



Agenda for a meeting of the Raglan Community Board to be held in the Supper Room, Town Hall, Bow Street, Raglan on **TUESDAY 9 FEBRUARY 2016** commencing at **6.00pm**.

Note: An Open Forum will be held at **5.30 pm** prior to the commencement of the meeting.

Information and recommendations are included in the reports to assist the Board in the decision making process and may not constitute Council's decision or policy until considered by the Board.

1.	<u>APOLOGIES AND LEAVE OF ABSENCE</u>	
2.	<u>CONFIRMATION OF STATUS OF AGENDA ITEMS</u>	
3.	<u>DISCLOSURES OF INTEREST</u>	
4.	<u>CONFIRMATION OF MINUTES</u>	3
	Meeting held on Tuesday 1 December 2015.	
5.	<u>MATTERS ARISING FROM MINUTES</u>	
6.	<u>SPEAKER</u>	<i>Verbal</i>
	Ms Fiona Edwards, chairperson of Harbour Care will be in attendance to address the Board.	
7.	<u>REPORTS</u>	
7.1	Community Board Vacancy	10
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7.6	Raglan Community Board Long Term Plan 2015-2025 Priority List	33

7.7	Raglan Bus Transport Service	36
7.8	Raglan Works & Issues Report	37
7.9	Raglan Coastal Reserves Advisory Committee Meeting Minutes, 14 December 2015	47
7.10	Parking activity in Raglan during the peak summer period	52
7.11	Raglan Land Company - Private Plan Change 12 to the Waikato District Plan and change of consent conditions to construct the Opororu Causeway and to extend the lapse date	54
7.12	Pre-Meeting Forum	<i>Verbal</i>
7.13	Chairperson's Report	<i>Verbal</i>
7.14	Councillor's Report	<i>Verbal</i>
8.	<u>BOARD MEMBERS' REPORTS</u>	
8.1	Board and Stakeholder Relationships	<i>Alan</i>
8.2	CBD plan	<i>Alan</i>
8.3	Civil Defence	<i>Bob</i>
8.4	Cultural Liaison	<i>Boyde Lisa</i>
8.5	Placemaking	<i>Lisa</i>
8.6	Communications	<i>Kelly</i>

G J Ion

CHIEF EXECUTIVE

Agenda2016\RCB\1160209 RCB OP.dot

Open Meeting

To	Raglan Community Board
From	GJ Ion Chief Executive
Date	4 December 2015
Prepared By	LM Wainwright Committee Secretary
Chief Executive Approved	Y
DWS Document Set #	1106413
Report Title	Confirmation of Minutes

1. Executive Summary

To confirm the minutes of a meeting of Raglan Community Board held on Tuesday 1 December 2015.

2. Recommendation

THAT the minutes of the meeting of the Raglan Community Board held on Tuesday 1 December 2015 be confirmed as a true and correct record of that meeting.

3. Attachments

RCB Minutes 01/12/15



MINUTES of a meeting of the Raglan Community Board held in the Supper Room, Town Hall, Bow Street, Raglan on **TUESDAY 1 DECEMBER 2015** commencing at **6.00pm.**

Present Cr JC Baddeley (Deputy Chairperson)
Mr BT Dixon
Mr R MacLeod
Ms K Murphy
Ms L Thomson

Attending Mr TG Whittaker (General Manager Strategy & Support)
Mr SJ Soanes (Customer Delivery Team Leader Raglan)
Inspector Hassan (Area Commander NZ Police)

The General Manager Strategy & Support presided for the following item.

RCBI512/01 REPORTS

RCBI512/01/1 Appointment of Deputy Chairperson
Item 6.1

The General Manager Strategy & Support called for nominations for the position of Chairperson for this meeting.

One nomination was received.

Cr Baddeley was nominated by Mr MacLeod and seconded by Ms Thomson.

RCBI512/01/1/1 Resolved: (Mr MacLeod/Ms Thomson)

THAT nominations for the Chairperson of Raglan Community Board be closed.

CARRIED on the voices

As there was only one nomination, the General Manager Strategy & Support duly declared Cr Baddeley elected as the Chairperson of the Raglan Community Board.

RCB1512/01/1/2 Resolved: (Mr MacLeod/Ms Thomson)

THAT Cr Baddeley be appointed Chairperson of the Raglan Community Board for this meeting.

CARRIED on the voices

Cr Baddeley assumed the chair and presided for the remainder of the meeting.

RCB1512/02 APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Ms Thomson/Mr Dixon)

THAT an apology be received from and leave of absence granted to Mr Vink.

CARRIED on the voices

RCB1512/03 CONFIRMATION OF STATUS OF AGENDA ITEMS

RCB1512/03/1 Resolved: (Mr MacLeod/Ms Murphy)

THAT the agenda for a meeting of the Raglan Community Board held on Tuesday 1 December 2015 be confirmed and all items therein be considered in open meeting.

CARRIED on the voices

RCB1512/04 DISCLOSURES OF INTEREST

There were no disclosures of interest.

RCB1512/05 CONFIRMATION OF MINUTES

Resolved: (Mr MacLeod/Ms Murphy)

THAT the minutes of a meeting of the Raglan Community Board held on Tuesday 10 November 2015 be confirmed as a true and correct record of that meeting.

CARRIED on the voices

RCB1512/06 MATTERS ARISING FROM THE MINUTES

There were no matters arising from the minutes.

RCB1512/07 SPEAKER

Inspector Hassan, New Area Commander from NZ Police, addressed the Board.

RCB1512/08 REPORTS

RCB1512/08/1 Discretionary Fund Report to 19 November 2015
Item 7.1

Resolved: (Mr MacLeod/Ms Thomson)

THAT the report of the **General Manager Strategy & Support – Discretionary Fund Report to 19 November 2015** – dated 19 November 2015 be received.

AND THAT the mural funds of \$351.86 (*Resolution No. RCB1211/06/1*) be returned to the pool;

AND FURTHER THAT the Papahua Bridge signage funds of \$559.95 (*Resolution No. RCB1302/06/3*) be returned to the pool.

CARRIED on the voices

RCB1512/08/2 Raglan Coastal Reserves Advisory Committee Meeting Minutes, 19 October 2015
Item 7.2

Resolved: (Mr Dixon/Mr MacLeod)

THAT the report of the **General Manager Service Delivery – Raglan Coastal Reserves Advisory Committee Meeting Minutes – 19 October 2015** - be received.

CARRIED on the voices

RCB1512/08/3

Service Request Report 1 July 2015 to 30 October 2015
Item 7.3

Resolved: (Ms Murphy/Ms Thomson)

THAT the report of the General Manager Strategy & Support – Service Request Report 1 July 2015 to 30 October 2015 – dated 19 November 2015 be received.

CARRIED on the voices

RCB1512/08/4

Raglan Works & Issues Report
Item 7.4

The Board requested:

- that staff investigate why the decorative lights in Raglan have not been reconnected to the street lighting system,
- an update on the application to close the CBD for the New Year's Eve parade, and
- an update on the Raglan footpath report.

Resolved: (Ms Thomson/Mr Dixon)

THAT the report of the General Manager Strategy & Support – Raglan Works & Issues Report – be received.

CARRIED on the voices

RCB1512/08/5

Pre-Meeting Forum
Item 7.5

- Maori Wardens open letter in the Chronicle and possibility of a “skate zone” in Bow Street.
- Request to widen the Wharf boat ramp.
- Potential for Council to award contracts to locals if they become approved by Council.
- Raglan to Hamilton bus service contract renewal.
- Need for more bike racks in CBD
- Signposting of walkways in Raglan (Service Request).
- Water meter cost benefit assessment.
- Rubbish on SH3 – direct enquirer to NZTA.
- Rubbish bins in wharf area (Service Request).
- Suggested change of meeting time to 1.30pm (board to consider in New Year).
- Wainui Reserve Cycle track progress report.
- Large signs in vicinity of jetty – are they necessary?

RCBI512/08/6 Chairperson's Monthly Report
Item 7.6

Resolved: (Mr MacLeod/Ms Thomson)

THAT the report of the Raglan Community Board Chairperson – (*Chairperson's Monthly Report*) - be received.

CARRIED on the voices

RCBI512/08/7 Councillor's Reports
Item 7.7

Councillor Baddeley gave a verbal report on the following items and answered questions of the Board:

- Local Government document on climate change signed off by Council today
- Easter Sunday trading is now a Council decision
- Alcohol forum (local) document signing
- Councillor requests (multiple) to deal with issues between neighbours

RCBI512/09 BOARD MEMBERS' REPORTS

RCBI512/09/1 Board and Stakeholder Relationships
Item 8.1

Ms Murphy requested a workshop be held early in the new year regarding environment and arts issues with stakeholders. Ms Murphy to make a submission to the Regional Council regarding development of land on the deviation for forestry.

Involvement of Xtreme Zero Waste in educating visitors to Raglan on waste disposal and recycling.

RCBI512/09/2 CBD plan
Item 8.2

Mr Dixon requested Council to investigate if there is a need to form Wi Neera Street to connect to Wainui Road.

Mr MacLeod requested that Community Board Long Term Priority list be placed for discussion on the next agenda.

RCB1512/09/3 Civil Defence
Item 8.3

Nil to report

RCB1512/09/4 Cultural Liaison
Item 8.4

Nil to report

RCB1512/09/5 Placemaking
Item 8.5

Ms Thomson reported that butt bins will soon be installed at strategic locations in the CBD.

Upgrading the planter gardens is being discussed currently with Council staff.

With the growing trend to cycle to town there is a need for more cycle racks in the CBD.

The mural on the water tower is due to be repainted, with many local businesses assisting financially with the project.

RCB1512/09/6 Communications
Item 8.6

The Board requested that Council revisit the Raglan Naturally document with the community.

There being no further business, the meeting was declared closed at 7.30 pm.

Minutes approved and confirmed this day of 2016.

A Vink

CHAIRPERSON

Minutes2015/RCB/151201 RCB M.doc

Open Meeting

To	Raglan Community Board
From	TG Whittaker General Manager Strategy & Support
Date	1 December 2015
Prepared By	M Edgar Corporate Planner
Chief Executive Approved	Y
DWS Document Set #	1107369
Report Title	Community Board Vacancy

1. Executive Summary

Following the resignation of Matt Holl, an elected member of the Raglan Community Board, an extra-ordinary vacancy has occurred. Under section 117 of the Local Electoral Act (LEA) 2002, if a vacancy occurs 12 months or prior to the next election the Council or Community Board must decide if they wish to:

- a) Appoint someone who is qualified to be an elected member; or
- b) Leave the position vacant until the next election.

The Board is being asked to decide which option it prefers regarding the extra-ordinary vacancy.

2. Recommendation

THAT the report of the General Manager Strategy & Support – Community Board Vacancy - be received;

AND THAT the Raglan Community Board:

- a) Approves the filling of the extraordinary vacancy and appoints to the position of Board member for the remainder of the 2013-2016 Triennium; or
- b) Leaves the position vacant until the next election in October 2016.

3. Background

Under Section 5(1) (a) Schedule 7 of the Local Government Act (LGA) 2002 an extraordinary vacancy is created if a member resigns. The LEA 2001 is the legislation which provides for options to manage that vacancy.

4. Considerations

As the vacancy has occurred less than 12 months before a triennial election a by-election is not able to be used to fill the position. However, under LEA section 117(3) the Board must determine by resolution if the vacancy will be filled or not. Filling the vacancy is achieved by the Board appointing someone who is qualified to do it, that is: the person must be a NZ citizen over 18 years of age and enrolled on the Parliamentary roll as an elector. If the Board decides to leave the vacancy unfilled it must pass a resolution to that effect and publicly advertise its decision.

If the Board decides to appoint someone to the vacancy there are a number of steps to be undertaken, they include:

- The Board passes a resolution at this meeting, naming the qualified person in its resolution.
- A public notice is placed in local newspapers stating the Board's decision and the criteria for making the appointment.
- Within 30 days of the public notice the Board must hold an additional meeting confirming the appointment through another resolution. At this meeting the appointee could make their declaration of office and proceed to act as a full member of the Board.

If for any reason the appointee cannot be confirmed in the position then a further vacancy occurs (section 118(4)).

It is important to note that after the Tuesday 9 February 2016 meeting the Board has a further five scheduled meetings before the end of the Triennium.

5.1 Financial

There are no financial implications.

5.2 Legal

There are no additional legal considerations.

6. Consultation

The following stakeholders have been consulted:

Planned	In Progress	Complete	
N/A			Internal
		√	Raglan Community board
N/A			Waikato-Tainui/Local iwi
N/A			Households
N/A			Business
N/A			Other Please Specify

The Board's decision will be publicly notified.

7. Conclusion

The Board is empowered, under clause 117 of the LEA 2001, to make a decision about the extra-ordinary vacancy that has occurred as a result of Matt Holl's resignation. The Board is being asked to decide whether or not the vacancy should be filled.

Open Meeting

To	Raglan Community Board
From	TG Whittaker General Manager Strategy & Support
Date	21 December 2015
Prepared By	RJ Gray Council Support Manager
Chief Executive Approved	Y
DWS Document Set #	1116402
Report Title	Appointment of Deputy Chairperson

1. Executive Summary

Following the resignation of the Deputy Chairperson, the Board is required to appoint a deputy chairperson to ensure the appropriate governance structure is in place.

In the event there is more than one nomination, the General Manager Strategy & Support will conduct an election by way of show of hands. In the event that the election is tied, the result will be determined by drawing a name out of a hat.

2. Recommendation

THAT the report of the General Manager Strategy & Support – *Appointment of Deputy Chairperson* - be received;

AND THAT be appointed Deputy Chairperson for the Raglan Community Board.

Open Meeting

To	Raglan Community Board
From	TG Whittaker General Manager Strategy & Support
Date	21 January 2016
Prepared by	RJ Gray Council Support Manager
Chief Executive Approved	Y
DWS Document Set #	1137491
Report Title	Time of Board Meetings

1 Executive Summary

The Chair has requested discussion on a suitable time for holding the Raglan Community Board meetings following the change last year from afternoon meetings to evening meetings. Meetings are scheduled for February, March, May, June, August and September 2016. This request is made in an attempt to find a time that might engender more community attendance at the meetings.

Following the triennial elections in October 2016, dates and times of the board meetings will be discussed at the meeting in November 2016.

2 Recommendation

THAT the report of the **General Manager Strategy & Support – Time of Board Meetings** – be received;

AND THAT the Raglan Community Board meetings continue to/commence at following an open forum held at

3 Attachments

Nil

Open Meeting

To	Raglan Community Board
From	TG Whittaker General Manager Strategy & Support
Date	25 January 2016
Prepared By	J Calambuhay Management Accountant
Chief Executive Approved	Y
DWS Document Set #	1138723
Report Title	Discretionary Fund Report to 25 January 2016

1. Executive Summary

To update the Board on the Discretionary Fund Report to 25 January 2016.

2. Recommendation

THAT the report of the General Manager Strategy & Support – *Discretionary Fund Report to 25 January 2016* – dated 25 January 2016 be received.

Attachment(s) - Discretionary Fund Report to 25 January 2016

RAGLAN COMMUNITY BOARD DISCRETIONARY FUND 2015/2016

	1.206.1704
2015/16 Annual Plan	14,271.00
Carry forward from 2014/15	11,730.00
Total Funding	26,001.00
Expenditure	
01-Jul-2015 Raglan Chamber of Commerce - towards Matariki Festival	1,000.00
23-Nov-2015 Raglan Lions Club - towards the cost of the New Year's Eve parade	1,775.00
24-Nov-2015 Surfside Christian Life Centre - towards the cost of the 'Christmas in the Park' event	3,000.00
26-Nov-2015 LGNZ CPEC Community Board Chairs Workshop - S Stewart/A Vink	86.96
Total Expenditure	5,861.96
Income	
Total Income	-
Net Expenditure	5,861.96
Net Funding Remaining (Excluding commitments)	20,139.04
Commitments	
10-Mar-2015 St Peter Anglican Church Raglan - towards cost of repairing the heritage stained glass windows (RCBI503/07/2)	3,000.00
Total Commitments	3,000.00
Net Funding Remaining (Including commitments) as of 25 January 2015	17,139.04

Open Meeting

To	Raglan Community Board
From	TG Whittaker General Manager Strategy & Support
Date	12 January 2016
Prepared By	VA Ramduny Planning & Strategy Manager
Chief Executive Approved	Y
DWS Document Set #	1128537
Report Title	Survey Result - Engagement with Community Boards

1. Executive Summary

As part of a staff Leadership Challenge initiative Council's Open Spaces Operations Team Leader, Gordon Bailey, identified the need for an assessment of engagement between Council and the community boards. Mr Bailey was supervised by the Chief Executive, Gavin Ion. The purpose of this report is to share the results of the survey applicable to the respective community board.

The survey was conducted during July & August 2015 and was done online. Each community board member received an email from Mr Bailey notifying them of the survey. Board members who do not have access to email were sent hard copies of the survey.

The number of respondents for the respective community boards were as follows:

- Taupiri – 2 respondents
- Raglan – 7 respondents
- Onewhero-Tuakau – 3 respondents
- Ngaruawahia – 5 respondents
- Huntly – 8 respondents

The analysis of the responses for the Raglan Community Board indicates the following:

- Board members generally only initiate communication with Council when they have an issue or when they require more information.
- Most respondents indicated that they wait till the Board meeting and use the Works and Issue report to ensure that any work identified is being undertaken in a timely manner by Council.
- Barriers to communication identified by the respondents include 'Council not delivering on promises'.
- The respondents felt that Council could improve its communication by establishing clear protocols, by involving the Board members more in decision-making processes and adhering to the Community Board Charter.
- All respondents generally have reservations about whether Council genuinely wants to engage.
- The Board sees itself as the link between Council and the community and consequently giving the Board greater delegations was an issue identified by a number of respondents.

The survey has further found that community boards don't have a standard operating culture and that no single solution will work across the boards. Mr Bailey has made the following recommendations from his survey analysis:

- That community board advisor/s be identified to act as a central point of contact between Council and community boards.
- That community board delegations be reviewed at the next representation review (2018).
- That boards receive an annual refresher of how they should operate and what delegations they have.
- That the result of the survey be shared with the respective community boards.

Some further things to bear in mind to supplement actions that are already being undertaken to improve engagement between Council and the community boards:

- Community boards are integral to the implementation of Council's Community Engagement Strategy (the Strategy was shared with each community board in February/March 2015).
- Ward councillors have representation on each of the community boards.
- Chairpersons of the boards are invited to participate in Council meetings and workshops.
- Having the Chief Executive or a General Manager present at each board meeting is aimed at facilitating the interaction between the boards and Council and having a point of contact for the board.
- Community boards and Council have to be proactive in strengthening their relationship - not just with each other but also with the community (some recommendations in this regard were shared with the community boards in a paper titled "*Strengthening Council and community board engagement with each other and with the community*" in February 2014).

2. Recommendation

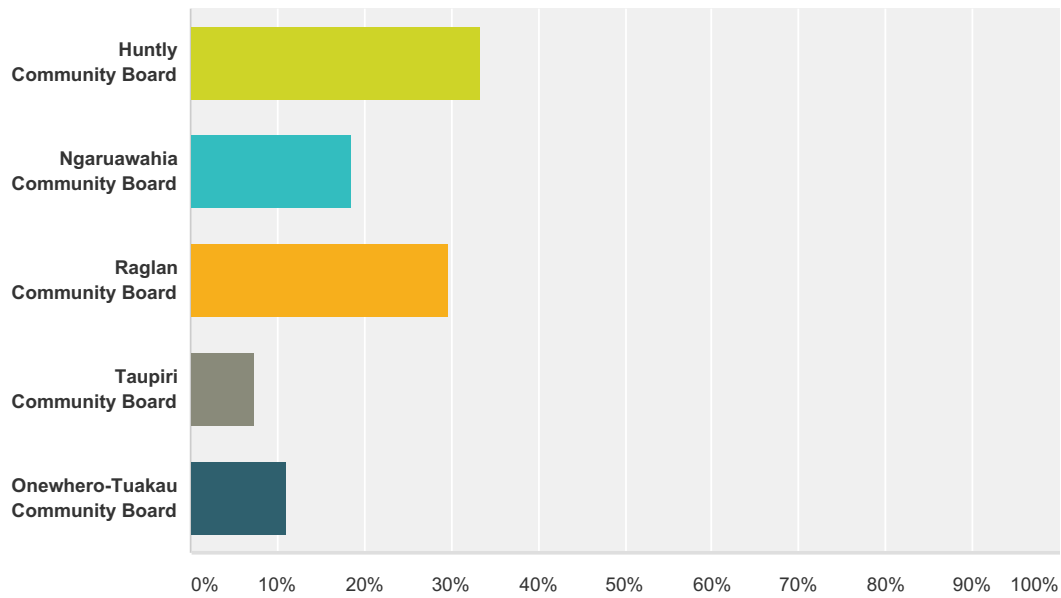
THAT the report of the General Manager Strategy & Support – Survey Result - Engagement with Community Boards - be received.

3 Attachments

1. Overall summary data
2. Survey responses for the Raglan Community Board

Q1 Which Community Board do you belong to?

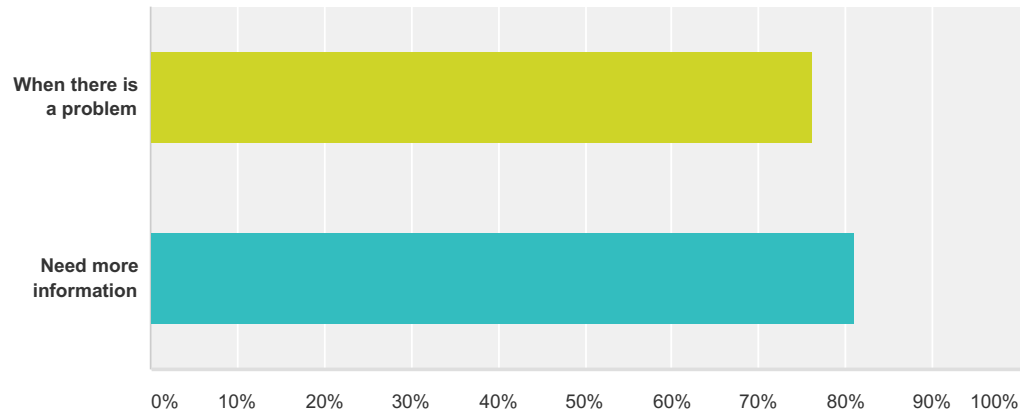
Answered: 27 Skipped: 1



Answer Choices	Responses	
Huntly Community Board	33.33%	9
Ngaruawahia Community Board	18.52%	5
Raglan Community Board	29.63%	8
Taupiri Community Board	7.41%	2
Onewhero-Tuakau Community Board	11.11%	3
Total		27

Q2 When do you initiate communication with Council?

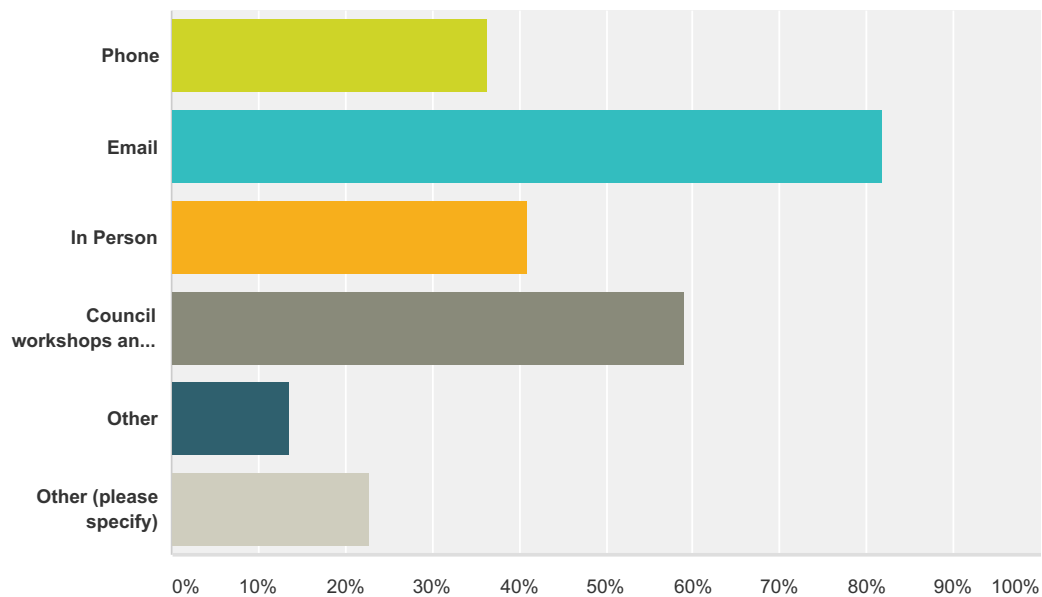
Answered: 21 Skipped: 7



Answer Choices	Responses	
When there is a problem	76.19%	16
Need more information	80.95%	17
Total Respondents: 21		

Q3 What method does Council use to communicate with your Community Board?

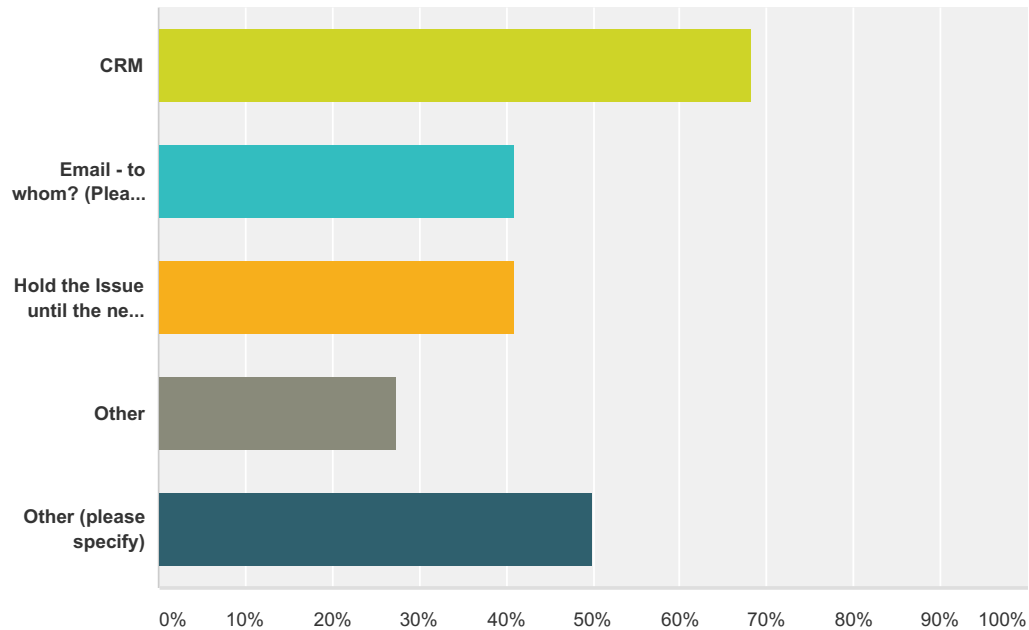
Answered: 22 Skipped: 6



Answer Choices	Responses	
Phone	36.36%	8
Email	81.82%	18
In Person	40.91%	9
Council workshops and Council meetings	59.09%	13
Other	13.64%	3
Other (please specify)	22.73%	5
Total Respondents: 22		

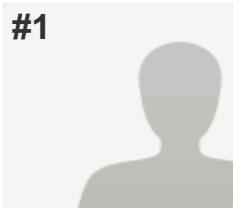
Q4 What is the process you currently use to request Council to undertake something or provide information?

