper” considered at Workshop 3 (12 September 2005) outlined the background to the issue, the approach in the operative district plan and the resource management issues. In summary these are as follows:

Background to the issue:

Most of the land in the District, outside of the towns and townships is zoned Rural, the balance is zoned Conservation or Reserve.

The rural land resource is one of the most valued of the natural and physical resources in the District.

As such the framework for, and the rules of, the District Plan for rural subdivision are of major significance to the future of the District and the land resource.

Significant Resource Management Issues

The significant issues for the rural area are set out in the papers presented at Workshop 3 in September 2005. These are attached to this paper as Appendix 1 and 2.

The issues can be summarised under 2 main headings:

- *Protection of the productive capacity of the land, and*

➤ *Rural Amenity.*

As noted above, the control of subdivision has a significant role to play in relation to both these issues.

These issues are articulated in the current District Plan in more detail, with statements ranging from:

“Facilitating the productive use of land in a sustainable manner”; “provision for activities which facilitate the economic and social wellbeing of the rural community”; “provision for a range of farming activities, from intensive agriculture and horticulture activities through to casual or hobby farming, as well as lifestyle opportunities” to “maintenance of an open rural landscape, including limitations on the scale and location of buildings and physical structures, and other features (e.g. signs); avoiding, remedying or mitigating visual and amenity impacts of development”

An additional issue that has arisen since the current District Plan was developed is that of climate change and sea level rise.

This has particular significance for parts of the District such as the Hauraki Plains, Paeroa and Whiritoa.

Pressure and potential pressure for large scale subdivision e.g. to subdivide entire farms (class IV –VI land) into lots of 5000m² to 1-2 hectares is starting and is likely to continue. This would result in “Rural Residential” like clusters in the rural zone, raising significant servicing issues and creating an entirely different character to the area.”

4.9.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

The “Rural Position Paper” considered the manner in which the Operative District Plan has worked and set out the policy direction options and recommendations. The policy direction options and recommendations were as follows;

The anticipated environmental results and overall objectives of limiting fragmentation of productive land and maintaining the open rural character are still valid and achievable for the rural land resource of the District.

While the methods to achieve these, principally the rules, have been reassessed and amended through Plan Change No 4, further amendments could be made to better achieve the overall objective and to improve the workability of the rules for Council and subdividers alike.

In addition issues such as climate change and sea level rise need to be addressed and provided for through the District Plan.

It is therefore recommended that staff be asked to further investigate and report on :

- Climate change
- Financial contributions
- Activity status
- Rules for lifestyle lot subdivision – particularly number of lots, title date, size of lots and

additional rules to better achieve the overall objective.

- The possibility of providing for large scale “rural residential” type development, throughout or in defined areas of the Rural Zone.
- The minimum lot size on high quality land (Class I – III)

4.9.3 ADOPTED POLICY DIRECTION

Section 2.8 of the Document titled “Update on Workshop Outcomes & Policy Directions” presented at Workshop 26, details the policy direction for Rural as follows;

1. *Protecting the productive capacity of high quality land is to continue to be the district plan policy direction. However, this needs to be refined to apply to geographic areas (e.g. Plains, Waihi Basin) rather than strict adherence to Classes I – III land. Standards (both subdivision and development) to be reviewed to restrict subdivision to larger lots; and ensure land is not compromised by building coverage.*
2. *Small lot subdivision still to be provided within high quality soils areas, provided productive land is not taken out of production.*
3. *Rural Residential development – refer to 2.5.11 above.*
4. *Subdivision standards for subdivision of hill country (lifestyle) subdivision to be reviewed with respect to enabling longer accessways; discouraging rows of houses along the road frontage; and lesser road upgrading standards.*
5. *Subdivision standards to be reviewed to encourage subdivision that includes covenanting/protection of indigenous vegetation (e.g. tradeable development rights).*

The adopted policy direction can be achieved objectives, policies and rules that control the extent and location of development through subdivision standards.

4.9.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective	Summary of evaluation
5.1.2(1) (Rural zone) To ensure a range of compatible rural land use activities can be undertaken, which benefit from the productive potential, location and rural character of the zone.	This objective is most appropriate to promote the sustainable management of rural land. The objective seeks to sustain the potential of all rural land to provide for the needs of future generations. The objective will facilitate productive uses of land that are compatible with retaining the open character and amenity of the rural area and which promote the sustainable management of the physical and natural resources of the rural area. The objective also recognises that in addition to traditional farming and forestry activities there is a need to accommodate a diverse range of opportunities for land uses that enhance the social, economic and cultural wellbeing of the rural community. The objective recognises that some of these activities may have adverse effects that are incompatible with each other and need to be managed to ensure the effects do not detrimentally impact on

	the natural environment, other rural activities or the amenities of existing residents.
5.1.2 (5) (Rural zone) To ensure that any adverse effect of a land use activity on the environment or on the amenities of neighbours is avoided, remedied or mitigated.	This objective is most appropriate to promote the sustainable management of rural resources because it provides for the management of effects of the various land uses establishing in the rural zone that might otherwise be incompatible. This promotes the three well-beings referred to in section 5 RMA.
9.1.3(1),(3) – (7) Refer to 4.23 below.	

4.9.5 POLICIES MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES	
Policies	Effectiveness and Efficiency
	Benefits and Costs
<p>(Rural Zone)</p> <p>5.1.2(1)(a)(i) Rural activities that require the use of land with productive capability should be able to locate on land with such value.</p> <p>(ii) Land use activities which do not rely on land with high productive capability (including urban development and rural lifestyle activities) should not be sited on land with high productive capability, except where the character, scale and intensity of those activities ensures that the land remains available for other activities in future that can utilise its high productive capability.</p> <p>(iii) Ensure <i>buildings</i> (including <i>dwellings</i>) and rural activities maintain the <i>amenity value</i> of a predominantly open rural character and the productive use of the land.</p> <p>(iv) Protect significant natural areas and outstanding natural features and landscapes.</p> <p>(v) Activities with a functional or legitimate need for a rural location should not be established in rural areas unless they are able to be undertaken without constraining the lawful operation of rural production activities which are carried out in accordance with accepted management practices.</p> <p>(vi) Protect areas of cultural, historic and archaeological significance and areas of high scenic and landscape quality.</p>	<p>Effective – policies achieve objective 5.1.2(1) by addressing important elements of sustainable management – the 3 well-beings and life supporting capacity of soil. The rural zone includes land with high productive capability, which is a scarce, finite resource, and particularly valuable because it has the greatest life-supporting capacity and special provision is made for that land.</p> <p>Efficient – encourages rural uses that use land for its productivity; allows for flexibility of outcome, recognising the competing interests and values in the rural zone; emphasises value of land with high productive capability.</p> <p>Benefits – protects amenity values, promotes economic, cultural and social wellbeing, rural character, protects heritage, protects significant ecological areas and outstanding landscapes, and ensures future availability and life supporting capacity of the land resource.</p> <p>Costs – Compliance costs to developers; may reduce development potential of some land.</p>
5.1.2 (5)(a) (i) Require that all effluent is able to be safely disposed of and	<p>Effective – policies achieve objective 5.1.2(5) by addressing the 3 well-beings and amenity values in the rural zone.</p> <p>Efficient – encourages rural uses that use land for its</p>

<p>there is no associated smell nuisance from effluent or any other aspect of the activity.</p> <p>(ii) Ensure the implications of land use activities for the roading network (especially the safety and efficiency) are properly addressed.</p> <p>(iii) Require off-street parking and loading facilities, and safe vehicle access to be provided and constructed so as to maintain the safety and efficiency of the adjacent transport network, and to prevent dust and other nuisance.</p> <p>(iv) Other adverse effects (e.g. noise, smell, glare, vibration, visual) on the environment and amenity of the District (not only the rural areas) should preferably be avoided, or at least remedied or mitigated.</p> <p>(v) Control development in hazard areas.</p>	<p>productivity; allows for flexibility of outcome, recognising the competing interests and values in the rural zone; emphasises value of land with high productive capability.</p> <p>Benefits – protects amenity values; promotes economic, cultural and social wellbeing, rural character, safety and efficiency of road network.</p> <p>Costs – Compliance costs to developers; may reduce development potential of some land.</p>
<p>9.1.3(1), (3) – (7)(a) Policies Refer to 4.23 below.</p>	

4.9.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.9.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural Issues/Zone/Landscape protection Area/Map Changes	788612
2.4	Rural, Coastal & Karangahake Gorge Zones - Subdivision	788615
22.1	Subdivision – For All Zones	791340

4.9.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural Issues/Zone/Landscape protection Area/Map Changes	788612
2.4	Rural, Coastal & Karangahake Gorge Zones - Subdivision	788615
22.1	Subdivision – For All Zones	791340

4.9.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural Issues/Zone/Landscape protection Area/Map Changes	929390
2.4	Rural, Coastal & Karangahake Gorge Zones - Subdivision	929393
22.1	Subdivision – For All Zones	929434

4.9.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural Issues/Zone/Landscape protection Area/Map Changes	929390
2.4	Rural, Coastal & Karangahake Gorge Zones - Subdivision	929393
22.1	Subdivision – For All Zones	929434

4.10 PROVISION FOR RESERVES AND RECREATION ACTIVITIES

4.10.1 RESOURCE MANAGEMENT ISSUE – RESERVES AND RECREATION ACTIVITIES

The “Reserves Position Paper” considered at Workshop 8 (21 August 2006) set out the main resource management issue at Section 1, in respect of recreation and reserves as being:

“Reserves provide a valuable contribution to the health and well being of the community, enhance the natural and physical environment and contribute to the overall amenity of the District.”

Reserves are one of those natural or physical resources that are part of amenity values. Section 7(c) RMA directs that Council have particular regard to “*The maintenance and enhancement of amenity values*” and that the manner in which reserves are provided for in a district plan can recognise and provide for matters set out in Section 6 (e.g. preservation of the coastal environment).

In addition, the provision for reserves in a district plan, is one of the ways in which the Council can recognise and provide for all the matters in Section 6 RMA, which in summary include:

- preservation of the coastal environment, wetlands, lakes and rivers and their margins;
- protection of areas of significant indigenous vegetation and habitats of indigenous fauna;
- maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers; and
- protection of historic heritage

4.10.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

The “Reserves Position Paper” considered the manner in which the Operative District Plan has worked (Section 3) and set out the policy direction options and recommendations in Section 7. The recommended policy direction was as follows;

“The Operative District Plan provisions should be updated to:

- *Remove unnecessary explanation;*
- *Focus the wording of objectives and policies;*
- *Include provisions to address landscape and visual amenity issues;*
- *Include provisions that provide for activities undertaken in accordance with an operative reserve management plan outside the District Plan to be in compliance with*

the District Plan; and

- *Review the zoning of all reserves (including esplanade reserves) to ensure that the appropriate zoning is applied to reflect the current and likely function of the reserve.”*

4.10.3 ADOPTED POLICY DIRECTION

Section 2.10 of the Document titled “Update on Workshop Outcomes & Policy Directions” presented at Workshop 26, details the policy direction for Reserves as follows;

- “1. *General approach in the District Plan of an active and passive zone to continue.*
2. *Review of the appropriate zone needs to be carried out (e.g. Whiritoa).”*

4.10.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective Reserve Zones	Summary of evaluation
5.14.3 (Reserve Zones) (1) To provide for the reserve needs of the community in order to promote the health and wellbeing of the populace. (2) To protect natural and physical resources that are matters of national importance or are of significant value to the community.	These objectives are most appropriate to achieve the purpose of the RMA because they maintain and enhance a variety of natural and physical reserve resources that contribute to the health and well-being of the natural environment and the community.
Objective – Reserve (Active) Zone	Effectiveness and Efficiency
5.15.2 (1) To provide for a variety of passive and active recreational and social uses compatible with both the functions of the reserve and the amenities of the reserve.	This objective is most appropriate to achieve the purpose of the RMA because it provides for reserve land to have a wide range of active and passive uses, which contribute to the health and well-being of the community. Active reserves supply particular needs for recreational activities, and the physical structures and other facilities (e.g. playing courts, parking areas) required for these.
5.15.2 (2) To conserve those natural features which contribute significantly to the amenities of the reserve.	This objective is most appropriate to achieve the purpose of the RMA because it provides for the conservation and management of natural features within active reserves, which contribute to the amenities of the reserve, and social well-being. Some active reserves include natural features (e.g. boundary along a stream edge) and rather than splitting these features into a Reserve (Passive) zone, the features can be recognised within the overall reserve.
5.15.2 (3) To safeguard the safety and efficiency of the road network and the health, amenity and general welfare of adjoining or nearby residents from the detrimental effects of some reserve activities.	This objective is most appropriate to achieve the purpose of the RMA because it promotes the amenity of the locality of each reserve, including the safety and the efficiency of the road network. Most active reserves in the District are well established and the activities adjoining or nearby have established in that knowledge. However, the objective recognises that recreational activities should still avoid, remedy or mitigate their adverse effects where necessary.

Objective – Reserve (Passive) Zone	Effectiveness and Efficiency
<p>5.16.2 (Reserve (Passive) Zone)</p> <p>(1) To provide for passive recreation and reserve activities that enhance the function of the reserve itself and contribute to its amenity.</p> <p>(2) To limit physical structures to those which either add to the public's enjoyment of the reserve or enhance the environment of the reserve, without significantly detracting from the amenities of the reserve and the surrounding area.</p>	<p>This objective is most appropriate to achieve the purpose of the RMA because it provides for reserve land with either conservation values or other high amenity values (e.g. peace and quiet), which contribute to the health and well-being of the natural environment and the community. Differentiating passive reserves from those where more active pursuits are suitable provides a clear indication of the uses to be undertaken on each reserve. The restriction on physical structures ensures that the open space amenity value of passive reserves is enhanced.</p>

4.10.5 POLICIES MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES	
Policies	Effectiveness and Efficiency
Policies – Reserve Zones	Summary of evaluation
<p>5.14.3 (1-2) (Reserve Zones)</p> <p>(a)(i) Provide for active and passive recreation opportunities, as well as protection of ecological, historic and other environmental resources.</p> <p>(ii) Recognise that the reserve zones are general "back stop" mechanisms for managing reserves, and that for example, the management plan process under the Reserves Act 1977 provides the mechanism to deal with the management of individual reserve areas.</p>	<p>Effective – achieve objectives 5.14.1(1-2) by providing for a wide range of activities, and leaving detailed management to processes under the Reserves Act 1977. Protection of specific historic, scenic, cultural, natural, physical and scientific features can be achieved within the provisions of the zones.</p> <p>Efficient – avoids having two sets of statutory processes applying to the same management issues.</p> <p>Benefits – protects heritage values, and environment.</p> <p>Costs – Minor compliance costs.</p>
Policies – Reserve (Active) Zone	Summary of evaluation
<p>5.15.2(1)(a)(i) Provide for buildings or structures to be used for multiple use recreation activities where that is possible and practicable.</p> <p>(ii) Recognise that social and commercial activities are an integral part of larger scale recreation activities.</p> <p>(iii) Encourage both active and passive reserve activities.</p> <p>(iv) Recognise that the management plan process under the Reserves Act 1977 provides the mechanism to deal with the detailed management of individual reserves.</p>	<p>Effective – achieves objective 5.15.2(1) by providing for a wide range of activities, including buildings and social and commercial activities, and leaving detailed management to processes under the Reserves Act 1977.</p> <p>Efficient – allows active reserve resources to be used to maximum value to the community. Day to day management through Reserves Act process more efficient than detailed management through district plan.</p> <p>Benefits – promotes community wellbeing.</p> <p>Costs – Management costs to landowner; compliance costs in cases where resource consents are necessary.</p>
<p>5.15.2 (2)(a) (i) Identify, protect</p>	<p>Effective – achieves objective 5.15.2(2) by providing for the</p>

and conserve trees, bush, landscape, scientific, wildlife, botanical, historic or scenic features of value. (ii) Protect the topography and landforms within the reserve from detrimental modification.	conservation and management of natural and other features within active reserves, which contribute to the amenities of the reserve and social well-being. Efficient – performance standards in plan allow for predictable reserve management. Benefits – protects amenity values, environmental values stated. Costs – Compliance costs in cases where resource consents are necessary.
5.15.2(3)(a)(i) Ensure that recreation activities with potential to attract significant traffic and generate significant adverse amenity effects on surrounding sensitive land uses are appropriately managed. (ii) Control the design and appearance of buildings and structures on the reserves.	Effective – achieves objective 5.15.2(3) by requiring activities to comply with performance standards, and ensuring proposed activities are properly assessed for adverse effects. Efficient – performance standards in plan allow for predictable resource management. Benefits – protects amenity values of locality, environment, health and safety. Costs – Compliance costs in cases where resource consents are necessary.
Policies – Reserve (Passive) Zone	Summary of evaluation
5.16.2(1)(a)(i) Identify, protect and conserve trees, bush, landscape, scientific, wildlife, botanical, historic or scenic features of value. (ii) Protect the topography and landforms within the reserve from inappropriate modification.	Effective – achieves objective 5.16.2(1) by identifying and protecting land with high conservation and other values. Efficient – only land with specific values affected. Benefits – protects land with stated values. Costs – Reduced development potential of some land; compliance costs in cases where resource consents are necessary.
5.16.2(2)(a) (i) Control the design, appearance, number and location of buildings and structures on the reserves. (ii) Ensure that buildings and structures do not dominate or detract from the open space and /or environmental qualities of the reserve and surrounding area.	Effective – achieves objective 5.16.2(2) by ensuring that development is properly assessed for the effects on the stated values of the site. Efficient – only land with specific values affected. Benefits – protects land with stated values. Costs – Reduced development potential of some land; compliance costs in cases where resource consents are necessary.

4.10.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.10.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
5	Reserves – General/Zones/Subdivision/Map Changes	791236

4.10.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
5	Reserves – General/Zones/Subdivision/Map Changes	791236

4.10.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
5	Reserves – General/Zones/Subdivision/Map Changes	929403

4.10.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
5	Reserves – General/Zones/Subdivision/Map Changes	929403

4.11 MINERAL EXTRACTION

4.11.1 RESOURCE MANAGEMENT ISSUE – MINERAL EXTRACTION

The “Mineral Extraction Position Paper” considered at Workshop 6 (12 June 2006) provided the background to the issue in Section 1 and then in Section 4 identified the

significant resource management issues as follows;

“The main issue of providing for mineral extraction activities while ensuring that the adverse effects of mineral utilisation are managed in a way that provides an appropriate level of protection for the District’s other resources, amenities and ecosystems, still remains.

It is known that ore reserves are being proven in and around Waihi and the Karangahake Gorge vicinity. There is potential for the landscape and heritage importance of the Karangahake Gorge to be in conflict with possible mineral extraction potential.

The use of the prohibited activity status for surface mining has come in for substantial legal challenge (currently at the Court of Appeal) as a result of submissions to the Proposed Thames Coromandel District Plan. The use of the technique in the Hauraki District Plan was discussed in the Environment Court decision on this matter in a generally favourable light. The Court was concerned with wording that indicated the prohibited activity status was being used to encourage private plan changes to enable provisions for surface mining to be introduced into the District Plan.”

4.11.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

The “Mineral Extraction Position Paper” considered the manner in which the Operative District Plan has worked (Section 3) and set out the policy direction options and recommendations in Section 7. The policy direction options and recommendations were as follows;

“7.1 The Martha Mineral and Golden Cross Zones, EMMA, anticipated environmental results, objectives, policies and rules still appropriately address the resource management issues surrounding mineral extraction.

Recommendation

No change other than amendment to the description of the prohibited activity technique to coincide with the Environment Court Decision.

7.2 There is potential conflict between the outcome of the landscape and indigenous vegetation analysis, in terms of the appropriate accommodation of mineral extraction.

Recommendation

The implication of mineral extraction provisions be considered as part of Council’s analysis of the policy direction for landscape and indigenous vegetation.”

4.11.3 ADOPTED POLICY DIRECTION

Section 2.2 of the Document titled “Update on Workshop Outcomes & Policy Directions”

presented at Workshop 26 (17 December 2007), details the policy direction for Mineral Extraction as follows;

- “1. *Current approach in the District Plan to be carried forward.*
3. *Review the need for the Martha & Golden Cross Zones – initial consideration is that they need to be retained, but need to provide for future uses.*
4. *Incorporate the “Hazards Zone” work by IGNS.*
5. *Status of mining applications in the Conservation (Indigenous Forest) Zone needs to be clarified.*
6. *Undertake consultation with minerals industry.”*

4.11.4 OBJECTIVE <u>MOST APPROPRIATE</u> TO ACHIEVE THE PURPOSE OF THE RMA	
Objective	Summary of evaluation
5.1.2(4) (Rural Zone) To provide for the investigation and utilisation of mineral resources including on-site processing and use of these resources by associated industries.	This objective is the most appropriate because it ensures that minerals are identified and accessible. Access to and processing of minerals is important for economic and social well-being.
5.2.2(5) (Conservation (Indigenous Forest) Zone) To facilitate further investigation of the location, type and extent of <i>mineral</i> resources, in a manner that is consistent with other objectives and policies of the <i>zone</i> . 5.2.2(6) To avoid, remedy or mitigate any adverse effects of <i>prospecting, exploration</i> and <i>mining</i> activities.	These objective are the most appropriate because it ensures that minerals are identified and accessible. Whilst access to the minerals is important for economic and social well-being, there is a need to balance this against the significant biodiversity values of the zone as a matter of national importance.
5.17.2 (1) (Martha Mineral Zone) (1) To provide for the utilisation of the mineral resource in a sustainable manner.	This objective is the most appropriate because it promotes the utilisation of the Martha mineral resource in a manner that promotes sustainable management. It encompasses site rehabilitation for a sustainable environment, and protects amenity and social and economic well being of the residents of Waihi and the wider District.
5.18.2 (1) (Golden Cross Mineral Zone) To enable the closure and rehabilitation of the Golden Cross mine project to be completed in an environmentally sustainable manner.	This objective is the most appropriate because it ensures closure and rehabilitation of the area is completed, such that the long term uses of the area provide an appropriate and sustainable environment.

4.11.5 POLICIES THE MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES

Policies	Effectiveness and Efficiency Benefits and Costs
<p>5.1.2(4)(a)(i) (Rural Zone) Require that the adverse effects of mineral investigation, extraction activities (including overburden cleanfills) and associated industrial activities be avoided, remedied or mitigated.</p> <p>5.1.2(4)(a)(ii) (Rural Zone) Recognise that the voids created by mining activities may be appropriate for a range of other uses (including recreational and industrial) and to allow for such uses in a manner where adverse effects are avoided, remedied or mitigated</p>	<p>Effective – achieves objective 5.1.2(4) by ensuring proposed mineral investigation and extraction activities is properly assessed for adverse effects.</p> <p>Efficient – broad controls are necessary because of the unpredictable and sometimes large scale adverse effects of mineral extraction.</p> <p>Benefits – protects amenity values, environment, health and safety. Recognises that there is potential for mineral extraction sites to be a physical resource for future development.</p> <p>Costs – Compliance costs to developers; may reduce development potential of some land.</p>
<p>5.2.2(5) & (6)(a) (Conservation (Indigenous Forest) Zone)</p> <p>(i) Objectives 5 and 6 will be achieved by implementation of the above relevant policies for the zone.</p>	<p>Effective – achieves objectives 5.2.2(5) & (6) by ensuring proposed mineral investigation and extraction activities is properly assessed for adverse effects taking into account the significant landscape, biodiversity, cultural and amenity values of the zone.</p> <p>Efficient – broad controls are necessary because of the unpredictable and sometimes large scale adverse effects of mineral extraction.</p> <p>Benefits – protects amenity values, environment, health and safety. Recognises that there is potential for mineral extraction sites to be a physical resource for future development.</p> <p>Costs – Compliance costs to developers; may reduce development potential of some land.</p>
<p>5.17.2 (1) (Martha Mineral Zone) policies:</p> <p>(i) Recognise the development of the mine and its processing areas, its ongoing rehabilitation and its longer term likely uses.</p> <p>(ii) Provide for the social, economic and cultural well being of the people of the District and for their health and safety.</p> <p>(iii) Ensure that the amenity values of Waihi and the wider community are protected.</p> <p>(iv) Recognise that the risks associated with the historic underground working areas require a mixture of approaches to avoid, remedy or mitigate those hazards and provide for appropriate longer term land use activities</p>	<p>Effective – achieves objective 5.17.2(1) by ensuring minerals are utilised.</p> <p>Efficient – specific to Martha site.</p> <p>Benefits – protects amenity values, environment, health and safety; promotes social, economic and cultural well being.</p> <p>Costs – Compliance costs to developers; may reduce development potential of part of land.</p>
<p>5.18.2 (1) (Golden Cross Mineral Zone) (a) Policy: (i) Ensure the provisions of the District Plan do not hinder the ongoing closure and rehabilitation of the site.</p>	<p>Effective – achieves objective 5.18.2(1) by giving priority to closure and rehabilitation of the mine site.</p> <p>Efficient – specific to Golden Cross site, facilitates closure and rehabilitation.</p> <p>Benefits – reduces consenting costs in relation to closure and rehabilitation.</p> <p>Costs – Some compliance costs of closure and rehabilitation processes inevitable because of complexity of issues; monitoring costs.</p>

4.11.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.11.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural Issues/Zone/Landscape protection Area/Map Changes	788612
4	Extractive Industry – Issues/Martha Mineral Zone/Golden Cross Mineral Zone	791225
9.2	Indigenous Biodiversity – Conservation Zones	791261

4.11.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural Issues/Zone/Landscape protection Area/Map Changes	788612
4	Extractive Industry – Issues/Martha Mineral Zone/Golden Cross Mineral Zone	791225 869294
9.2	Indigenous Biodiversity – Conservation Zones	791261

4.11.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural Issues/Zone/Landscape protection Area/Map Changes	929390
4	Extractive Industry – Issues/Martha Mineral Zone/Golden Cross Mineral Zone	929402
9.2	Indigenous Biodiversity – Conservation Zones	929408

4.11.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural Issues/Zone/Landscape protection Area/Map Changes	929390
4	Extractive Industry – Issues/Martha Mineral Zone/Golden Cross Mineral Zone	929402
9.2	Indigenous Biodiversity – Conservation Zones	929408

4.12 SIGNS

4.12.1 RESOURCE MANAGEMENT ISSUE – SIGNS

The “Signs Position Paper” considered at Workshop 6 12 June 2006 provided the background to the issue in Section 1 and then in Section 4 identified the significant resource management issues as follows;

“Balancing provision for signs necessary for the promotion and functioning of activities in the District against the significant adverse effects they can have on amenities and traffic safety.

Depending on the outcome of the work on Historic Heritage and the approach Council adopts (i.e. non-regulatory), it may be necessary to consider controlling signs on or in front of heritage buildings to protect architecturally important and/or interesting building facades.”

4.12.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

The “Signs Position Paper” considered the manner in which the District Plan has worked (Section 3) and set out the policy direction options and recommendations in Section 7. The policy direction options and recommendations were as follows;

“7.1 The anticipated environmental results, objectives and policies still appropriately address the resource management issues surrounding signs.

Recommendation

No change

7.2 The detail of the rules needs to be considered and amendments made as necessary to minimise the need for specific consents while protecting the amenities and traffic safety.

Recommendation

Staff undertake an analysis of the rules with the view to making:

- the activity status of as many signs as either “permitted”, “controlled” or “restricted discretionary”; and*
- written approvals and public notification (either limited or full) only required in respect of “discretionary” and “non-complying” activities.*

7.3 The rules restrict the size and number of signs on a site, but do not control the content (e.g. size of letters, amount of information) of signs. This can result in a sign being “overcrowded”, which may create a traffic hazard.

Recommendation

Staff undertake an analysis of the rules to determine if larger sign provisions could be made, with the consequential balance being to manage the content of signs.”

4.12.3 ADOPTED POLICY DIRECTION

Section 2.3 of the Document titled “Update on Workshop Outcomes & Policy Directions” presented at Workshop 26 (17 December 2007), details the policy direction for Signs as follows;

“1. Current approach in the District Plan to be generally carried forward, but reviewed to

address minor issues (e.g. size of some signs too small).

2. Update to address prostitution and gambling provisions.”

4.12.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective	Summary of evaluation
7.5.4 (1) (Signs) To ensure there is a balance between the need to provide information and the need to ensure that signs do not adversely affect the natural and physical environment or the amenity values of the District.	This objective promotes sustainable management by acknowledging the positive and adverse effects of signs. The objective recognises that signage has positive effects in that it can generate important social and economic outcomes, but can also have adverse effects on natural and physical resources and amenity values. Sustainable management requires consideration of these competing interests.
7.5.4 (2) (Signs) To ensure that signs do not create traffic hazards nor impair the efficient functioning of State Highways and District Roads.	This objective focuses on road safety and efficiency, both of which can be compromised by signage. Safety is included in section 5 RMA, and the working of the road network is an important contributor to social and economic wellbeing.

4.12.5 POLICIES THE MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES

Policies	Effectiveness and Efficiency
	Benefits and Costs
7.5.4 (1) (a) (Signs) (i) Require all signs to be located on the subject site, except approved temporary, directional and off site signs. (ii) Limit the number and impact of signs by placing controls on the size, type, number and location of signs. (iii) Provide for temporary signs while ensuring that they do not remain on individual sites for excessive periods of time. (iv) Provide for directional signs relating to tourist attractions. (v) Require signs to be consistent with the amenities of the environment and the scale of the surrounding buildings. (vi) Avoid signs which obscure or detract from important visual aspects of the District, such as scenic views of the coast, rivers, landscape features or buildings of architectural or historic value. (vii) Encourage the amalgamation of signs onto one	Effective – achieves objective 7.5.4(1) by ensuring the policies address the potential adverse effects of signs on visual clutter, light spill, and other amenity effects. The policies recognise that characteristics of signs need to be responsive to different levels of sensitivity to the varying effects on amenity in different localities. Efficient – many signs will have minimal adverse effects and be allowed under these policies, thereby enhancing economic efficiency and wellbeing. Benefits – protects amenity values, and environment, while allowing positive economic outcomes. Costs – Compliance costs to developers; may reduce development potential of some land.

structure and/or the establishment of community notice boards providing travellers with information on public utilities and services and community facilities and attractions. (viii) Encourage a high standard of sign maintenance and appearance and ensuring signs are concise and legible.	
7.5.4(2) (a) (i) Ensure signs do not: (1) Obstruct driver's vision. (2) Cause confusion or distraction for drivers. (3) Create a situation which is hazardous to the safe movement of traffic.	Effective – achieves objective 7.5.4(2) by ensuring that signs do not create traffic hazards nor impair the efficient functioning of State Highways and District Roads. Efficient – apply only to signs with traffic safety impacts. Benefits – protects road safety, while allowing positive economic outcomes. Costs – Compliance costs to developers; may reduce development potential of some land.

4.12.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.12.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
16	Signs	791300

4.12.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
16	Signs	791300

4.12.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
16	Signs	929417

4.12.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
16	Signs	929417

4.13 NETWORK UTILITIES

4.13.1 RESOURCE MANAGEMENT ISSUE – NETWORK UTILITIES

The “Network Utilities Position Paper” considered at Workshop 8 (21 August 2006), advised that:

“The issue of primary concern is to recognise the key role played by network utilities in modern society and to ensure that there are no unreasonable restrictions on the operation of network utilities.

The installation and operation of some network utilities can give rise to adverse effects on the environment (particularly landscape and visual amenity effects) that need to be avoided, remedied or mitigated.

The recent proposal to construct high voltage electricity lines through the District has raised the issue that although such an activity would require either a discretionary activity resource consent application or a requirement to designate application, the current Hauraki District Plan is lacking with respect to robust landscape and visual amenity objectives, policies, rules and assessment criteria. The work being undertaken by Mary Buckland (LA4) and Burnette O’Connor (O’Connor Planning Consultancy) may require that new provisions be included for some environments.”

4.13.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

The “Network Utilities Position Paper” considered the manner in which the Operative District Plan has worked (Section 3) and set out the policy direction options and recommendations in Section 7. The policy direction options and recommendations were as follows;

“The “New Zealand Utilities Advisory Group” has undertaken the preparation of a best practice guide for how network utilities should be provided for in road corridors (“Network Utilities Within the Road Corridor – The Role of the Resource Management Act : A Guide to Best Practice(March 2004)”. The Guide includes discussion on developing a district plan policy framework around two broad categories of methods:

- Regulatory methods (rules) under the RMA; and*
- Non-RMA methods that depend on powers and processes external to the RMA.*

There are a number of non-RMA methods available and these include the following:

- Compliance with the Code of Urban Subdivision;*
- Corridor Management Plans (e.g. for network utilities within the road corridor); and*
- Compliance with NZS 4404:2004 Land Development and Subdivision Engineering*

Recommended Policy Direction

The use of non-RMA methods be investigated to manage network utilities that have a minor adverse effect on the environment. Part 3 of Schedule 1 to the RMA now provides that other documents (e.g. Code of Subdivision) can be incorporated into a proposed district plan by making reference to that document within the district plan. This means that compliance with another document outside the district plan can make the proposed development a permitted activity.

The Operative District Plan provisions should be updated to:

- Remove unnecessary explanation;*
- Focus the wording of objectives and policies;*
- Include provisions to address landscape and visual amenity issues; and*
- Include reference to documents outside the District Plan for compliance.*

A guideline document be prepared that is outside the District Plan and contains background information on regulatory and non-regulatory approaches to the management of network utilities.”