Answered: 22 Skipped: 6



Answer Choices	Responses	
CRM	68.18%	15
Email - to whom? (Please enter in "Other" Comment box)	40.91%	9
Hold the Issue until the next Community Board meeting	40.91%	9
Other	27.27%	6
Other (please specify)	50.00%	11
Total Respondents: 22		

#1

**INCOMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Wednesday, July 08, 2015 10:09:36 AM**Last Modified:** Thursday, August 13, 2015 9:42:58 AM**Time Spent:** Over a month**IP Address:** 131.203.116.201

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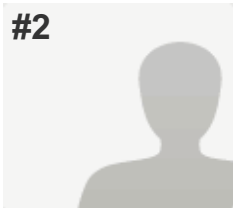
Q1: Which Community Board do you belong to?

Raglan Community Board

PAGE 2: Community Board Consultation Survey

Q2: When do you initiate communication with Council?*Respondent skipped this question***Q3: What method does Council use to communicate with your Community Board?***Respondent skipped this question***Q4: What is the process you currently use to request Council to undertake something or provide information?***Respondent skipped this question***Q5: What barriers are there to Council engaging with the Board?***Respondent skipped this question***Q6: How can Council improve its current methods of communication with your Board?***Respondent skipped this question***Q7: Do you consider Council is genuine in wanting to engage?***Respondent skipped this question***Q8: Is there any other advice you would give Council about communicating with the Board?***Respondent skipped this question*

#2

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Thursday, August 13, 2015 9:56:46 AM**Last Modified:** Thursday, August 13, 2015 10:23:50 AM**Time Spent:** 00:27:04**IP Address:** 123.100.121.169

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Q1: Which Community Board do you belong to?

Raglan Community Board

PAGE 2: Community Board Consultation Survey

Q2: When do you initiate communication with Council?

When there is a problem , Need more information

Q3: What method does Council use to communicate with your Community Board?

Phone, Email, In Person,

Council workshops and Council meetings ,

Other (please specify)

In person at our board meetings, also I go to our local council office and talk to staff.

Q4: What is the process you currently use to request Council to undertake something or provide information?

Email - to whom? (Please enter in "Other" Comment box)

,

Hold the Issue until the next Community Board meeting

,

Other (please specify)

I have only just found out about the CRM process as I am new to the board, I more frequently use emailing as my main form of contact with council, primarily it is to my board colleagues, our councillor, Tony Whittaker, plus Maria Edgar - in fact I like to try and be as transparent as possible so like to include everyone, and of course discussion at board meetings.

Q5: What barriers are there to Council engaging with the Board?

I am only new so my experience communicating with council has been limited.

Q6: How can Council improve its current methods of communication with your Board?

Regular workshops, providing us with up to date information on council processes, also indepth training when one is elected onto the board - which has happened as yet for us newbies in Raglan. It would be great to have more opportunity for the community to engage with council, say at events etc, instead of us in council asking people to come to us, rather go to where the community are ie community forums, events etc and try new ways of connecting, rather than workshops on rates survey the community and ask what is relevant, what do you want etc.

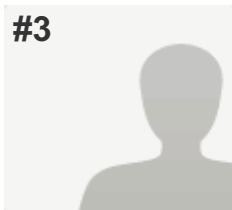
Q7: Do you consider Council is genuine in wanting to engage?

My experience so far is yes I do believe the council wants to genuinely engage, however there is such a them and us mentality between council and community, and it would be great to build strong, resilient relationships that at it's foundation is respect and trust.

Q8: Is there any other advice you would give Council about communicating with the Board?

Make sure that people feel heard and validated, give more power on decision making back to communities via their community boards, I feel that the board is merely a discretionary funder rather than a valid, respected representative of our community. If we are to build strong relationships in our communities we must give say back to the people, for example, sourcing contractors locally, grass verges, parks etc, identifying smaller jobs that need attention, solution finding for locals by locals, so communities start to feel that they have some say.

#3

**INCOMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Thursday, August 13, 2015 10:44:00 AM**Last Modified:** Thursday, August 13, 2015 10:45:21 AM**Time Spent:** 00:01:21**IP Address:** 118.92.47.215

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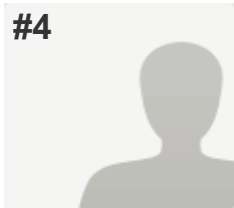
Q1: Which Community Board do you belong to?

Raglan Community Board

PAGE 2: Community Board Consultation Survey

Q2: When do you initiate communication with Council?*Respondent skipped this question***Q3: What method does Council use to communicate with your Community Board?***Respondent skipped this question***Q4: What is the process you currently use to request Council to undertake something or provide information?***Respondent skipped this question***Q5: What barriers are there to Council engaging with the Board?***Respondent skipped this question***Q6: How can Council improve its current methods of communication with your Board?***Respondent skipped this question***Q7: Do you consider Council is genuine in wanting to engage?***Respondent skipped this question***Q8: Is there any other advice you would give Council about communicating with the Board?***Respondent skipped this question*

#4

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Friday, August 14, 2015 11:27:45 AM**Last Modified:** Friday, August 14, 2015 11:47:46 AM**Time Spent:** 00:20:01**IP Address:** 118.92.47.215

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Q1: Which Community Board do you belong to?

Raglan Community Board

PAGE 2: Community Board Consultation Survey

Q2: When do you initiate communication with Council?

When there is a problem , Need more information

Q3: What method does Council use to communicate with your Community Board?

Email,

Other (please specify)

Community agenda, often decisions are made prior to any engagement with RCB. Need for being informed & involved early in the decision-making process. Being given adequate information of what/is proposed and have adequate time to respond.

Q4: What is the process you currently use to request Council to undertake something or provide information?

CRM,

Other (please specify) Works and issues report.

Q5: What barriers are there to Council engaging with the Board?

The RCB is not consulted by way of a detailed presentation on major policy issues that have an effect on the Raglan community.

Q6: How can Council improve its current methods of communication with your Board?

RCB members being involved/invited to participate in all community roadside meetings.

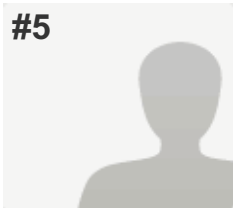
Q7: Do you consider Council is genuine in wanting to engage?

When it suits

Q8: Is there any other advice you would give Council about communicating with the Board?

Live up to the charter at all times, RCB members being involved in planning and managing the processes rather than being consulted on proposals. Recognition of district-wide issues affect the RCB and are of interest to the Raglan community. Sufficient delegated powers and funding to the RCB to enable them to feel as if they could have an impact.

#5

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Monday, August 17, 2015 4:36:33 PM**Last Modified:** Monday, August 17, 2015 4:50:47 PM**Time Spent:** 00:14:14**IP Address:** 122.61.198.1

PAGE 1

Q1: Which Community Board do you belong to?

Raglan Community Board

PAGE 2: Community Board Consultation Survey

Q2: When do you initiate communication with Council?

When there is a problem , Need more information

Q3: What method does Council use to communicate with your Community Board?Phone, Email,
Council workshops and Council meetings**Q4: What is the process you currently use to request Council to undertake something or provide information?**CRM,
Hold the Issue until the next Community Board meeting
,
Other (please specify)
Place it on our CB Agenda. Invite a council staff member to come and speak to us.**Q5: What barriers are there to Council engaging with the Board?**

We have had an adversarial relationship with Council which I am trying to change to a more co-operative one.

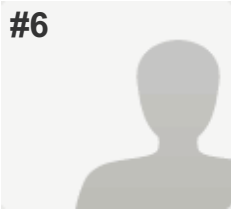
Q6: How can Council improve its current methods of communication with your Board?According to the CB Charter here are the items where we believe there is room for improvement.
Clause 8 a-f and clause 10 a&b.**Q7: Do you consider Council is genuine in wanting to engage?**

Overall Yes but not all personnel involved have the same level of commitment.

Q8: Is there any other advice you would give Council about communicating with the Board?

We understand that CB's vary in there level of competence.However where a Board shows increasing levels of competence and commitment then we believe more responsibility should be delegated to them as per the Thames model.

#6

**COMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Thursday, August 27, 2015 9:02:14 PM**Last Modified:** Thursday, August 27, 2015 9:35:02 PM**Time Spent:** 00:32:48**IP Address:** 122.62.41.62

PAGE 1

Q1: Which Community Board do you belong to?

Raglan Community Board

PAGE 2: Community Board Consultation Survey

Q2: When do you initiate communication with Council?

When there is a problem , Need more information

Q3: What method does Council use to communicate with your Community Board?

Email

Q4: What is the process you currently use to request Council to undertake something or provide information?

Hold the Issue until the next Community Board meeting

Other (please specify) annual plan-long term plan.

Q5: What barriers are there to Council engaging with the Board?

Toxic relationship between ward councillor and board.

Board chairpersons not following due process and making arbitrary decisions without board mandate.

Q6: How can Council improve its current methods of communication with your Board?

Establish protocols on ward councillor's duties as a board member. Establish protocols for board chairman to be board facilitator rather than incompetent tyrant. Have senior council management trained in white board facilitation so when the board has to make a practical resolution and there are three options the meeting can briefly be adjourned and facilitated in the strengths and weaknesses of differing options so that even sideshow dummies can resolve perennial issues

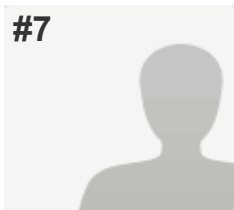
Q7: Do you consider Council is genuine in wanting to engage?

that is dependent on whether the ward councillor is competent and a tyrant and trustworthy

Q8: Is there any other advice you would give Council about communicating with the Board?

Staff do really good work, especially on community engagement, the weakness is in not enough good competent people standing for election

#7

**INCOMPLETE****Collector:** Web Link 1 (Web Link)**Started:** Monday, August 31, 2015 12:08:47 PM**Last Modified:** Monday, August 31, 2015 12:08:53 PM**Time Spent:** 00:00:06**IP Address:** 103.233.132.5

PAGE 1

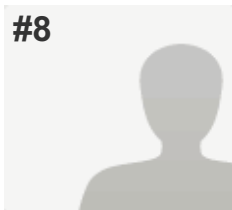
Q1: Which Community Board do you belong to?

Raglan Community Board

PAGE 2: Community Board Consultation Survey

Q2: When do you initiate communication with Council?*Respondent skipped this question***Q3: What method does Council use to communicate with your Community Board?***Respondent skipped this question***Q4: What is the process you currently use to request Council to undertake something or provide information?***Respondent skipped this question***Q5: What barriers are there to Council engaging with the Board?***Respondent skipped this question***Q6: How can Council improve its current methods of communication with your Board?***Respondent skipped this question***Q7: Do you consider Council is genuine in wanting to engage?***Respondent skipped this question***Q8: Is there any other advice you would give Council about communicating with the Board?***Respondent skipped this question*

#8



COMPLETE

Collector: Web Link 1 (Web Link)

Started: Tuesday, September 08, 2015 4:32:17 PM

Last Modified: Tuesday, September 08, 2015 5:01:18 PM

Time Spent: 00:29:01

IP Address: 103.233.132.5

PAGE 1

Q1: Which Community Board do you belong to?

Raglan Community Board

PAGE 2: Community Board Consultation Survey

Q2: When do you initiate communication with Council?

When there is a problem , Need more information

Q3: What method does Council use to communicate with your Community Board?

Email, Council workshops and Council meetings

Q4: What is the process you currently use to request Council to undertake something or provide information?

Email - to whom? (Please enter in "Other" Comment box)

,

Hold the Issue until the next Community Board meeting

,

Other,

Other (please specify) To councillor Clint baddeley

Q5: What barriers are there to Council engaging with the Board?

As I am newly elected it is all from a fresh perspective.

- There has been no workshop / training about how processes work for both the board and council, and the best way to go about getting things done, who to contact for particular matters, I could go on and on.

- When a question is asked of the council, responses are vague, defensive and / or inadequate. As we meet 8 times a year it becomes quickly quite tiresome if we have to wait another meeting having already requested something twice.

- listening and action. If a community board presents what a community wants and the council doesn't deliver these things, and instead delivers what the community hasn't asked for, this provides a huge barrier. A lack of trust.

Q6: How can Council improve its current methods of communication with your Board?

- Have a training day with boards to go through processes, and provide information so boards can do their job effectively

- do their job properly so we don't have to wait for another meeting

Q7: Do you consider Council is genuine in wanting to engage?

this survey is a start, but overall first impression is no. It seems to be a word that is used, but all other actions around it goes against it. It will be interesting to see outcomes from this survey, and if this changes my experience so far.

Q8: Is there any other advice you would give Council about communicating with the Board?

I would like to see the council more open to possibilities. There seems to be a lot of excuses as to why things can't happen, and the shutting down of ideas. This is a pretty sure fire way of killing engagement.

Perhaps if council isn't the one who can directly provide the solution, they could suggest other ways of making it happen.

I would like to see information provided in a clearer manner. For example a list of scheduled works for raglan and what stage each of these works are at.

Open Meeting

To	Raglan Community Board
From	TG Whittaker General Manager Strategy & Support
Date	22 January 2016
Prepared by	DM Lee Executive Assistant
Chief Executive Approved	Y
DWS Document Set #	1137705
Report Title	Raglan Community Board Long Term Plan 2015-2025 Priority List

1 Executive Summary

To provide the Community Board with the Long Term Plan 2015-2025 priority list for the Raglan community.

2 Recommendation

THAT the report of the General Manager Strategy & Support – *Raglan Community Board Long Term Plan 2015-2025 Priority List* – be received.

3 Attachments

Raglan Community Board Long Term Plan Priority List

LTP Priority Projects
Raglan Community Board

Project:	Included in work programme?	Commentary:
Continuing development of footpaths. Increase footpath widths in Bow Street and tidy Wallis Street hill to Bow Street.	Y	Work underway on Nihinihi Avenue for the 2014/2015 financial year with a budget of \$110,000 Kerb and channel planned opposite the organite stone (no financial year provided) with a budget of \$20,000
Heated swimming pool – joint venture with Raglan Area School.	N	A feasibility study was tabled at the Community Board in September 2014 which recommended that the Swimming Club work with council staff over the next few years to develop a proposal to be considered for the 2018-2028 LTP. Currently the swimming club has yet to demonstrate a community need for a new pool complex. The Community Board acknowledge that this is a very big ticket item and most unlikely to happen in the next 5 years.
Central Business parking.	N	Raglan is being provided with 58 extra parks on James St. Council staff will assess the peak parking requirements in Raglan when the James street project is complete (in order to adequately capture its effects). The new parking spaces in James Street will soon be available. Strong interest expressed by the Community Board for the bottom of Stewart Street to be developed for parking.
Whale Bay to Manu Bay walkway.	N	A walkway/cycleway strategy is scheduled to be developed in 2016. Initial research is underway and a feasibility study could be undertaken to help inform the strategy. There are still some outstanding lwi issues to be resolved.
Public Transport.	N	Council to advocate on behalf of Raglan Community to work in partnership with NZTA. Staff submitted to the Regional Land Transport Plan (RLTP). Submissions closed on Monday 15 December and hearings will be held during February 2015 (16 to 18).

Additional information:	Detail:
<p>LTP priority projects received from Councillor Baddeley to be discussed at the February workshops.</p>	<ol style="list-style-type: none"> <li data-bbox="651 235 1410 470"> <p>1. Wi Neera Street connection. This is essential for connecting Raglan West and the CBD plus economic development and potential parking during summer at the soccer fields. <i>Note: Establish Wi Nera Street property as a green reserve is listed as #17 on the Raglan Community Board's priority list. Currently not included in the LTP.</i></p> <li data-bbox="651 504 1410 806"> <p>2. Cliff Street shared space development and one way traffic flow. Plus beach front stability as identified in Tonkin Taylor reports including the continuation of the board walk. This is getting dangerous due to visitor use. If designed right this would be a considerable asset to the District. <i>Note: Convert Cliff Street to one way traffic is listed as #22 on the Raglan Community Board's priority list. Was to be reviewed as apt of the Raglan Town Centre Spatial Plan.</i></p> <li data-bbox="651 840 1410 999"> <p>3. Complete the entrance to Raglan by completing stage 2. It's currently a job half done. <i>Note: Main Road Stage 2 is listed as # 24 on the Raglan Community Board's priority list. Main Road kerb and channel upgrade works scheduled for 2015/16 in the 2012-2022 LTP.</i></p>

Open Meeting

To	Raglan Community Board
From	TG Whittaker General Manager Strategy & Support
Date	21 January 2016
Prepared by	DM Lee Executive Assistant
Chief Executive Approved	Y
DWS Document Set #	1137624
Report Title	Raglan Bus Transport Service

1 Executive Summary

Council and Waikato Regional Council staff have recently met to discuss possible improvements to the bus services to Raglan.

It is proposed that Waikato Regional Council staff present a report to the Infrastructure Committee meeting in March 2016 to update Councillors on the progress with the issue. This will also provide an opportunity for Councillors to address their concerns directly with Waikato Regional Council staff who manage the service.

2 Recommendation

THAT the report of the General Manager Strategy & Support – *Raglan Bus Transport Service* – be received.

Open Meeting

To	Raglan Community Board
From	TG Whittaker General Manager Strategy & Support
Date	26 January 2016
Prepared By	DM Lee Executive Assistant
Chief Executive Approved	Y
DWS Document Set #	1137424
Report Title	Raglan Works & Issues Report

1. Executive Summary

To update the Board and provide information on issues, contracts, projects and correspondence relating to the Raglan Community Board.

2. Recommendation

THAT the report of the **General Manager Strategy & Support – Raglan Works & Issues Report** – be received.

RAGLAN COMMUNITY BOARD
WORKS & ISSUES REGISTER – 2016

Issue	Area	Action	Comments
Lower Norrie Avenue	Roading Alliance	Needs continuous 2-way traffic from pedestrian crossing. Diagonal parking is hampering 2-way traffic at the pedestrian crossing. Request that the 12 car parks be converted to parallel parking.	See Staff report attached for information. The recommended option is to maintain the existing road marking layout.
Proposed names for trail signs for Wainui Reserve have been sent to local iwi for approval	Service Delivery	Feedback from iwi consultation was positive and the following names approved:	<p>Feedback from iwi consultation was positive and the following names approved:</p> <ol style="list-style-type: none"> 1. Karakariki 2. Te Pae O Te Kura 3. Te Upoko <p>Wainui Reserve signs (location, direction and name area signs) are currently being made. Draft signage brief confirmed last week and waiting on a reply email regarding the completion date of the signs.</p>
Karioi Track	Service Delivery	Board took a decision at its meeting in July for a walking/biking track to lookout at S6 - 3.4km from Wainui Road - update on progress for the next meeting.	Work is progressing. Engagement with landowners is first stage and about to commence.

Walking and trails strategy	Service Delivery	Staff to email maps.	Staff have begun mapping the potential trail routes which will be incorporated into the draft strategy. The Committee will be asked to contribute to the mapping exercise once the first draft is completed. It is expected the draft Strategy will be taken to Council in April/May 2016 and will be able to be released for public consultation following this.
Decorative Lights	Service Delivery	The decorative lights have not been connected since streetlights were upgraded to LEDs.	Completed.
Forward Works Programme	Service Delivery	Footpaths was missing from the last programme provided.	Footpath Programme attached for information.

Strategy & Support

Plan Change 12 – Raglan Land Company Private Plan Change (PPC12)

The PPC12 hearing and the change of consent conditions application was heard by independent commissioners Dr Phil Mitchell and Alan Watson in August 2014 and July 2015. The Commissioners issued a decision to approve both PPC12 and the change of consent conditions on 23 September 2015. The appeal period closed on 16 November 2015 with no appeals being received by the Environment Court from any party. Council issued a public notice on 16 December 2015 and PPC12 was deemed operative on 16 January 2016.

Plan Change 14 (Raglan Rezoning) update

Plan Change 14 was notified on 18 December and is currently open for submissions. Submissions close on 29 February 2016.

The submission form can be accessed from on Council's website or cutting and pasting this link into your URL:

<http://www.waikatodistrict.govt.nz/Documents-Library/Files/Documents/District-Plan/Plan-Change-Reports/Plan-Change-14-Submission-form.aspx>

District Plan Review - Update

The District Plan Review is being conducted in seven phases:

Stage 1

- Phase 1: Project Inception (Sept - Dec 2014) – Completed
- Phase 2: Operative Plan Audit (Nov 2014 - March 2015) – Completed
- Phase 3: Issue and Topic Identification (March - July 2015) – Completed
- Phase 4: Draft District Plan Development (August 2015 - Nov 2016) – In progress

Stage 2

- Phase 5: Notification and Hearing (2017)
- Phase 6: Appeals (2018)
- Phase 7: Operative District Plan (2020)

Service Delivery

2015/16 Raglan Footpath Programme

Road Name	Location Start Name	Location End Name	Start	Work Start Name	End	Work End Name	Length	Area	Side
Nihinihi Avenue	Tahuna Avenue	Pokohui ave (sump lhs)	100	Tahuna Avenue	370	Pokohui Avenue	270	270	L
Uenuku Avenue	Tahuna Street	Karekare Avenue	7	Tahuna Avenue	232	Karekare Avenue	225	315	R
Uenuku Avenue	Karekare Avenue	Pokohui Avenue	232	Karekare Avenue	300	Pokohui Avenue	68	95.2	R
Wainui Road	Rakaunui Street	Speed derestriction	2111	Rakanui st - end of fp	2170	Raglan Community Medical	59	59	R
Wallis Street	Bow Street	James st (lhs)	1070	By Wharf Carpark	1080	Boardwalk	10	10	L

MEMORANDUM

To	Mike James / Peter Foote
From	Wasim Sidyot
Subject	Norrie Avenue and Stewart Street Parking Queries
Date	24 November 2015

Background

The following requests were received from the Raglan Community Board with regards to parking on Norrie Avenue and Stewart Street in Raglan.

1. Norrie Avenue

Needs continuous 2-way traffic from pedestrian crossing. Diagonal parking is hampering 2-way traffic at the pedestrian crossing. Request that the 12 carparks be converted to parallel parking.

2. Stewart Street

The board would like to use the \$2000 unspent discretionary fund for the 2015 year to help with addressing the Stewart Street / footpath and parking issues. The request is specifically to increase the number of angle parks in Stewart Street.

Assessment Details

A site visit to Norrie Avenue and Stewart Street was undertaken on 24 November 2015 between 2.00pm – 3.30pm. The assessment details for each road are summarised below:

1. Norrie Avenue

➤ Site Findings

- The road width on Norrie Avenue (between the parallel and angled parking spaces) is between 4.8m to 4.3m. This road width would restrict a two-way traffic flow for approximately 30m if both sides of the parking were fully utilised. Beyond the 30m mark, the road width widens to approximately 5.5m thereby making it possible for a two-way traffic flow.
- There are approximately 23 angled carparks provided on the northbound side. The southbound side consists of parallel on-street parking (approximately 12 parking spaces north of the school entrance).
- During the site visit, approximately 10 cars were observed to have parked in the angled spaces and approximately 5 cars were parked in the parallel spaces.

- At the time of the site visit, a two-way traffic flow was possible at a slow speed (less than 20km/h) as there were a lot of empty parking spaces on either side of the road.
- The existing on-street parking is not considered to compromise the safety of the refuge crossing. The required minimum sight distance is approximately 30m for a 40km/h speed zone.



Figure 1: Norrie Avenue Looking Towards the School

- Options Considered

Option 1- Convert all angled parking spaces into parallel parking spaces on the northbound side as requested by the community board.

Advantages

- Greater road width making the two-way possible where it is currently hindered for approximately 30m when both sides of the parking is fully utilised.
- Greater sight distance for pedestrians at the refuge crossing, however the current sight distance is not considered to be an issue as it already meets the minimum requirements.

Disadvantages

- If the angled spaces were to be converted into parallel parking spaces on the northbound side, it would result in a loss of approximately 10 parking spaces.
- This would come at a significant loss for parents who pick-up and drop-off their children, and teachers who may park their vehicles during the school hours.
- Potential increase in vehicle speeds due to greater road width which could increase the crash risk in the vicinity of a refuge crossing.

Option 2 (Preferred) – Leave the road marking and parking layout as existing

Advantages

- Retains the existing number of on-street parking spaces
- Retains the slow speed environment due to narrow road

Disadvantages

- Restriction of a two-way traffic flow, however this occurs for a short distance of 30m only. Also, this is only likely to occur during the school peak hours and therefore it is not considered a significant issue.

2. Stewart Street

➤ Site Findings

- There were between 6 – 8 cars parked on Stewart Street at the time of the site visit (refer to **Figure 2** below).
- A local resident of 12 Stewart Street (opposite the kindergarten) came out to have a chat while I was on-site. His comments were:
 - a. The low parking demand on Stewart Street is typical on a normal day;
 - b. The parking remains empty most of the time. He has not seen anyone parking on the grass berm on a normal day
 - c. The parking does however get full on a market day which typically occurs once a month on a Saturday between 10am – 2pm. During this time, people do park on the grass berm. However he does not see this as being an issue as it only occurs once a month for a short duration.
 - d. The issue of tyre marks on the grass berm only becomes an issue during the winter period – the customer confirmed that he did report this issue to the Council however he did not think additional park was necessary.
- The grass berm was generally in a good condition. There were two minor tyre marks observed on the grass berm, though they did not seem recent.



Figure 2: Stewart Street

- Options Considered

Option 1- Provide additional parking on the grass bermAdvantages

- More formal parking available during the market day. However this would not increase the overall parking capacity as people already park on the berm during the peak period (once a month) despite having no formal parking bays.
- Less tyre marks on the grass berm, however this generally only occurs during the winter period.