4.13.3 ADOPTED POLICY DIRECTION

Section 2.9 of the Document titled “Update on Workshop Outcomes & Policy Directions” presented at Workshop 26 (17 December 2007), details the policy direction for Network Utilities as follows;

“1. General approach in the District Plan to continue, subject to review to incorporate the outcomes from the Landscape Evaluation, particularly criteria to assess network utilities from a visual and landscape perspective.

2. Consultation to be undertaken with network utility operators.
3. Need to ensure consistency with proposed National Environmental Standards for Telecommunication Facilities and Transmission Lines should they be adopted.”

4.13.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective	Summary of evaluation
7.4.3 (1) (Network utilities) The efficient development, maintenance and upgrading of network utilities in a sustainable manner throughout the District, recognising their positive effects and benefits for the District, while avoiding, remedying or mitigating any adverse effects of network utilities on the environment.	This objective is most appropriate to achieve the purpose of the RMA because of the high contribution made by network utilities to social and economic wellbeing. In accordance with sustainable management, the objective facilitates utilities, subject to management of adverse effects on the environment.
7.4.3 (2) To avoid, remedy or mitigate adverse effects of land use, development and subdivision on network utilities, to ensure their ongoing safe, effective and efficient operation.	This objective accepts that network utilities are in themselves a physical resource to be managed sustainably. Management of adverse effects on utilities is thus appropriate.
7.4.3 (3) The sustainable utilisation and management of the District's natural and physical resources for electricity generation and associated necessary infrastructure whilst ensuring the adverse effects on the environment are avoided, remedied or mitigated	This objective Network utility services and sustainable energy generation facilities are efficiently and effectively provided for to meet the social and economic needs of communities within and outside the District. At the same time they should not adversely impact on the environment, in particular the amenities, landscape, recreational, cultural and biodiversity values of the area concerned.

4.13.5 POLICIES THE MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES

Policies	Effectiveness and Efficiency Benefits and Costs
7.3.3 (1) Policies (b) Relate the scale, nature and effects of the network utility activity, to its compatibility with the area concerned. (c) Recognise that there is equipment associated with network utility reticulation (usually located above ground), which also needs to be provided for without adversely affecting the amenity, landscape, cultural, heritage and biodiversity values of the area they are located in. (d) Network utilities should be developed, operated, maintained	Effective – achieves objective 7.3.3(1) by ensuring availability of utilities while managing a range of adverse effects. The policies recognise that utilities designs need to be responsive to localities that are sensitive to development and mitigate impacts on amenity, landscape, cultural, heritage and biodiversity values. Efficient – Encourages design of subdivision and development to facilitate utilities. Encourages co-siting where practical. Benefits – ensures utilities are available to meet public needs; protects amenity values, environment, health and safety. Costs – Compliance costs to developers and utility operators; some loss of amenity.

<p>and upgraded to avoid, remedy or minimise the generation and/or emission of nuisance effects such as noise, light, vibration, odour or hazardous substances.</p> <p>(e) Ensure that subdivision proposals include appropriate provision for network utilities (including services, access and infrastructure).</p> <p>(f) Encourage new development in areas that can be readily and economically serviced by network utilities.</p> <p>(g) Recognise that for road realignments not involving severance(s), and works specifically associated with roads (such as signs, road markings, laybys, rest areas) there are minor if any adverse effects.</p> <p>(h) Encourage the co-siting of equipment where practical (e.g. telecommunication and electricity facilities). The co-siting of lines is generally recognised as impractical due to safety, operational, technical and access reasons.</p>	
<p>7.3.3 (2) (a) Policy (i) To ensure that all adverse effects arising from land uses including subdivision adjacent to or abutting network utilities are avoided, remedied or mitigated to an extent that their impact upon the network utility is minimised.</p>	<p>Effective – achieves objective 7.3.3(2) by ensuring subdivision and land uses minimise impacts on network utilities. Efficient – limited to adjacent or abutting land uses. Benefits – protects functioning of utilities. Costs – Compliance costs to developers; may reduce development potential of at-risk land.</p>

4.13.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.13.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
14	Network Utilities & Energy Generation	791297

4.13.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
14	Network Utilities & Energy Generation	791297

4.13.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
14	Network Utilities & Energy Generation	929415

4.13.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
14	Network Utilities & Energy Generation	929415

4.14 NOISE

4.14.1 RESOURCE MANAGEMENT ISSUE – NOISE

The “Noise Position Paper” considered at Workshop 23, on 26 June 2007 advised that:

The perception of sounds in day-to-day life is of major importance for human well-being. Communication through speech, sounds from playing children, music, natural sounds in parklands, parks and gardens are all examples of sounds essential for satisfaction in every day life. The control of community noise levels is an necessary function of the District Plan in order to provide for community health, to provide for acceptable amenity values and to protect against sleep disturbance.

4.14.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

The “Noise Position Paper” considered the manner in which the Operative District Plan has worked and set out the policy direction options and recommendations. The policy direction options and recommendations were as follows;

- *The Operative District Plan noise provisions form a good basis for the noise rules in the Proposed Plan. Representative sound sampling in the District confirms that the noise limits in the Operative District Plan remain applicable and appropriate. It is recommended that nighttime L_{max} limit be made stricter.*
- *NZS6802 is currently under review and the new version is anticipated this year. To align the District Plan rules to this Standard will require a change from the old L_{10} measurement method to L_{eq} . NZS6802:1991 (based on L_{10}) is now out of date for a number of reasons and the recommendation is to align with the revised Standard if the revision proceeds according to the expected timetable.*
- *Sampling of ambient sound levels that have been undertaken by Russell Bierre for this study has confirmed the supposition that background sound levels are generally low throughout the District.*
- *Recommendations are made for the up-dating and inclusion of Standards where these are now available and for further exemptions.*
- *The Transit New Zealand policy for reverse sensitivity of noise sensitive activities establishing near to State Highways is also identified.*
- *Consideration is given to how the notional plan concept can be best applied using sensible planning principles.*

4.14.3 ADOPTED POLICY DIRECTION

Section 2.13 of the Document titled “Update on Workshop Outcomes & Policy Directions” presented at Workshop 26 (17 December 2007), details the policy direction for Noise as follows;

1. *The Operative District Plan noise limits in the Operative District Plan remain applicable and should generally be retained.*
2. *The night time L_{max} limit be reduced from L_{max} 75dBA to 65dBA*
3. *NZS6802 is currently under review and the new version is anticipated this year. Align the District Plan noise rules to revised Standard (if the revision proceeds according to the expected timetable) which will require a change from the old L_{10} measurement method to L_{eq} .*
4. *Construction noise be exempt from the general noise rules and reference made to NZS6803:1999 Acoustics – Construction Noise for the control, management, measurement and assessment of demolition and construction noise where this is ancillary to the principal activity.*
5. *The current exemptions in the district plan to the general noise rules be retained and extended to include:*
 - *Vehicles driven on roads*

- *Aircraft in flight*
 - *Crowd noise at an organised event in appropriate zones*
 - *Helipads (refer 11 below)*
 - *Windfarms (refer 10 below)*
6. *Where new dwellings or noise sensitive activities are to be constructed in locations where they could bring restrictions to noise making activities and where this is not envisaged by the District Plan then the dwellings should be insulated to achieve internal noise levels in accordance with S/NZS2107:2000 Acoustics-Recommended design sound and reverberation times for building interiors(e.g.. In the Industrial Light Zone).*
 7. *To address reverse sensitivity effects ancillary dwellings should also be a discretionary activity in the Industrial Light Zone.*
 8. *As there is no noise limit between sites in the Industrial Heavy Zone then dwellings should be a non complying activity (as required insulation levels cannot be determined).*
 9. *Consideration to be given to adopting the new Transit New Zealand reverse sensitivity rules for dwellings located adjacent to state highways. Need to ensure provisions do not require the need for an acoustic design report in every circumstance.*
 10. *Wind farms are a discretionary activity in rural areas with the assessment criteria being NZS6808:1998 Acoustics - The Assessment and Measurement of Sound from Wind Turbine Generators. Consideration also be given to times of quiet background sound when wind farm noise could be unexpectedly intrusive (known as sub-6808 conditions). This consideration would become part of the assessment criteria for wind farms.*
 11. *Where Helipads are discretionary activities then these can be controlled by reference to NZS6807:1994 Noise management and land use planning for helicopter landing areas.*
 12. *Replace use of notional boundary for measuring noise in the Rural Zone with the site boundary."*

4.14.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective	Summary of evaluation
Objectives on amenity values for each of the zones, also cover noise. The following objective is an example that is repeated in amended versions throughout the zones of the District Plan.	There are numerous references to amenity values throughout the plan, and many of these, in their context, cover noise issues. This section evaluates the main provisions relating to noise, which are quoted, and also other references throughout the plan that are not specifically referenced here.
5.1.2(5) (Rural zone)	This objective is most appropriate to achieve the purpose of

To ensure that any adverse effect of a land use activity on the environment or on the amenities of neighbours is avoided, remedied or mitigated.	the RMA because amenity values are an important component of social wellbeing, and noise is an important component in amenity values, as well as having a health and safety aspect. However, noise is also often a by-product of productive activity, and it is appropriate that its effects are assessed by reference to the receiving environment, rather than in a more broad brush way.
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4.14.5 POLICIES, RULES & OTHER METHODS THE MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES

Policies	Effectiveness and Efficiency Benefits and Costs
<p>Policies on amenity values for each of the zones also cover noise, either in general or specifically. The following policy is an example that is repeated in amended versions throughout the zones of the District Plan.</p> <p>Policy 5.1.2(5) (a) (iv) Other adverse effects (e.g. noise, smell, glare, vibration, visual) on the environment and amenity of the District (not only the rural areas) should preferably be avoided, or at least remedied or mitigated.</p>	<p>Effective – achieves objective 5.1.2(5) by ensuring that adverse noise effects are preferably avoided, or at least remedied or mitigated.</p> <p>Efficient – Applies to effects across the district, but responds to receiving environment (i.e. noise that is an adverse effect in one area may not be in another.)</p> <p>Benefits – protects amenity values, health and safety.</p> <p>Costs – Compliance costs to developers; may reduce development potential of some land; monitoring cost to council.</p>

4.14.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.14.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
20.3	Performance Standards - Noise	791312

4.14.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
20.3	Performance Standards - Noise	791312

4.14.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
20.3	Performance Standards - Noise	929423

4.14.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
20.3	Performance Standards - Noise	929423

4.15 VIBRATION

4.15.1 RESOURCE MANAGEMENT ISSUE – VIBRATION

The “Vibration Position Paper” considered at Workshop 23 on 26 June 2007, advised that:

Activities likely to produce adverse effects on amenity values as a result of vibration are highly likely to seek to establish in the Hauraki District, in particular, quarries, mines (open cast and underground) and landfills.

Other activities likely to generate vibration effects are industry, construction and traffic.

4.15.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

The “Vibration Position Paper” considered the manner in which the Operative District Plan has worked (Section 3) and set out the policy direction options and recommendations in Section 7. The policy direction options and recommendations were as follows;

- a) *Option 2 (New Vibration Exposure Standard) is recommended, with the existing standard being improved by incorporating the following parameters as the permitted activity level:*

- *Duration* 1 second
- *Number of events* 1 per day
- *Overpressure* less than 115 dBL
- *Peak Amplitude* *0.5 mm/sec
- *Time of day* 0700 – 2100
- *Days* Monday to Saturday (ex Sunday, public holidays and all other times)
- *Exceedence* 5%

* *Peak Amplitude* – is the same as V_{max} in the current District Plan.

b) *That consultation with specific interest groups be undertaken with respect to the 3 options.*

4.15.3 ADOPTED POLICY DIRECTION

Section 2.14 of the Document titled “Update on Workshop Outcomes & Policy Directions” presented at Workshop 26 (17 December 2007), details the policy direction for Vibration as follows;

1. *Option 2 is the preferred option which seeks to amend the existing district plan standard by incorporating the following parameters as the permitted activity threshold:*

- *Duration* 1 second
- *Number of events* 1 per day
- *Overpressure* less than 115 dBL
- *Peak Amplitude* *0.5 mm/sec
- *Time of day* 0700 – 2100
- *Days* Monday to Saturday (ex Sunday, public holidays and all other times)
- *Exceedence* 5%

* *Peak Amplitude* – is the same as V_{max} in the current District Plan.

2. *Consultation be undertaken with specific interest groups with respect to the 3 options outlined in the vibration position paper dated 8 August 2007 and presented at Workshop 23. Assessment criteria to be developed and included in the consultation.”*

4.15.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective	Summary of evaluation
Objectives on amenity values for each of the zones, also cover	There are numerous references to amenity values throughout the plan, and many of these, in their context,

<p>noise. The following objective is an example that is repeated in amended versions throughout the zones of the District Plan.</p> <p>5.1.2(5) (Rural zone) To ensure that any adverse effect of a land use activity on the environment or on the amenities of neighbours is avoided, remedied or mitigated.</p>	<p>cover vibration issues. This section evaluates the main provisions relating to vibration, which are quoted, and also other references throughout the plan that are not specifically referenced here.</p> <p>This objective is most appropriate to achieve the purpose of the RMA because amenity values are an important component of social wellbeing, and vibration is an important component in amenity values, as well as having a health and safety aspect. However, vibration is also often a by-product of productive activity, and it is appropriate that its effects are assessed by reference to the receiving environment, rather than in a more broad brush way..</p>
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4.15.5 POLICIES THE MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES

Policies	Effectiveness and Efficiency
	Benefits and Costs
<p>Policies on amenity values for each of the zones also cover noise, either in general or specifically. The following policy is an example that is repeated in amended versions throughout the zones of the District Plan.</p> <p>Policy 5.1.2(5) (a) (iv) Other adverse effects (e.g. noise, smell, glare, vibration, visual) on the environment and amenity of the District (not only the rural areas) should preferably be avoided, or at least remedied or mitigated.</p> <p>The Martha Mineral Zone includes specific policy in relation to vibration due to the potential adverse effects within Waihi Town: 5.17.2(1) (a) (iii) Ensure that the amenity values of Waihi and the wider community are protected</p>	<p>Effective – achieves objective 5.1.2(5) by ensuring that adverse vibration effects are preferably avoided, or at least remedied or mitigated.</p> <p>Efficient – Applies to effects across the district, but responds to receiving environment (i.e. vibration that is an adverse effect in one area may not be in another.)</p> <p>Benefits – protects amenity values, health and safety.</p> <p>Costs – Compliance costs to developers; may reduce development potential of some land; monitoring cost to council.</p>

4.15.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.15.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
4	Extractive Industry – Issues/Martha Mineral Zone/Golden Cross Mineral Zone	791225
20.4	Performance Standards - Vibration	791314

4.15.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
4	Extractive Industry – Issues/Martha Mineral Zone/Golden Cross Mineral Zone	791225
20.4	Performance Standards - Vibration	791314

4.15.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
4	Extractive Industry – Issues/Martha Mineral Zone/Golden Cross Mineral Zone	929402
20.4	Performance Standards - Vibration	929424

4.15.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
4	Extractive Industry – Issues/Martha Mineral Zone/Golden Cross Mineral	929402

	Zone	
20.4	Performance Standards - Vibration	929424

4.16 TREES

4.16.1 RESOURCE MANAGEMENT ISSUE – TREES

The “Urban Trees Position Paper” considered at Workshop 7 (17 July 2007) advised that at the time of preparing the Operative District Plan, these issues were identified;

Why manage the district’s tree resource?

What are the threats?

- o Land development pressures (particularly coastal)*
- o View protection / gain (also particularly coastal)*
- o Sunlight / amenity / health and safety reasons*
- o Utilities / infrastructure / construction / maintenance / farming.*

What are the opportunities?

- o Trees provide heritage, amenity and ecological values*
- o Trees are a dynamic and renewable living resource, unlike buildings their management requires careful consideration (sometimes including removal and renewal as well as protection and maintenance)*
- o Comprehensive tree provisions to achieve sustainable management should include a suite of statutory, advocacy and implementation methods involving both public and private responsibilities.*

4.16.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

The “Urban Trees Position Paper” considered the manner in which the Operative District Plan has worked and set out the policy direction options and recommendations. The policy direction options and recommendations were as follows;

We offer the following initial thoughts regarding the issues as we see them and possible advantages and disadvantages to scheduling, general tree protection and other methods.

Scheduling (as exists now or as amended by this process)

- Provides certainty of protection (must reach 100 STEM points for example) and also certainty for developers by knowing whether a tree is or isn’t on the list.*
- Possible confidentially issues regarding proposed trees for the schedule, for example a private property owner may not want a tree protected and will remove it before the planning scheduling process officially commences.*
- What is an appropriate level of pruning and should works within the dripline be included?*
- Who maintains the list and keeps it updated?*

General Tree Protection (used in addition to scheduling – not currently used by Councils outside of the Auckland region)

- Is there an issue? For example, is tree cover under threat in urban areas from infill housing? Or is general tree protection not required?*
- Issues:*
 - o Do you protect native trees exclusively or include exotics – what about exclusion of*

certain species?

o Is there a size threshold?