Disadvantages

- Significant cost when it is only likely to be used approximately once a month.
- Potential reduction in sight distance for traffic coming out of Gilmour Street and/or any of the residential accesses – currently this is less of an issue as it is not a formal parking area, however once the parking bays are formed, it would encourage people / residents to park in those areas where it will restrict sight distance for traffic coming out of accesses / Gilmour Street.
- The two trees on the grass berm may need to be removed to accommodate the parking spaces.

Option 2 (Preferred) – Leave the site as existing.Advantages

- Sight distances remain clear on most of the days for traffic coming out from adjacent accesses / Gilmour Street
- Existing landscaping retained

Disadvantages

- No increase in the number of marked parking spaces. However, as discussed in Option 1, providing formal parking bays will not change the overall capacity as people already park on the berm during the peak period (once a month) despite having no formal parking bays.
- Potential tyre marks on the grass berm, however this issue generally occurs during the winter months only.

Open Meeting

To	Raglan Community Board
From	TN Harty General Manager Service Delivery
Date	22 January 2016
Prepared By	KC Bredesen Business Support Team Leader/PA
Chief Executive Approved	Y
DWS Document Set #	1139820
Report Title	Raglan Coastal Reserves Advisory Committee Meeting Minutes, 14 December 2015

1. Executive Summary

The minutes of the Raglan Coastal Reserves Advisory Committee meeting dated 14 December 2015 are attached for the Board's information. The Raglan Community Board representative will confirm the minutes have been approved at the meeting.

2. Recommendation

THAT the report of the General Manager Service Delivery – Raglan Coastal Reserves Advisory Committee Meeting Minutes – 14 December 2015 – be received.

3. Attachments

- Raglan Coastal Reserves Advisory Committee Meeting Minutes – 14 December 2015



DRAFT

Raglan Coastal Reserves Advisory Committee Meeting Minutes Monday, 14 December 2015, 5.30pm

Present: Shayne Gold, Raglan Sports Fishing Club and Raglan Coastal Reserves
 Angeline Greensill, Tainui Awhiro Ngunguru Te Po, Ngunguru Te Ao and
 Raglan Coastal Reserves Advisory Committee Co-Chairperson
 Noel Barber, Waikato District Council
 Gordon Bailey, Waikato District Council
 Deane Hishon, Point Board Riders Club Inc
 Councillor Clint Baddeley
 Frank Turner, Community Representative
 Anne Snowden, Surf Club
 Ross Hodder, Friends of Wainui

Apologies: Sheryl Kerr
 Sheryl Hart

		Action
1.	<p><u>Receipt of the Raglan Coastal Reserves Advisory Committee Meeting</u></p> <p>Resolved: (Dean Hishon/Shayne Gold)</p> <p>THAT receipt of the Raglan Coastal Reserves Advisory Committee Meeting Minutes – dated 19 October 2015 is confirmed.</p> <p><u>CARRIED on the voices</u></p>	FYI
2.	<p>Matters arising from previous minutes:</p>	
	<p><u>MOU for MTB</u></p> <p>At the last meeting a MOU was requested between Iwi, Council and the MTB Club.</p> <p>Council's Legal Counsel has looked at the request and this is her opinion:</p> <p><i>"Further to our discussion this morning with regard to the bike track, historical sites and proposed MOU, I do not believe a MOU is necessary, for the following reasons:</i></p>	<p>Clint Baddeley (Carried)</p>

		Action
	<p>1. Council has granted the club a licence for the development and use of a mountain bike track. The licence contains conditions which Council will monitor, and action can be taken if the conditions are not complied with.</p> <p>2. With regard to the historical sites, they will be appropriately signposted as “no go” areas.</p> <p>3. It would be entirely impractical trying to ensure that no more than 5000 people are using the track per year. At any rate, under the Licence, the club has to keep the track and licence area in a good order and I do not think that anything else is required.</p> <p>Council will not be entering into an MOU, as the existing licence to occupy is deemed to be more than adequate. As a foot note MOUs are not legally enforceable documents where the licence is.”</p> <p>Mountain Bike Track</p> <ul style="list-style-type: none"> • MOU – The Committee is happy with a license as it is self-explanatory. • Entrance and exit to the bike track will be through the Wainamu Beach end leading to the forestry avoiding significant sites. <p>Recommendation: That the information is received.</p>	
	<u>Shade Sail</u> Confirm location of sail (site visit required).	Dean and Noel
	<p><u>Speed Bump Wainui Reserve</u></p> <ul style="list-style-type: none"> • System to slow traffic coming down from Wainui Reserve, eg speed bump etc. • Working with Roading Engineer. 	Gordon/R oading
	<p><u>Wainui Reserve Sign</u></p> <p>Install sign and relocate to top of reserve.</p>	Noel B
	<p><u>Erecting Storage Shed, Wainui Bush Park</u></p> <p>Proposal denied due to Management Plan. Formal response to be sent to Ross Hodder (Secretary of Friends of Wainui).</p>	Gordon B
	<p><u>Gates on the Wainui Reserve</u></p> <p>Gates are not being locked due to gates not lining up. Noel to follow up.</p>	Noel B

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		Action
3.	<p>Agenda Item 1 - Proposed Bike Lane Way, Wainui Reserve</p> <p>At the last Committee meeting it was suggested that the entrance for people wanting access to the MTB track could be via a lane way. Staff opinions on this option are as follows:</p> <ul style="list-style-type: none"> ▪ <i>The lane way would ensure that cyclist keep to the respected tracks, avoid cattle and historic sites on the reserve. It would follow the existing fenceline to the main car park areas at both ends of the reserve, Wainui Reserve and Wainui Reserve Pine Block. The distance of the track is approximately 1000 metres, see attachment for proposed lane. Construction would consist of post and 3 wires with gates/ramps at both ends to keep cattle out of the lanes.</i> ▪ <i>The obvious benefits include designated tracks for bicycles, easy access through working farm, keeping off historical sites etc. The cost of construction is unknown but fencers can charge anywhere between \$14 – \$18 per metre excluding timber.</i> ▪ <i>The option to signpost the track instead of installing the lane way would be at a lesser cost than to installing a lane way. The only problem I can see from this option is how to monitor the users and ensure they keep to the designated tracks.</i> <p>All costs would be at the applicant's expense.</p> <p>Recommendation: That the information is received and that the Raglan MTB Club request to access the MTB track via a lane way be declined.</p> <p>But that access is available via Riria Kereopa Memorial Drive as per the MTB original application.</p>	Passed
4.	<p><u>Events</u></p> <p>All events approved.</p>	
5.	<p><u>Manu Bay</u></p> <ul style="list-style-type: none"> • Boat Break Water – Works are programmed to commence on 25 January 2016. • Upper Car Park at Manu Bay – upgrading works are completed. • Chain blocking vehicles from entering the coastal area at Manu Bay is missing. New gate being built. <p>It should be noted that the majority of these issues are operational which is not part of the delegations of this Committee. The best way to report an operational matter is by contacting the Council and lodging a Service Request that way it's in the system and allocated to the correct person in Council to deal with the issue in a timely manner.</p>	

		Action
6.	<u>Manu Bay Sea Wall</u> Notification to be put in the local paper and Waikato Times advising of works.	Admin
7.	<u>Sound Splash Update</u> Waiting approval for resource consent. Organisers are working closely with Police to ensure safety of attendees etc. Shuttles will be available for attendees and beach goers. TMP is in place and road (Ngarunui Beach Road) closed between 8pm-5am. Traffic Wardens to monitor parking and vehicles. Organisers working with WDC.	
8.	<u>Minute Taker</u> From the first 2016 meeting of the Committee, Council will not be able to supply a note-taker. It is suggested a roster of a volunteer from the membership can undertake this task.	
9.	Next Meeting 5.30pm, 11 January 2015 (Second Monday of each Month). Dates being: <ul style="list-style-type: none"> · 15 February 2016 · 14 March 2016 · 9 May 2016 · 11 July 2016 · 12 September 2016 · 14 November 2016 · 12 December 2016 	

Open Meeting

To	Raglan Community Board
From	S Duignan General Manager Customer Support
Date	27 January 2016
Prepared by	C Birkett
Chief Executive Approved	Y
DWS Document Set #	1141464
Report Title	Parking activity in Raglan during the peak summer period

1 Executive Summary

Additional parking patrols were put in place for Raglan during the month of December and January in response to issues that have been identified in the past regarding people parking contrary to the restrictions (e.g. parking on the Bow Street median). Parking patrols occurred every day between 27 December 2015 and 10 January 2016 except New Year's Day.

The parking wardens noted that it has been particularly busy this year with considerably more people in town. The attachment identifies the number of infringements issued during the period between Christmas and 10 January.

A total of 348 infringements were issued during this period. This totalled \$22,263. In addition to the infringements that were issued the wardens gave a number of warnings for offences and instructed people to move on where they were able to.

2 Recommendation

THAT the report of the General Manager Customer Support – *Parking activity in Raglan during the peak summer period* – be received.

3 Attachment

Offence	Number of infringement issued
Parked on a broken Yellow line	95
Parked over the time limit <30 minutes	61
Parked camping vehicle on a road not in a licensed camping ground	42
Operated an unlicensed vehicle - parked vehicle	37
Parked in a prohibited area	30
Parked over the time limit >30 min <1hr	16
No evidence of current vehicle inspection - private vehicle	15
Parked over the time limit >1hr <2hr	11
Parked on a flush median or traffic island	10
Parked on roadside grass plot, shrubs or flower beds	6
Parked a vehicle on a grass berm, ornamental verge or plot	6
Inconsiderate Parking	6
Parked obstructing vehicle entrance	3
Parked in an area reserved for disabled persons	3
Parked within 6m of an indicated bus stop	2
Parked on footpath	2
Parked in a loading Zone	1
Parked over the time limit >2hr <4hr	1
Double Parked	1

Open Meeting

To	Raglan Community Board
From	VA Ramduny Acting General Manager Strategy & Support
Date	25 January 2016
Prepared By	D Lee Executive Assistant
Chief Executive Approved	Y
DWS Document Set #	1138955
Report Title	Raglan Land Company - Private Plan Change 12 to the Waikato District Plan and change of consent conditions to construct the Opororu Causeway and to extend the lapse date

1. Executive Summary

To provide the Community Board with the recommendation made to Council regarding the Private Plan Change 12 (PPC12).

The PPC12 hearing and the change of consent conditions application for LUC0249/06.01 was heard by independent commissioners Dr Phil Mitchell and Alan Watson in August 2014 and July 2015. The Commissioners issued a decision to approve both PPC12 and the change of consent conditions on 23 September 2015. The appeal period closed on 16 November 2015 with no appeals being received by the Environment Court from any party. Council issued a public notice on 16 December 2015 and PPC12 was deemed operative on 16 January 2016.

The follow recommendation was made to Council in December 2015 and approved by resolution:

THAT the report of the General Manager Strategy & Support – Raglan Land Company – Private Plan Change 12 to the Waikato District Plan and change of consent conditions to construct the Opororu Causeway and to extend the lapse date – be received;

AND THAT pursuant to Clause 20 in Schedule 1 of the Resource Management Act 1991, staff arrange a public notice that declares operative the provisions in the Private Plan Change 12;

AND FURTHER THAT Council note that the change of consent conditions and extension of time application for LUC0249/06 has been granted by the Commissioners.

2. Recommendation

THAT the report of the Acting General Manager Strategy & Support – Raglan Land Company – Private Plan Change 12 to the Waikato District Plan and change of consent conditions to construct the Opororu Causeway and to extend the lapse date - be received.

3. Attachments

Attachment 1: Decision on PPC12 and change of consent conditions

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Private Plan Change 12 to the Waikato District Plan

AND

IN THE MATTER of an application to change conditions of a resource consent to construct the Opotoru Causeway (LUC 0249/06.01) and to extend the lapse date of that resource consent.

FINAL DECISION AND REPORT

OVERALL DECISION

- A. We approve the plan change subject to the amendments we have outlined in this decision which are included in Attachment 1 to this report.
- B. We approve the application to change the conditions of resource consent LUC 0249/06 and to extend the lapse date of that resource consent, subject to the amendments we have outlined in this decision which are included in Attachment 2 to this report.

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ATTACHMENTS

- 1: Waikato District Plan Provisions As Amended By Plan Change 12.
- 2: Waikato District Council Land Use Consent 0249/06 Including Amended Conditions.
- 3: List of Counsel, Witnesses and Submitter Representatives Who Appeared at the Hearing.

REASONS FOR DECISION

1. INTRODUCTION

1.1 The proposal – in brief

1. Raglan Land Company Limited (“**RLC**” or “**the applicant**”) has sought to change the Operative Waikato District Plan (“**District Plan**”) via Proposed Plan Change 12 (“**PC12**”) in order to allow residential development of the Rangitahi Peninsula in Raglan.
2. The applicant also holds a resource consent, granted in 2008, that authorises the construction of a bridge / causeway that links the Rangitahi Peninsula to Oporu Road. The conditions of that resource consent require, amongst other things, the upgrading of Oporu Road in accordance with certain design standards.
3. The design standards for Oporu Road that are specified in the existing resource consent are different from those developed as part of PC12. In that regard, the applicant has, pursuant to sections 125 and 127 of the Resource Management Act 1991 (“**RMA**”) made an application to change the conditions of the existing consent and extend its lapse date in order to align roading design matters with those now being proposed as part of PC12.
4. This document sets out the reasons for our decision on PC12 and the applications to change conditions and extend the lapse date of LUC 0249/06.01.

1.2 Delegations

5. Independent Commissioners Dr P H Mitchell and AR Watson were originally appointed by the Waikato District Council (“**Council**”) to hear and make a recommendation to the Council on PC12.
6. Hearings on PC12 were held on 4 – 7 August 2014, following which the hearing was adjourned prior to the applicant presenting its right of reply in order to allow further assessments of the upgrading of Oporu Road, and further consultation with affected residents regarding those assessments.
7. On 8 September 2014, the Council passed a further resolution that amended our delegations, to the effect that we were required to make the decision on PC12 on the Council’s behalf, rather than issuing it with our recommendation in that regard.
8. We were subsequently also appointed by the Council to make decisions on notification of a directly related application to change some conditions of a resource consent to construct the Oporu Causeway (LUC 0249/06.01) and to extend the lapse date of that resource consent. We were also then appointed to hear and make decisions on those matters.

1.3 Structure of this report

9. In addition to this introduction this report is set out in nine sections as follows:

Section 2 Summarises the proposal.

Section 3 Summarises the legal and planning framework against which PC12 and the applications to change conditions and extend the lapse period of LUC 0249/06.01 must be evaluated.

Section 4 Provides a summary of the submissions and further submissions made on PC12 and the applications to change conditions and extend the lapse period of LUC 0249/06.01. It also provides a summary of the material presented to us by the witnesses who gave evidence for the various parties, and the various submitter representatives, and how we have referred to that material in this report.

Section 5 Addresses access and its fundamental importance to PC12. It records our view that the most appropriate primary access to the PC12 area is via an upgraded Oporu Road and an upgraded causeway and bridge connecting Oporu Road with the Rangitahi Peninsula. In turn this makes the applications to change conditions and extend the lapse period of LUC 0249/06 of particular significance.

Section 6 Is our section 125 evaluation of the application to extend the lapse period of LUC 0249/06.01. It concludes the extension can be granted subject to amended conditions.

Section 7 Is our evaluation of the application to change conditions of LUC 0249/06.01 to allow the revised road design. It concludes the application can be granted subject to amended conditions.

Section 8 Is our evaluation of PC12. We have structured our analysis by issue, and address what we see as the key matters of contention in respect of PC12 sequentially. For each issue with provide our analysis of the matters in contention, followed by our decision in respect of whether changes or otherwise are required to the PC12 provisions to address the issues raised. Section 8 also addresses our section 32 obligations in respect of those changes to the PC12 provisions that we are proposing relative to the provisions contained in the notified version of it.

Section 9 Is our decision.

2. THE PROPOSAL

2.1 The applicant

10. Raglan Land Company Limited is the applicant for the plan change request

and to amend various provisions of existing Waikato District Council land use consent 0249/06. RLC is a private company, the shareholders of which comprise members of the Peacocke family whose other business interests include considerable farming interests around Raglan and the wider Waikato.

2.2 Location and land affected

11. The location of the land directly affected by this proposal is shown in Figure 1 below:

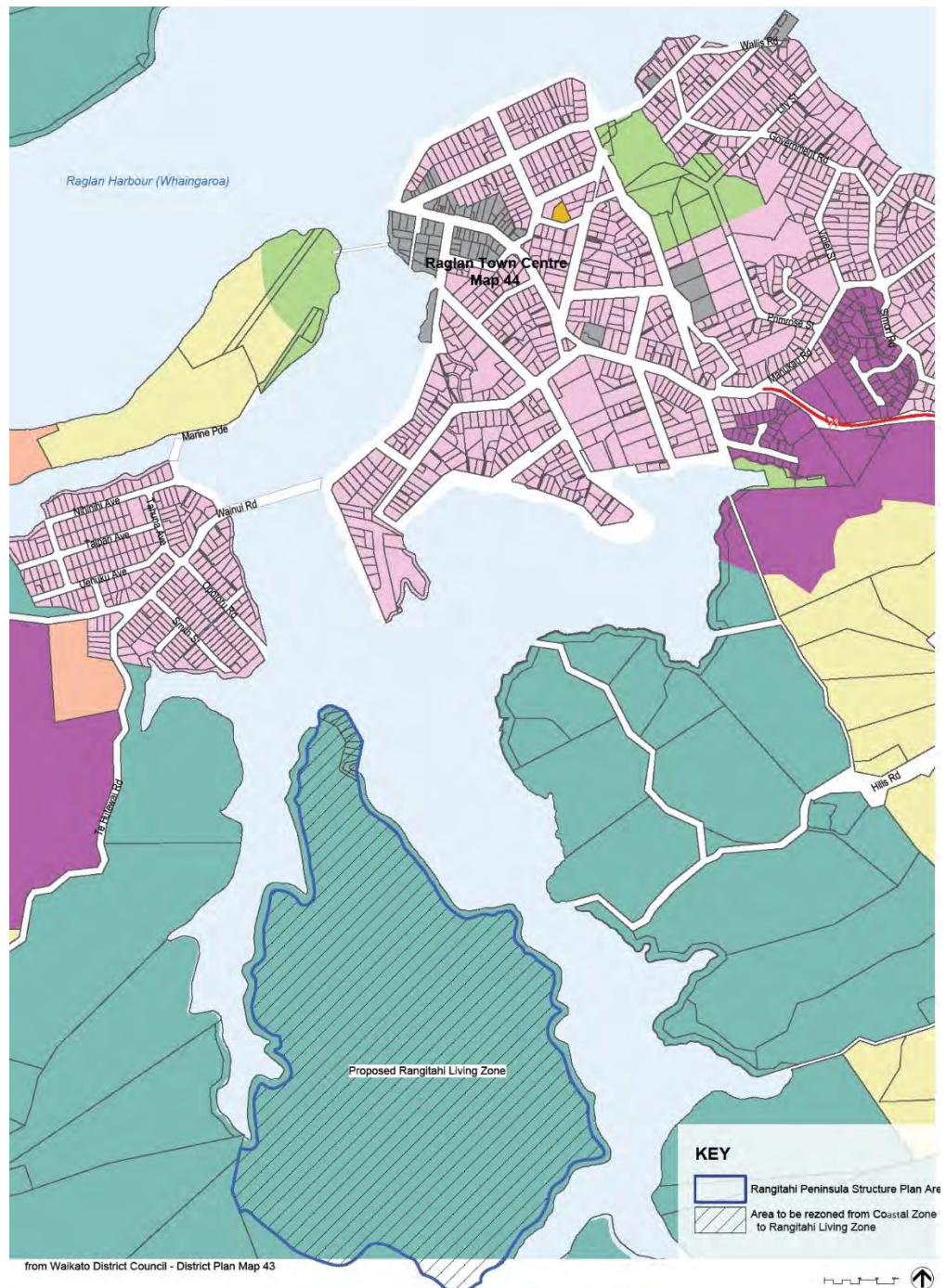


Figure 1: Location of the land subject to PC12.

12. The land that is subject to PC12 is contained within the following eight Certificates of Title:

Certificate of Title	Legal Description	Area	Owner	Contains House?
SA44C/740	Allotment 249 Parish of Karioi	117.03 ha	Raglan Land Company Limited	Yes
SA12B/59	Lot 1, DPS 5770	0.1366 ha (1,366 m ²)	Geoff and Tracey Hutchison	Yes
SA6B/651	Lot 2, DPS 5770	0.1047 ha (1,047 m ²)	Ruth Levinsohn Superannuation Nominees Pty. Ltd	Yes
SA6B/652	Lot 3, DPS 5770	0.0809 ha (809 m ²)	Phillip Harvey, Louis Hawken and Raewyn Mitchell	Yes
SA2D/1333	Lot 4, DPS 5770	0.0809 ha (809 m ²)	Donna and Te Ratu Mataira	Yes
SA2B/727	Lot 5, DPS 5770	0.0809 ha (809 m ²)	Annie Muirgen	Yes
SA1710/58	Lots 3-5, DPS 3397	0.3035 ha (3,035 m ²)	BLB Trustees Ltd, Ross Brown and Julie Carroll	Yes
SA1245/96	Lot 7, DPS 3397	0.0739 ha (739 m ²)	Francis Chibnall	No

13. The seven smaller titles above are all clustered at the north-eastern tip of the Rangitahi Peninsula. The six existing houses on these titles have an Oporu Road address given that they physically access Oporu Road via the existing causeway at the northern tip of the peninsula.
14. The plan change request seeks rezoning of 97.38 hectares of land. The rezoning request applies to all seven of the smaller titles listed above (totalling 0.86 hectares) and 96.52 hectares of RLC's land in CT44C/740. This leaves approximately 20 hectares of RLC's landholding in CT44C/ 7 40 at the southern end of the peninsula which is not subject to the rezoning request.
15. This plan change excludes land that is within 20 metres of the coastal marine area (i.e. within 20 metres of the line of mean high water springs). This coastal strip is owned by the Crown (esplanade reserve around the perimeter of the land) and by the Waikato District Council (section of road reserve around the northern tip of the peninsula). Together, these landholdings form a 20 metre wide coastal reserve around the entire perimeter of the Rangitahi Peninsula and there is no proposal to alter the reserve status of this land. As such, the rezoning request excludes this coastal reserve strip.

2.3 Planning history

16. When the (now operative) Waikato District Plan was first publicly notified in September 2004, the applicant made a submission seeking rezoning of the land on the Rangitahi Peninsula from Coastal Zone to Living Zone. When the Council released its decisions on submissions in November 2006, it rejected RLC's submission. RLC proceeded to lodge an appeal with the Environment Court and this remained effectively "on hold" for several years while Variation 15 (Raglan Structure Plan) and Variation 16 (District Wide Growth and Rural and Coastal Subdivision) were progressed. As it turned out, Council subsequently elected not to pursue a Raglan Structure Plan and so Variation 15 was withdrawn. Meanwhile Variation 16 subsequently became known as Plan Change 2 to the (then) partly operative Waikato District Plan for which Council issued its decisions on submissions in November 2011.
17. During 2012, expert witnesses for RLC and the Waikato District Council participated in expert caucusing as part of the Environment Court's case management approach.
18. After extensive examination of growth assumptions (population and household growth projections), planning and urban design considerations, it became clear that both parties' experts agreed in principle that some form of residential development of the Rangitahi Peninsula was appropriate. This agreement, however, was subject to the proviso that such development needed to be sustainable and in accordance with landscape management, urban design and structure planning best practice.
19. It also became clear that the changes needed to the Waikato District Plan to ensure such outcomes (new zone provisions and specific structure plan requirements) were not definitively within the scope of RLC's initial appeal. Without such provisions there would have been a risk that the land could be "blanketed" in conventional housing without due regard to its setting, the environment or Raglan's character and urban form issues. Given also the desire of the parties to enable RLC to embark on a comprehensive process of environmental assessments and stakeholder consultation, the parties agreed that RLC would withdraw its long-standing appeals (paving the way for the Waikato District Plan to become fully operative) and would instead commence a private plan change request process to have the subject land rezoned. The broad content of the plan change request was agreed, as was the process whereby Council would accept and process the request in accordance with the First Schedule of the RMA.
20. RLC also holds resource consents from both the Council and the Waikato Regional Council to construct a new causeway and bridge between Opororu Road and the Rangitahi Peninsula. These were granted in September 2008.

2.4 The proposed development

21. The applicant has proposed a highly structured master planned development for the PC12 area.
22. The figure on the following page shows the indicative land use plan for the development.

23. Central to the masterplan is the delineation of the PC12 area into seven distinct precincts, each with a distinct form and layout which responds to their respective environments. It also comprises:
- A defined open space framework defined by the natural coastal and gully areas, new native regeneration, recreational space/public realm, walkways/cycleways, coastal margin and agricultural areas.
 - A comprehensive pedestrian orientated movement network, which connects the individual neighbourhoods with streets, roads and pathways designed for function and hierarchy.
 - An almost contiguous farm area or commons, which will encourage an intensification of rural production activity.

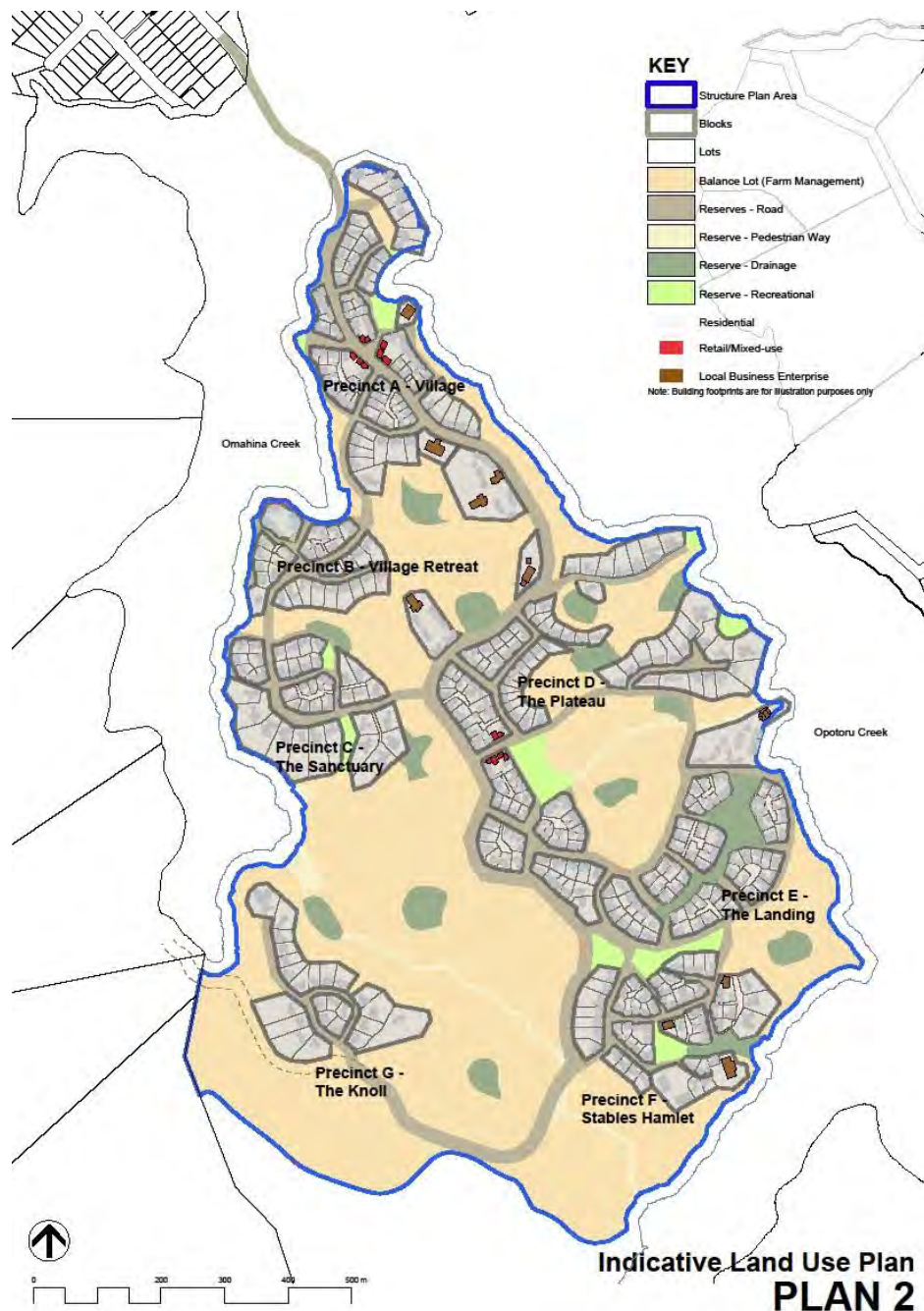


Figure 2: Indicative Land Use Plan.

24. Out of the total 97.38 ha area subject to PC12, the proposed development would comprise¹:
- a. 31.34 ha of new development areas across the seven precincts within which lots for 512 new dwellings and limited retail / mixed use and local business enterprise will be provided.
 - b. 7.71 ha of open space reserves, including pedestrian walkway reserves, recreational reserves and drainage reserves.
 - c. 13.78 ha of road reserve.
 - d. 44.57 ha of farm and native bush.
25. PC12 seeks to facilitate the above development by:
- a. Rezoning the PC12 Area “Rangitahi Living Zone”; and
 - b. Including a new chapter 15B to the Waikato District Plan to identify the main environmental issues associated with, and objectives and policies for, the new Rangitahi Living Zone; and
 - c. Including a detailed Rangitahi Peninsula Structure Plan in the District Plan which sets out the key elements of design detail for the master planned development; and
 - d. Including a new Schedule 21C to the Waikato District Plan to provide a set of new rules for the proposed new “Rangitahi Living Zone”. These rules require a comprehensive development plan to be prepared and approved for the entire plan change area prior to any subdivision or development occurring; and
 - e. Miscellaneous proposed changes to other chapters to give effect to the proposed rezoning and development.
26. While the detail of these provisions has changed since the notification of PC12 in response to submissions, and concerns raised by the Council, the overall development concept remains the same.

2.5 Access to the proposed development

27. The primary access point to the proposed PC12 development is an upgraded causeway and bridge connecting the Rangitahi Peninsula to Oporu Road.
28. Secondary access to the PC12 area is proposed via Hill Road and Te Hutewai Road. The applicant has proposed that the only bridge/causeway-related construction traffic that will use Oporu Road will be the traffic involved in the final construction of the northern causeway connection to Oporu Road and the Oporu Road upgrade. It has also been proposed that all traffic associated with civil works on the Rangitahi Peninsula will use

¹ We note that the individual elements total 93.40, not 93.38 hectares. This apparent discrepancy is not considered material to our decision.

the secondary access².

29. The applicant holds a land use consent from the Waikato District Council, a regional discharge permit and regional coastal permits from the Waikato Regional Council which authorise the works required for the upgrade of the causeway and bridge³.
30. The lapsing date for these consents is 15 September 2016 (8 years after the consents were issued on 15 September 2008).
31. While the consents to upgrade the causeway and bridge were not sought on the basis of providing access to PC12 specifically, it was made clear that the Rangitahi Peninsula may be rezoned Residential at some future date and that it would be accessed via Oporu Road⁴.
32. At the adjournment of the August 2014 hearing of submissions on PC12 we issued a series of directions requesting further information focussed on the proposed use of Oporu Road as the primary access to the Rangitahi Peninsula Structure Plan Area.
33. As a result of the subsequent investigations it became apparent that several conditions of the existing Waikato District Council land use consent (LUC 0249/06) relating to the upgrading of Oporu Road could not practically be complied with⁵.
34. Consequentially, on 2 April 2015, the applicant lodged an application to change the conditions of that consent to allow an alternative road design for the Oporu Road upgrade and to extend its lapse period.
35. Whilst it proposes an extension to the lapse period, the applicant has outlined a commitment to completing the upgrade works in an expedited fashion, and provided⁶ the following estimated timeframe for the activities necessary to complete the construction of the new bridge, causeway and upgraded Oporu Road (on the assumption that PC12 and the section 125 and section 127 applications which this decision addresses, are approved):

Activity	Duration	Completion Date
Confirm concept design and carry out any further investigations required	3 months	December 2015
Preliminary / specimen design	3 months	March 2016
Design / build tender	2 months	May 2016
Contract award	1 month	30 June 2016
Developed design completed and reviewed	3 months	October 2016
Southern causeway detailed design and approvals	2 months	January 2017

² Written closing submission of Counsel for Raglan Land Company Limited (24 July 2015) paragraphs 26 – 27.

³ Land use consent LUC02049/06; discharge permit 114454; and coastal permits 114455, 114456, 114458 and 116840.

⁴ WDC Decision report on LUC02049/06, at p.33, Annexure A.

⁵ Harrison Grierson Technical Memorandum dated 12 February 2015.

⁶ Mr Napier (15 June 2015) evidence paragraph 77.

Activity	Duration	Completion Date
Southern causeway construction	4 months	May 2017
Bridge detailed design and approvals	3 months	April 2017
Bridge construction	14 months	August 2018
Northern causeway detailed design and approval	3 months	August 2017
Northern causeway construction	14 months	September 2018
Opotoru Road developed design and approvals	4 months	January 2018
Opotoru Road detailed design and approvals	4 months	May 2018
Opotoru Road South construction	3 months	December 2018
Opotoru Road North construction	4 months	June 2019
Works fully in use	NA	June 2019

3. STATUTORY FRAMEWORK FOR OUR DECISION

3.1 Overview

36. Set out below is a description of the statutory matters which apply to the various applications before us.

3.2 Statutory requirements of Plan Change 12

37. We summarise the statutory framework for our decision as follows:
- We must be satisfied that, as part of the District Plan, PC12 will assist the Council to carry out its functions for the purposes of giving effect to the RMA⁷.
 - We must exercise our role in accordance with the provisions of Part 2, RMA, and any applicable regulations⁸.
 - We must be satisfied that as part of the District Plan, PC12 will meet the RMA's specified requirements for alignment with other RMA policy and planning instruments, as we summarise in the table at paragraph 48 below.
 - We must give consideration in the manner directed by the RMA to various statutory documents, as we summarise in the table at paragraph 49 below.
 - We must have particular regard to the section 32 report on the Notified Version of PC12 and undertake (and have particular regard to) a further

⁷ RMA, sections 74(1) and 31.

⁸ RMA, section 74.

evaluation under section 32AA, of the matters that section 32, specifies. We must report on that further evaluation in this decision⁹.

- f. We must be satisfied that applicable provisions of PC12 meet their statutory purposes, namely:
 - i. Objectives for the PC12 geographic area.
 - ii. Policies that achieve and implement the objectives for the PC12 geographic area.
 - iii. Rules that achieve the objectives for the PC12 geographic area and implement the policies.

3.3 Specific requirements of our decision on Plan Change 12

- 38. Clause 10 of Schedule 1 of the RMA sets out the requirements of this decision in respect of PC12. Apart from clause 10(2)(ab), the provisions contained in clause 10(1)(3) of Schedule 1 do not require any particular comment, and it suffices to say they relate to the need to give a reasoned decision on the submissions received. Clause 10(2)(ab) needs to be mentioned because it was inserted into the RMA by the Resource Management Amendment Act 2013 (“**the Amendment Act**”) which came into force on 3 December 2013¹⁰. Because clause 10(2)(ab) came into force before the submission period for PC12 had closed (13 December 2013) Clause 10(2)(ab) provides that our decision must include, and have particular regard to a further evaluation of the proposed plan “undertaken in accordance with section 32AA” (to the extent it applies).
- 39. Our section 32AA evaluation is required to be:
 - a. Only for any changes that have been made to, or are proposed for, the proposal since the initial section 32 evaluation report for the proposal was completed¹¹;
 - b. At a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal¹²; and
 - c. Either:
 - i. Published in an evaluation report that is made available for public inspection at the same time as the decision on the proposal is publicly notified; or
 - ii. Referred to in this decision, “in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with” section 32AA.

⁹ RMA, section 74 and section 32AA(1)(d)(ii).

¹⁰ Enacted on 3 September 2013.

¹¹ RMA, section 32AA(1).

¹² RMA, section 32(1)(c)

40. PC12 includes changes to objectives, policies and rules. Therefore, our evaluation has to examine:
- a. Whether the objectives are “the most appropriate way to achieve” the RMA’s purpose (section 32(1)(a)).
 - b. Whether the provisions “are the most appropriate way to achieve the objectives” (section 32(1)(b)). This is to:
 - i. identify other reasonably practicable options for achieving the objectives,
 - ii. assess the efficiency and effectiveness of the provisions in achieving the objectives, and
 - iii. summarise the reasons for deciding on the provisions.
41. Our assessment of efficiency and effectiveness is to identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that we anticipate from the implementation of the provisions. That includes our consideration of what we anticipate would be provided or reduced, by way of opportunities for economic and employment growth.
42. We are also directed to assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

3.4 Changing consent conditions - the section 127 evaluation

43. Section 104 of the RMA sets out those matters we must, subject to Part II, have regard to when considering the application to change conditions on LUC 0249/06.01. Those matters comprise:
- a. Any actual and potential effect on the environment of allowing the activity; and
 - b. Any relevant provisions of:
 - i. A national environmental standard;
 - ii. Other regulations;
 - iii. A national policy statement;
 - iv. A New Zealand coastal policy statement;
 - v. A regional policy statement or proposed regional policy statement;
 - vi. A plan or proposed plan; and
 - c. Any other matter we consider relevant and reasonably necessary to determine the application.
44. The relevant statutory documents referred to in (b) above are set out in paragraphs 48 and 49 below.
45. As per the direction in section 127 when considering the changes under

section 104, when considering the application we are to consider only the effect of the change of conditions.

3.5 Extending the lapse period on the causeway resource consents - the section 125 evaluation

46. Section 125(1A)(b) directs that we take the following matters into account when making a decision on whether to grant the extension sought on the lapse period for the causeway resource consent:

- a. whether substantial progress or effort has been, and continues to be, made towards giving effect to the consent; and
- b. whether the applicant has obtained approval from persons who may be adversely affected by the granting of an extension; and
- c. the effect of the extension on the policies and objectives of any plan or proposed plan.

47. We received legal submissions on behalf of the District Council that the legal threshold for showing substantial progress (paragraph 46.a above) is not particularly high, that it does not require the applicant to be able to point to works done, and that peripheral works which are a necessary precursor to giving effect to the consent will be enough¹³. No contrary legal opinion was presented to us and we relied on that advice when considering the application for the lapse period extension.

3.6 Statutory documents and our obligations in regard to them

48. District plans are part of a hierarchy of RMA policy and planning instruments. The RMA prescribes certain consequences for how district plans are to align with other instruments. Part of our task is to be satisfied that PC12, as part of the District Plan, will meet the RMA's requirements in terms of its alignments with these instruments. We summarise the alignment requirements as follows:

Statutory Document	Alignment requirement for PC12 as part of the District Plan
New Zealand Coastal Policy Statement 2010	Give effect to
Operative Regional Policy Statement	Give effect to
Waikato Regional Plan	Not be inconsistent with
Waikato Coastal Plan	Not be inconsistent with

49. In addition, we must consider various statutory documents when making our decision on PC12, on the application to change conditions of the causeway resource consent (section 127), and on the application to extend the lapse period on the causeway resource consents (section 125). We summarise those obligations as follows:

¹³

Statutory Document	Our obligation	
	PC12	Resource consent applications
Waikato District Plan	N/A	Subject to Part 2, have regard to
Proposed Waikato Regional Policy Statement	Have regard to	
The Future Proof Growth and Development Strategy		
Raglan Community Plan		
Waikato District Long Term Council Community Plan (2012 – 2022)		
Regional Land Transport Strategy		
Waikato Tainui Environmental Plan	Take into account	
New Zealand Coastal Policy Statement 2010	See paragraph 48 above	
Operative Regional Policy Statement		
Waikato Regional Plan		
Waikato Coastal Plan		

4. SUBMISSIONS, FURTHER SUBMISSIONS AND APPEARANCES

50. A total of 122 submissions and 5 further submissions were received on PC12.
51. A total of seventeen submissions were received to the applications to change conditions and the lapse period on the causeway/bridge resource consent.
52. We have considered all submissions and further submissions received in relation to the applications before us.
53. We have also considered the material presented to us by the witnesses who gave evidence for the various parties, and the various submitter representatives. Attachment 3 of this decision records all Counsel in attendance, and the witnesses who gave evidence for various parties and submitter representatives.
54. We wish to make specific mention of, and acknowledge, the extensive analysis and material provided to us by many submitters, particularly those who reside on Oporu Road, Goodare Road and Smith Street. Where we have referred to a specific submission or witness within this decision it is to exemplify a point of particular importance. We have not recorded all submissions made on specific matters our decision addresses. Where this decision does not explicitly mention a submission or witness that addressed a particular matter being discussed, it is not because we have not considered that submission or witness statement.

5. FUNDAMENTAL ISSUE – ACCESS

55. Through the course of the hearing it became abundantly clear that the ability to access the PC12 area via a new Oporu Road - Rangitahi Peninsula road

and causeway was a fundamental part of the proposal. We accept the evidence presented to us on behalf of the applicant that an urban connection is:

- a. Important for the development to be successful, and for it to be considered part of the Raglan township;
- b. Important to avoid the need to duplicate services currently provided by the Raglan township; and
- c. Integral and essential to the good form and function of the Raglan township¹⁴.

56. We also do not consider that Smith Street provides a preferable alternative. In our view utilising Smith Street instead would simply transfer many of the same issues being objected to by Oporu Road residents onto the residents of Smith Street. While the topography of Smith Street is more accommodating than Oporu Road, it will not negate the need to widen the road to provide parking, and like Oporu Road there are also issues around properties encroaching onto the road reserve that would need to be addressed. There are also two houses at the end of the road that look over the inner harbour, and they would likely be significantly impacted by such a proposal.

57. This is a case where there are strong desires by the residents of Oporu Road, many of whom are long-standing property owners, to preserve the status quo situation. That is entirely understandable. However we also have to bear in mind that the road is a Council-owned infrastructural asset and that road upgrades of various types are always being undertaken throughout the district. We also observe that Oporu Road is generally not of a high quality design and has some significant shortcomings in terms of road safety and general amenity. Additionally, there is already a consent in place that requires the upgrading of the road to full District Road standards (even though it now transpires that such a road cannot be physically built in that manner previously contemplated) if the new causeway/bridge is constructed.

58. We have two separate, but inter-related issues to consider, namely:

- a. Is Oporu Road the appropriate primary access point to the Rangitahi Peninsula?
- b. If so, are the effects of construction and operation of that accessway able to be avoided, remedied or mitigated?

59. The situation for us was succinctly recorded in the closing submissions on behalf of the WDC as follows:

Simply put, if the commissioners are not satisfied that the roading conditions within the causeway consent should be amended as sought, then the plan change has a problem. Without upgrading Oporu Road, the intended access way to the peninsula cannot be implemented in an appropriate manner.

¹⁴ Mr Napier (1 August 2014) evidence Paragraphs 157 – 205; Mr Lunday (24 June 2015) evidence paragraphs 10 – 12; Raglan Land Company Ltd – Rangitahi Peninsula Access Options Report (May 2013)

60. That means that if the changes necessary to enable construction of the new causeway / bridge are not able to be secured, then the merits and workability of the overall plan change, which relies on this integral access feature, must be critically reflected on.
61. We have determined, on the evidence before us, that access to the Rangitahi Peninsula is most appropriately achieved via Opororu Road. We therefore address the matters relating to the upgraded causeway and Opororu Road first, before proceeding to assess the wider situation regarding PC12.

6. SECTION 125 APPLICATION

62. The original consent had an 8 year lapse period that it is now proposed be increased to 11 years, as there has been no physical progress made to date – rather the applicant has delayed any such works, until such time as a decision on PC12 has been made. This has caused much consternation from many of the residents of Opororu Road and surrounds, who pointed out that the original consent was sought not on the basis of PC12 proceeding, but rather to service the small number of existing residences on the peninsula. We accept that, but also accept that it was made clear from the original commissioner's decision on the causeway resource consent that the causeway (and Opororu Road) would also be used for access if and when further development occurred on the peninsula. That said, we accept unreservedly that no such plans were presented at the time the original consents were being sought. As such, we can easily understand why some residents have a sense of disquiet now that the focus on Opororu Road now relates to accessing a substantial proposed subdivision and not to a small number of rurally-sited residences and farming operations.

63. Section 125 of the RMA states:

125 Lapsing of consents

- (1) A resource consent lapses on the date specified in the consent or, if no date is specified,—
- (a) 5 years after the date of commencement of the consent, if the consent does not authorise aquaculture activities to be undertaken in the coastal marine area; or
 - (b) 3 years after the date of commencement if the consent does authorise aquaculture activities to be undertaken in the coastal marine area.
- (1A) However, a consent does not lapse under subsection (1) if, before the consent lapses,—
- (a) the consent is given effect to; or
 - (b) an application is made to the consent authority to extend the period after which the consent lapses, and the consent authority decides to grant an extension after taking into account—

- (i) whether substantial progress or effort has been, and continues to be, made towards giving effect to the consent; and
- (ii) whether the applicant has obtained approval from persons who may be adversely affected by the granting of an extension; and
- (iii) the effect of the extension on the policies and objectives of any plan or proposed plan.

(1B) Sections 357A and 357C to 358 apply to subsection (1A)(b).

(2) For the purposes of this section, a subdivision consent is given effect to when a survey plan in respect of the subdivision has been submitted to the territorial authority under section 223, but shall thereafter lapse if the survey plan is not deposited in accordance with section 224.

(3) This section is subject to section 150G.

- 64. Because the consent has not been given effect to (subsection (1A)(a)), the applicant must rely on subsection (1A)(b)(i) – (iii), which we now address.
- 65. With respect to subsection (1A)(b)(i), we are satisfied that pursuing PC12 (even though it was first contemplated publicly after the causeway consents were granted) does represent substantial progress which has and continues to be made. That said we do accept that the entire process to date, has taken some time and caused some considerable local uncertainty, a matter that we return to shortly.
- 66. Regarding subsection (1A)(b)(ii) the applicant has not obtained any approvals from persons that may be affected by the proposed extension. However, the application has been notified to affected parties and have been able to be considered by us, both in the context of sections 125 and 127, as well as the wider PC12.
- 67. A large number of submitters have expressed concern about the uncertainty caused by a further three year extension to the lapse date, and it is apparent that this uncertainty is causing a degree of stress and anxiety among residents. However, we are not convinced that if the section 125 application were to be declined that the situation would improve markedly. Whilst it is possible that the consent would be allowed to lapse by the applicant, that would also create a near fatal flaw for PC12. As such, the applicant would then be required to either abandon the entire project (which we consider to be unlikely), or simply make a new application. In that latter case, residents would be in the same situation that they are now – having to make submissions in opposition. Because of that, we consider that the issue should be dealt with now.
- 68. In respect of section 125(1A)(b)(iii) we do not consider granting the extension compromises the integrity of any of the operative or proposed planning documents set out in paragraphs 48 and 49.
- 69. Overall, we are satisfied that it is appropriate to grant the extension to the lapse date sought.
- 70. However, we consider that there needs to be greater certainty for residents

and there needs to be specific limits on the timeframes within which the applicant is required to complete the road upgrade works. For this reason we have included an additional condition which requires the works to be completed by 15 September 2019. This reflects the proposed timeframe for completing the works set out in Mr Napier's evidence¹⁵, but allowing for two and a half months of slippage. We have included this condition to make it clear that further extensions under section 125 would not be appropriate.

7. SECTION 127 APPLICATION

7.1 The scope of relevant effects

71. Section 127(3) stipulates that we are to consider the effects of the proposed changes in conditions, rather than effects of the overall proposal. That is to say, we are to consider the effects of the proposed revised Oporu Road design, relative to the effects of what has already been consented (i.e. the original design).
72. However, we may also disregard any "permitted baseline" effects from our consideration – these being effects that are permitted by the District Plan.
73. We were provided with a caucusing statement prepared by planners for the applicant and the District Council which concluded that:
 - a. The Council could construct the proposed upgrade as a permitted activity;
 - b. It is not a fanciful scenario that the Council could undertake the proposed upgrade;
 - c. There is therefore a permitted baseline which applies to the proposed activity;
 - d. The effects of the upgrade proposed by the applicant are the same as the effects that would be created under this permitted baseline scenario;
 - e. We (as decision makers) therefore have discretion under s104(2) RMA to disregard those effects when considering the application; and
 - f. We (as decision makers) should exercise that discretion.
74. For the reasons set out in the planners' caucusing statement we agree that it is appropriate in this case to apply a permitted baseline when considering the effects of the proposed change in conditions. We now turn to addressing those effects.
75. The applicant stated, via counsel¹⁶, that:

¹⁵ Mr Napier (15 June 2015) evidence paragraph 77.

¹⁶ Written closing submission of Counsel for Raglan Land Company Limited (24 July 2015) paragraphs 26 – 27.

- a. the only bridge/causeway-related construction traffic that will use Oporu Road will be the traffic involved in the final construction of the northern causeway connection to Oporu Road and the Oporu Road upgrade; and
 - b. all traffic associated with civil works on the Rangitahi Peninsula will use the secondary access.
76. We consider that the above undertakings need to be reflected in our overall decision. In that regard, we are satisfied that the appropriate place to do so is in the conditions of consent relating to the causeway/bridge construction (rather than in PC12 itself via, for example a new prohibited activity rule), noting also that we accept the proposition that once established, it is not possible to require general development-related construction traffic to avoid the use of Oporu Road.

7.2 Traffic engineering and safety

Submissions

77. Central to the proposed change in design for the upgraded road are matters relating to traffic engineering and safety, and we received extensive material from submitters and their representatives outlining why the proposed design for the upgraded Oporu road is inappropriate on those grounds¹⁷. Mr MacLeod and Ms Wilson also provided us with detail on the history of local efforts to have the Council address the deficiencies in the current road design. Issues common to most submissions included:
- a. Because the applicant does not propose to construct the road to District Plan road standards, it will not be fit for purpose, and should not be built at all.
 - b. The width of the road is not sufficient for proposed traffic flows.
 - c. The adequacy of proposed designs for property access.
 - d. Inadequate provision for pedestrian and cyclists.
 - e. The loss of parking that is currently provided on the existing road verge.
 - f. The topographical and geotechnical conditions present mean the proposed road could not be constructed without damaging the residents' properties.
 - g. The effects of increased traffic on the Wainui Road one-way bridge and Wainui Road / Oporu Road intersection.
 - h. In the event Oporu Road is upgraded, it should not be used by construction traffic associated with the development of the new bridge, or the PC12 area itself.

¹⁷ For example submissions by Genny Wilson, Robert MacLeod, Warren Banks, Dr Keri Bolton Oetzel, Cassandra Jarvie and Campbell Bryce, Malcolm Davidson and Denise Thomas, Tracey and Brett Anderson.

Expert Evidence

78. We received extensive evidence from Mr Bell, Mr Brown and Mr Napier (for the applicant) and Mr Gray (for the Council) addressing the various concerns raised in some depth. We also received a caucusing statement outlining points of agreement and disagreement between Mr Napier, Mr Brown and Mr Gray along with numerous technical reports addressing traffic engineering and safety related matters.
79. We do not propose to summarise all of that material here. However we do note that in all cases the views expressed were that there is no traffic engineering related reason why consent cannot be granted for the proposed road upgrade, provided that upgrading occurs in the manner that has been described by the applicant. Affording particular regard to the concerns expressed in submissions, we also consider the following findings of the traffic related experts to be of particular relevance:
- a. The District Plan road standards do not represent a “bright line test”, and the District Plan clearly anticipates the use of alternative standards which reflect site specific circumstances.¹⁸
 - b. The proposed upgrade design is the most practicable option for the upgrade of Oporuru Road to meet the traffic demands expected as a result of PC12¹⁹;
 - c. While a number of elements of the proposed road design do not meet District Plan standards, they are consistent with the standards being applied elsewhere in Raglan and the upgraded road would still operate with adequate safety and efficiency²⁰.
 - d. The detailed analysis of the access the proposed design would afford individual properties on Oporuru Road identifies:
 - i. An improvement relative to the current access for 11 properties.
 - ii. No impact on 15 properties.
 - iii. A minor negative impact on four properties, namely 12 Oporuru Road (in respect of the turning manoeuvre), and 20 Oporuru Road, 29 Oporuru Road and 31 Oporuru Road (all in respect of a steepened access gradient).
 - e. For each of the four properties negatively impacted, the expert evidence has confirmed the proposed design still represents an acceptable and appropriate design solution²¹. In each of these cases design solutions have also been identified to mitigate the negative effects that would otherwise be experienced. However, in each case those design solutions would need to be undertaken within private property, and in turn would be contingent on the respective landowner providing that access.
 - f. The proposed design will not have any adverse effects on the safety of

¹⁸ Mr Bell (24 June 2015) evidence paragraph 72.

¹⁹ Statement for Roads and Traffic Engineers' Caucusing (2 March 2015).

²⁰ Statement for Roads and Traffic Engineers' Caucusing (2 March 2015).

²¹ Mr Bell (24 June 2015) evidence paragraph 96.

pedestrians and cyclists, and that the proposed upgrade will represent an improvement on the current provision for those users²².