Provides comprehensive protection and is a good balance to development pressures.
 Sometimes seen as a “belt and braces” level of protection and assumes that every tree is worthy of protection.

Leads to an increased administrative burden for Council and introduces additional costs.

Opposition from private land owners against additional layer of regulation and burden.

BML A06101-003 pk-ph 07-07-06 pk page 4 of 4

Other Methods (non-regulatory)

Active replanting regime in public streets/parks by Council.

Council incentives for private property owners with scheduled or significant trees on their property (for example, rates relief or waiver of application fees and possible assistance with maintenance).

Best practice guidance and advocacy for the public (for example, tree planting / maintenance guidelines which promote the benefits of the tree resource and offer practical and simple advice to tree owners).

4.16.3 ADOPTED POLICY DIRECTION

Council adopted the scheduling approach used in the Operative Hauraki District Plan.

NOTE : This policy direction was adopted prior to the amended provisions relating to urban trees contained in the Resource Management (Simplifying and Streamlining) Amendment Act 2009) that required the specific identification of a tree or group of trees in a district plan.

4.16.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective	Summary of evaluation
6.4.3 (1) Recognition and Protection of Significant Trees To maintain and improve the significant trees resource for the purpose of preserving their intrinsic, historical, cultural and amenity values for the benefit and enjoyment of future generations.	Urban and rural amenity values will be protected through the retention of significant urban and rural trees. The objective will increase public awareness of the value of significant trees and the responsibility of landowners in their protection.

4.16.5 POLICIES THE MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES

Policies	Effectiveness and Efficiency
	Benefits and Costs
6.4.3(1)(a) (i) Protect significant trees from the adverse effects of	Effective – achieves objective 6.4.3(1) by promoting co-operation of affected landowners and the general public to preserve individual trees and groups of trees. The District Plan

development. (ii) Encourage developments that retain significant trees. (iii) Promote greater public awareness of and support for the protection of significant trees. (iv) Giving public recognition to those people who have volunteered their trees for protection.	as a public document will help raise public awareness of the existence of significant trees. Efficient – by acknowledging the joint public and private effort required to preserve notable trees. Benefits – protects amenity values and environment. Costs – Costs to council of information gathering and encouraging preservation; compliance costs to developers; may reduce development potential of some land containing trees.
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4.16.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.16.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
11	Significant Trees	791281

4.16.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
11	Significant Trees	791281

4.16.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
11	Significant Trees	929412

4.16.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
11	Significant Trees	929412

4.17 WATER SUPPLY CATCHMENTS

4.17.1 RESOURCE MANAGEMENT ISSUE – WATER SUPPLY CATCHMENTS

As part of considering other issues throughout various Workshops, the manner in which Water Supply Catchments were to be provided for in the Proposed District Plan were considered. In summary, the following main issues were identified;

- Protect of water supply catchments to produce good quality and the necessary quantity of water are critical to the social and economic wellbeing of the District; and
- Water supply catchments also have important fundamental intrinsic value with respect to ecological and biodiversity .

4.17.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

The Committee considered the manner in which the Operative District Plan has worked in considering a number of matters, including:

- Designations;
- Conservation (Indigenous Forest) Zone;
- Rules around Significant Natural Areas;
- Rules around outstanding landscape protection; and
- Rules around earthworks & vegetation clearance.

4.17.3 ADOPTED POLICY DIRECTION

The Committee considered that taken as a whole, the other provisions in the Proposed District Plan addressed the protection of Water Supply Catchments and that no additional specific policy direction was required.

4.17.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective	Summary of evaluation
7.2.3 (1) To sustainably manage the water supply catchments to maintain or enhance the quality and quantity of water supplies to communities in the District.	There is a health and safety risk to the resident population of those communities serviced with a potable water supply if the supply is inadequate and cannot meet the reasonable existing and future needs of those communities. It is essential that the Council take a direct role in managing this resource. This objective will contribute to community wellbeing, health and safety by ensuring adequate water quality and water quantity is maintained or improved to meet the foreseeable needs of the communities in the District.

4.17.5 POLICIES THE MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES

Policies	Effectiveness and Efficiency
	Benefits and Costs
7.2.3(1)(a) (i) To ensure that the effects of activities do not degrade the quality or adversely affect the quantity of water available to service the existing and foreseeable future water supply needs of the communities in the District. (ii) To ensure subdivision, use or development located within a community water supply catchment, takes into account the sensitive nature of the catchment and the role it plays in serving the community.	Effective – achieves objective 7.2.3 (1) by ensuring proposed development in water catchment areas is properly assessed for adverse effects of activities on water quality and quantity. Efficient – limited to effects on water supply catchments. Benefits – protects health and safety. Costs – Compliance costs to developers; may reduce development potential of some land.

4.17.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.17.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
12	Water Supply & Flood Management - General	791283

4.17.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
12	Water Supply & Flood Management - General	791283

4.17.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
12	Water Supply & Flood Management - General	929413

4.17.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
12	Water Supply & Flood Management - General	929413

4.18 4.18 RIPARIAN MARGINS AND ESPLANADES

4.18.1 RESOURCE MANAGEMENT ISSUE – RIPARIAN MARGINS, ESPLANADES

The “Reserves Position Paper” considered at Workshop 8, 21 August 2006 advised that at the time of preparing the Operative District Plan, these issues were identified;

A balance must be achieved between:

- *The legislative requirement that specified margins and environments be protected*

and preserved;

- *Community desires to have public access to and use of those margins and environments; and*
- *The property "rights and responsibilities" of landowners to use their land.*

4.18.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

The "Reserve Position Paper" considered the manner in which the Operative District Plan has worked and set out the policy direction options and recommendations. The policy direction options and recommendations were as follows;

The Operative District Plan provisions should be updated to:

- *Remove unnecessary explanation;*
- *Focus the wording of objectives and policies;*
- *Include provisions to address landscape and visual amenity issues;*
- *Include provisions that provide for activities undertaken in accordance with an operative reserve management plan outside the District Plan to be in compliance with the District Plan; and*

Review the zoning of all reserves (including esplanade reserves) to ensure that the appropriate zoning is applied to reflect the current and likely function of the reserve.

4.18.3 ADOPTED POLICY DIRECTION

Council adopted the recommended policy direction.

4.18.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective	Summary of evaluation
7.3.3 (1) To sustainably manage the margins of water bodies and coastal water to maintain or enhance natural character, indigenous biodiversity, water quality, and aquatic and adjoining terrestrial habitats. (2) To maintain and enhance public access to the margins of water bodies in a manner that is compatible with the preservation of conservation values and does not unreasonably interfere with the landowner's ability to use and "enjoy" the land.	These objectives are most appropriate to achieve the purpose of the RMA because they seek to maintain and enhance natural character, indigenous biodiversity, water quality, and aquatic and adjoining terrestrial habitats, as well as public access.
5.5.2(2) Karangahake Gorge Zone To maintain and enhance public access to and along the Ohinemuri and Waitawheta Rivers.	They also provide appropriate public access to environments that the community uses for recreation purposes, and which contribute to the community's social, economic, and cultural wellbeing and health (ss5, 6, &7 RMA).

4.18.5 POLICIES THE MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES

Policies	Effectiveness and Efficiency Benefits and Costs
<p>7.3.3 (1 and 2)</p> <p>(i) Liaison with the Waikato Regional Council, lessees and landowners in those situations where stopbanks have been constructed and public access is desirable. The purpose is to include in the lease agreements, arrangements for public access and enjoyment of the river and coastal margins for recreation activities.</p> <p>(ii) Use the legislative opportunities in the Resource Management Act 1991, to secure esplanade reserves and strips on subdivision and developments.</p> <p>(iii) Liaison with statutory organisations (eg Department of Conservation) and community groups with an interest in the resource (eg fishing clubs, conservation groups, canoe clubs), to determine the locations where access, reserves and strips are needed for recreation purposes.</p> <p>(iv) Not taking esplanade reserves where the land is Maori Land. Rather, Council will seek to obtain voluntary agreements with the tangata whenua of the land where esplanade strips and access strips are necessary.</p> <p>(v) Where subdivision or development occurs and there is no "as of right" legislative ability to acquire esplanade reserves or strips without compensation, Council will negotiate to either have the land vested or set aside on a voluntary basis, without compensation. In the event that a voluntary agreement cannot be reached, Council will negotiate to purchase the land or secure an esplanade strip (and compensate the owner).</p> <p>(vi) Use of a range of regulatory provisions (eg rules in the District and Regional Plan) and incentives (eg support for Whiritoa Beachcare) to manage riparian margins</p>	<p>Effective – achieves objectives 7.3.3 (1 and 2) by ensuring proposed development around riparian margins assessed for adverse effects on the various values mentioned in the objectives, and for opportunities for public access.</p> <p>Efficient – The "targeted" approach will ensure that public funds are spent where they are most required to achieve the national planning policies. The policies also contemplate that landowners use and enjoyment of the land should only be limited where there are clearly defined reasons.</p> <p>Benefits – maintains and enhances natural character, indigenous biodiversity, water quality, and aquatic and adjoining terrestrial habitats, as well as public access. Avoids taking of Maori land.</p> <p>Costs – Compliance costs to developers; may reduce development potential of some riparian margins; compensation costs to Council in particular cases; administrative and maintenance costs to council for land acquired; liaison costs to Council.</p>
<p>5.5.2(2)(a)(i) Karangahake Gorge Zone</p>	<p>Effective – achieves objective 5.5.2(2) by prioritising public access to the Ohinemuri and Waitawheta Rivers.</p>

Provide for public access where that is compatible with the preservation of conservation values and does not unreasonably interfere with the landowner's ability to use and 'enjoy' the land.	Efficient – preserves landowner's use of land. Benefits – provides public access, consistent with landowner's use and conservation values. Costs – Compliance costs to developers; may reduce development potential of some land; cost to council of developing and maintaining access.
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4.18.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.18.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.3	Karangahake Gorge Issues/Zone/Map Changes	791201
13	Riparian Margins & Esplanade Reserves	791288

4.18.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.3	Karangahake Gorge Issues/Zone/Map Changes	791201
13	Riparian Margins & Esplanade Reserves	791288

4.18.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.3	Karangahake Gorge Issues/Zone/Map Changes	929392
13	Riparian Margins & Esplanade Reserves	929414

4.18.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.3	Karangahake Gorge Issues/Zone/Map Changes	929392
13	Riparian Margins & Esplanade Reserves	929414

4.19 HAZARDOUS SUBSTANCES

4.19.1 RESOURCE MANAGEMENT ISSUE – HAZARDOUS SUBSTANCES

NA

4.19.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

The recommended policy direction was to retain the approach in the Operative Hauraki District Plan using the HSFP Screening Procedure, updated to incorporate the latest version of the approach. This was considered at Workshop 40 (4 & 8 June 2009) as part of the overall consideration of Section 7 of the proposed Draft District Plan.

4.19.3 ADOPTED POLICY DIRECTION

Council adopted the recommended approach.

4.19.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective	Summary of evaluation
<p>7.6.2 (1) To avoid, remedy or mitigate the risk of adverse effects to the environment and the community, associated with the transportation of hazardous substances</p> <p>(2) To minimise the risks of adverse effects to the environment and the community associated with the use and storage of hazardous substances..</p> <p>(3) To minimise the risk of adverse effects on the environment and the community from the disposal of hazardous substances that occurred in the past, and that will occur in the future.</p> <p>(4) To increase the level of public and user knowledge, education and involvement in minimising the use of hazardous substances and the safe and correct methods of the use, storage and disposal of hazardous substances.</p> <p>(5) To assist in the coordination of the agencies responsible for the control and management of hazardous substances.</p>	<p>These objectives ensure public health and safety, and social and economic wellbeing by avoiding, remedying or mitigating adverse effects from the use, storage, disposal and transportation of hazardous substances on the environment. The integrated management of hazardous substances will be achieved by liaison with other agencies.</p>

4.19.5 POLICIES THE MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES

Policies	Effectiveness and Efficiency Benefits and Costs
<p>7.6.2(1)(a)(i) Ensure that effects of activities on the efficiency and safety of the transport routes is avoided, remedied or mitigated (e.g. through access design, location and formation).</p> <p>(ii) Provide for the use, manufacture and storage of hazardous substances in locations that are readily able to gain access to the main transport</p>	<p>Effective – achieves objective 7.6.2(1) by protecting the transportation resource from the adverse effects of other adjoining activities. (The control of the actual transportation of hazardous substances rests with principally with the Commissioner of Police and the New Zealand Transport Authority under HSNO, not with the District Council.)</p> <p>Efficient – allows for economic activity to take place in many areas.</p> <p>Benefits – protects environment, health and safety.</p> <p>Costs – Compliance costs to developers; may reduce development potential of some land.</p>

<p>routes. Where possible the hazardous facility should be located to avoid the need for transport carrying the hazardous substance to regularly pass through residential areas and other urban areas (excluding Industrial zones).</p> <p>(iii) Make one of the matters to be considered when assessing an application for a resource consent for using or storing hazardous substances, the risks associated with the transport of the substance to the site.</p> <p>(iv) Ensure that the routes used in the transportation of hazardous substances are maintained to a standard that seeks to minimise the risk of accident as a result of the road design, formation, sign posting and other road factors.</p>	
<p>7.6.2(2)(a)(i) The location of sites on which hazardous substances can be stored and on which those facilities that involve the use of hazardous substances can operate should be separated from environments that would be adversely affected by the inadvertent release of hazardous materials.</p> <p>(ii) Making the risks to the environment and community associated with the hazardous facility, one of the matters to be considered when assessing an application.</p>	<p>Effective – achieves objective 7.6.2(2) by ensuring proposed development involving storage and use of hazardous substances is assessed for adverse effects and associated risks.</p> <p>Efficient – allows for economic activity to take place in many areas. Adjusts assessment of relevant risks (e.g. in residential, wetlands, reserves locations) and risks to the environment, amenity and public health and wellbeing.</p> <p>Benefits – protects environment, health and safety.</p> <p>Costs – Compliance costs to developers; may reduce development potential of some land.</p>
<p>7.6.2(3) (a)(i) Exclude the disposal of hazardous substances from the provisions for general excavation and fill.</p> <p>(ii) Ensure that the remediation of any existing landfill, disposal site or other site where hazardous substances or chemicals have been used and/or accidentally spilt is under the direction of the Regional Council or the District Council.</p> <p>(iii) Discourage the disposal of any hazardous substance anywhere in the District, apart from authorised sites.</p> <p>(iv) Promote the establishment of facilities outside the District to safely dispose of hazardous substances, where such facilities are not provided in the District.</p>	<p>Effective – achieves objective 7.6.2(3) by ensuring disposal of hazardous substances is properly assessed for adverse effects.</p> <p>Efficient – ensures hazardous waste is treated as a separate waste stream, by giving a clear message that the disposal of hazardous substances is not encouraged or provided for.</p> <p>Ensures co-ordinated approach with regional council.</p> <p>Benefits – protects environment, health and safety.</p> <p>Costs – Compliance and remediation costs to developers; may reduce development potential of some land.</p>
<p>7.6.2(4)(a)(i) To identify and promote suitable industrial standards and Codes of Practice to prevent or mitigate environmental effects and risks associated with hazardous substances and environmentally</p>	<p>Effective – achieves objective 7.6.2(4) by ensuring improved public and industry understanding of risks and hazards associated with hazardous substances. In conjunction with the responsibilities and work undertaken by other agencies, the awareness and knowledge of hazardous substances will be increased, and as a result of this, the risks and effects on the environment will be reduced.</p>

<p>damaging substances and facilities.</p> <p>(ii) Ensure that any application for a resource consent or requirement involving the use, storage, disposal or transportation of hazardous substances is widely circulated to agencies with an interest in the application, as well as to the public in general.</p> <p>(iii) Continue to work with organisations (e.g. Waikato Regional Council, District Health Board, New Zealand Police, New Zealand Chemical Industry Council) and in forums (Hamilton Hazardous Substances Technical Liaison Committee) that seek to inform and educate the specific users and the public in general on the ways in which to minimise the use and the risks associated with hazardous substances.</p> <p>(iv) To promote land uses and land use practices which avoid, remedy or mitigate adverse effects from the use of hazardous substances while enabling maximum benefit to be derived from use of such substances.</p>	<p>Efficient – jointly with other agencies, uses a range of methods to inform and educate the public and users of the risks and effects of hazardous substances.</p> <p>Benefits – better information will allow for more efficient use of hazardous substances, and better pricing of the true costs involved, including environmental and safety costs.</p> <p>Costs – Costs to council of advocacy and publication of information.</p>
<p>7.6.2(5) (a)(i) Continue to be part of and support the statutory and non statutory bodies with a responsibility for or an interest in the minimisation of the use and risks associated with hazardous substances.</p> <p>(ii) Include rules in the District Plan that require hazardous substance activities (use, storage, transportation and disposal) to seek and obtain a resource consent. Part of the resource consent process involves consultation with those persons with an interest in, or who are affected by the application.</p>	<p>Effective – achieves objective 7.6.2(5) by promoting coordination amongst relevant agencies, recognising that the control and management of hazardous substances is the responsibility of a number of organisations.</p> <p>Efficient – ensures that resources are not wasted due to duplication of effort.</p> <p>Benefits – protects environment, health and safety.</p> <p>Costs – Costs to council of liaising with other agencies, advocacy and publication of information.</p>

4.19.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.19.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
17	Hazardous Substances & Contaminated Sites	791304

4.19.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
17	Hazardous Substances & Contaminated Sites	791304

4.19.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
17	Hazardous Substances & Contaminated Sites	929418

4.19.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
17	Hazardous Substances & Contaminated Sites	929418

4.20 ROAD HIERARCHY / ROAD NETWORK

4.20.1 RESOURCE MANAGEMENT ISSUE – ROAD NETWORK

The provision of the Road Network was considered in a range of Workshops throughout the preparation of the Proposed Hauraki District Plan as it is a matter that relates to a range of issues including urban amenity, urban growth, appropriate land uses in each zone, subdivision and development standards, designations and network utilities. The matter was specifically considered at Workshop 25 on 10 September 2009 where Transit New Zealand (now New Zealand Transport Agency) discussed the national and regional strategy documents relating to transportation and land use.