- g. Due to physical constraints the formal recessed parking bays included in the proposed design would only provide for parking of 18 vehicles. This is 12 less than the 30 informal spaces provided on the grass verges of the current road²³.
- h. The proposed upgrade design for the Oporu Road / Wainui Road intersection is appropriate from an operational performance and safety perspective²⁴.
- i. There are no geotechnical issues encountered in relation to the proposed work that do not have an engineering solution²⁵.

Our Findings on Effects

- 80. Submitters have provided us with extensive submissions in respect of traffic engineering and safety matters. This has been useful in understanding local context, and how the road is currently used. Some submitters, such as Mr MacLeod and Ms Wilson also made detailed presentations to us at the hearing, and provided their own extensive material and analysis of the technical material provided by the applicant in support of their view that the proposed upgrade design was inappropriate.
- 81. But our evaluation must test those views objectively.
- 82. In that regard while we have considered the (in many cases detailed) rationale of the submitters as to why the proposed design is inappropriate, we have uncontested technical evidence which confirms that from a traffic engineering and safety perspective the proposed design solution is appropriate.
- 83. In the absence of any probative evidence challenging those conclusions we accept them, and while we acknowledge the submitters concerns we find there are no traffic engineering or safety reasons why the proposed road design is inappropriate.
- 84. We accept there will be some loss of parking relative to the current situation, however, do not consider the effects of that loss to be so significant the application should be declined.
- 85. We think it important that the applicant be required to implement their identified design solutions to mitigate the access related adverse effects experienced by 12 Oporu Road, 20 Oporu Road, 29 Oporu Road and 31 Oporu Road provided those property owners provide the applicant access to undertake those works, and note that conditions 22B and 22C provide an avenue for this to occur.

²² Mr Bell (24 June 2015) evidence paragraph 96.

²³ Mr Bell (24 June 2015) evidence paragraphs 40 – 41.

²⁴ Mr Bell (24 June 2015) evidence paragraphs 88 – 89.

²⁵ Mr Napier (15 June 2015) evidence paragraph 42.

7.3 Adverse effects on amenity values

Submissions

86. In addition to concerns around traffic engineering and safety matters, it is clear from the submissions received²⁶, and the presentations to us at the hearing, that effects on the amenity values enjoyed by property owners on Opoturu Road (in particular) is the other matter of greatest concern to submitters²⁷.
87. With respect to effects on amenity values, we received extensive submissions and presentations from Opoturu Road residents detailing the amenity value they attribute to the area, and how the values they hold will be affected by this proposed change. These detailed submissions and presentations were very useful, and assisted us to understand the significant value local residents attribute to the local environment, including, in particular, it's quiet secluded nature. In that regard, we consider that the following passage from the submission of Mr MacLeod and Ms Wilson sums up the views of most residents of Opoturu Road we heard from:

As we lived on a no exit road there were no concerns as to the proximity of the road or the access of the driveway when Ian and Margret designed our current home. We also have a peaceful environment with very little traffic and can walk with our kayak to the boat ramp at Goodare St. We enjoy paddling in the estuary, including around the Rangitahi peninsula and up the Omahina creek and Opoturu River as there are no motorised craft allowed in this section of the harbour. There is always interesting bird life up the estuary and it is very relaxing and quite when out paddling.

The MacLeod family are the residents with longest tenure in Opoturu Road. Whilst there have been changes over the last 60 years it has remained a quiet road with little traffic and with a beautiful aspect. It has always been intended that our house would stay in the family due to the amenity values that the current situation provides.

88. It is clear the character of the Opoturu Road environment would change if the proposal proceeds. In short, following commissioning, the road will change from its current status as a quiet rustic cul-de-sac on the edges of a residential area, to a thoroughfare providing access to the Rangitahi Peninsula - including the development associated with PC12. It is clear the residents see this change as an adverse effect on their established amenity, some significantly so.

Expert Evidence

89. With respect to amenity values, we have evidence and caucusing statements

²⁶ For example submissions of Robert MacLeod, Professor John Oetzel, Dr Keri Bolton Oetzel, Teresa Waitere & Roy Murch, Vivienne Bennet, Hayley Straker, Charles Anthony & Suzanne Burns, Malcom Davidson & Denise Thomas, Kate Hayward, Thomas Fitzgerald, Joanne Wallace, Amber Hartstone.

²⁷ Noting amenity values are defined in the RMA as - *those natural or physical qualities and characteristics of an area that contribute to peoples' appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.*

from experts partaking in this process on behalf of the applicant, and Council, which address the following matters which contribute to amenity values:

- a. Landscape.
- b. Urban design.
- c. Noise.

90. With respect to landscape and urban design there is uncontested agreement between the expert landscape and urban design witnesses that²⁸:

- a. While there will be effects on the existing character of the road, some beneficial, some adverse, the resultant character will not be inconsistent with other parts of Raglan; and
- b. From a landscape and urban design perspective, the proposed road upgrade design is preferred over the consented proposal.
- c. The proposed Landscape Concept Plan (Boffa Miskell dated 4 February 2015) will help mitigate the changes to the road formation consistent with Raglan's character, and that Landscape Concept Plan should be required to be implemented.

91. The applicant provided a letter from an acoustic consultant (Mr Hegley) advising that traffic noise from the predicted level of traffic in 26 years' time (2041) will be within the requirements of the most conservative standard in NZS 6808 "Acoustics – Road Traffic Noise – New and Altered Roads" at all existing dwellings if the road has a medium grade chip seal and without the need for any specific noise mitigation. Notwithstanding that conclusion we note Mr Hegley's report also identifies use of an asphalt seal as sought by several submitters would result in noise levels at neighbouring houses being approximately 3 decibels lower.

92. Mr Warren, in his planning evidence, also noted that the alignment of Oporuru Road is such that adverse headlight effects on neighbouring properties are unlikely²⁹.

Our Findings

93. In order to evaluate the effects on amenity values we must understand what they are. The best evidence about that obviously comes from the people who enjoy them, although our evaluation must test those views objectively.

94. The residents who appeared at the hearings all expressed very clearly how they feel about where they live, and we gained a real sense of the grief and anger they feel and the anxiety and stress they are suffering, because of the potential for them to lose the rural-residential amenity they currently enjoy.

95. However, as outlined above, we have clear expert evidence stating that the effects on the individual elements which make up amenity values are appropriate and an improvement relative to the consented proposal.

²⁸ Oporuru Road Landscape and Urban Design Caucusing Statement (2 March 2015).

²⁹ Mr Warren (25 June 2015) evidence Paragraph 67(a).

96. We also note that construction effects will, if anything, be reduced relative to those that would be required by the consented road design, and in our view those construction effects can be appropriately managed through the proposed conditions, including those relating to the Construction Management Plan.
97. With respect to the effects on amenity values caused by the increased traffic volumes on Oporu Road that would be generated by the PC12 development, this of itself, is not a consequence of the changes to conditions sought by the applicant. Those effects are clearly relevant when considering PC12, and we have paid particular attention to them in reaching our conclusion that the upgraded bridge and Oporu roadway represents the most appropriate primary access point for PC12.
98. We also note the applicant's statements that the secondary access via Hill Road and Te Hutewai Road will be available from the beginning of construction of the bridge/causeway, and that the only construction traffic associated with civil works on the peninsula that will need to use Oporu Road will be the traffic involved in the final construction of the northern causeway connection to Oporu Road and the Oporu Road upgrade³⁰. We take this to mean that all civil works associated with the development of the PC12 Rangitahi Peninsula Structure Plan area, and most of the civil works associated with the causeway and bridge construction will be undertaken utilising the secondary access, and we have included a condition which requires this to be the case.
99. In that context, we are satisfied that whilst there will be a change, and some adverse effects will be experienced, those adverse effects will be no worse than the consented proposal, and we do not consider that effects on amenity values are a reason why approval for the proposed change to conditions should be declined.

7.4 Heritage matters

100. One final matter concerns the former Te Nihinihi Mission Station through which it is understood Oporu Road runs. The site has been researched by Mr Warren Gumbley who determined that the mission station site has already been subject to extensive damage through previous urban development, but that there is value in investigating and recording any of the residual archaeological remains during road construction. We consider this is adequately provided for through the proposed conditions of consent, including those which relate to the accidental discovery protocol.

7.5 Our conclusion on effects

101. Subject to appropriate conditions being imposed, we are satisfied that the adverse effects of the activity are able to avoided, remedied or mitigated such that there is no impediment to consent being granted.
102. We also note that whilst we have considered the permitted baseline when

³⁰ Raglan Land Company closing submissions paragraphs 25 - 26.

considering this application, we do not consider its application is determinative of whether the effects of the proposed change in conditions are such that consent can be granted.

7.6 The relevant statutory documents

103. We have also considered all the relevant statutory documents as set out in paragraph 49. We are satisfied that the proposal sits comfortably within the framework established by these statutory documents, and that they create no impediment to the granting of consents, subject to the imposition of appropriate conditions.

7.7 Part II

104. Our evaluation of the proposal pursuant to section 104 is “subject to Part II” of the RMA. In doing so we are required to exercise an overall broad judgement as to whether or not the granting of consents would promote the sustainable management of natural and physical resources. This requires us to consider all the provisions of sections 5-8 and give each that weight that in the circumstances we consider is warranted. We have carefully considered all Part II matters, including those that relate specifically to amenity values. Having done so our overall broad judgement is that the change of consent conditions should be granted subject to some amendments from those sought by the applicant.

7.8 Conditions

105. As foreshadowed we have amended the conditions of consent in several aspects.
106. They are (our amendments to those requested by the applicant shown in grey highlight):
- a. Amendment to condition 2 so it is explicit the consent shall lapse on XX Month 20XX as follows:
 2. This consent shall lapse on 15 September 2019 ~~eight~~ 11 years ~~after the date of commencement, unless before commencement the consent is given effect to.~~
 - b. Inclusion of a new condition 2A which sets a firm completion date for the upgrade works as follows:

2A. All construction works authorised and / or required by this consent, including upgrading of Oporu Road, shall be completed no later than 15 September 2019.
 - c. Minor grammatical changes to condition 3 as follows:
 3. The consent holder shall notify the ~~Environmental Services Group~~Roading Manager in writing not less than ~~at least~~ two

weeks prior to the commencement of activities associated with this consent

- d. Minor rewording of condition 6 to improve its clarity as follows:

6. In the event that any archaeological remains, ~~or artefacts or koiwi~~ are unearthed, the works shall cease immediately at, and in the vicinity of, the place of discovery and the applicant shall notify ~~Tangata Whenua~~ Tainui Hapu and the Waikato District Council within one working day of discovery. At the same time the New Zealand Police, Coroner and ~~Historic Places Trust~~ Heritage New Zealand shall also be contacted as appropriate. Work shall not re-commence in the affected area until all necessary statutory authorisations or consents have been obtained

- e. Minor grammatical changes to condition 8 as follows:

8. ~~The consent holder shall upgrade of Opororu Road from Wainui Rd to the narrow section (shown as "A" in Attachment A) in accordance with the requirements of the Hamilton City Development Manual and District Council Supplement. This shall include widening the cross section specified in the supplement (i.e. 11m) and improvements to the vertical geometry to satisfy safe stopping sight distance for 60km/h. The design shall aim to ensure that safe sight distance in accordance with the District Plan is available from each of the existing entranceways and intersections on Opororu Rd including Wainui Rd and Goodare Rd. shall include improvements to the vertical geometry to satisfy safe stopping sight distance for 60km/hr except between chainages 190m and 335m where the following requirements apply;~~
- ~~(a) A safe stopping sight distance for at least 50km/h is achieved; and~~
 - ~~(b) The design is to be specifically assessed and certified as being appropriate as part of the detailed design safety audit required by condition 22A.~~

- f. Changes to the wording of Condition 12A to clarify the obligation of the consent holder to the owner of 22 Opororu Road as follows:

12A. Prior to commencement of construction, the consent holder shall at its cost make an offer in writing to the owner of 22 Opororu Road (Lot 33 DP32533) to replace the front window at 22 Opororu Road with double glazing or other equivalent noise attenuating glass, including a reflective privacy coating, provided that the property owner consents to that work being undertaken. If no such approval is received the consent holder shall have no further obligation under this condition. and if the offer is accepted shall implement the work at the consent holder's cost.

- g. Minor rewording of condition 23 to improve its clarity as follows:

23. Trucking of supplies to the site via any part of Opororu Road shall cease on Sundays and public holidays. The consent holder

shall maintain records of all heavy vehicle movements and provide those records to the Roding Group Manager, Waikato District Council. No spoil over the quantity estimated in the application is to be disposed of via Oporuru Road without prior written approval of the Roding Group Manager, Waikato District Council.

- h. Inclusion of a new condition 25A which requires Oporuru Road not to be used by any heavy vehicles associated with the development of the Rangitahi Structure Plan Area as follows:

25A. Oporuru Road is not to be used by any heavy vehicles associated with the construction of:

- (a) any civil works on the Rangitahi Peninsula associated with the implementation of Plan Change 12 to the Waikato District Plan; and
- (b) the bridge/causeway, except to the extent necessary to connect the causeway to Oporuru Road.

- i. Inclusion of specific consultation requirements in condition 26 which addresses the construction management plan requirements as follows:

26. A construction management plan shall be submitted to ~~Waikato District Council~~ the Roding Manager for approval, acting in a technical certification capacity, no less than 2 months prior to works commencing on the site, and following approval shall be implemented. The plans shall include, but not necessarily limited to:

- A critical review of construction methodology, sequencing and programming to minimise construction period and disruption;
- Sediment and erosion control measures & dust suppression measures and how dust and debris from construction will generally be contained within the site;
- The proposed earthworks methodology, including testing;
- Material sources, use/disposal and treatment;
- Demonstration of the ability to adhere to the national construction noise standard, NZS 6803:1999 'Acoustics – Construction Noise and the methods to be implemented to adhere to this standard;
- Hours of Operation, which shall be consistent with those specified within the national construction noise standard, NZS 6803:1999 'Acoustics – Construction Noise'.
- Traffic management and monitoring arrangements, including heavy vehicle counts;
- Management of parking, storage and site compound arrangements;
- Contingency plans if the quantities of material to be disposed of in landfills or elsewhere via the road network are larger than expected; and,
- How safe pedestrian access to the foreshore is to be maintained.
- Contact details ~~or~~ of a senior manager for complaints and issues related to construction on a 24 hours seven day a

week basis. These details to be advised to all residents on Rangitahi Peninsula and provided in a public notice at the end of Oporu Road.

- Detailed proposals prepared by a suitably qualified arborist to protect the three pohutukawa trees in the road reserve from damage during construction.
- Consultation to be undertaken with residents of Oporu and Goodare Roads during the construction works authorised by this consent, which shall as a minimum, including an invitation to such residents to attend an on-site meeting at not less than 3 monthly intervals.

8. PLAN CHANGE 12

8.1 Introduction

107. We set out in paragraph 37 above the statutory tests against which PC12 must be assessed.

108. In this section we assess the provisions against those statutory tests.

109. Before doing so we have set out our findings and the reasons for them in respect of what we considered to be the key issues in contention during the course of the hearing.

110. Those issues are:

- a. Concern that Raglan's structure planning is occurring via a private plan change rather than being driven by Council.
- b. Growth projections and the "need" for the proposal.
- c. Consistency with the Future Proof Strategy.
- d. The compatibility of the master-planned development with "old" Raglan.
- e. Commercial effects on the Town Centre.
- f. Infrastructure and Servicing.
- g. Financial contributions and the impact of the development on ongoing ratepayer costs.
- h. The roles of, and relationship between the structure plan and comprehensive development plan.
- i. The mix of housing provided, including the lack of explicit provision for affordable housing and retirement accommodation.
- j. Ecological effects.
- k. Visual effects.
- l. Heritage matters.
- m. Future consultation or notification opportunities for public input into the future consent applications that will be required to implement the proposed development.
- n. Geotechnical matters.
- o. Loss of property value.

111. We note that since PC12 was notified the applicant has proposed a number of changes, following consultation with the Council, in order to address both submitters', and the Council's concerns with the notified provisions. A

revised version of the PC12 provisions that was agreed between the applicant and the Council was attached as Annexure 1 to the closing submissions of Mr Muldowney on behalf of the Waikato District Council (dated 29 July 2015). In discussing the provisions within this section we do so in reference to those amended provisions.

8.2 Structure planning via a private plan change

112. A number of submitters noted that the Raglan Structure Plan has not been agreed, and in turn expressed concern that the structure planning process was now being driven by a private developer through a private plan change, rather than in a more strategic manner by Council³¹. A related concern is that the PC12 process puts too much power in respect of Raglan's growth within one family.
113. In his section 42A report Mr Martin³² provided a detailed summary of the background to the District Council's progress on spatial planning for Raglan, noting that while a draft structure plan document was produced, neither the structure plan itself, nor its content have been finalised. Mr Martin noted that elements of strategic planning for Raglan are ongoing, that PC12 forms part of that, that strategic planning is not a formal statutory process reserved only for Councils, and the RMA explicitly contemplates private plan change applications such as PC12 being made. We agree with Mr Martin's analysis and do not consider structure planning via PC12 to be inappropriate.

8.3 Growth projections and the "need" for the proposal

114. Mr Fairgray for the applicant and Mr Martin in his section 42A report agree that Raglan is anticipated to grow steadily in terms of residential households, that it is appropriate to provide for that growth in the District Plan, and that the Rangitahi Peninsula is an appropriate location to accommodate a share of that projected growth³³.
115. A number of submitters³⁴ have questioned the need for development facilitated by PC12 on account that:
 - a. The population projections and figures provided in support of PC12 are incorrect and there is no current or future demand for residential land of the scale proposed.
 - b. There is already an adequate supply of residentially zoned land to cater for any growth that does occur.

³¹ For example submissions by Robert MacLeod, Genny Wilson, Raglan Residents & Ratepayers Association, Sandra Ellmers, Lois Kearns, People connected to Oporu Road protecting Raglan character.

³² Pages 62 – 64.

³³ Dr Fairgray (1 August 2014) evidence paragraph 77.

³⁴ For example Robert MacLeod, Professor John Oetzel, Dr Keri Bolton Oetzel, David van Staden, Sioux Swann, Raglan Residents & Ratepayers Association, Sandra Ellmers, Warren Banks, Charles Anthony & Suzanne Burns, Lois Kearns, Lois Blythe & Gerard Gavin, Westback Ltd, Malcolm Davidson & Denise Thomas, Sandeep Singh, People connected to Oporu Road protecting Raglan character, Helen Ritchie.

116. Professor Oetzel, in particular, drew our attention to the Waikato District Council's own population model which it uses to inform development of the Waikato District Council Long Term Plan 2015 – 2025 (“LTP”), which projects stagnant growth in Raglan over the next 30 years such that its population remains close to 3,000.
117. Dr Fairgray acknowledges in his evidence that growth projections, particularly those extending into the long term future carry a high degree of uncertainty³⁵. However, he noted that:
- a. His projections draw on a considerable knowledge and analysis of the current processes, the recent past, and the long term past.
 - b. In Raglan's case the projections allow for incremental change from a current, relatively stable situation, in which the main economic and demographic processes are established, well understood, and relatively stable.
 - c. The projections do not depend on substantial economic or demographic change occurring.
118. Dr Fairgray also drew our attention to the agreement at expert conferencing that the population projections contained in his analysis provide an appropriate basis for assisting in planning decisions³⁶, and observed that the negative effects of making inadequate provision for growth generally outweigh those associated with allowing growth to occur earlier, and having to wait longer for it to eventuate³⁷.
119. We think these last two points are important ones. Because of the uncertainties involved, there is always going to be some variance in population growth projections. It may be that population does grow in line with the LTP projections identified by Professor Oetzel. However, in our view the projections which form the basis of the applicant's and Mr Martin's analysis are also realistic, and it is appropriate that strategic planning provision be made for them. As such, we consider there is sufficient evidence that growth will occur to support making provision for it in the District Plan. We are mindful that the sustainability of PC12 is not reliant on growth at the higher end of the Dr Fairgray's projections materialising. Rather it anticipates, and explicitly provides for incremental growth over time. There are obviously matters relating to servicing, and to resourcing and maintaining the communal and public facilities which are an integral part of the master planned PC12 development. However, in our view those matters can be addressed appropriately.
120. With respect to those submissions that contend there is already a sufficient supply of appropriately zoned land in Raglan to accommodate any future growth that does occur, Mr Martin provided a comprehensive analysis of the vacant lots currently available within Raglan in his section 42A report. That shows there remains a significant amount of capacity within the existing Living and New Residential Zoned areas to accommodate further growth, and in that regard the submitters are correct that there is adequate land

³⁵ Dr Fairgray (1 August 2014) evidence paragraph 77.

³⁶ Dr Fairgray (1 August 2014), paragraph 84.

³⁷ Dr Fairgray (1 August 2014), paragraph 53.

supply still available to cater for growth. However, there is no requirement that future land for urban growth can only be released when all existing land zoned for residential purposes is fully utilised. We agree in that regard with Dr Fairgray's assertion that the issue in this case is not that Raglan will run out of residential land capacity, but rather whether Rangitahi Peninsula in general, and the PC12 proposal in particular, is an appropriate location to accommodate a share of the projected growth.

121. For these reasons we do not consider potential uncertainty around the future population growth in Raglan, nor the extent to which that growth can be accommodated by existing vacant lots to be a reason why PC12 should be rejected or amended.

8.4 Consistency with the Future Proof Strategy

122. The Future Proof Growth and Development Strategy ("**Future Proof Strategy**") is a broad scale, long term, integrated land use and infrastructure strategy prepared under the Local Government Act 2002. It provides the framework for managing growth and development within the Waikato Region.
123. During the hearing we asked a number of questions of witnesses as to whether the Rangitahi Peninsula met the requirements in the Future Proof Strategy for more urban land release. Mr Collins addressed this in his evidence and confirmed that it does. Mr Tremaine, representing Future Proof, also advised that he can support PC12 on the basis that it meets the land release criteria of the Future Proof Strategy. We accept that evidence.

8.5 Compatibility of master-planned development with "old" Raglan

124. A number of submissions expressed concern about the compatibility of the proposed master planned development proposed by PC12 with "old" Raglan³⁸.
125. The applicant contends that PC12 provides for a residential living environment that is closer to the current character of Raglan than if infill development were to occur within the existing township, and is compatible with the seaside village character of the wider area. The applicant contends that the urban form and suggested building typologies complement Raglan's historic built fabric, form and harbour setting³⁹.
126. Mr Martin' planning report notes that proposition is not fully supported by the Council's experts, who consider that integration between Raglan (existing) and the Rangitahi Peninsula Structure Plan Area will be dependent on a number of factors, including:

- a. Consistency in the general road network pattern, road reserve width and

³⁸ For example submissions of Robert MacLeod, Hazel Lewis, Brett McCardle, David van Staden, Stuart and Dr Rebekah Doran, Raglan Residents & Ratepayers Association, Fiona Edwards, Lisa Thompson, Sandra Ellmers, Charles Anthony & Suzanne Burns, Lois Kearns, Amber Hartstone.

³⁹ Mr Lunday (1 August 2014) evidence paragraph 77.

road reserve treatment between the new and old areas.

- b. Consistency in the general design and size of development.
 - c. Similarity in site coverage.
 - d. Similarity in curtilage patterns.
 - e. Either achieving general consistency in lot size and shape or achieving appropriate lot sizes in relation to a continuum from urban (smaller) to rural (larger) lots.
127. Mr Martin considered that PC12 would allow a form of development in the wider Raglan area that is not currently present.
128. We accept Mr Martin's observation, however, in our view this does not make the development inappropriate (and nor did Mr Martin). We note that the design of the development, and its proposed clustering approach, has been strongly driven by a desire to achieve an urban form that can be absorbed into the landscape features of the Rangitahi Peninsula. We also do not consider there are any impediments in the Waikato District Plan to the development departing somewhat from the current urban development form in Raglan.
129. Mr Martin expressed some concern in his planning report at the level of regulatory control the Council would have over development which departed from that outlined in the Rangitahi Structure Plan. However, the applicant and Council have proposed changes to address this concern, including defining in some detail what is considered an acceptable departure from the indicative Rangitahi Structure Plan for the activity to be a controlled activity⁴⁰. We have accepted those changes and consider them necessary.

8.6 Commercial effects on the town centre

130. PC12 includes provision for retail and mixed use development in Precinct A 'Village Core' and Precinct D 'The Plateau'. The Village Core is on the lower shallow ridgeline at the northern tip of the peninsula and has the main road passing through its centre. PC12 envisages a limited scale of development around a village square that is supplemented by intensive residential zoning. The Plateau is the largest area of development and again has the main road as a boundary and incorporates a large 'Village Green' while accommodating limited service and retail facilities.
131. A number of submissions have expressed concern at the viability of these retail hubs, and in particular the impacts they may have on the existing Raglan Town Centre⁴¹. The submitters express concern that the current residential population fluctuates on a seasonal basis and that another retail hub will cause existing business in the Raglan Town Centre to be less

⁴⁰ Through inclusion of a new definition of 'closely similar to'.

⁴¹ For example submissions of Robert MacLeod, Sioux Swann, Key and Julia Brown, Raglan Residents & Ratepayers Association, Eleanor Joyce Bonner, Warren Banks, Lois Kearns, Louis Blythe & Gerard Gavin, Clive & Catherine Houston, Malcolm Davidson & Denise Thomas, Cora Fisher, Kate Hayward, Enid Sincock, David Finlay Currie, Deidre Macdonald, Chrissy Hodkinson.

economically viable than they currently are.

132. In response to these submissions the applicant has confirmed that the purpose of the retail hubs is to provide a limited extent of commercial facilities to meet the needs of the new community on the Rangitahi Peninsula⁴².
133. We note that PC12 includes a number of provisions which restrict the scale of commercial development within the Rangitahi Peninsula Structure Plan Area. This includes restricting the total gross floor area for 'permitted activity' commercial activities, and clear objective and policy direction that any commercial activities are not to have significant adverse effects on the role, amenity, commercial and social function of the Raglan town centre⁴³.
134. In response to concerns around the potential scale of commercial activities that could be allowed by way of resource consent, the applicant has also proposed an additional requirement for discretionary activity applications which caps the total gross floor area for commercial activities across the whole Rangitahi Structure Plan Area at 1,000m².
135. While we acknowledge the submitters' concerns, we think it appropriate that a limited scale of commercial development be provided for within the structure plan area to meet the needs of the new community. It is important that the planning framework contains clear direction that such development is to be of a scale that does not compromise the ongoing viability of the Raglan Town Centre. We are satisfied the mix of controls included in PC12, including the additional restriction on total commercial gross floor area across the entire structure plan area does this appropriately.

8.7 Infrastructure and servicing

136. A number of submitters provided comments on the servicing of the Rangitahi Peninsula Structure Plan Area⁴⁴. Particular concerns included:
 - a. Concerns over who will be responsible for the upgrade of services.
 - b. Wastewater capacity and effects.
 - c. Stormwater treatment and effects.
 - d. Water supply capacity.
 - e. PC12 not meeting the principle of not compromising the safe, effective and efficient operation of infrastructure.
 - f. Adverse effects as a result of servicing the development.
 - g. Current infrastructure does not cope and the Rangitahi Peninsula Structure Plan Area will place the system under more pressure.
 - h. Increases the potential for Council to breach resource consent conditions for the disposal of wastewater.

⁴² Mr Warren (5 August 2014) evidence paragraphs 24 and 25.

⁴³ Objective 15B.3.10 & Policy 15B.3.11.

⁴⁴ For example the submissions of Robert MacLeod, Sue Conquest, Grant Cushman, Paul Abbitt, Raglan Residents & Ratepayers Association, Fiona Edwards, Lisa Thomson, Sandra Ellmers, Professor Paul Havemann, Isabelle Lance, Warren Banks, Louis Kearns, Reuben Brown, Westback Limited, Lisa Litton & David Hopkins, SSASI Fund Trust & Taplow Trust, Tracey Anderson, Tainui Hapu, People connected to Oporoturu Road protecting Raglan character, Amber Hartstone, David Finlay Currie.

i. Electricity supply.

137. We heard from Mr Napier that the Rangitahi Peninsula Structure Plan Area can be serviced appropriately, despite the existing capacity constraints of Raglan's infrastructure⁴⁵.
138. Mr Martin's planning report also addressed in some detail the submitters' concerns outlined above, and in all cases he concluded that the PC12 provisions were appropriate⁴⁶.
139. It is apparent that Council's consented water take has sufficient capacity to serve all 500 proposed dwellings. It is also apparent that the preferred bulk water supply route matches the Council's existing plans to upgrade Raglan's water network to resolve firefighting water supply issues and will assist the Council with some of its redevelopment costs⁴⁷.
140. Numerous submitters have raised concerns about the capacity of Raglan's wastewater treatment plant as there have been instances where discharge limits have been exceeded. However, in response to our questions Mr Gardner confirmed to us⁴⁸ that the capacity of the treatment plant is an existing issue that is going to have to be resolved by the Council no matter where Raglan's future growth occurs. This was also confirmed in Mr Napier's evidence.⁴⁹ We also understand the rate of growth predicted for the Rangitahi Peninsula will provide the Council with sufficient time to undertake the planned upgrades⁵⁰.
141. With respect to stormwater, Mr Napier outlined that the natural and ecological values of the Rangitahi Structure Plan area mean individualised solutions are needed for each sub-catchment. The applicant proposes to do so through the use of a "toolbox approach", where best practice options for managing stormwater runoff have been identified which will be applied on a precinct by precinct basis depending on which is the best tool for the job. We also note any discharge into the harbour will need approval from the Waikato Regional Council. Tainui Hapu expressed some concern that the staging of development might not facilitate an integrate approach to stormwater management and decisions about what management techniques would be employed⁵¹. The applicant proposes these matters would be addressed in the comprehensive development plan application, which, among other matters of design detail, requires the developer to provide information on stormwater management measures.
142. For the above reasons we consider the provision for servicing of the Rangitahi Peninsula Structure Plan Area in the PC12 provisions is appropriate.

⁴⁵ Mr Napier (1 August 2014) evidence paragraph 216.

⁴⁶ Pages 54 – 59.

⁴⁷ Mr Napier (1 August 2014) evidence paragraphs 23 – 28.

⁴⁸ WRC response to Commissioners' questions (6 August 2014).

⁴⁹ Mr Napier (1 August 2014) evidence paragraphs 91 – 96.

⁵⁰ Mr Napier (1 August 2014) evidence paragraph 95.

⁵¹ Malibu Hamilton (August 2014) evidence paragraphs 2 -3.

8.8 Financial contributions and ongoing ratepayer costs

143. Several submissions raised concerns regarding the level of payment of development contributions for PC12. A common theme was that the development contributions should be established and paid for at the start of the development and should not result in the burden being placed on ratepayers of Raglan⁵².
144. This issue arises, at least in part, because some of the infrastructure required to service the development may be more expensive to maintain compared to more traditional measures used elsewhere in Raglan (and the wider District).
145. Both the applicant and Council have confirmed that the applicant will be required to pay for all infrastructure required for the development, and will enter into a developer agreement with the Waikato District Council for the payment of fair and equitable development contributions towards the utilisation of wider infrastructure networks.
146. Mr Martin' planning report outlined in some detail how this would occur in respect of wastewater and water supply matters, and in respect of the required upgrading of Oporuru Road and the associated causeway and bridge construction. Both the Council and applicant are in agreement that this arrangement is appropriate, and in accordance with Council policy.
147. The Council has also proposed (for reasons outlined in paragraph 144) inclusion of a specific clause requiring financial contributions for ongoing maintenance of infrastructure and reserves within the Rangitahi Peninsula Structure Plan Area. We agree that those provisions are appropriate for the reasons set out in Section 4.3 of the s32AA analysis appended to this report.
148. However, there is disagreement between the applicant and Council in respect of if and to what extent financial contributions for the future maintenance of infrastructure and reserves within the Rangitahi Structure Plan Area can and should be imposed on the applicant.
149. We received extensive legal submissions from both Mr Muldowney on behalf of the Council, and Mr Makgill on behalf of the applicant on this matter. We do not propose to recast those extensive legal submissions here, other than to note that it was the view of the applicant that it is inappropriate to seek financial contributions for future maintenance costs, and the view of Mr Muldowney that the Council is within its rights to do so.
150. Having carefully considered the legal submissions, supported by evidence as appropriate, our view is that the submissions on behalf of the Council are to be preferred. In the end, we are persuaded that this is a somewhat unique development that involves extensive landscaping and creation of public spaces that are not what would normally be associated with land subdivision. Whilst desirable environmentally, we do not consider that the wider

⁵²

For example submissions of Robert MacLeod, Romana Graham, Brett McCardle, Raglan Residents & Ratepayers Association, Fiona Edwards, Lisa Thompson, Sandra Ellmers, Lois Kearns, Malcolm Davidson & Denise Thomas, Lisa Litton & David Hopkins, SSASI Fund Trust & Taplow Trust, People connected to Oporuru Road protecting Raglan character, Chrissy Hodgkinson, M L Rodgers.

ratepayer base of the Waikato District should be exposed to the financial risk in respect of maintaining those features.

151. For this reason we have included the new provisions proposed by the Council in Chapter 16 to provide the Council the option of charging development contributions under the RMA for maintenance purposes.

8.9 Relationship between the structure plan and comprehensive development plan

152. Before any development can physically occur within the Rangitahi Peninsula Structure Plan area a comprehensive development plan must first be approved by way of a resource consent application. Once that comprehensive development plan is approved, most activities would be permitted provided they are undertaken in accordance with the approved comprehensive development plan and various other specified conditions specific to that activity.

153. In short – the comprehensive development plan will provide the final detailed design of development within the Rangitahi Peninsula Structure Plan Area, and will set out how the various elements of the structure plan will be achieved.

154. Throughout the course of the hearing we raised several questions of the applicant in respect of how this process would work. In particular:

- a. Whether “controlled activity” was the most appropriate activity status for comprehensive development plan applications.
- b. How the term ‘closely similar to’ would actually work as a threshold between controlled and restricted discretionary activity status.
- c. Whether restricted discretionary was the most appropriate activity status for comprehensive development plan applications that deviated from the indicative comprehensive development plan.
- d. Future consultation.

155. In response to our questions, the applicant - in conjunction with the Council, recommended a number of changes to the finally proposed version of PC12. These include:

- a. The removal of the ‘indicative comprehensive development plan’ and the relocation of that detail into a much more comprehensive Rangitahi Peninsula Structure Plan.

As a result of the higher level of certainty provided by the structure plan, the applicant and Council consider this justifies a controlled activity status for compliant comprehensive development plan applications.

- b. Changes have been made to define what ‘closely similar to’ means in the context of determining whether a comprehensive development plan meets the conditions for controlled activity status. The provisions now

use a 'stepped' approach for applications that deviate from the structure plan, with clear threshold tests for controlled, discretionary and non-complying activities (noting the restricted discretionary activity status has been removed).

- c. To provide a greater incentive for comprehensive development plan applications to comply with the structure plan, comprehensive development plan applications seeking to step away from the vision of the structure plan will be attributed non-complying activity status.
156. We accept that the provisions need to provide some ability to deviate from the Rangitahi Peninsula Structure Plan in minor ways to address unforeseen issues that arise during the detailed design stage. In our view the revised provisions allow this while ensuring that any major departures would be subject to a robust rehearing of the merits of any such consent application.
157. We note that a number of submitters have expressed concern at the lack of provision for future consultation / notification for applications for comprehensive development plans which align with the Proposed Rangitahi Structure Plan and in turn are controlled activities. For reasons outlined in Section 8.10 of this report we consider the provisions are appropriate in this respect.

8.10 Future consultation

158. The provision for future consultation was a matter raised during the hearing, both by submitters⁵³, and ourselves.
159. Because most activities within the Rangitahi Structure Plan Area would be permitted if undertaken in accordance with the approved comprehensive development plan (and other permitted activity conditions specific to the activity) the comprehensive development plan application would represent the final opportunity for interested parties to have input into the planning process for the area.
160. However, as outlined above, PC12 would make a comprehensive development plan which is 'closely similar to' the Rangitahi Peninsula Structure Plan a controlled activity (which the Council must grant). While PC12 proposes a specific rule which directs applications for approval of a comprehensive development plan will be considered without public notification and without the need to serve notice on or obtain the written approval of any party.
161. In short - this means that this PC12 hearing process would represent the last opportunity for interested parties to have input into the future development within the Rangitahi Peninsula Structure Plan Area provided that the development is 'closely similar to' that prescribed by the Rangitahi Peninsula Structure Plan.

⁵³ For example see submissions of Professor John Oetzel, the Raglan Residents & Ratepayers Association, Eleanor Joyce Bonner, Sandra Ellmers, Teresa Waitere & Roy Murch, NZ Transport Agency, Tracey Anderson.

162. The exception to this is Tainui Hapu, for which the applicant has proposed changes to the PC12 provisions such that they be notified of any controlled activity comprehensive development plan applications due to their unique status as kaitiaki of the Rangitahi Peninsula.
163. A number of submitters⁵⁴ opposed this, and in his section 42A planning report Mr Martin considered that community involvement (through a notification process should that be necessary) is critical to the efficient establishment and implementation of any rules or developments⁵⁵.
164. The applicant contended there would be significant financial and time implications if a comprehensive development plan application was required to go through a notification process. The applicant proposed that such a hearing process would in effect, cover the same ground that has been traversed as part of this PC12 process, just in more detail, and that it is unlikely any new information would come to light through the notification process.
165. We put several questions to the planning experts regarding the differences between consultation and notification, and the appropriateness of the proposed approach.
166. Their general response was:
- a. Further consultation and input from Tainui Hapu is expressly provided for in the provisions.
 - b. There is no statutory requirement to require consultation under the District Plan provisions.
 - c. Consent applications will go through the regular notification tests if they fail to meet the criteria for controlled activities (i.e. they are not closely similar to the Rangitahi Peninsula Structure Plan which we have approved in this decision).
 - d. It would be “poor planning” and negate the work to date to make all future development steps or comprehensive development plan applications subject to consultation or notification.
167. In our view the consultation efforts and notification processes in respect of the PC12 application have provided sufficient and appropriate opportunities for interested parties to have input into this PC12 process. We are also satisfied that the PC12 provisions contain sufficient rigour to ensure that an application for a comprehensive development plan which meets the controlled activity threshold test (and which would only be subject to notification of Tainui Hapu) would be enabling development sufficiently similar to that on which interested parties have been provided the opportunity to comment and make submissions on in this PC12 process. For this reason, we do not consider a “second bite of the cherry” for interested parties on such an application is necessary or required (acknowledging the

⁵⁴ Including for example Robert MacLeod, the Raglan Residents and Ratepayers Association, Kim Prenter, Brett & Tracey Anderson and ‘People connected to “Opotoru Road protecting Raglan character”’.

⁵⁵ Pages 102 – 103.

special status of Tainui Hapu which is provided for by the provisions).

168. For this reason we consider the proposed provisions to be appropriate. However, we consider it appropriate that any application for development that deviates from that contemplated by the Rangitahi Structure Plan be subject to the normal notification requirements of the RMA such that the input of interested parties into that development could be provided for where necessary.
169. We also note that in relation to the construction of the causeway and Oporu Road upgrades we have included specific requirements for consultation in respect of those works with local residents.

8.11 Housing mix

170. A number of submitters expressed concern in respect of the mix of housing types that would be constructed in the PC12 area⁵⁶. Particular concerns included:
- a. There is no provision for affordable housing.
 - b. There is no provision for retirement accommodation.
 - c. The relative split between permanent residents and holiday homes.
171. We note and agree with the observations of Mr Martin in his section 42A planning report on this matter, in particular that there is nothing within the District Plan that require affordable housing or housing for the elderly to be provided. Ultimately it will be for the market to decide what mix of housing will establish, and we note that the variety of section sizes available, including sites for small duplex or terraced housing which could provide opportunity for more affordable housing development.

8.12 Ecological effects

172. A number of submissions expressed concerns at the potential ecological effects associated with PC12⁵⁷, including:
- a. The potential for an increase in contaminants entering the estuary.
 - b. The destruction of ecology.
 - c. The potential for adverse effects on water quality in the Raglan Harbour.
 - d. The effects of sedimentation and stormwater discharge.
173. Dr De Luca and Dr Slaven (witnesses for RLC), addressed each of these concerns at the hearing.
174. With respect to the ecological values of Raglan Harbour Dr De Luca outlined the high ecological values of the intertidal habitat adjacent to the Rangitahi Peninsula, and the potential adverse effects on this habitat from the PC12

⁵⁶ For example submissions of Robert MacLeod, Ken and Julia Brown, Raglan Residents and Ratepayers Association, Lois Kearns, Enid Sincock, People connected to Oporu Road protecting Raglan character.

⁵⁷ For example submissions of Robert MacLeod, Professor Paul Havemann, Warren Banks, Lois Blythe & Gerard Gavin, Amelia Judd, Tainui Hapu, Jocelyn Hartstone.

development are indirect through the discharge of construction phase runoff and operational phase stormwater⁵⁸.

175. Dr De Luca noted the proposed development incorporates best practice erosion and sediment control and stormwater treatment practices which, in her view, provide appropriate protection to the marine ecological values present⁵⁹. Dr De Luca concluded that the issues raised by the submitters around ensuring the discharges from the development do not adversely affect the marine environment have been addressed and there are no potential adverse effect that have not been adequately mitigated⁶⁰. We accept her evidence in that regard.
176. With respect to terrestrial ecology Dr Slaven provided an overview of the ecological values present on the Rangitahi Peninsula, the most significant of which are the bush and saline wetlands along the coastal margins and the extensive freshwater wetlands that occupy the base of the main gully systems. Dr Slaven confirmed that none of these more significant habitats will be directly impacted by the PC12 development, although the freshwater wetlands will ultimately be the receiving environment for treated stormwater discharges.
177. With respect to effects, Dr Slaven concluded that there will be some limited adverse effects associated with vegetation clearance and the discharges of treated stormwater to streams and wetlands, however, the positive effects of the habitat enhancement works far outweighed those adverse effects by several orders of magnitude. Dr Slaven provided detail on those habitat enhancement works, which include the maintenance and enhancement of a network of protected areas linked by ecological corridors and “stepping stones” to improve landscape, amenity and ecological values and an array of restoration and enhancement activities⁶¹. We note these extensive ecological improvements are also the subject of controlled activity standards on any subdivision application through Rule 21C.20.1.
178. We accept the evidence of Dr De Luca and Dr Slaven and find that any adverse effects on the high ecological values of the Rangitahi Peninsula will be managed appropriately, both during construction and after the development is established.

8.13 Visual effects

179. The visual effects of the PC12 development were well canvassed in submissions, and by a range of experts and submitters⁶² during the hearing.
180. Ms De Lambert provided evidence for the applicant in respect of the visual effects of the development.

⁵⁸ Dr De Luca (1 August 2014) evidence paragraph 41.

⁵⁹ Ibid.

⁶⁰ Ibid.

⁶¹ Dr Slaven (28 July 2014) evidence paragraphs 55 -57.

⁶² For example submissions of Robert MacLeod, Hazel Lewis, Brett McCardle, David van Staden, Stuart and Dr Rebekah Doran, Raglan Residents & Ratepayers Association, Fiona Edwards, Lisa Thompson, Sandra Ellmers, Charles Anthony & Suzanne Burns, Professor Paul Havemann, Vivienne Bennett, Warren Banks, Lois Kearns, Westback Ltd, Praveen Thakur, Tracey Anderson, Brett Anderson, Jocelyn Hartstone, Paula Clements, Amber Hartstone.

181. With respect to the landscape values of the area, in response to our questions Ms De Lambert confirmed that while the peninsula's rural coastal landscape might be valued locally, it is not 'outstanding' and does not meet the threshold for special protection under section 6(b) of the RMA. She also opined the proposal would not result in any landscape effects of concern.
182. With respect to natural character values, Ms De Lambert confirmed that in terms of Policy 13 of the New Zealand Coastal Policy Statement 2010 ("NZCPS") the subject site has not been identified to have "outstanding natural character" and is not pristine or sufficiently unmodified so as to warrant such a classification. In accordance with the direction in Policy 13 of the NZCPS for areas not considered to have 'outstanding' natural character values, Ms De Lambert also considered that significant adverse effects on natural character will be avoided due to the physical set back of development and the maintenance and enhancement of the indigenous vegetation cover and naturally functioning biological systems in the area that interfaces with the coast.⁶³
183. However, it is clear that PC12 will in the long term, bring about a transition of the currently rural Rangitahi Peninsula landscape into one incorporating residential development.
184. In that respect Ms De Lambert explained that the site is not prominent visually when viewed from most vantage points.
185. However, for three properties on the south-eastern tip of the peninsula (34 and 36 Smith Street and 37 Oporu Road), and potentially a for a small additional number of houses on Smith Street and Oporu Road with more elevated views over intervening houses and vegetation, Ms De Lambert was of the opinion the change in view experienced will constitute a significant adverse effect. Ms De Lambert also noted a similar but more distant visual effect with less potential for visual impact will be experienced by a small number of rural residential properties on Hill and Maungatawhiri Road. However, due to the expansive nature of their outlook and scale of their properties Ms De Lambert was of the opinion that the potential impact is reduced and the ability to ameliorate or mitigate any such effects with strategic planting or the like is within the control of the landowner⁶⁴.
186. We received no probative evidence at the hearing which challenged Ms De Lambert's assessment in respect of landscape and natural character values and we accept them.
187. Regarding the properties on Smith Street and Oporu Road that Ms De Lambert considers to be subject to significant adverse effects on their views, we accept that the design of the project has reduced those effects to a practicable minimum, and that of themselves those effects are not of a scale or extent that would justify PC12 being rejected or amended.

8.14 Heritage matters

188. The Rangitahi Peninsula is rich in cultural and archaeological heritage and

⁶³ Ms De Lambert (31 July 2014) evidence paragraphs 87-88.

⁶⁴ Ms De Lambert (31 July 2014) evidence paragraphs 78 – 82.

the technical documents lodged in support of PC12 and the evidence presented to us at the hearing attests to this.

189. The applicant initially engaged Dr Des Kahotea to undertake an initial archaeological survey of the Peninsula. This survey identified 83 archaeological sites, along with a pa site and informed many of the decisions made during the drafting of PC12 and it's the proposed Rangitahi Peninsula Structure Plan. A number of management measures were also contained in the PC12 provisions for protection of archaeological values.
190. Both Heritage New Zealand and Tainui Hapu presented evidence at the initial August 2014 hearing which expressed concern at the level of detail presented by the applicant in respect of how each of the identified archaeological sites would be affected by PC12 and managed⁶⁵.
191. Since notification, and the adjournment of the initial hearing of PC12 in 2014, further investigations have been completed for the applicant, the applicant by Warren Gumbley, and further consultation in respect of those investigations has been undertaken with Tainui Hapu and Heritage New Zealand⁶⁶. As a result of that work further readjustment of the PC12 layout was undertaken, with some lots being removed and others adjusted to accommodate the identified archaeological sites. This also meant that at the re-convened June 2015 hearing the applicant was able to produce a more forensic assessment of the archaeological sites located within the PC12 area, how those sites would be managed, and what the adverse effects of PC12 on those sites would be. Those matters were summarised in Mr Gumbley's evidence as follows:
 - a. Thirteen sites will be unaffected;
 - b. One site, a midden (R14/441) will be avoided and located within a large lot and protected by a covenant;
 - c. Several others, comprising middens, pits and terraces (R14/431-435) will be located within reserves and managed by a combination of covenants and management plans;
 - d. Seven sites will be located within the balance of the farm and subject to covenants;
 - e. Three sites will be partly located within the balance of the farm and partly within the esplanade reserve with those parts located on the farmland being protected by covenants;
 - f. Two more sites are located within large private lots and will be protected by covenants;
 - g. One site is located entirely within the esplanade reserve.

A small group of four sites which are small, in poor condition, and containing low archaeological values will be destroyed by the PC12 works.

⁶⁵ Malibu Hamilton evidence for Tainui Hapu; Carolyn McAlley evidence for Heritage New Zealand.
⁶⁶ This included production of an additional three archaeological reports.

192. Evidence presented on behalf of Heritage New Zealand and Tainui Hapu both raised concerns with the proposed use of covenants to protect archaeology, rather than the explicit protection being included in the PC12 provisions themselves⁶⁷. Counsel for the applicant contends that those two submitters are now comfortable with the provisions⁶⁸. We have not been presented any further evidence to that effect. However, we are satisfied that the approach that is now taken to recognise and provide for the heritage values is appropriate.
193. We also note in respect of broader cultural heritage matters that the applicant has proposed Tainui Hapu be expressly notified as an affected party for any controlled activity comprehensive development plan applications.
194. As a result, we propose no changes in respect of heritage matters to the version of PC12 agreed to by the applicant and Council.

8.15 Loss of property value

195. A number of submitters were concerned that, if their amenity values were diminished, this would result in their properties being worth less.
196. The Environment Court has dealt with this issue on a number of occasions⁶⁹. The approach has traditionally been that, if such a loss is able to be established, it needs to be considered not as a separate effect but as resulting from the loss of amenity. In other words, the concern has been that there is not a double counting of effects. We are satisfied that there are no circumstances that would lead us to a different conclusion from that reached by the Courts.
197. Accordingly, we take the matter no further.

8.16 Geotechnical matters

198. The Rangitahi Peninsula Structure Plan Area encompasses a number of areas of moderate and high geotechnical hazard. A number of submissions have raised concerns in this respect, and questioned whether the some of the proposed development areas are suitable for the development proposed on them. The submission of Tainui Hapu for example, does not support the use of Hazard Zones C and D for any of the development precincts.
199. The applicant and Council are of the view that it is appropriate that the more detailed geotechnical work be undertaken to inform the comprehensive development plan application, and should land currently identified for development prove to be unsuitable for building construction, this could be dealt with in the comprehensive development plan application. We note in this regard that Rule 21C.10 (Comprehensive Development Plan) includes 'effects on natural hazards, geotechnical and land contamination' as a matter

⁶⁷ Malibu Hamilton (14 July 2015) evidence page 3; Carolyn McAlley (3 July 2015) evidence, section 4.

⁶⁸ Raglan Land Company closing submissions, paragraphs 7 – 12 and 15 – 19.

⁶⁹ See for example *Foot v Wellington CC* EnvC W073/98.

over which control is reserved.

200. We questioned Mr Warren as to whether the controlled activity status afforded comprehensive development plan and subdivision applications by PC12 was appropriate given that some of the land could prove to be too unstable to build on economically. Mr Warren considered that it was, because section 87A(2)(a)(i) of the RMA provides the Council the opportunity to use section 106 of the RMA to override controlled activity status if it considered a piece of land too unstable for development.

8.17 Other matters

201. In the above sections we have sought to address all the key issues with PC12 that were particularly prominent in submissions and were subject to most contention during the hearing. There were a number of other matters which were raised, such as the need to make provision for churches, the merits of using agricultural land for housing, light spill, the possibility the development result in a segregated community, the relative “sustainability” of the design choices made and incorporated into the provisions, and road related geotechnical issues (among many others). We have considered each of those matters which have been identified by submitters and raised with us, and sought to consider them objectively. In all cases, we are of the view that they are appropriately addressed by the agreed (as between the applicant and the Council) version of PC12 presented to us in the Waikato District Council’s closing submissions, and, of themselves, those concerns do not require additional changes being made to those provisions, or suggest PC12 to be inappropriate.

8.18 Summary of changes made to the notified provisions

202. For the reasons set out in the previous sections we consider that the changes to the notified PC12 provisions agreed to by the applicant and Council appropriately address all matters of contention raised in submissions.
203. We consider no additional changes are necessary.

8.19 Section 32 and section 32AA analysis

204. As noted previously, we are required to consider and apply the provisions of section 32AA to our decision-making and to have examined the extent to which each objective is the most appropriate way of achieving the purpose of the Act. We are also required to have examined whether, having regard to their efficiency and effectiveness, the policies, rules and other methods in the plan change are the most appropriate for achieving the objectives. In addition, we must have undertaken a further evaluation of any changes that have been made to or are proposed in the plan change since the evaluation report for the original plan change proposal was prepared.
205. This further evaluation must be undertaken at a level of detail that corresponds to the scale and significance of the changes and be either

published in an evaluation report that is made available for public inspection at the same time as the decision on the proposal is released or be referred to in the decision-making record in sufficient detail to demonstrate that the evaluation was undertaken in accordance with this section.

206. The plan change proposal as lodged by the applicant included an analysis as required by section 32 of the Act and covered all of the provisions as then proposed. It provided the background and context for the plan change, an assessment of the overall approach to the plan change against the section 32 matters of benefits, costs and risks. The report assessed whether the plan change provisions were the most appropriate way of achieving the Act's purpose, compared with other options, and the extent to which the proposed provisions would assist the Council to carry out its functions under the Act.
207. Following notification and public participation by way of submissions and further submissions, the plan change has undergone a number of significant revisions.
208. At the end of the hearing a final version of the agreed (as between the applicant and the Council) plan change was provided to us as Annexure 1 to the closing submissions of Mr Muldowney on behalf of the Waikato District Council. This final version included a number of changes to the notified version which the applicant had agreed with the Council.
209. Mr Warren's evidence helpfully included a section 32AA analysis of the changes made to the plan change relative to those in the notified version⁷⁰.
210. The requirements of section 32AA mean that we must have undertaken an evaluation of all the changes that were made in the notified version of the plan change. The section 32AA analysis provided to us by Mr Warren at the conclusion of the hearing addresses the changes to PC12 agreed between Council and the applicant since notification. We agree with that analysis and adopt it as our own.