4.20.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

Council determined that its policy in general was to recognise the transport network as a significant resource that contributed to the economic, social and general wellbeing of the District.

Council also recognised that the transportation network needed to be managed in a way that ensured the adverse effects arising from the use of the transportation network did not impact significantly on amenity values (particularly residential).

4.20.3 ADOPTED POLICY DIRECTION

Refer to 4.21.2 above.

4.20.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective	Summary of evaluation
<p>7.9.3 (1) Provide and maintain a safe and efficient transport network that will meet current and planned future demands with minimal effects on the environment and adjoining land uses. (2) Ensure the adverse effects of activities outside the road reserve on the safety and efficiency of the transport network are avoided, remedied or mitigated</p>	<p>These objectives are most appropriate to achieve the purpose of the RMA because they promote economic and social wellbeing by maintaining and enhancing the road network. Importantly, they recognise the interrelationship between roads and land uses and the positive and adverse effects that each may have on the other.</p>

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4.20.5 POLICIES THE MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES

Policies	Effectiveness and Efficiency Benefits and Costs
<p>7.9.3(1-3)(a)</p> <p>(i) Establish and maintain a hierarchy of roads and streets and require the design and formation of the roads and streets according to their traffic and access functions and requirements.</p> <p>(ii) Develop an Asset Management Plan, LTCCP and Annual Plan process to match funding with the required standard of District road or street construction appropriate to the status of the road or street in the hierarchy.</p> <p>(iii) Develop financial and/or development contributions strategies to ensure that roads and streets are upgraded and formed to match the demands that specific subdivision and development activities will place upon them.</p> <p>(iv) Recognise that the function of the transport network may have a detrimental effect on adjacent land use activities and manage the development of adjoining land accordingly.</p> <p>(v) By managing land use, vehicle access and traffic management to maintain the safe and efficient operation of the transport network.</p>	<p>Effective – achieves objectives 7.9.3(1-3) by ensuring the adverse effects of roads and land uses are properly assessed so as to avoid, remedy or mitigate the effects of one on the other.</p> <p>Efficient – integrates roads with land use activities, ensuring an efficient road network and optimal land use.</p> <p>Benefits – protects amenity values, health and safety, ensures a safe, efficient, responsive and sustainable road network.</p> <p>Costs – Compliance costs to developers; may reduce development potential of some land; costs of financial contributions.</p>

4.20.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.20.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
20.7	Performance Standards – Parking, Loading, Access & Rooding	791329

4.20.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
20.7	Performance Standards – Parking, Loading, Access & Rooding	791329

4.20.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
20.7	Performance Standards – Parking, Loading, Access & Rooding	929427

4.20.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
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20.7	Performance Standards – Parking, Loading, Access & Roading	929427
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4.21 PERFORMANCE STANDARDS FOR DEVELOPMENT AND SUBDIVISION

4.21.1 RESOURCE MANAGEMENT ISSUE – PERFORMANCE STANDARDS FOR DEVELOPMENT AND SUBDIVISION

The consideration of performance standards for subdivision and development have been considered by Council as part of the most of the Workshops as part of determining the appropriate activity status for activities in each zone, how development should be guided (particularly the use of structure plans for new growth areas), urban design imperatives and the best way in which to integrate infrastructure development in a sustainable manner. The main issue addressed was whether each of the individual rules or other methods were the most appropriate to promote the objectives and policies of the Proposed Hauraki District Plan, the purpose and principles of the Resource Management Act 1991 and did they actually assist in avoiding, remedying or mitigating any adverse effect of an activity on the environment, natural and physical resources and amenity values.

4.21.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

The Committee considered the manner in which each of the subdivision and development standards of the Operative District Plan has worked and considered the following policy direction options;

- a. Rely on existing standards in the Operative Hauraki District Plan, updated where necessary;
- b. Have no standards and assess each activity on its merits; and
3. Refine the development standards to only include those in the Proposed Hauraki District Plan that are essential and rely on codes and other documents outside the district plan to guide development.

Option 2 was rejected as being too uncertain for both the community and for developers. In particular, this approach did not promote the sustainable management requirement of the RMA.

Option 1 was rejected as a number of the performance standards could not be justified.

4.21.3 ADOPTED POLICY DIRECTION

Option 3 was preferred as many of the standards have “survived the test of time”, as useful and effective planning tools. However, the standards have been reviewed, altered, deleted and/or updated in order to better reflect the intent of Part 2 Resource Management Act 1991 (eg good urban design), and to reflect the higher environmental and amenity qualities expected by the community. A number of codes or other methods have been developed, particularly the HDC Engineering Manual 2010, Version 1 which provides acceptable minimum standards that all development is required to comply with to ensure health and safety requirements are met and that there is a consistency in design of infrastructural services and roading provided by developers to a standard that will last the test of time and anticipated use. The Manual also provides for variances within some of the standards for certain townships (ie. Waikino, Mackaytown and Karangahake), in recognition of their distinct urban character.

The use of structure plans to assist in the integration of infrastructure provision and achieving community outcomes and good urban design are now accepted as valuable planning tools.

Note – Many objectives in the plan refer to performance standards outcomes. The section below contains those of general application. Objectives specific to noise, vibration, vehicle parking, loading and access, and infrastructure and services, are evaluated in other sections above, under their relevant headings.

4.21.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective	Summary of evaluation
8.1.2(1) To avoid, remedy or mitigate the adverse effects of activities (development and subdivision) on the environment, natural and physical resources and the amenity values of the Hauraki District.	This objective seeks to avoid, remedy or mitigate any adverse effects of activities (including buildings and structures) on the environment, natural and physical resources and amenity values.

4.21.5 POLICIES THE MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES

Policies	Effectiveness and Efficiency
	Benefits and Costs
8.1.2(1)(a) (i) Ensure activities operate within limits that do not have an adverse effect on the environment. (ii) Recognise that the	Effective – achieves objective 8.1.2(1) by ensuring proposed development is properly assessed for adverse effects on the environment. Efficient – performance standards are recognised as one of a range of methods available. Allows other methods to be used where performance standards will not achieve the outcome

performance standards in this District Plan are one of a range of methods available to achieve the anticipated environmental results identified and provide flexibility to assess those situations.	sought. Benefits – protects environment, amenity values, health and safety. Costs – Compliance costs to developers; may reduce development potential of some land.
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4.21.6 RISK OF ACTING OR NOT ACTING

The main standards where the risk of acting or not acting relate to the timing and severity of individual hazard events, which are always uncertain and are made more uncertain in light of the consequences of climate change. The standards relating to coastal setbacks and minimum floor levels are examples. Refer also to the evaluation under natural hazards. The risk of acting through the district plan is that land may be left undeveloped and/or not be used to its full potential during periods when no hazard events occur. The risk of not acting through the district plan is that development would occur in hazard prone areas and the next hazard event would have more serious impacts than if action is taken. Once development is in place it is often very difficult to reverse.

4.21.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
20.1	Performance Standards – General	791309

4.21.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
20.1	Performance Standards – General	791309

4.21.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
20.1	Performance Standards – General	929421

4.21.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
20.1	Performance Standards – General	929421

4.22 SUBDIVISION

4.22.1 RESOURCE MANAGEMENT ISSUE – SUBDIVISION

The consideration of subdivision by the Council was similar to that for “Performance Standards for Development & Subdivision”, in that the subdivision provisions were integral to the purpose of individual zones and needed to reflect urban design and other matters. Subdivision was specifically considered in Position Papers considered at Workshops 8 (21 August 2006), 36 (8 December 2008) and 40 & 41 (4 & 8 June and 13 July 2009).

The main issues identified were:

- a) Ensuring integration between the development and subdivision requirements of activities, and maintaining opportunities for future use and development of land in a sustainable manner
- b) Ensuring that potentially productive rural land and associated land use opportunities are preserved by encouraging an appropriate subdivision pattern.
- c) Recognising the inherent constraints of the natural environment (eg slope, natural hazards, drainage) and controlling subdivision accordingly.
- d) Identifying infrastructural constraints (eg provision of public services, ability to effectively accommodate on site services) and controlling subdivision accordingly.
- e) Recognising significant ecological, landscape, amenity, cultural and heritage values and the need to facilitate the protection of them through subdivision rules.
- f) Giving effect to the Treaty of Waitangi as well as recognising the special relationship of Maori with their land in applying subdivision rules.
- g) The need to encourage a logical and stable land tenure pattern which facilitates the sustainable management of the land resource.
- h) Recognising that the design and layout of subdivisions can have an adverse impact on quality urban design outcomes of safe, efficient and coherent

communities.

- i) Recognising that the physical act of subdivision has the potential to detrimentally affect the natural and physical resources, including the efficient provision and maintenance of infrastructure (and in particular the transport network).
- j) The physical act of subdivision is also an activity in itself, which can be a substantial user of resources. Subdivision standards, including matters such as width of roads, construction standards and section design will determine the amount of space and physical resources used during subdivision.

4.22.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

Refer to the options in 4.6.2 (Urban Areas), 4.10.2 (Protection of Rural Land) & 4.22.2 (Performance Standards For Development and Subdivision) above.

4.22.3 ADOPTED POLICY DIRECTION

The Council considered the manner in which the Operative District Plan has worked and adopted a policy direction to take those subdivision provisions that have worked well and will continue to work well into the Proposed Hauraki District Plan. Those subdivision provisions to be enhanced by the introduction of refined and/or additional subdivision provisions that give effect to the objectives and policies of the Proposed Hauraki District Plan.

4.22.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective	Summary of evaluation
9.1.3(1) The productive potential and use of the rural land resource is protected from fragmentation of land and associated housing and non rural development and activities.	These objectives are most appropriate to achieve the purpose of the RMA because they protect good quality agricultural land from fragmentation, which is a matter of importance to the District, and contributes to the sustainable management of the natural and physical resources of the district. In rural areas, the objective seeks to ensure the land is not fragmented and effectively rendered unusable for many productive purposes. The retention of the open, spacious character of rural land areas is also a result pursued.
9.1.3(2) Subdivision that provides for and reinforces the existing built form and distinct urban character of the established urban areas.	This objective achieves the purpose of the RMA by promoting social and economic wellbeing by influencing design and standard of urban subdivision, which can have a determining influence on the attractiveness of an area to live in. The objective will ensure subdivision in the urban areas facilitates the maintenance and preservation of the established settlement/development pattern and achieve quality urban design outcomes in order to protect amenity

	and environmental values and the economic, social and cultural wellbeing of these communities.
9.1.3(3) Subdivision is provided with the necessary infrastructure and services to ensure that the land is able to be used for its intended purpose; that protects the future needs, and health and safety of people and communities; and the maintenance and enhancement of amenity values, while avoiding, remedying and mitigating adverse effects on the environment 9.1.3(4) To minimise the use of natural and physical resources (including energy and space) in providing and maintaining the infrastructure associated with subdivision and subsequent development.	These objectives achieve the purpose of the RMA by ensuring that infrastructure and services are provided to a level required to enable the community to meet its social, economic and health needs.
9.1.3(5) Areas of high biodiversity, heritage, cultural and landscape values are protected.	This objective achieves the purpose of the RMA by protecting ecological, heritage, cultural and landscape values from the adverse effects of subdivision.
9.1.3(6) The creation of lots and intensification of subdivision does not increase or create a risk to people, property, infrastructure and the environment due to natural hazards (including residual risk).	Refer to the assessment in Natural Hazards (Section 4.3)
9.1.3(7) To provide for a range and choice of rural living environments appropriate to specific land types recognising the different lifestyle and cultural requirements of the District's inhabitants.	This objective achieves the purpose of the RMA by enhancing social wellbeing by providing for a range and choice of rural living environments.

4.22.5 POLICIES, RULES & OTHER METHODS THE MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES

Policies	Effectiveness and Efficiency
	Benefits and Costs
9.1.3(1)(a) (i) Ensure allotments created by subdivision, particularly in areas containing high quality soils, are appropriately located and shaped and of sufficient size to enable the establishment and efficient operation of rural production activities based on the soil resource. (ii) Control the scale and intensity of residential activity in the rural area in order to safeguard the life supporting capacity of the soil resource and avoid reverse	Effective – achieves objective 9.1.3(1) by recognising that subdivision pattern has an integral part to play in facilitating the activities that will protect the productive potential of the rural land resource. Efficient – providing for a range of allotment sizes (from rural lifestyle, through to large scale grazing), appropriate to specific land types enables land to be valued at its "productive" value, rather than at its "residential" value. Benefits – protects productive potential of rural land. Costs – Compliance costs to developers; may reduce subdivision potential of some land.

<p>sensitivity effects on rural production activities.</p>	
<p>9.1.3(2)(a)</p> <p>(i) Require an appropriate and acceptable level of urban amenity as part of subdivision design.</p> <p>(ii) Ensuring the design and layout of subdivisions will:</p> <p>(1) Provide for a safe and efficient road network that effectively integrates with the surrounding area;</p> <p>(2) Provide for safe and direct movement through and between neighbourhoods for pedestrians and cyclists;</p> <p>(3) Maximise allotment frontage to public roads and reserves;</p> <p>(4) Provide access to open space and reserves;</p> <p>(5) Provide good solar orientation for residential allotments, open space and reserves;</p> <p>(6) Provide a variety of allotment sizes;</p> <p>(7) Retain and integrate natural features;</p> <p>(8) Avoid proliferation of cul-de-sacs where these are not associated with topographical constraints</p> <p>(9) Include use of shared road environments where sustainable.</p> <p>(10) Avoid adverse effects of traffic generation on the transport network.</p>	<p>Effective – achieves objective 9.1.3(2) by ensuring subdivision design provides for urban amenity, integration with road network, pedestrians and cyclists, access to open space and other design features.</p> <p>Efficient – providing for these values at the subdivision design stage makes it efficient for subsequent building and development to follow through and maximise the benefits.</p> <p>Benefits – subdivision design and standards contribute to amenity matters such as streetscape (through the planting of trees and the design of the street), lot size, shape and layout and security (through street lighting and position of lots) and road safety.</p> <p>Costs – Compliance costs to developers; may reduce subdivision potential of some land.</p>
<p>9.1.3(3-4)(a)</p> <p>(i) Provision of services and infrastructure appropriate to the subdivision in a sustainable manner that minimises detrimental effects on the landscape and amenity of the area.</p> <p>(ii) Requiring services to be installed to the stated standards as part of the subdivision process, thereby minimising costs, enabling authorities to work in together (eg trench sharing), minimising detrimental effects on the landscape and amenity of an area and reducing maintenance costs to Council once it accepts responsibility for any services.</p> <p>(ii) Ensuring the subdivision of land in the Urban Growth Areas proceeds in a consecutive sequence, adheres to the requirements of the relevant Structure Plans, and ensures;</p>	<p>Effective – achieves objective 9.1.3(3-4) by ensuring subsequent development on land being subdivided is adequately provided with services and infrastructure.</p> <p>Efficient – policies provide clarity as to the services required, allowing opportunities for optimising network layout as a factor in subdivision design, and opportunities for co-location of services. Allows for on site provision of services where public infrastructure and services are not available, while protecting environment.</p> <p>Benefits – protects amenity values, environment, health and safety; sustainably manages resources used in construction of subdivision.</p> <p>Costs – Compliance costs to developers; financial contributions; may reduce subdivision potential of some land; may delay some subdivisions in urban growth areas.</p>