9. DECISION

9.1 Plan Change 12

211. We approve the plan change subject to the amendments we have outlined in this decision, which are included in Attachment 1 to this decision.

9.2 Application to change conditions of LUC 0249/06

212. Subject to the imposed conditions set out in Attachment 2, the changes sought to WDC LUC 0249/06 are granted.

⁷⁰ Mr Warren (25 June 2015) evidence, Annexure A.

9.3 Application to extend lapse date of LUC 0249/06

213. Subject to the imposed conditions set out in Attachment 2, the extension sought to the lapse period on WDC LUC 0249/06 are granted.

Signed at Auckland this 23rd day of September 2015:



Dr P H Mitchell
(Chair)



A R Watson

ATTACHMENT 1

**WAIKATO DISTRICT PLAN PROVISIONS AS AMENDED BY
PLAN CHANGE 12**

Waikato District Plan

Plan Change 12: Rangitahi Living Zone, Structure Plan and
Comprehensive Development Plan

Schedule of Amendments to the District Plan

Chapter 1: Waikato District Resources and Pressures

1. Amend 1.6.1 as follows by adding the underlined text:

Raglan will retain its seaside village character as it grows, while protecting the harbour. A sense of place will be fostered with architecture and landscaping that complements both human scale and coastal setting. Any growth on the Rangitahi Peninsula is managed under the Rangitahi Peninsula Structure Plan (see Chapter 15B). Industrial developments will be positioned to integrate with the topography so as to reduce the visibility of buildings and storage areas.

The town centre will expand to accommodate an increased range of shops and services in Bankart Street, Bow Street and Wallis Street. A design guideline will promote a 'Raglan look' for buildings in the town centre.

New Chapter 15B: Rangitahi Peninsula Structure Plan

2. Add new Chapter 15B: Rangitahi Peninsula Structure Plan as follows:

Chapter 15B: Rangitahi Peninsula Structure Plan

15B.1 Introduction

Raglan is expected to grow at a moderate rate over the next 50 years in response to its growing status as an internationally recognised surf destination, its attractiveness as a popular coastal holiday destination and partly in response to its function as a support settlement for Hamilton. A reasonable proportion of this anticipated growth is to be accommodated on the Rangitahi Peninsula. It is important to ensure that development on the Rangitahi Peninsula is carefully planned to be compatible with the existing seaside village character of Raglan and to respect and maintain the environmental values and amenity of the Peninsula and adjoining harbour.

This chapter presents plan provisions that are specific to the Rangitahi Peninsula Structure Plan area, as shown on planning map 43, which are designed to ensure that its development is appropriately managed. It is to be read in conjunction with the district-wide provisions contained elsewhere in this plan.

Raglan is a coastal settlement nestled between various arms of the Raglan Harbour. The Rangitahi Peninsula extends into Raglan Harbour close to the existing village and already has a causeway connection to the village. The Structure Plan and Comprehensive Development Plan requirements will ensure that development of the Peninsula will contribute to the compact urban form of Raglan and be consistent with the main objectives of the Future Proof Growth Strategy. The development of the Rangitahi Peninsula will introduce a level of masterplanning, design and some development types that are relatively new to the wider Raglan area but also compatible with its seaside village character, maintaining and enhancing the natural values of the harbour coastal environment and responding appropriately to the environmental characteristics of the Peninsula itself. In achieving these outcomes, the Structure Plan also fosters a sense of place and a high standard of living amenity. The Structure Plan is contained in Section 21C.3.

Enhancement of natural values of coastal and stream margins and landscape restoration of steep areas and gullies on the Peninsula is provided for to ensure that ecological, landscape and, where appropriate, recreational values and access to the coast are strengthened and protected.

Provision of comprehensive infrastructure, including roading, water, wastewater and stormwater, telecommunications and energy services, needs to be integrated with development on the Peninsula.

15B.2 Issue – Effects of Rangitahi Peninsula Development

Comprehensive planning for the Rangitahi Peninsula development is essential to avoid or mitigate significant adverse effects on the environment and ensure that:

- High-quality urban design and residential amenity outcomes within new village development are achieved,
- Coastal natural values are preserved,
- Landscape and other environmental values of the Peninsula are maintained or enhanced,
- Quality open space and amenity, including walkways, cycleways and streetscapes are achieved,
- Development is supported by efficient and adequate provision of infrastructure,
- New development forms and character within Rangitahi are compatible with the seaside village character of wider Raglan, and
- Commercial development does not undermine the role and viability of the Raglan town centre as the primary centre for Raglan.

15B.3 Rangitahi Peninsula Development – Objectives and Policies

OBJECTIVES	POLICIES
<p>15B.3.1</p> <p>Development of the Rangitahi Peninsula is of a character and scale that reflects its harbour setting and is compatible with Raglan's seaside village character.</p>	<p>15B.3.2</p> <p>Development should contribute to the Raglan seaside village character, including:</p> <ul style="list-style-type: none"> a) landscape responsive development approach, b) strong association with the Peninsula environment, its coastal location, rural amenity and natural features, c) sense of place that reflects village scale, coastal environment and its role in part as a holiday destination, d) sense of physical and visual connection to the existing Raglan settlement, e) maintaining public and private outlook towards the coast, f) maintaining views and visual connection to Mt Karioi, g) provision of walking and cycling access to the coast and existing networks, h) conveniently accessed public open space integrated within the village layout, i) accommodating small-scale / local-level business opportunities within the settlement.
<p>15B.3.3</p> <p>Development of the Peninsula contributes to the compact urban form of Raglan</p>	<p>15B.3.4</p> <p>Urban development on the Peninsula has a compact form which includes an integration of the following characteristics:</p> <ul style="list-style-type: none"> a) residential development within each precinct is predominantly in accordance with Future Proof densities,

	<ul style="list-style-type: none"> b) lower-density residential development in locations where necessary to achieve maintenance of rural and coastal natural values, c) integration of compact urban form into the Peninsula environment in a way that retains significant open space and facilitates the retention of rural and coastal natural values, d) roads are landscaped to contribute to a green network through the urban area to offset a compact built environment.
<p>15B.3.5</p> <p>A high standard of urban design, residential amenity and infrastructure design is achieved.</p>	<p>15B.3.6</p> <p>Residential development should adopt building forms and attributes that support the seaside village character, including:</p> <ul style="list-style-type: none"> a) creation of distinct neighbourhoods based on landscape character, b) a low-speed, pedestrian-friendly road network c) a highly connected network of pedestrian, cycle and bridle ways, d) a range of building forms and intensity, e) concentration of more intensive building forms around amenity areas and settlement nodes, f) a predominance of freestanding dwellings, g) orientation of dwellings where practical to utilise passive solar gain and maximise outlook towards the coast, h) establishing building platforms that minimise earthworks, i) design to foster community and safety with good street outlook / surveillance.
<p>15B.3.7</p> <p>Diverse living environments and amenity provision creates a positive sense of place and neighbourhood identity.</p>	<p>15B.3.8</p> <p>Subdivision, use and development should be located and designed to provide a variety of living environments with recreational opportunities in close proximity.</p> <p>15B.3.9</p> <p>Design that combines quality with diversity and a sense of informality characteristic of Raglan should be promoted.</p>
<p>15B.3.10</p> <p>Non-residential activities contribute to village character without significant adverse traffic effects or significant adverse effects on the role, amenity, commercial and social function of the Raglan town centre.</p>	<p>15B.3.11</p> <p>Non-residential activities are provided for by the Rangitahi Peninsula Structure Plan and managed to ensure that:</p> <ul style="list-style-type: none"> a) commercial activities will meet local needs and, above a scale identified by rules, are subject to assessment of potential traffic impacts and potential adverse effects on the role, amenity, commercial and social function of the Raglan town centre, b) non-residential activities are designed and located to contribute to village character within the Rangitahi Peninsula Living Zone, c) potential for small scale local business enterprise (such as but not limited to primary produce processing, craft industry and tourism

	<p>facilities and services) is provided for through the Rangitahi Peninsula Structure Plan.</p>
<p>15B.3.12 Natural values of the coastal environment and particularly the Raglan Harbour margins are maintained and enhanced.</p>	<p>15B.3.13 In addition to the existing public coastal reserve, a range of green buffers between urban development and the coast shall be incorporated in the overall development design.</p> <p>15B.3.14 Coastal strip and buffer areas as shown on the Rangitahi Peninsula Structure Plan shall be planted with appropriately sourced, locally appropriate indigenous coastal species to maintain and enhance the natural values of the coastal environment.</p> <p>15B.3.15 Stormwater disposal systems shall be designed to minimise the erosion potential and rate of run-off into the coastal marine area and ensure there is no ecological or water quality degradation in the marine environment.</p>
<p>15B.3.16 Environmental values of the Rangitahi Peninsula including landscape, ecology and habitat are maintained and enhanced.</p>	<p>15B.3.17 Stock should be excluded from steep slopes and gully systems to the extent compatible with maintaining a sustainable farming operation in those parts of the Peninsula outside of the approved Development Precincts.</p> <p>15B.3.18 Gully systems and stream margins should be planted and managed to maintain and enhance natural ecosystems, contribute to land stability and restore habitat for indigenous flora and fauna, thereby resulting in net environmental gain associated with development.</p> <p>15B.3.19 Planting on steep slopes should be encouraged and designed to protect and enhance the landscape values on the Peninsula.</p> <p>15B.3.20 Landscape planting along streets and public open spaces should incorporate species to contribute to habitat for indigenous fauna.</p> <p>15B.3.21 Landscaping throughout the Structure Plan area shall be designed to incorporate ecological and habitat linkages where appropriate.</p>

	<p>15B.3.22</p> <p>The significant ecological and habitat values of the Rangitahi Peninsula are maintained and enhanced.</p> <p>15B.3.23</p> <p>The loss of significant indigenous vegetation and significant habitat of indigenous fauna should be avoided. Short term, minor or localised degradation effects should be mitigated if they cannot be practically avoided.</p>
<p>15B.3.24</p> <p>Cultural and historic heritage on the Rangitahi Peninsula is retained.</p>	<p>15B.3.25</p> <p>The cultural and historic heritage significance of Rangitahi Peninsula should be recognised and maintained through:</p> <ul style="list-style-type: none"> a) Publications and other forms of communication to interpret natural, cultural and historic heritage and/or the use of story board signs; b) Registration of archaeological sites with NZAA; c) A-Historic Heritage Management Plan; and d) A Cultural Management Plan. <p>15B.3.26</p> <p>Development on Rangitahi Peninsula shall provide for the protection of historic heritage including archaeological sites and areas and sites of significance to Tainui Hapū.</p>
<p>15B.3.27</p> <p>A road network appropriate to village character and wider connections between Development Precincts and existing Raglan settlement area is provided.</p>	<p>15B.3.28</p> <p>An integrated transport network shall be designed and implemented for the Peninsula that:</p> <ul style="list-style-type: none"> a) establishes a road hierarchy that differentiates between collector roads and local roads, b) utilises engineering standards and geometric designs for local roads appropriate to village character, low-speed and low-volume usage, c) applies low-impact urban design techniques, d) prioritizes pedestrian and cycle routes, e) provides options for effective public transport. <p>15B.3.29</p> <p>The Peninsula transport network should be located and designed to contribute towards development of the seaside village character of the Peninsula residential development including:</p> <ul style="list-style-type: none"> a) a high degree of connectivity within the village,

	<ul style="list-style-type: none"> b) convenient and high-amenity walking and cycling routes within and between each development area, public open spaces and the coastal area, c) consistency with the Structure Plan road-and indicative walkway network, d) attractive streetscapes, e) design and traffic management features to achieve low vehicle speeds and appropriate road user behaviour, f) minimising the number of access points on roads where practicable and appropriate, g) designing road alignments with regard to natural contours to minimise earthworks. <p>15B.3.30</p> <p>Subdivision, use and development within the Rangitahi Peninsula Structure Plan Area shall be designed and managed to ensure that potential future vehicle, walking and cycling connections to the surrounding area and to the Raglan urban area are maintained.</p>
<p>15B.3.31</p> <p>Vehicular, cycling and pedestrian access to the Rangitahi Peninsula Structure Plan Area that is safe, convenient and efficient</p>	<p>15B.3.32</p> <p>Primary access to the Rangitahi Peninsula Structure Plan Area shall be via:</p> <ul style="list-style-type: none"> a) an upgraded Oporu Road (inclusive of the bridge/causeway) to ensure traffic generated by development in the Rangitahi Peninsula Structure Plan Area is safely and efficiently accommodated; and b) an upgraded intersection of Oporu Road with Wainui Road to ensure its safe and efficient operation. <p>15B.3.33</p> <p>The upgraded Oporu Road shall:</p> <ul style="list-style-type: none"> a) achieve efficient access to the Raglan town centre; b) enable convenient connections for pedestrians and cyclists to the village centre in Development Precinct A and the network of pedestrian and cycling routes as shown on the Rangitahi Peninsula Structure Plan; and c) encourage walking to the beach and Raglan town centre. <p>15.3.34</p> <p>Provision shall be made for secondary public access to be constructed:</p> <ul style="list-style-type: none"> a) From the beginning of development of the Rangitahi Peninsula Structure Plan Area up to completion of the permanent secondary access, an interim alternative access shall be provided

	<p>to a usable standard for use at any time the primary access may be closed.</p> <p>b) the permanent secondary access shall be constructed to an engineering standard suitable for its secondary function; and</p> <p>c) The permanent secondary access shall be constructed either:</p> <ul style="list-style-type: none"> (i) At an appropriate time to more fully complement and provide access choices for the full development enabled within the Structure Plan Area; or (ii) At any time additional access is considered necessary to ensure safe and efficient operation of the primary access and surrounding road network.
<p>15B.3.35</p> <p>Vehicular, cycling and pedestrian access to the Rangitahi Peninsula Structure Plan Area is designed, constructed and operated in a way that adverse effects on the environment are avoided, mitigated or remedied.</p>	<p>15B.3.36</p> <p>Design and construction of the access, including any Opotoru Road upgrade, shall:</p> <ul style="list-style-type: none"> a) Provide for continued access to adjoining properties to appropriate engineering standards; b) Ensure adverse effects on the natural and biological qualities of the foreshore and coastal marine environment are avoided, mitigated or remedied; and c) Use best practice mitigation techniques to manage construction effects such as (but not limited to) sediment movement, dust and noise.
<p>15B.3.37</p> <p>Public access to open space and the coastal environment is provided whilst avoiding, remedying and mitigating adverse effects on the natural values of those environments.</p>	<p>15B.3.38</p> <p>Public access to open space and the coastal environment within the Rangitahi Peninsula Structure Plan Area shall be facilitated by the development of walkways/cycleways/bridleways in a way that:</p> <ul style="list-style-type: none"> a) provides convenient and practical connections to the Peninsula residential areas, b) enables connections to walkways/cycleways/bridleways in the greater Raglan area, c) avoids significant adverse effects on ecological values, d) provides for managed access to the coastal marine area whilst avoiding significant adverse effects on the natural environmental character of the coastal environment and coastal marine area.
<p>15B.3.39</p> <p>Urban development on the Peninsula is coordinated with the progressive, integrated and orderly development of</p>	<p>15B.3.40</p> <p>Subdivision and development shall occur in an orderly sequence dictated by the provision of infrastructure in progressive stages in accordance with the network layouts shown in the Rangitahi Peninsula Structure Plan and any Comprehensive Development Plan.</p>

infrastructure.	<p>15B.3.41</p> <p>Provision of infrastructure works should be staged, integrated and maintained to achieve efficient provision and operation of infrastructure:</p> <ul style="list-style-type: none"> a) without inhibiting planned timing of residential development. b) without relying on future capacity increases or parallel systems;
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Reasons and Explanations for Objectives and associated Policies

15B.3.1 Raglan Seaside Village Character

A key element in planning for the growth of Raglan is ensuring that new development is compatible with its seaside village character. This is recognised in Objective 15B.3.1 and Policy 15B.3.2 of the District Plan. Rangitahi Peninsula by location and orientation presents an immediate opportunity to accommodate part of Raglan's growth in a way that supports the settlement's seaside village character.

The objectives and policies for the Rangitahi Peninsula Structure Plan Area recognise that the development of the Rangitahi Peninsula will introduce a level of masterplanning, design and some development types that are relatively new to the wider Raglan area. They require comprehensive planning and design to ensure that new development will be consistent with, and reflective, of its harbour setting and compatible overall with Raglan's existing seaside character. The policies set out a number of requirements to utilise coastal outlooks and where practical, passive solar gain, connection to the existing Raglan settlement, a village scale and sense of place in the coastal environment and the role of Raglan as a holiday destination for planning development on the Peninsula.

Local commercial activities are anticipated. However policy 15B.3.11 directs that the rules are to set scale limits for these activities as permitted activities, above which proposals are to be assessed to ensure there will not be any significant adverse traffic impacts or significant adverse effects on the commercial or social function of the Raglan town centre and overcoming the distance from the Raglan town centre.

Other policies identify elements such as built form characteristics supporting a village environment, walking and cycling access to the coast and integration of public open space within the residential development that are considered to be important in maintaining and contributing to a village style development.

15B.3.3 Compact Urban Form

An important aspect of the Future Proof Growth Strategy is promotion of compact urban form. Objective 15B.3.3 makes this a requirement of development on the Rangitahi Peninsula. Associated policies set out a number of means by which appropriate compact form can be achieved without detriment to other environmental principles including the retention of rural and coastal natural values of the Peninsula, and having regard to topographical constraints.

Due to its proximity to the heart of Raglan, the Rangitahi Peninsula can accommodate growth in a manner that supports the compact form of Raglan.

The Rangitahi Peninsula Structure Plan Area is in a single ownership (except for 6 houses at the end of the Peninsula) and is of considerable scale. Therefore a comprehensive planning analysis and design can be undertaken to achieve:

- Compact urban form,
- Reinforcement of the seaside village character,
- Protection and enhancement of rural, coastal and natural values.
- Coordinated provision of infrastructure

15B.3.5 High Standard of Urban Design

Urban Design is the planning toolset for achieving quality development outcomes, and is particularly critical in topographically, culturally or environmentally sensitive areas. Raglan has a number of sensitivities and challenges that require a higher level of specific design response. In such a sensitive environment, a more complex and diverse set of land uses and built-form are necessary to underpin social, environmental, economic and cultural development.

The Rangitahi Peninsula Structure Plan requirement for a Comprehensive Development Plan requires that it include urban design guidelines. This urban design approach ensures that the appropriate outcomes can be met, where zoning alone will likely produce homogenous and unresponsive outcomes.

15B.3.7 Diverse Living Environments

In any urban development, it is important to achieve a diversity of living environments which meet the needs of a diverse community. This is even more important in Raglan where there is a wide diversity of architectural style, and dwellings range from simple baches and holiday homes to more sophisticated and permanent homes. This diversity combined with informality contributes significantly to the character and identity of Raglan as a seaside village and reflects diversity within the community itself. These characteristics are seen as the essence of Raglan, and planning for future growth should strongly seek to retain and further promote these characteristics.

This important aspect is reflected in objective 15B.3.7. The associated policies refer to design for a variety of living environments, proximity of recreational opportunities, the use of landscape design within streets and public spaces to promote an individual sense of identity including some differentiation for each of the Development Precincts on the Peninsula within a unified landscape whole.

15B.3.12 Natural Values of the Coastal Environment

From a broad point of view, much of the Rangitahi Peninsula is located within the coastal environment as is the whole of the existing Raglan settlement. Historically, the indigenous vegetation on the Peninsula was stripped and pasture is now the dominant plant cover.

This is a managed farming environment and whilst this constitutes an element of natural value, the most important natural values of the coastal environment here are the landward coastal margin and the coastal marine area combined with the topographical profile of the Peninsula. Development of the Peninsula to accommodate part of Raglan's growth affords an opportunity for the retention and enhancement of the remaining natural values of the coastal environment and particularly around the Raglan harbour margins. Ensuring a high-quality land/water interface is an important part of sustainable management of this resource. Retaining the main topographical features of the Peninsula and planting in gully systems and stream margins will contribute landscape elements to achieve a balance between residential development and retention and enhancement of the natural character of the coastal environment.

Objective 15B.3.12 and the associated policies encourage the use of buffers (although not continuous) between urban development and the coast, restoration planting and the use of a low-impact stormwater treatment and disposal system to manage the quality and rate of run-off of stormwater into the coastal marine area.

Other objectives and policies refer to restoration and management of public access to the coastal marine environment to avoid significant adverse environmental effects. Overall, the objectives and policies promote a sustainable balance between development and the retention and enhancement of natural values.

15B.3.16 Natural Values of Rangitahi Peninsula

Outside the identified Development Precincts, a large part of the Rangitahi Peninsula Structure Plan Area is to be retained as open space for a combination of rural activities and environmental maintenance and enhancement. Rural activities will evolve over time. Initially, the current pastoral farming is expected to continue, but there are opportunities for diversification including, for example, orchards, viticulture and horticulture.

Policies provide for the encouragement of environmental improvement measures such as:

- Excluding stock from very steep slopes and of gully systems that might otherwise be susceptible to erosion and ecological damage,
- Avoiding loss or degradation of significant indigenous vegetation and significant habitat of indigenous fauna,
- Maintaining and enhancing significant ecological and habitat values,
- Planting of riparian margins to maintain and enhance natural ecosystems, and
- Restoration planting on steep slopes which have been retired from grazing.

These measures are encouraged to reduce erosion, reduce the run-off of sediment to the harbour, and achieve a return of natural vegetation to important parts of the Structure Plan area, in order to increase landscape values and restore habitats for indigenous flora and fauna. In this way it is intended that development of the Structure Plan Area will be able to achieve net environmental gain.

Within the identified Development Precincts, it is policy to incorporate species to contribute to habitats for indigenous fauna. Further planting within the Development Precincts will also contribute to landscape values and create or enhance ecological and habitat linkages throughout the Rangitahi Peninsula Structure Plan Area.

Maintenance and enhancement of natural values of the Structure Plan Area in this way will also contribute to a more varied and interesting landscape as a backdrop to the harbour and the existing parts of the Raglan settlement.

The relationship of Raglan and the Rangitahi Peninsula to Mt Karioi is also recognised and views toward this significant cultural landmark and landscape feature acknowledged.

15B.3.24 Cultural and historic heritage

The Rangitahi Peninsula is rich in heritage and it is important that this is recognised. Cultural and heritage resources are the tangible link to the past and it is important that future development on the peninsula accommodates and protects these important features for both present and future generations. For Māori this is an extremely rich cultural heritage area and the majority of the sites and areas have been identified in Cultural Heritage reports.

For this reason, identified sites and areas need to be recognised and registered under the Archaeological Association database. Recognition may also include such things as use of story boards or publications that will tell the story of the past. The requirement for both Cultural Management and Historic Heritage Management Plans in Section 19.9A will also ensure that identified sites and areas are appropriately protected and managed; both during and after the development of the Rangitahi Peninsula Structure Plan Area.

A heritage item does not exist in isolation from its surrounding area, as is the case with archaeological features. These features can be adversely affected by land use and subdivision and the resulting rate or scale of physical change. Inappropriate earthworks on or nearby the site or area can significantly impact archaeological sites. Where it is not practical to retain a site and an authority is granted for its destruction, it is important that the site be properly investigated and archaeological information is recorded.

15B.3.27 Road Network

An objective is for development within the Rangitahi Peninsula Structure Plan Area to achieve a level of consistency with the road network pattern, road reserve widths and surface treatments that prevail in the Raglan township. A sense of informality is a part of that character and this anticipates that road layouts, engineering standards and road cross-sections will be adapted to maintain that character within the new residential areas subject to safety and maintenance requirements.

Road connections between the identified Development Precincts and the main collector road identified in the Structure Plan are to be designed to conventional road standards in recognition of their higher order functions and the volume of traffic they are likely to accommodate.

The existing causeway and footbridge connection from Opororu Road to the Rangitahi Peninsula Structure Plan Area will need a significant upgrade. This will be a necessary requirement of the Structure Plan and any Comprehensive Development Plan.

Similarly, it will be necessary to upgrade Opororu Road, including its intersection with Wainui Road, so that it operates with adequate safety and efficiency for predicted traffic increases as development of the Rangitahi Peninsula Structure Plan Area proceeds. Currently parts of Opororu Road are constructed below Council's engineering standards and topographical difficulties create some constraints to upgrading. However an adequate standard of construction can be achieved consistent with road upgrades implemented elsewhere in Raglan.

Policy 15B.3.32 requires that the primary access to the Rangitahi Peninsula Structure Plan Area is by way of an upgraded Opororu Road, which should achieve safe and efficient access to the Raglan town centre and also convenient connections to the village centre in Development Precinct A. This is to ensure that both qualitative urban design and efficiency requirements are addressed by the design of the primary access.

Policy 15B.3.34 sets out the requirements for secondary public access to provide access choices for future residents and to provide a safe and efficient alternative route in the event that the primary access should be closed. The secondary access can be a metalled access for use should the primary access be closed for any reason. Other potential future vehicular and pedestrian connections from the Structure Plan Area to the surrounding road network are possible in future. Although such additional connections are not required to enable proposed residential development, they remain as future options.

Objective 15B.3.35 and policy 15B.3.36 require the design and operation of all forms of access to avoid, remedy or mitigate adverse effects on the environment including effects of access on the foreshore and coastal marine environment.

These measures are designed to ensure not only efficiency and safety of access but urban design qualities that will contribute to an attractive sense of place.

15B.3.37 Public Access to Open Space and the Coast

Permeability and connectivity are important attributes of any new residential area. Provision of public open space and walkways are therefore to be an essential and integral part of layouts within the Development Precincts. In addition, connections between the residential areas and surrounding public open space and the coast in particular will be important facilities to make the most of the environmental opportunities within the Structure Plan area. Public access by way of walkways/cycleways/bridleways will be significant amenities for the new community in the Structure Plan Area and will contribute to the relaxed, active seaside village character of the new development.

It is also important to enable walkways within the Structure Plan Area to connect with similar facilities in the wider Raglan area, and form part of a wider recreational network.

At the same time, it is important that public access be designed and managed to avoid or mitigate potential adverse effects on sensitive environmental areas including, for example, gully ecosystems, significant sensitive habitats, and the coastal marine area.

Objective 15B.3.39 and its associated policies sets a foundation for provision to be made in the Comprehensive Development Plan for development of environmentally appropriate walkways/cycleways/bridleways as an integral part of new development.

15B.3.39 Infrastructure

Residential development within the Rangitahi Peninsula Structure Plan Area must be supported by a full range of infrastructure including roading, water supply, wastewater disposal and stormwater management as well as energy and telecommunications services.