<p>(1) Use of existing infrastructure services in the vicinity is maximised; and</p> <p>(2) The provision of new services is installed in a co-ordinated manner.</p> <p>(iii) Using financial contributions as a mechanism to address the effects of subdivision on infrastructure to sustain environmental and community wellbeing, health and safety.</p>	
<p>9.1.3(5)(a)</p> <p>(i) Appropriate sub-division provisions to protect, maintain and enhance the features of the District that have been identified as being of value.</p> <p>(ii) Any adverse effects of subdivision on these identified features to be appropriately remedied or mitigated.</p> <p>(iii) Provision for the legal and physical protection of significant natural areas and scheduled heritage items through subdivision incentive</p>	<p>Effective – achieves objective 9.1.3(5) by ensuring proposed subdivision that might affect ecological, heritage, and landscape features is properly assessed for adverse effects on those features and ensures safeguards are put in place as necessary.</p> <p>Efficient – allows subdivision to proceed on land containing identified features, subject to protection of the identified values through subdivision design and appropriate legal instruments.</p> <p>Benefits – protects ecological, heritage, and landscape features, and allows subdivision to proceed.</p> <p>Costs – Compliance costs to developers; may reduce development potential of some land.</p>
<p>9.1.3(6)(a)</p> <p>(i) Ensure that new subdivision and development is located, designed and undertaken so as to avoid the need for further hazard protection works.</p> <p>(ii) Ensure that where hazard protection works are necessary as part of subdivision, their form, location and design are such as to avoid or mitigate potential adverse environmental effects.</p>	<p>Effective – achieves objective 9.1.3(6) by ensuring proposed subdivision in hazard areas is properly assessed for how the subdivision will address hazards.</p> <p>Efficient – allows subdivision to proceed where hazards are identified, but can be appropriately addressed through subdivision design, layout and appropriate legal instruments.</p> <p>Benefits – protects subsequent land use from the adverse effects and costs associated with natural hazards.</p> <p>Costs – Compliance costs to developers; may reduce development potential of some land.</p>
<p>9.1.3(7)(a)(i) Identifying areas specifically for low density residential development where rural amenity values will not be compromised and provision of public services is not a constraint.</p> <p>(ii) Providing for small lot lifestyle subdivision on less productive rural land, subject to ensuring that the rural character, landscape and amenity values are protected.</p> <p>(iii) Providing for subdivision in the Marae Development zone as one of the means of taking into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).</p>	<p>Effective – achieves objective 9.1.3(7) by identifying areas for low density residential development, where adverse effects are acceptable.</p> <p>Efficient – identifies specific areas for low density residential development, allowing market to properly price this land and other land.</p> <p>Benefits – provides for a range and choice of living environments that meets social and cultural needs, including needs of Maori.</p> <p>Costs – Removes some land from productive use; may reduce "viability" of the towns and townships; compliance costs to developers; may reduce subdivision potential of some land.</p>

4.22.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.22.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
22.1	Subdivision – For All Zones	791340

4.22.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
22.1	Subdivision – For All Zones	791340

4.22.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
22.1	Subdivision – For All Zones	929434

4.22.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
22.1	Subdivision – For All Zones	929434

4.23 EARTHWORKS

4.23.1 RESOURCE MANAGEMENT ISSUE – EARTHWORKS

The Council considered the issue of earthworks (excavation and fill) as part of its consideration of appropriate activity status for activities in each zone, control through other rules and methods (eg subdivision, Building Act 2004) and the protection of specific features (eg landscape, heritage, significant indigenous vegetation). Council were advised that at the time of preparing the Operative District Plan, that the main issues were identified as;

1. There are excavations and fill placements which are of concern to Council and which are best managed through the District Plan. These fall essentially into three categories:
 - .a Where excavations cease to be minor works which are part and parcel of the principal land use (generally farming) and effectively become an extractive industry.
 - .b Where imported spoil of various sorts is being used to fill gullies/depressions etc where this is not provided for as a refuse landfill.
 - .c Excavation and fill not undertaken as part of another consented activity.
2. In addition Council is concerned about:
 - .d Fill in the Flood Ponding Zone (and associated areas that are subject to inundation), Floodways and identified overland flow paths;
 - .e Knowing where fill sites are located to ensure future building development is undertaken appropriately;
 - .f Earthworks within Landscape Protection Areas; and
 - .g The adverse effects (noise, visual, dust, length of time, traffic) associated with the excavation and placement of fill.

4.23.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

The Council considered the manner in which the Operative District Plan has worked and adopted the policy direction option of refining the existing provisions.

4.23.3 ADOPTED POLICY DIRECTION

Refer to 4.24.2 above.

4.23.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective	Summary of evaluation
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7.8.2 (1) To ensure site earthworks associated with land use and subdivision activities avoid, remedy or mitigate adverse off site effects.	The purpose of the RMA will be advanced by this objective by managing earthworks to protect amenity values, health and safety of future buildings and in terms of effects of contaminated fill, and to sustain the soil resource. (Natural hazards aspects evaluated separately)
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4.23.5 POLICIES THE MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES

Policies	Effectiveness and Efficiency
	Benefits and Costs
7.8.2(1)(a) (i) Recognise that excavations and fills are undertaken as part of legitimate land use activities. (ii) Ensure that excavations do not develop into commercial mines. (iii) Ensure that only clean imported fill is placed on sites. (iv) Limit the scale and location of earthworks to minimise the risk of instability and damage to other properties, network utilities and the environment and not increase the risk of potential flooding or reduce the function of ponding areas, overland flow paths, and spillways, and minimise amenity and public safety impacts.	Effective – achieves objective 7.8.2(1) by ensuring proposed earthworks are properly assessed for adverse effects on amenity values, environment, health and safety. The policies ensure Council is fully informed regarding the placement of significant volumes of imported fill and is able to manage this issue to ensure that the health and safety, amenity values and future building activity is not compromised. Movement of significant volumes off the source property are also managed and treated as extractive industry. Efficient – minimises compliance costs by allowing for earthworks that are ancillary to permitted activities and have no more than minor adverse effects. Benefits – protects amenity values, environment, health and safety. Costs – Compliance costs to developers; may reduce development potential of some land.

4.23.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.23.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
18	Earthworks	791307

4.23.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
18	Earthworks	791307

4.23.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
18	Earthworks	929419

4.23.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
18	Earthworks	929419

4.24 PROTECTION OF COASTAL ENVIRONMENT

4.24.1 RESOURCE MANAGEMENT ISSUE – PROTECTION OF COASTAL ENVIRONMENT

The “Position Paper” considered at Workshop 26 (17 December 2007) advised that at the time of reviewing the Operative District Plan, these issues were identified;

1. The main characteristics of the Coastal Foothills unit are the steep, bumpy and rolling land form and the mixture of land uses including pasture, indigenous forest and pine blocks. These characteristics and the overall landscape quality may be compromised through the inappropriate siting of buildings and insensitive earthworks that do not ‘fit’ with the topography.

2. This landscape unit includes the coastal cliffs and slopes above as well as the rolling land sloping inland away from the coast. Accordingly, subdivision of land within the coastal edge or coastal slopes should be avoided. This is because these areas are steep and exposed and additional development in these locations is likely to generate a level of

adverse effect that could not be appropriately mitigated.

3. Additional future development can be accommodated within this unit provided it is not sited on exposed hillsides or coastal slopes.

4. Homogenous exotic forestry regimes should be avoided on the coastal slopes but can be accommodated on the inland slopes.

5. Any new buildings or structures on the coastal edge or coastal slopes should be subject to design controls such as height, colour, reflectivity and landscaping requirements to ensure that they can be sited with minimal impact in order to achieve the objectives the NZ Coastal Policy Statement, Hauraki Gulf Marine Park Act and the provisions of s.6 of the RMA. There is an opportunity to enhance the coastal edge with appropriate native planting and undertake weed and pest control to improve existing native vegetation.

6. Any subdivision occurring on the inland slopes will need to ensure that existing native bush or natural features are protected in order to ensure that the effects of additional development are appropriately mitigated.

4.24.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

The “Coastal Position Paper” considered the manner in which the Operative District Plan has worked and set out the policy direction options and recommendations. The policy direction options and recommendations were as follows;

The LA4 Report recommended the following planning solutions with respect to the Coastal Foothills Landscape Unit:

- 1. Retain the extent of the residential zoning at Whiritoa but do not extend it, particularly not across the State Highway.*
- 2. Retain forestry as a Discretionary Activity but on coastal slopes the activity status should become Non-Complying.*
- 3. Alternatively to Option 2, within this landscape unit require resource consents to be obtained for any exotic forestry activity. It is recommended that exotic forestry be assessed as a Restricted Discretionary Activity with the following assessment criteria applying:*
 - ❖ The effects of the exotic forestry plantings on the landscape and visual qualities of the landscapes of District Wide Significance.*
 - ❖ Whether or not the exotic forestry results in the removal of existing established native vegetation.*
 - ❖ Whether or not the removal of the forestry in the future will adversely affect visual and landscape values and provision for such effects to be mitigated.*
- 4. Require Restricted Discretionary resource consent for new buildings and structures within the Coastal Policy Area subject to the following assessment criteria:*
 - ❖ Buildings and structures should be sited so that they sit within the landscape in a manner that minimises the amount of earthworks required.*
 - ❖ Buildings and structures should be finished in natural materials or recessive colours with a low reflectivity value that enable the building to blend into the landform backdrop.*
 - ❖ Landscaping shall be used to ensure that buildings and access ways to them are integrated into the surrounding environment.*
- 5. Under the existing rules for subdivision add specific assessment criteria requiring legal and physical protection to be provided in relation to sites being created on*

the basis of protecting heritage or environmental features. Both physical and legal protection should be required to be in place prior to s224 sign off. Physical protection should include provisions for ongoing weed and pest control and fencing to be ensured by way of s.221 Consent Notice. Legal protection should be by way of legal covenant or similar.

4.24.3 ADOPTED POLICY DIRECTION

The District Plan Committee accepted the recommendations within the LA4 Report, subject to the following comments or amendments:

1. *Potential for some lifestyle development on the western side of SH25, but residential development at Whiritoa should not jump SH25.*
2. *No removal of indigenous vegetation along immediate coastal edge.*
3. *Forestry in the Coastal Policy Area is already a discretionary activity so it was the view of the Committee that no additional or different controls are required.*
4. *Need to reconfirm the boundary and provisions of the Coastal Policy Area.*

The District Plan Committee also discussed the options of continuing with the Coastal Policy Area approach or to create a new Coastal Zone. The Committee resolved to create a new Coastal Zone for the following main reasons:

1. *The zone approach signifies the importance of the coastal environment; and*
2. *Allows for specific objectives, policies and rules to be developed rather than being hidden within the Rural Zone and the Coastal Policy Area provisions.*

4.24.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective	Summary of evaluation
5.4.2(1)(Coastal Zone) To preserve the natural character of the coastal environment and ensure its protection from inappropriate subdivision, use and development. (2) To maintain and enhance public access to and along the coastal marine area, while preserving conservation values.	The purpose of the RMA will be advanced by these objectives by ensuring the natural character of the coastal environment is preserved and that the coastal environment is protected from inappropriate subdivision, use and development. They also ensure public access is maintained and enhanced to and along the coastal marine area.
6.3.3(1) (Landscape) Refer to Section 4.8 above	

4.24.5 POLICIES, RULES & OTHER METHODS THE <u>MOST APPROPRIATE</u> TO ACHIEVE THE OBJECTIVES	
Policies	Effectiveness and Efficiency
	Benefits and Costs
<p>5.4.2(1)(a)</p> <p>(i) Protect, preserve and enhance the landscape character of the coastal environment.</p> <p>(ii) Identify landscape features of particular significance and ensure that particular regard is had to protecting those features.</p> <p>(iii) Protect areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna (Significant Natural Areas).</p> <p>(iv) Ensure the erection of <i>buildings, earthworks</i> (particularly cuttings associated with creating access tracks) and removal of <i>indigenous vegetation</i> does not detract from the significant landscape character of the coastal environment, particularly along the margins of the coast, estuaries, rivers and streams.</p> <p>(v) Encourage and recognise private landowner initiatives to protect identified Significant Natural Areas.</p> <p>(vi) Liaise with the Waikato Regional Council, adjoining territorial authorities and the Department of Conservation to ensure a consistent and coordinated approach to resource management in the coastal environment is adopted.</p>	<p>Effective – achieves objective 5.4.2(1) by defining the coastal environment putting in place control mechanisms to preserve its natural character and protect it from inappropriate subdivision, use and development.</p> <p>Efficient – identifies coastal areas subject to special controls.</p> <p>Benefits – protects coastal values, environment, health and safety.</p> <p>Costs – Compliance costs to developers; monitoring costs to council; may reduce development potential of identified coastal land.</p>
<p>6.3.3(1)(a) (Landscape)</p> <p>Refer to Section 4.8 above</p>	
<p>5.4.2(2)(b)</p> <p>(i) Liaise with statutory organisations (eg Department of Conservation) and community groups with an interest in the coastal resource (eg fishing clubs, conservation groups) to determine the locations where access, reserves and strips are needed for recreation purposes.</p> <p>(ii) Ensure that public access and use is compatible with the preservation of conservation values.</p> <p>(iii) Liaise with landowners to develop methods within which public access to and use of the coastal environment does not unreasonably interfere with the landowner's ability to use and 'enjoy' the land.</p>	<p>Effective – achieves objective 5.4.2(2) by enhancing opportunities for public access to the coast and ensuring proposed development in coastal areas is properly assessed in relation to public access to the coast.</p> <p>Efficient – seeks to identify locations where public access is a priority.</p> <p>Benefits – protects and enhances public access.</p> <p>Costs – Compliance costs to developers; monitoring costs to council; costs to council of land acquisition; costs to council to develop and maintain public access may reduce development potential of some land.</p>

4.24.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.24.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.2	Coastal Issues/Zone/Map Changes	788931
2.4	Rural, Coastal & Karangahake Gorge Zones - Subdivision	788615
10	Outstanding & Significant Natural Features & Landscapes	789044

4.24.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.2	Coastal Issues/Zone/Map Changes	788931
2.4	Rural, Coastal & Karangahake Gorge Zones - Subdivision	788615
10	Outstanding & Significant Natural Features & Landscapes	789044

4.24.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
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2.2	Coastal Issues/Zone/Map Changes	929391
2.4	Rural, Coastal & Karangahake Gorge Zones - Subdivision	929393
10	Outstanding & Significant Natural Features & Landscapes	929411

4.24.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions to the District Plan Review Hearings Committee:

Topic Number	Topic Name	File Reference Number
2.2	Coastal Issues/Zone/Map Changes	929391
2.4	Rural, Coastal & Karangahake Gorge Zones - Subdivision	929393
10	Outstanding & Significant Natural Features & Landscapes	929411

4.25 MAORI/ TANGATA WHENUA

4.25.1 RESOURCE MANAGEMENT ISSUE – MAORI / TANGATA WHENUA

The Council have been advised throughout the preparation of the Proposed Hauraki District Plan (eg Workshop 5, 10 April 2006) that the only way in which to identify and discuss issues of concern to tangata whenua is through consultation and having regard to the Hauraki Iwi Environmental Plan (even though it was known that not all iwi subscribe to its content).

4.25.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

Due to the difficulty in consulting with tangata whenua, the policy options were effectively restricted to continuing with the existing approaches contained in the Operative Hauraki District Plan.

The Draft District Plan was used as a consultation document with tangata whenua groups and through that process, it was confirmed that:

- In general, the provisions of the Operative District Plan are appropriate to take through into the Proposed District Plan;
- Additional work is required with respect to the identification and development of objectives, policies, rules and other methods for cultural areas; and
- The Proposed District Plan could be strengthened by the incorporation of a specific section on “Tangata Whenua Values” that linked through into other sections of the District Plan.

4.25.3 ADOPTED POLICY DIRECTION

Council adopted a policy direction of incorporating the existing provisions of the Operative Hauraki District Plan with as much amendment as possible in the time available and taking into account the feedback received from tangata whenua to date.

4.25.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective	Summary of evaluation
5.1.2(6) (Rural zone)	This objective is most appropriate to achieve the purpose of

<p>To recognise and provide for the development and use of ancestral Maori Land in a manner that recognises their cultural based housing needs and traditions associated with such land.</p>	<p>the RMA because it addresses the relationship of Maori, their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga, which must be recognised and provided for in the plan as a matter of national importance under section 6 of RMA.</p>
<p>5.9.2 (Marae Development Zone) (1) To assist Maori people of the District to maintain and enhance their culture, traditions, economy and society, in order that their wellbeing (mauri), health (waiora) and ability to implement the principles of Te Tiriti o Waitangi are within their own control and management. (2) To ensure that the activities undertaken within the zone do not detract from the environment (both within and outside the zone), and amenity values of neighbouring residents.</p>	<p>These objectives are most appropriate to achieve the purpose of the RMA because they contribute to social, economic and cultural wellbeing of the people of the district. While Maori people are especially mentioned, the objectives affect all people. They do this by helping to maintain and enhance resources (including physical, cultural and social resources), that will contribute to the ongoing development of Maori culture, society and economy. This is one aspect of recognising the relationship of Maori with their ancestral land, under section 6 RMA, taking into account the principles of the Treaty, under section 8 RMA. The objectives also provide for development of activities within the zone without detriment to the environment and amenity both within and outside the zone.</p>
<p>5.6.6(1) (Paeroa) To enable the people and community of Paeroa to provide the resources and infrastructure to meet the demands that Paeroa faces as the "central" urban area of the District, due to its location at the intersection of transport routes, the location of administration and civic activities (central, regional and local government), substantial industrial, recreation and residential activities in the town and its importance to tangata whenua.</p>	<p>This objective is most appropriate to achieve the purpose of the RMA because it will contribute to social, economic and cultural wellbeing of the people of the district. In regard to Maori people, the objective does this by maintaining and enhance resources (including physical, cultural and social resources), that will contribute to the ongoing development of Maori culture, society and economy. This is one aspect of recognising the relationship of Maori with their ancestral land, under section 6 RMA, taking into account the principles of the Treaty (section 8 RMA.)</p>
<p>5.6.8(1) (Kerepehi) To ensure a liveable and attractive residential environment for the community of Kerepehi while supporting the needs of existing and emerging industrial activities, and recognising the role that the Kerepehi Marae plays for tangata whenua.</p>	<p>This objective is most appropriate to achieve the purpose of the RMA because it will contribute to social, economic and cultural wellbeing of the people of Kerepehi. The objective recognises marae resources that will contribute to the ongoing development of Maori culture, society and economy. This is one aspect of recognising the relationship of Maori with their ancestral land, under section 6 RMA, taking into account the principles of the Treaty (section 8 RMA.)</p>
<p>6.1.3(1) (Conservation and Heritage) To protect a range of built heritage items that reflect the past history of the Hauraki District from the adverse environmental effects of other activities.</p>	<p>This objective is most appropriate to achieve the purpose of the RMA because it will contribute to social, economic and cultural wellbeing of the people of the district. In regard to Maori people, the objective does this by recognising the relationship of Maori with their ancestral land, waahi tapu and other taonga under section 6 RMA, taking into account the principles of the Treaty (section 8 RMA.)</p>
<p>7.2.3 (1) (Esplanades) To sustainably manage the margins of water bodies and coastal water to maintain or enhance natural character, indigenous biodiversity, water quality, and aquatic and adjoining terrestrial habitats.</p>	<p>This objective is most appropriate to achieve the purpose of the RMA because it will contribute to social, economic and cultural wellbeing of the people of the district. In regard to Maori people, the objective does this by recognising the relationship of Maori with their ancestral land, water, sites, waahi tapu and other taonga under section 6 RMA, taking into account the principles of the Treaty (section 8 RMA.)</p>
<p>9.1.3(5) & (7) (Subdivision) Refer to 4.23 above.</p>	

4.25.5 POLICIES THE MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES

Policies	Effectiveness and Efficiency Benefits and Costs
5.1.2(6)(a)(i) Marae related activities should be able to be developed and carried out on Maori land, where the effects on the environment can be avoided, remedied or mitigated.	Effective – achieves objective 5.1.2(6) by facilitating marae related activities on Maori land, while ensuring activities are assessed for their positive and any adverse effects on the environment. Efficient – specific marae activities on Maori land. Benefits – facilitates cultural development, protects environment. Costs – Some compliance costs to developers and council.
5.9.2(1)(a)(i) Recognise existing and future major marae as the focal and essential part in the development of Maori culture, traditions, society and economy. (ii) Use other methods in the District Plan (e.g. identifying urupa) to recognise and promote the relationship Maori people have with the District. (iii) Use methods outside the District Plan to assist Maori people to achieve the results they desire.	Effective – achieves objective 5.9.2(1) by facilitating marae related activities. Efficient – flexible, in allowing for methods inside and outside the plan to enable Maori people to achieve the results they desire. Benefits – facilitates cultural development, protects environment. Costs – Some compliance costs to developers and council.
5.9.2(2)(a)(ii) Place some of the responsibility for the protection of the environment from any adverse effects of activities within the marae areas on the Trust which controls the land.	Effective – achieves objective 5.9.2(2) by facilitating management of land by the governing bodies of marae, giving effect to some of the principles of Te Tiriti o Waitangi, particularly the ability of Maori people to exercise rangitiratanga (governship). Efficient – allows Maori people to manage their land to achieve the results they desire. Benefits – facilitates cultural development, self management by people who might be adversely affected by activities of others protects the environment. Costs – Minor compliance costs to developers and council.
5.6.6(1)(a)(v) Provide for the development of the four marae in the immediate vicinity of Paeroa.	Effective – achieves objective 5.6.6(1) by facilitating development of 4 marae near Paeroa. Efficient – specific to marae development around Paeroa. Benefits – Promotes social economic and cultural wellbeing, as well as relationship of Maori with ancestral land etc. Costs – Some compliance costs to developers and council.
5.6.8(1)(a) (iv) (Kerepehi) Recognise and provide for the development of the Kerepehi Marae.	Effective – achieves objective 5.6.8(1) by recognising and providing for development of Kerepehi marae. Efficient – specific to marae development at Kerepehi. Benefits – Promotes social economic and cultural wellbeing, as well as relationship of Maori with ancestral land etc. Costs – Some compliance costs to developers and council.
6.1.3(1)(a)(iv) (Conservation and heritage) Consulting with and seeking advice from the Tangata Whenua on all matters relating to identified waahi tapu sites, areas, and other features of significance to them.	Effective – achieves objective 6.1.3(1) by recognising the need for consultation with tangata whenua about identified waahi tapu sites, areas, and other features of significance to them. Efficient – consultation will reduce misunderstandings and conflicts. Benefits – Promotes social economic and cultural wellbeing, as well as relationship of Maori with ancestral land, waahi tapu, etc. Costs – Some consultation costs to tangata whenua, developers and council.
7.2.3(1)(a)(iv) (Esplanades) Not taking esplanade reserves where the land is Maori Land.	Effective – achieves objective 7.2.3(1) by recognising the need for consultation with tangata whenua and voluntary agreement when the possibility of an esplanade reserve arises.

Rather, Council will seek to obtain voluntary agreements with the tangata whenua of the land where esplanade strips and access strips are necessary.	Efficient – consultation and agreement will reduce misunderstandings and conflicts. Benefits – Promotes social economic and cultural wellbeing, as well as relationship of Maori with ancestral land, water, sites waahi tapu, etc. Costs – Some consultation costs to tangata whenua, developers and council.
9.1.3(5) & (7)(a) (Subdivision) Refer to 4.23 above.	

4.25.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.25.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural Issues/Zone/Landscape Protection Area/Map Changes	788612
3.1	Urban Design/Urban Areas of Towns & Townships	788952
3.7	Marae Development Zone – Zone/Subdivision	791223
8	Historic Heritage	789033
9.1	Indigenous Biodiversity – Issues/General	791256
10	Outstanding & Significant Natural Features & Landscapes	789044
13	Riparian Margins & Esplanade Reserves	791288
22.1	Subdivision – For All Zones	791340

4.25.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural Issues/Zone/Landscape Protection Area/Map Changes	788612
3.1	Urban Design/Urban Areas of Towns & Townships	788952
3.7	Marae Development Zone – Zone/Subdivision	791223
8	Historic Heritage	789033
9.1	Indigenous Biodiversity – Issues/General	791256
10	Outstanding & Significant Natural Features & Landscapes	789044
13	Riparian Margins & Esplanade Reserves	791288
22.1	Subdivision – For All Zones	791340

4.25.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural Issues/Zone/Landscape Protection Area/Map Changes	929390
3.1	Urban Design/Urban Areas of Towns & Townships	929394
3.7	Marae Development Zone – Zone/Subdivision	929400
8	Historic Heritage	929406

9.1	Indigenous Biodiversity – Issues/General	929407
10	Outstanding & Significant Natural Features & Landscapes	929411
13	Riparian Margins & Esplanade Reserves	929414
22.1	Subdivision – For All Zones	929434

4.25.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
2.1	Rural Issues/Zone/Landscape Protection Area/Map Changes	929390
3.1	Urban Design/Urban Areas of Towns & Townships	929394
3.7	Marae Development Zone – Zone/Subdivision	929400
8	Historic Heritage	929406
9.1	Indigenous Biodiversity – Issues/General	929407
10	Outstanding & Significant Natural Features & Landscapes	929411
13	Riparian Margins & Esplanade Reserves	929414
22.1	Subdivision – For All Zones	929434

4.26 CROSS BOUNDARY ISSUES

4.26.1 RESOURCE MANAGEMENT ISSUE – CROSS BOUNDARY ISSUES

The “Update on Cross Boundary Issues Position Paper” considered at Workshop 17 advised that at the time of preparing the Operative District Plan, nine cross boundary

issues were identified. These included;

- Kopuatai Peat Dome;
- Coromandel and Kaimai-Mamaki Ranges;
- Air Quality;
- Surface of Water;
- Esplanade Reserves and Strips;
- Railways;
- Road Transport;
- Monitoring; and
- Headwaters of the Waitakaruru River.

However, during the review of the Operative District Plan, the following additional cross boundary issues were identified;

- Landscape;
- Indigenous Vegetation;
- Coastal (hazards, natural character, appropriate development etc); and
- Smythes Quarry.

4.26.2 POLICY DIRECTION OPTIONS AND RECOMMENDATIONS

The “Update on Cross Boundary Issues Position Paper” considered the manner in which the Operative District Plan has worked and set out a list of actions to address each issue:

4.2 Kopuatai Peat Dome

Current Situation

Both the Hauraki and Matamata Piako District Plans take a similar approach to the provisions relating to the Kopuatai Peat Dome, in that they:

- a) Recognise that the Department of Conservation has the primary role in administering the area;
- b) Zone the area (Kaitiaki in the MPD Plan and Conservation (Wetland) in the HD Plan); and
- c) Impose a restrictive activity status regime (eg extractive industries are prohibited activities, with generally all other activities other than conservation activities being non-complying).

Recommended Actions

- i) Consultation with Department of Conservation to determine how they

- seek to have their estate managed in the district plan (eg designation or zone);
- ii) Liaison with MPDC staff to ensure provisions are consistent.

4.3 Coromandel and Kaimai-Mamaku Ranges

Current Situation

The TCDC, MPDC, Western Bay of Plenty and HDC take a similar approach to the provisions relating to the Ranges, in that they:

- a) Recognise that the Department of Conservation has the primary role in administering the area;
- b) Zone the area (Kaitiaki in the MPDC Plan, Conservation in the TCDC Plan and Conservation (Indigenous Forest) in the HDC Plan & Significant Landscape Feature in the WBOPDC Plan); and
- c) Impose a restrictive activity status regime (eg clearing of vegetation are discretionary or non-complying, with generally all other activities other than conservation activities being non-complying).

Both TCDC and HDC have recently had a landscape evaluation carried out by Mary Buckland (LA4). TCDC are seeking to introduce a variation to its district plan to implement landscape protection and HDC will be looking to undertake similar action in its district plan.

Recommended Actions

- i) Consultation with Department of Conservation to determine how they seek to have their estate managed in the district plan (eg designation or zone);
- ii) Continued liaison with TCDC, WBOPDC & MPDC staff to ensure provisions are consistent, particularly with TCDC staff with respect to the landscape provisions.

4.4 Air Quality

Current Situation

The responsibilities for air quality are split between district councils (local amenity & nuisance) and Environment Waikato (odour, industrial discharges). There is no indication that this matter will change in the future.

Recommended Actions

Continued liaison with EW staff to ensure the split between responsibilities is clearly identified and any provisions in the Hauraki District Plan do not overlap regional responsibilities.

4.5 Surface of Water

Current Situation

Hauraki District shares a common boundary along the Hikutaia Stream, Otahu River and Waihou River. As discussed above, the recent Kopu Bridge designation is the only matter that has tested the integration between TCDC and HDC. The responsibilities for surface of water activities is anticipated to remain with district councils and not be transferred to the regional councils.

Recommended Actions

Liaison with TCDC staff to ensure the approach to surface of water activities is complementary.

4.6 Esplanade Reserves and Strips

Current Situation

The Operative District Plan identifies existing and proposed esplanade reserves to be acquired on the planning maps, as well as rules that seek to acquire esplanade reserves or strips at the time of development and/or subdivision.

Recommended Actions

Where esplanade reserves are shown on the common boundary along the Hikutaia Stream, Otahu River and Waihou River, consultation with TCDC be undertaken to determine if the acquiring of additional esplanade reserves would be beneficial to mitigate the effects of activities on the opposite side of the water body.

4.7 Railways

Current Situation

The Thames Branch Railway is currently designated in the Operative Hauraki District Plan. All indications to date are that the designation will be carried forward into the Proposed Hauraki District Plan.

TCDC, MPDC and HDC all have an interest in ensuring that the railway designation is maintained for possible re-activation of the railway itself or as a route for cyclists.

Recommend Actions

- i) Liaison with TransRail to determine their approach to provision (designation) for the railway corridor.
- ii) Liaison with TDC & MPDC to determine underlying zoning provisions for the designation (if continued) or zoning provisions if not designated.

4.8 Road Transport

Current Situation

State highways are designated in all the district plans of adjoining authorities.

The main issue relates to monitoring activities outside Hauraki District that may impact on the roading network within the District (eg forest harvesting).

Recommended Actions

Continued discussion with adjoining local authorities to share information on activities likely to have an impact on the roading network.

4.9 Monitoring

Current Situation

Monitoring should be undertaken in conjunction with adjoining local authorities and Environment Waikato. Currently, this is not being undertaken.

Recommended Actions

Establish monitoring and information sharing with adjoining local authorities and Environment Waikato in relation to matters that may have a cross boundary component or impact.

4.10 Headwaters of the Waitakaruru River

Current Situation

The catchment of the Waitakaruru River is located in both the Waikato and Hauraki Districts.

Recommended Actions

This matter is one that should be included in the monitoring recommended in 4.9 above.

4.11 Landscape

This matter is primarily addressed in 4.3 above, but also relates to the coastline.

4.12 Coastal

Current Situation

The section of coastline from Otahu River to north of Waihi Beach is covered by the Coastal Environment Policy Area (except for the urban area of Whiritoa).

The landscape assessments (carried out by LA 4) considered the coastline over both these districts. The coastal hazards work being carried out primarily by Environment Waikato and TCDC has recently been amended to incorporate the coastline along Hauraki District.

The provision for coastal development in the TCDC, Western Bay of Plenty and Hauraki District Councils has been undertaken in isolation to each other. There would be value in reviewing the approach being adopted to the immediate north and south, in order that the manner in which development is managed is integrated with the adjoining authorities.

There is a small area of common boundary at Miranda with Waikato District.

Recommended Action

This matter to be discussed with TCDC, Waikato and Western Bay of Plenty District Councils to ensure that the provisions within Hauraki are complementary and integrated with those of adjoining authorities.

4.13 Indigenous Vegetation

Current Situation

The provisions for the protection of indigenous vegetation have been developed independently to the provisions in TCDC, MPDC, Western Bay of Plenty and Waikato District Councils. The analysis undertaken by Kessels & Associates has placed the Hauraki District within the wider context of the adjoining local authorities and has recommended a complementary approach to protection of indigenous vegetation.

Recommended Actions

This matter to be discussed with TCDC, Waikato, Matamata Piako and Western Bay of Plenty District Councils to ensure that the provisions within Hauraki are complementary and integrated with those of adjoining authorities.

4.14 Smythes Quarry

Current Situation

Within the Waikato District Plan, Smythes Quarry is covered by an Aggregate Extraction Policy Area. A recent site visit identified the company's expansions plans in Hauraki District. There are ongoing discussions with the quarry owners to develop provisions in the district plan to assist in the quarry expansion.

Recommended Actions

Continue discussions with the owners of Smythe's Quarry and Waikato District Council staff to determine the appropriate and complementary provisions that could be included into the Hauraki District Plan to accommodate the possible expansion of the quarry.

4.26.3 ADOPTED POLICY DIRECTION

4.2 Kopuatai Peat Dome

- Zoning as Conservation (Wetland)

4.3 Coromandel and Kaimai-Mamaku Ranges

- Zoning as Conservation (Indigenous Forest)
- Landscape protection rules applying to land outside the zone

4.4 Air Quality

- Rely on the provisions of the Waikato Regional Plan and expertise of Waikato Regional Council to address matters in relation to air quality.

4.5 Surface of Water

- Continue with approach in Operative Hauraki District Plan

4.6 Esplanade Reserves and Strips

Refer to Section 4.19

4.7 Railways

- Designations continued

4.8 Road Transport

Refer to Section 4.21

4.9 Monitoring

	<ul style="list-style-type: none"> Continue with monitoring regime
4.10	<u>Headwaters of the Waitakaruru River</u> <ul style="list-style-type: none"> Apply Landscape Protection provisions of the Rural Zone
4.11	<u>Landscape</u> Refer to Section 4.8.
4.12	<u>Coastal</u> Refer to Section 4.25
4.13	<u>Indigenous Vegetation</u> Refer to Section 4.9
4.14	<u>Smythes Quarry</u> Refer to Section 4.12

4.26.4 OBJECTIVE MOST APPROPRIATE TO ACHIEVE THE PURPOSE OF THE RMA

Objective	Summary of evaluation
NA – refer to the assessment in the relevant parts of this Section 32 Report	

4.26.5 POLICIES THE MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES

Policies, Rules and Other Methods	Effectiveness and Efficiency
	Benefits and Costs
NA – refer to the assessment in the relevant parts of this Section 32 Report	

4.26.6 RISK OF ACTING OR NOT ACTING

N/A – There is no uncertainty or insufficient information about the subject matter.

4.26.7 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

Refer to the following relevant Staff Reports on:

Topic Number	Topic Name	File Reference Number

1	Administration, Monitoring & Cross Boundary Issues	788610
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4.26.8 SUMMARY OF ANALYSIS IN STAFF REPORT TO DISTRICT PLAN REVIEW COMMITTEE HEARINGS

Refer to the following relevant Staff Reports on submissions:

Topic Number	Topic Name	File Reference Number
1	Administration, Monitoring & Cross Boundary Issues	788610

4.26.9 SUMMARY OF EVIDENCE PRESENTED AT HEARINGS AND CONSIDERATION BY DISTRICT PLAN REVIEW COMMITTEE

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
1	Administration, Monitoring & Cross Boundary Issues	929389

4.26.10 COUNCIL DECISIONS

Refer to the following relevant Council Decision Reports on submissions:

Topic Number	Topic Name	File Reference Number
1	Administration, Monitoring & Cross Boundary Issues	929389

5.0 APPENDIX A: SECTION 32 RESOURCE MANAGEMENT ACT 1991

32 Consideration of alternatives, benefits, and costs

- (1) In achieving the purpose of this Act, before a proposed plan, proposed policy statement, change, or variation is publicly notified, a national policy statement or New Zealand coastal policy statement is notified under section 48, or a regulation is made, an evaluation must be carried out by—
 - (a) the Minister, for a national environmental standard or a national policy statement; or
 - (b) the Minister of Conservation, for the New Zealand coastal policy statement; or
 - (c) the local authority, for a policy statement or a plan (except for plan changes that have been requested and the request accepted under clause 25(2)(b) of Schedule 1); or
 - (d) the person who made the request, for plan changes that have been requested and the request accepted under clause 25(2)(b) of Schedule 1.

- (2) A further evaluation must also be made by—
 - (a) a local authority before making a decision under clause 10 or clause 29(4) of Schedule 1; and
 - (b) the relevant Minister before issuing a national policy statement or New Zealand coastal policy statement.

- (3) An evaluation must examine—
 - (a) the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and
 - (b) whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.

- (3A) This subsection applies to a rule that imposes a greater prohibition or restriction on an activity to which a national environmental standard applies than any prohibition or restriction in the standard. The evaluation of such a rule must examine whether the prohibition or restriction it imposes is justified in the circumstances of the region or district.

(4) For the purposes of the examinations referred to in subsections (3) and (3A), an evaluation must take into account—

- (a) the benefits and costs of policies, rules, or other methods;
and
- (b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.

(5) The person required to carry out an evaluation under subsection (1) must prepare a report summarising the evaluation and giving reasons for that evaluation.

(6) The report must be available for public inspection at the same time as the document to which the report relates is publicly notified or the regulation is made.

6.0 APPENDIX B:P TABLE OF DISTRICT PLAN REVIEW WORKSHOPS

Workshop No.	Workshop Title	Date	Prepared By	Phase
1	RMA Overview, Critique of Hauraki District Plan, Review Preparation Process	26 April 2005	Alan Matheson Marina van Steenbergen	PHASE 1 RMA Overview & Identification of Key Urban & Rural Planning Issues Outline of District Plan Review Programme
2	Urban Issues, Urban Design protocol, Overview of Infrastructure and Development Constraints for Urban Areas	28 July 2005	Alan Matheson HDC Engineering Staff	
3	Rural Issues (eg Protection of productive land, subdivision, rural amenity, water supply & catchment management, natural areas, coastal environment)	12 September 2005	Alan Matheson	
4	Climate Change	14 November 2005	Presentation by Ministry for the Environment and EW staff	
5	District Plan Review Programme and Outline of Position Papers to be prepared, Consultation Plan outline	10 April 2006	Alan Matheson	
6	Mining Position Paper Signs Position Paper Flood hazard Overview presentation	12 June 2006	Alan Matheson Marina van Steenbergen Robert Aves	PHASE 2 Presentation & Discussion on Key Planning Issues Confirm Policy Directions
7	Indigenous Vegetation Presentation Historic Heritage Presentation Urban Trees Presentation	17 July 2006	Gerry Kessels of Kessels & Associates Myfanwy Eaves, Opus Peter Kensington & Peter Hall, Boffa Miskell John Wakeling of Wakeling & Associates	
8	Rural Subdivision Position Paper Update on Code of Subdivision Project Reserves Position Paper Network Utilities Position Paper Historic Heritage Position Paper	21 August 2006	Alan Matheson Marina van Steenbergen Myfanwy Eaves, Opus	
9	Site visit to Smythes Quarry to discuss possible district plan responses to the proposed developments (quarry expansion & industrial development) Draft Indigenous Vegetation & Indigenous Fauna Position Paper Update on Outcomes & Policy Directions confirmed to date	9 October 2006	Alan Matheson Gillian Cockerell Gerry Kessels of Kessels & Associates	
10	Urban Design Position Paper (Introduction)	13 November 2007	Doug Leighton, Stuart Houghton &	

Workshop No.	Workshop Title	Date	Prepared By	Phase
	<p>Final Indigenous Vegetation & Indigenous Fauna Position Paper</p> <p>Draft landscape Position Paper (Introduction to Policy Options)</p> <p>Update on Outcomes & Policy Directions confirmed to date</p>		<p>Deborah Lee Sang, Boffa Miskell</p> <p>Gerry Kessels of Kessels & Associates</p> <p>Mary Buckland, LA4 Landscape Architects</p> <p>Burnett O'Connor of O'Connor Planning Consultants</p> <p>Alan Matheson</p>	
11	Site Visit Waihi & Whiritoa – Urban Design Issues	11 December 2006	Doug Leighton & Deborah Lee Sang, Boffa Miskell	
12	<p>Discussion on Draft landscape Position Paper (Introduction to Policy Options)</p> <p>Update on Outcomes & Policy Directions confirmed to date</p>	18 December 2006	Alan Matheson Gillian Cockerell	
13	Site Visit Kerepehi, Turua & Waitakaruru – Urban Issues & Growth Options	12 February 2007	Alan Matheson Gillian Cockerell Doug Leighton & Deborah Lee Sang, Boffa Miskell	
14	Site Visit Ngatea – Urban Issues & Growth Options	26 February 2007	Alan Matheson Gillian Cockerell Deborah Lee Sang, Boffa Miskell	
15	Site Visit Waihi & Waikino – Urban Issues & Growth Options	12 March 2007	Alan Matheson Gillian Cockerell Deborah Lee Sang, Boffa Miskell	
16	Site Visit Paeroa, Karangahape & Mackaytown – Urban Issues & Growth Options	26 March 2007	Alan Matheson Gillian Cockerell Deborah Lee Sang, Boffa Miskell	
17	<p>Final Landscape Position Paper</p> <p>Update on Outcomes & Policy Directions confirmed to date for Towns</p> <p>Cross Boundary Issues Position Paper</p>	16 April 2007	<p>Mary Buckland, LA4 Landscape Architects</p> <p>Burnett O'Connor of O'Connor Planning Consultants</p> <p>Alan Matheson Gillian Cockerell</p> <p>Alan Matheson</p>	
18	Natural Hazards Position Paper River Flood Risk Management Paper	30 April 2007	Adam Munro, EW	

Workshop No.	Workshop Title	Date	Prepared By	Phase	
	Precise of Landscape Policy Directions		Alan Matheson Gillian Cockerell		
19	Draft Urban Design Position Paper	14 May 2007	Doug Leighton & Deborah Lee Sang, Boffa Miskell		
20	Cross Boundary Issues Discussion with Policy Planners from adjacent Local Authorities	11 June 2007	Gillian Cockerell		
21	Final Urban Design Position Paper	25 June 2007	Doug Leighton & Deborah Lee Sang, Boffa Miskell		
22	Urban Growth Overview Position Paper Interim Flood Hazard Information Report	26 June 2007 9 July 2007	Gillian Cockerell Adam Munro, EW		
23	Cross Boundary Issues Discussion with Policy Planners from adjacent Local Authorities (Contd) Noise Position Paper Vibration Position Paper	15 August 2007	Gillian Cockerell Nigel Lloyd, Acousafe Ltd Alan Matheson		
24	Presentation of Policy Directions Paper Presentation of draft residential subdivision and development standards Presentation of recommended rural subdivision standard for protection of productive land Overview of Proposed District Plan format for information purposes	10 September 2007	Alan Matheson Gillian Cockerell		
25	Presentation by Transit NZ on revised Transit Planning Policy Manual. Presentation and discussion of draft urban and rural subdivision and development standards from Workshop 24 (contd)	24 September 2007	Ben Tobias & Nick Carey, Transit NZ Gillian Cockerell		
26	Update and confirm strategic policy directions	17 December 2007	Alan Matheson Gillian Cockerell		
27 - 36	Presentation of draft sections of the district plan for comment from Committee	Feb 08 – Dec 08	Alan Matheson Gillian Cockerell		PHASE 3 Draft District Plan Drafting & Confirming Draft Sections in line with Policy Directions
37	Update workshop on progress with drafting district plan	30 March 09	Alan Matheson Gillian Cockerell		
38	Significant Indigenous Vegetation Areas presentation Draft District Plan sections	20 April 09	EW Staff Gillian Cockerell		
39	Present draft structure plans for future urban growth areas Carparking Standards Review Draft infrastructure standards/Hauraki Engineering Manual	11 May 09	Gray Matter Limited Adrian de Laborde Gillian Cockerell		
40 & 41	Present draft district plan	4 & 8 June 09 – 13 July 09	Alan Matheson Gillian Cockerell		
	Council Workshop to present Draft District Plan	5 August 2009	Alan Matheson Gillian Cockerell		

Workshop No.	Workshop Title	Date	Prepared By	Phase
42	Consultation Programme	17 August 2009	Alan Matheson Gillian Cockerell	PHASE 4 Consultation
43	Overview of Phase 1 consultation and Phase 2 consultation preparation	28 September 2009	Alan Matheson Gillian Cockerell	
44	Reporting on Phase 1 and Phase 2 consultation Landowner feedback on SNA's	12 November 2009	Alan Matheson Gillian Cockerell	
45	Presentation of public feedback	2 December 2009	Alan Matheson Gillian Cockerell	
46	Presentation of public feedback Feedback on Waikino rezoning	9 December 2009	Alan Matheson Gillian Cockerell	
47	Presentation of late public feedback	17 December 2009	Alan Matheson Gillian Cockerell	
48	Presentation of late public feedback SNA reviews Quarry Buffer Area feedback	25 January 2010	Alan Matheson Gillian Cockerell	
49	Review of SNA rule provisions Update on iwi consultation	11 February 2010	Alan Matheson Gillian Cockerell	
50	SNA reviews Heritage features review Zoning reviews Update on iwi consultation Revised Section 6.0	15 March 2010	Alan Matheson Gillian Cockerell	
51	SNA reviews Whiritoa Erosion Hazard Line review Feedback from Ngati Hako	30 March 2010	Alan Matheson Gillian Cockerell	
52	Feedback from Marutuahu SNA reviews Section 8 – District Wide Performance Standards for Development and Subdivision Section 5 – Martha Mineral Zone	3 May 2010	Alan Matheson Gillian Cockerell	PHASE 5 Finalise Proposed District Plan (incorporating outcomes of consultation)
53	Section 5 – Rural, Coastal, Conservation, Karangahake Gorge & Reserve Zones Section 3.8 – Tangata Whenua Strategy	17 May 2010	Alan Matheson Gillian Cockerell	
54	Section 5 – Residential, Low Density Residential, Marae Development, Township, Industrial, Paeroa Flood Ponding	8 June 2010	Alan Matheson Gillian Cockerell	
55	Section 5 – Urban Areas & Town Centre Zone Section 7 – Specific and District Wide Matters Section 9 - Subdivision	22 June 2010	Alan Matheson Gillian Cockerell	
	Council Workshop on finalised Proposed District Plan	25 June 2010	Alan Matheson Gillian Cockerell	PHASE 6 Present Finalised Proposed District Plan to Council

WORKSHOP 42 – CONSULTATION PROGRAMME

1. INTRODUCTION

- 1.1 At the Council Workshop on 5 August 2009, the report from the Council's Planning and Environmental Services Manager, identified that a more detailed consultation programme for the Draft and Proposed District Plan would be provided at the District Plan Workshop to be held on 17 August 2009.
- 1.2 Attached to this report is a chart setting out the proposed programme for the development of the consultation associated with the Draft and Proposed District Plans. The following sections of this report provide a brief explanation of the actions that are to be undertaken during each phase of the programme and to highlight the times that members of the District Plan Review Committee will need to be involved in aspects of the programme. The programme is in draft form with actual dates for most actions to be confirmed and revised as the consultation process proceeds.

2. EXPLANATION OF PHASES

Phase 1 – Consultation – Key Organisations

- 2.1 During Phase 1, the Planning Maps will continue to be updated with historic heritage and indigenous vegetation information. However, this work does not preclude discussion on the main issues with the main statutory organizations and groups with a specific interest in the district plan (eg. Newmont Waihi Gold, surveyors, iwi, EW, DOC, NZTA).
- 2.2 Letters will be sent to all requiring authorities requesting that they confirm existing designations and/or advise of alterations to existing designations or new designations.
- 2.3 The opportunity will be taken to advise by letter, those landowners who requested specific zoning changes that their request has been considered and they will be able to discuss the outcome of that consideration during the Phase 2 consultation.
- 2.4 Weekly features in the HDC News will commence with the following as an indicative outline for Phase 1:
- General – why district plan being reviewed, work undertaken to date
 - Programme - advice when draft available, consultation to be undertaken
 - Main issues addressed in the draft

Phase 2 – Consultation – Community and Individual Landowners

- 2.5 The commencement of Phase 2 is dependent on the updated indigenous vegetation & historic heritage information being available and included on the maps. If the information is available prior to 9 October 2009, Phase 2 will commence earlier than indicated on the programme. The letters to go to individual landowners with respect to indigenous vegetation, historic heritage and

specific zoning changes can be prepared and be ready to send out once all the information is to hand.

- 2.6 General consultation will commence with ratepayer letters and through the HDC News. The Draft will be on the Council website, hard copies at Council offices & libraries, and rather than printing lots of hard copies, CD's will be available for people on request.
- 2.7 Community open days will be held during the times indicated (exact dates, times, venues etc to be determined). Ward and District Plan Review Councillors would be encouraged to attend these open days. Whiritoa is the only definite date to tie in with Labour Weekend.
- 2.8 Informal comments/submissions will be able to be made on Freepost feedback forms and a report on these comments/submissions along with any recommendation as to changes to the Draft will be taken to a District Plan Committee Workshop on 12 November 2009.
- 2.9 Weekly features in the HDC News will continue with a different issue being addressed each week. A detailed list of issues will be produced that will cover the main matters that the Committee have been considering.

Phase 3 – Finalise and Adopt the Proposed District Plan

- 2.10 Following the outcome of the District Plan Committee meeting on 12 November 2009, the Proposed District Plan will be completed. Correcting errors, formatting etc of the Proposed District Plan can be continuing throughout the consultation period.
- 2.11 The dates for workshops and Council meetings are listed.

Phase 4 – Public Notification and Submissions on Proposed District Plan

- 2.12 The statutory period for notification, submissions and further submissions are set out indicatively to ensure that Council decisions on submissions can be made prior to the Local Government elections in October 2010.

3. COMMENT ON DRAFT & PROPOSED DISTRICT PLAN PROGRAMME

- 3.1 The programme is tight, but realistically achievable. The main issue needing to be resolved is ensuring that the information on historic heritage and indigenous vegetation is available in order the individual consultation with landowners can be undertaken. At this stage, there does not appear to be any fundamental matter that would preclude these pieces of work from being completed in time.
- 3.2 While most of the work will fall to be undertaken by Council staff and consultants, it is important that Councillors are involved in the process where community consultation is to be undertaken.

Alan Matheson & Gillian Cockerell
C and M Planning

7.0 APPENDIX C: CONSULTATION PLAN