Provision of the services must be timely to appropriately support each stage of residential development and contribute to an efficient outcome for the peninsula as a whole. Development of these services within the Structure Plan Area is to be a requirement of a Comprehensive Development Plan. Development contributions will be required to contribute towards the wider costs of infrastructure provision in the Raglan area. A development agreement between the Council and the developer is expected to address not only the development contributions payable, but also the extent to which either financial contributions or targeted rates (not both) may be used as mechanisms to address ongoing maintenance costs and level of service issues associated with reserves and walkways within the Rangitahi Peninsula Structure Plan Area.

15B.4 Methods of Implementation

15B.4.1 Regulatory Methods

- Rules to require approval of a Comprehensive Development Plan prior to urban development within the Rangitahi Peninsula Structure Plan Area.
- Manage the location, density, amenity and integration of subdivision and development through the requirement for a Comprehensive Development Plan.
- Through the Comprehensive Development Plan, require progressive implementation of environmental improvements and low-impact solutions to stormwater management.
- The Rangitahi Peninsula Structure Plan in 21C.3 shows:
 - indicative roads within the Structure Plan Area,
 - Development Precinct outlines,
 - landscape restoration policy areas,
 - indicative open space network,
 - indicative movement network,

- development outcomes plan,
- neighbourhood outcomes plans for each of the seven development precincts,
- road details.
- An application for approval of a Comprehensive Development Plan that must be consistent with the Structure Plan.
- Inclusion of an Urban Design Guide for subdivision and development within the Comprehensive Development Plan.
- Inclusion of an infrastructure staging plan for development within the Comprehensive Development Plan.
- Require appropriate infrastructure design that takes into account maintenance and renewal costs.

15B.4.2 Council Works and Services

- Council's exercise of its regulatory function.
- Council maintenance of roads walkways and services once constructed to required standard and vested.
- Advice to the developer about restoration planting and ecological improvements.
- Development agreements between Council and the developer to address development contributions for offsite infrastructure, and potentially either financial contributions or targeted rates mechanisms (not both) where maintenance and renewal costs are higher than normal to deal with non-standard designs.

15B.4.3 Information, Education and Advocacy

- Promote within the community the need for development to be sensitive to the area.
- Promote low-impact design.
- Promote ecological enhancement of riparian margins.
- Promote ecological and landscape restoration.
- Encourage external agencies to promote enhancement of natural features and the coastal margins in particular.
- Promote high-quality design features in development.
- Promote development and enhancement of the Raglan seaside village character.

15B.4.4 Plant Species for Ecological Restoration, Landscape Restoration and Water Treatment

- In landscape restoration policy areas require new planting to use indigenous species sourced locally where practical.
- Require low impact water treatment methods to be used.

15B.5 Reasons for Methods

15B.5.1 Regulatory Methods

Rules are necessary to assist a Council to carry out its duties under section 31 of the Resource Management Act 1991. Except as substituted by specific rules for the Rangitahi Peninsula Structure Plan Area, District wide and Living zone rules will apply.

Specific rules for the Rangitahi Peninsula Structure Plan Area have been introduced to recognise and protect particular attributes of Raglan and its seaside village character, coastal and other environmental elements specific to the Rangitahi Peninsula.

The Rangitahi Peninsula Structure Plan has been designed to accommodate future growth of Raglan whilst avoiding, remedying or mitigating adverse effects on the environment. In particular, existing natural values of the coastline are to be protected, and in the extensive open spaces proposed outside the identified development areas, there is a strong emphasis on the maintenance and enhancement of the environmental values. The rules will enable the Council to regulate development to achieve a high-quality environmental balance through the integrated management of effects on the environment.

A three-level regulatory approach has been adopted:-

- Incorporation of the Rangitahi Peninsula Structure Plan within Schedule 21C.3 of the District Plan to provide certainty about the extent and location of development and environmental protection policy areas and to provide certainty about the pattern of development, village amenity and environmental outcomes required;
- Development and approval of a Comprehensive Development Plan is required prior to development to enable the Council to exercise appropriate regulatory control over the extent and quality of development and hence effects on the environment. Any proposed Comprehensive Development Plan must be consistent with the Rangitahi Peninsula Structure Plan included in the District Plan in Schedule 21C.3; and
- Most development and activities in accordance with the Comprehensive Development Plan are permitted activities, but resource consent is required for subdivision and any proposals that depart from that plan to ensure that potential adverse effects on the environment will be appropriately managed.

15B.5.2 Council Works and Services

Roads, walkways, infrastructure services and reserves will be progressively developed to Council's standards and vested in Council. Following vesting, Council will have ongoing responsibility for maintenance of these public facilities and will consider the use of either financial contributions or targeted rates (not both) as appropriate.

15B.5.3 Information, Education and Advocacy

Achieving the objectives and policies of the District Plan for the Rangitahi Peninsula Structure Plan Area, and developing community aims as development proceeds is not possible by regulatory methods alone. Much will depend on establishing a positive relationship with landowners and the community. Council will continue to work towards promoting the development of the Rangitahi Peninsula balanced with important environmental attributes and the seaside village character of Raglan as a whole. This may include encouraging the community to enhance and protect coastal environments and ecologically sensitive areas and by encouraging high-quality design within development.

15B.6 Anticipated Environmental Results

ISSUE	ANTICIPATED ENVIRONMENTAL RESULTS
<p>15B.6.1 Rangitahi Peninsula village form and amenity.</p>	<ul style="list-style-type: none"> a) Residential layout and development which has a character and scale that reflects the Rangitahi Peninsula's harbour setting and is compatible with Raglan's seaside village character. b) High amenity residential development predominantly in accordance with Future Proof densities within the Development Precincts. c) A diversity of built form and architectural style consistent with village character. d) High-quality connectivity within and between Development Precincts. e) Landscaping of streets and public open spaces forming the green network within and between the Development Precincts. f) Achievement of a sense of place and identity in each of the Development Precincts consistent with seaside village character. g) Sustainable and cost-effective infrastructure.
<p>15B.6.2 Environmental values of the Rangitahi Peninsula and adjoining marine environment.</p>	<ul style="list-style-type: none"> a) Riparian margins are protected and enhanced. b) Landscape and ecological values are enhanced by restoration planting. c) Achievement of ecological and habitat linkages throughout the Peninsula. d) Public access to public open spaces and the coastal marine environment is enhanced whilst avoiding or mitigating adverse effects on those environments. e) Environmental values are protected by the use of low-impact

	design principles.
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Chapter 16 – Financial Contributions

3. Amend Rule 16.5.2 by adding the new bullet points underlined below:

Road contributions will be used for, but not limited to:

- Vertical and horizontal alignment enhancement including corner improvement and intersection redesign, and
- Increasing width of the carriageway, and
- Kerb and channelling and other stormwater management and discharge facilities; and
- Increased maintenance or renewal costs and/or level of service provided in relation to roads and streetscape features vested in Council in the Rangitahi Peninsula Structure Plan Area in Raglan.

Reserves contributions will be used for, but not limited to:

- Reserve development, according to currently identified priorities, as set out in the long-term council community plan.
- Increased maintenance costs and/or level of service provided in relation to reserves and walkways vested in Council in the Rangitahi Peninsula Structure Plan Area in Raglan.

4. Amend Rule 16.8.4 Contribution - Subdivision by adding the new bullet point underlined below:

The financial contribution is the estimated equity per allotment and is calculated by:

- Valuing the road assets (excluding the value of the land) employed in providing the service (from the road valuation)
- Calculating the Council's equity in those assets (deducted the Land Transport New Zealand financial assistance and any outstanding loans)
- Dividing by the number of existing allotments
- In relation to the Rangitahi Peninsula Structure Plan Area in Raglan, the amount of contribution for the purpose of increased maintenance and/or level of service for roads and streetscape features shall be up to the maximum of 1% of the land value of each developed lot. For the purposes of this rule, land value shall have the meaning set out in the Valuation of Land Act 1951. The land value shall be fixed at the date of issuing the s224 c certificate in respect of the relevant subdivision and shall be based on an assumption that all conditions of the relevant subdivision consent have been complied with. The Council will only apply a financial contribution for the same purpose if funds have not been secured by way of a targeted rate or developer agreement.

5. Amend Rule 16.10 Reserve Contributions by adding new clause (ba)

- (ba) In relation to the Rangitahi Peninsula Structure Plan Area in Raglan, the amount of contribution for the purpose of increased maintenance and/or level of service for reserves and walkways shall be up to the maximum of 1% of the land value of each developed lot. For the purposes of this rule, land value shall have the meaning set out in the Valuation of Land Act 1951. The land value shall be fixed at the date of issuing the s224 c certificate in respect of the relevant subdivision and shall be based on an assumption that all conditions of the relevant subdivision consent have

been complied with. The Council will only apply a financial contribution for the same purpose if funds have not been secured by way of a targeted rate or developer agreement.

6. Amend Explanation 16.12.3 Reserves Contributions by adding the following statement at the end of the clause:

In relation to the Rangitahi Peninsula Structure Plan Area in Raglan, the District Plan makes provision for a reserves contribution to cover the increased maintenance costs and/or level of service associated with reserve and walkway assets to be vested in Council. This tool is available to Council only as an alternative to other potential mechanisms, such as a developer agreement or targeted rates. Although the District Plan cannot direct how the Waikato District Council carries out its functions under other pieces of legislation, the intention is that if Council chooses to take a financial contribution for increased maintenance costs and/or level of service, it will not then introduce a targeted rate for the same purpose.

Chapter 19: Information to Accompany a Resource Consent Application

7. Amend 19.3 by adding immediately after (n) the new (o) as follows and consequentially re-letter the existing clauses (o) to (x) to clauses (p) to (y) respectively:

- (o) where the land being subdivided is within the Rangitahi Peninsula Structure Plan Area, an assessment of compliance with the Rangitahi Peninsula Structure Plan and any approved Comprehensive Development Plan

8. Add a new section 19.9A as follows:

Applications for a Rangitahi Peninsula Structure Plan Area Comprehensive Development Plan (CDP) approval shall be accompanied by:

- a) a comprehensive site context analysis (landscape coastal character and urban design)
- b) detailed landscape analysis of the structure plan area and surrounding coastal environment
- c) a character analysis of Raglan urban form and development response
- d) a connectivity analysis identifying how the area can integrate into existing road and open space networks
- e) visual amenity assessment including off and on-site visual amenity effects of potential development
- f) topographical analysis of the structure plan area identifying geomorphological features and slope analysis including an assessment of the coastal cliffs
- g) detailed geotechnical assessment
- h) terrestrial and freshwater ecological survey and assessment and an Environmental Management Plan
- i) archaeological and heritage survey and assessment along with details of NZAA registration for sites identified in accompanying reports. This assessment requires consultation with Tainui Hapū.
- j) a Cultural Management Plan, setting out an investigation and protection methodology
- k) a Historic Heritage Management Plan for significant heritage features to be protected including a plan showing the location and boundaries of any existing and proposed archaeological covenants.
- l) land-use map indicating boundaries of developable areas, uses, connections and proposed densities
- m) an urban design assessment analysing the proposal against the Rangitahi Peninsula Structure Plan and assessment criteria in Schedule 21C
- n) infrastructure (roads and services) – proposals and capability report, including design qualities sought, with an emphasis on low-impact design, including implications for maintenance and renewal costs
- o) specific design proposals for the upgrading of Opotoru Road (including the Wainui Road/Opotoru Road intersection and the bridge/causeway), including a record of consultation undertaken with neighbouring land owners regarding access details.

Alternatively if this design is already approved by the Council, a copy of the approval shall be provided

- p) an integrated transport assessment in accordance with Appendix 5Cof NZ Transport Agency Planning Policy Manual SP/M/001 dated 1 August 2007
- q) development capacity assessment including any necessary amendments resulting from other assessments
- r) an assessment of natural hazards, including any setbacks required from specific areas
- s) confirmation of sufficient capacity of council services including water and wastewater
- t) land contamination assessment
- u) coastal hazard assessment
- v) natural character assessment
- w) the status and scope of any development agreement with Council and a summary of consultation and any agreements with infrastructure authorities, including but not limited to Council as roading authority; and
- x) Urban Design Guidelines for the whole Rangitahi Peninsula Structure Plan Area (required with the first Comprehensive Development Plan application regardless of whether the application is staged or for the whole Structure Plan Area)

Overall, the reports and assessments accompanying an application for a CDP approval or amendment are to be sufficiently comprehensive and provide environmental information, analysis and assessments of potential effects on the environment (of development that would be enabled by the CDP provisions) to adequately inform assessment of the proposed CDP under section 104(1) and section 104A of the Resource Management Act.

Chapter 21: Living Zone

9. Amend Introduction 21.1 by adding new text immediately after the existing text as follows:

...Subdivision Rules.

All activities in the Rangitahi Peninsula Structure Plan Area are also subject to rules in Schedule 21C: Rangitahi Living Zone Rules, Structure Plan and Comprehensive Development Plan.

10. Add above the heading for Prohibited Activities (21.5) new text as follows:

NOTE: All activities in the Rangitahi Peninsula Structure Plan Area are also subject to rules in Schedule 21C: Rangitahi Living Zone Rules, Structure Plan and Comprehensive Development Plan.

11. Add new Schedule 21C: Rangitahi Living Zone Rules, Structure Plan and Comprehensive Structure Plan as follows:

Schedule 21C: Rangitahi Living Zone Rules, Structure Plan and Comprehensive Development Plan

21C.1 Application of the Schedule

The rules in this schedule apply to the Rangitahi Living Zone as shown on Planning Map 43 and as shown in the Rangitahi Peninsula Structure Plan that is included at the end of this Schedule. All rules in Chapter 21: Living Zone Rules apply in the Rangitahi Peninsula Structure Plan Area unless otherwise specified below.

21C.2 Rules applying in the Rangitahi Peninsula Structure Plan Area

In addition to the following rules, all rules in Chapter 21: Living Zone also apply to the Rangitahi Peninsula Structure Plan Area except for:

- a) Rules 21.10, 21.17, 21.24, 21.25, 21.41, 21.44, 21.45, 21.46A, 21.49, 21.63, 21.65, A11 and A14.
- b) Rules 21.67 and 21.71A shall apply to the extent that any of the conditions set out in those rules are not modified by an approved Comprehensive Development Plan.

Comprehensive Development Plan

ITEM	CONTROLLED ACTIVITY	RESOURCE CONSENT
21C.10 Comprehensive Development Plan	21C.10.1 A Comprehensive Development Plan (CDP) which is closely similar to the Rangitahi Peninsula Structure Plan in 21C.3 shall be approved as a controlled activity prior to any subdivision or development taking place within the Rangitahi Peninsula Structure Plan Area.	21C.10.3 A Comprehensive Development Plan (CDP), or an amendment thereto, that does not meet the requirements of Rule 21C.10.1 and does not exceed the parameters below (using the base figures and

	<p>A CDP application may be made in stages on a Development Precinct by Development Precinct basis or may be made for the entire Rangitahi Peninsula Structure Plan Area and amendments to an approved CDP may also be approved provided the same requirements as for a CDP in this rule are met.</p> <p>The following variances will be considered as “closely similar to” the Rangitahi Peninsula Structure Plan (the base figures and locations are as stated or shown in the Neighbourhood Outcome Plans that form part of the Rangitahi Peninsula Structure Plan);</p> <ul style="list-style-type: none"> (a) Development Precinct areas - (hectares) variance up to and including 10%; (b) Development Precinct boundaries – variance up to and including 100m; (c) Development Precinct densities – variance up to and including 10% from the upper and lower end of the range specified; and (d) Collector Road locations – variance up to and including 50m movement outside of the road reserve. (e) Secondary access location – any variance and up to and including 30% variance in length. <p>Exceptions to this requirement to obtain CDP approval are:</p> <ul style="list-style-type: none"> ▪ alterations or additions to existing dwellings, ▪ maintenance of buildings and structures, farm tracks and existing infrastructure, ▪ repair or restoration of any land subject to erosion or slippage, ▪ implementation of any resource consents which have been granted for the area that the CDP applies to, ▪ planting activity, ▪ walking and bike trail construction except for walking or bike trails located within land that is subject to an existing or proposed archaeological covenant area. Such walking or bike trails shall be subject to the CDP approval process, ▪ roading connections at each end of the Oporu causeway and bridge for which a resource consent has been granted. 	<p>locations as stated or shown in the Neighbourhood Outcome Plans that form part of the Rangitahi Peninsula Structure Plan) shall be a discretionary activity and shall be approved prior to any subdivision or development taking place.</p> <ul style="list-style-type: none"> (a) Development Precinct areas - (hectares) greater than 10% and up to and including 20% variance. (b) Development Precinct boundaries – greater than 100m and up to and including 200m variance. (c) Development Precinct densities – greater than 10% and up to and including 20% variance from the upper and lower end of the range specified. (d) Collector Road locations – greater than 50m and up to and including 100m movement outside of the road reserve. (e) Secondary access location – greater than 30% variance in length. <p>The matters over which Council reserves control- shall be used for assessing discretionary activity applications under this rule.</p> <p>21C.10.4 A Comprehensive Development Plan (CDP), or an amendment thereto, that does not meet the standards for a discretionary activity, or includes development that would affect land that is subject to an existing or proposed archaeological covenant area, is a non-complying activity.</p>
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	<p>Note: CDP approval does not constitute authorisation by the Waikato District Council as road controlling authority in terms of Section 357 of the Local Government Act 197. Written authorisation is required from the Waikato District Council prior to any works commencing that affect public roads.</p> <p>For 21C.10.1 control is reserved over:</p> <ul style="list-style-type: none"> ▪ consistency with the Rangitahi Peninsula Structure Plan in 21C.3 ▪ the assessment criteria in 21C.4 ▪ effects on cultural values (having regard to the outcome of any consultation with Tainui Hapu) ▪ lot size, access, building locations ▪ development densities ▪ provision for ecological features to be protected, restored or enhanced ▪ proposals for Landscape Restoration policy areas ▪ existing and future utilities and connections ▪ existing and indicative roads and their connections ▪ consistency with any recommendations in the integrated transport assessment ▪ consistency with the causeway construction and upgrade of Oporu Rd authorised by the land use consent issued by the Council, reference no LUC0249/06 ▪ provision for public access to the Rangitahi coastal area ▪ provision for public reserves and open space, including linkages between reserves and open space ▪ connectivity to other development areas ▪ location and type of activities including residential, travellers' accommodation and Rangitahi commercial community facilities. ▪ effects of natural hazards, geotechnical and land contamination ▪ effects on natural character; and ▪ effects on historic heritage <p>21C.10.2 Applications for approval of a Comprehensive Development Plan (or amendments thereto) as a controlled activity will be considered without</p>	<p>21C.10.5 Prior to approval of a Comprehensive Development Plan, any activity not listed as an exception in 21C.10.1 is a non-complying activity.</p>
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	public notification and without the need to serve notice on or obtain the written approval of any affected persons, except that Council shall consider Tainui Hapu an affected party and require that its written approval be obtained or that notice be served on a limited notified basis.	
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Land Use Activities

ITEM	PERMITTED	RESOURCE CONSENT
21C.11 Type of activity	<p>21C.11.1 Any activity that complies with all the effects and building rules and is in accordance with the Rangitahi Peninsula Structure Plan in 21C.3 is a permitted activity if it is:</p> <p>A. located on a site for which a CDP has been approved; and</p> <p>B. located within the Development Precincts shown on the Rangitahi Peninsula Structure Plan in 21C.3 and is:</p> <ul style="list-style-type: none"> a) a residential activity, or b) a home occupation that meets the conditions for a permitted activity, or c) a temporary event that meets the conditions for a permitted activity, or d) a network utility, or e) a homestay that provides accommodation for no more than 4 temporary residents, and meets the conditions for a permitted activity, or f) a community activity, provided that the total gross floor area for this activity does not exceed a total of 200m² within the whole of the Rangitahi Peninsula Structure Plan Area, or g) a Rangitahi commercial activity, provided that the total gross floor area for this activity does not exceed a total of 400m² gross floor area within the whole of the Rangitahi Peninsula Structure Plan Area and no individual premises exceeds 100m² gross floor area; or <p>C. located outside the Development Precincts shown on the Rangitahi Peninsula Structure Plan and is:</p> <ul style="list-style-type: none"> a) an activity that would be a permitted activity in the Rural zone, or 	<p>21C.11.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity provided that:</p> <ul style="list-style-type: none"> ▪ in the case of Rangitahi commercial activity, the total gross floor area does not exceed 600m² within any of the seven neighbourhoods shown on the Rangitahi Peninsula Structure Plan in 21C.3 or a total gross floor area of 1000m² within the whole of the Structure Plan Area. ▪ in the case of a community activity, the total gross floor area within the Rangitahi Peninsula Structure Plan Area does not exceed 300m² within the whole of the Structure Plan Area. <p>Discretion restricted to:</p> <ul style="list-style-type: none"> ▪ effects on the role, function, vitality, viability and amenity of the Raglan town centre ▪ traffic impacts on the safety and efficiency of the road network ▪ consistency with an approved CDP

	<p>b) an activity identified on the Rangitahi Peninsula Structure Plan outside the Development Precincts.</p>	<ul style="list-style-type: none"> character and amenity of development within the Rangitahi Structure Plan Area. <p>21C.11.3</p> <p>Any activity that does not comply with a condition for a restricted discretionary activity is a discretionary activity.</p>
<p>21C.12 Vehicle movements</p>	<p>21C.12.1</p> <p>Any activity is a permitted activity if:</p> <ol style="list-style-type: none"> it does not involve more than 200 vehicle movements per day, and no more than 10 of these movements are heavy vehicle movements, and it is located on a site for which a CDP has been approved. 	<p>21C.12.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> traffic impacts on the safety and efficiency of the road network traffic impacts on infrastructure condition and expected life traffic effects on amenity, including noise consistency with an approved CDP
<p>21C.13 Earthworks</p>	<p>21C.13.1</p> <p>Any activity is a permitted activity if earthworks:</p> <ol style="list-style-type: none"> are not in the Flood Risk Area except for filling, in accordance with rule 21.26, and comply with Appendix B (Engineering Standards), and including cut and batter faces or filled areas, are revegetated to achieve 80% ground cover within 12 months of the earthworks being commenced, or in the cases where the filled area is to be (in part or whole) within a building platform or hard surface area, the base course has been laid and compact within 12 months of the earthworks being commenced, and dispose of any surplus material within the Rangitahi Peninsula Structure Plan Area in 21C.3, and retain sediment on the site through implementation and maintenance of 	<p>21C.13.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> effects on amenity values visual effects mitigation measures including sediment control matters listed in Appendix B effects on land utilisation effects on erosion effects on cultural values effects on heritage values

	<p>sediment controls, and</p> <p>f) do not adversely affect other land through changes in natural water flows or established drainage paths, and</p> <p>g) that disturb contaminated land include full remediation works, and</p> <p>h) do not disturb or move more than 200m³ within the site in a single calendar year, and</p> <p>i) in relation to the height of any cut or batter face do not exceed 2m, and</p> <p>j) do not exceed 1000m² in total area at any one time.</p> <p>Despite (h) to (j), the following earthworks are permitted if they comply with (a) to (g), and (k) the work</p> <p>(i) is part of an approved subdivision, or</p> <p>(ii) is necessary for building works authorised by a building consent and;</p> <ul style="list-style-type: none"> ▪ the area of earthworks is no more than 150% of the area of those building works; or ▪ the earthworks occur on land with an average gradient no steeper than 1:8, or <p>(iii) is a back-filled trench for network utilities, or on or offsite utilities within the Rangitahi Peninsula Structure Plan Area and original ground levels are reinstated (such trenches are also exempt from (d)), or</p> <p>(iv) is necessary for the construction and maintenance of existing public roads or for construction of new roads in accordance with the Rangitahi Peninsula Structure Plan, and</p> <p>(v) traffic associated with the works is managed in accordance with an approved Construction Traffic Management Plan by the Waikato District Council as the road controlling authority, and</p> <p>(vi) it is located on a site for which a CDP has been approved.</p>	<ul style="list-style-type: none"> ▪ consistency with an approved CDP
<p>21C.14 Earthworks</p> <ul style="list-style-type: none"> ▪ filling using 	<p>21C.14.1</p> <p>Any activity is a permitted activity if:</p>	<p>21C.14.2</p> <p>Any activity that does not comply with a condition for a</p>

imported fill	<p>a) all material for filling is clean fill, and</p> <p>b) filling</p> <p>(i) that is not part of building work, or construction of roads, or installation of infrastructure:</p> <ul style="list-style-type: none"> ▪ does not exceed a volume of 20m³ and a depth of 1m, and ▪ does not include a building platform, and ▪ does not include placing fill into an area of significant indigenous vegetation or habitat, or <p>(ii) that is for minor upgrading of existing electricity lines and does not exceed 50m³</p> <p>(iii) where traffic associated with the work uses public roads, is managed in accordance with an approved Construction Traffic Management Plan or authorised in writing by Waikato District Council as the road controlling authority, and</p> <p>(iv) it is on a site for which a CDP has been approved.</p>	<p>permitted activity under 21C.14.1(b) is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> ▪ effects on amenity values ▪ visual effects ▪ effects on indigenous vegetation and habitat ▪ mitigation measures including replacement planting where vegetation removal is involved ▪ matters listed in Appendix B ▪ effects on cultural values ▪ effects on heritage values ▪ consistency with an approved CDP <p>Any activity that does not comply with 21C.14.1(a) for a permitted activity is a discretionary activity.</p>
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Land Use – Building

ITEM	PERMITTED	RESOURCE CONSENT
21C.15 Number of dwellings	<p>21C.15.1</p> <p>Construction of a dwelling, other than a dependent person's dwelling, is a permitted activity if it is on a site for which a CDP has been approved and, after completion:</p> <p>a) there is only one dwelling on the land contained in the certificate of title; or</p> <p>b) if more than one dwelling is constructed on land contained in the certificate of title, they are:</p> <ul style="list-style-type: none"> i. in compliance with the Rangitahi Peninsula Structure Plan in 21C.3 and ii. semi-detached, or in terrace formation. 	<p>21C.15.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p> <p>Note: The Comprehensive Residential Development Guidelines in Appendix E provide assessment guidance.</p>
21C.16	21C.16.1	21C.16.2

Building height	Construction or alteration of a building is a permitted activity if the height does not exceed 7.5m and it is on a site for which a CDP has been approved.	<p>Any activity that does not comply with the condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> ▪ design and location of building ▪ building dominance effects ▪ admission of daylight and sunlight to the site and other sites ▪ privacy on other sites ▪ amenity values of the locality ▪ consistency with an approved Comprehensive Development Plan <p>Note: See rule 21.5 for prohibited activities.</p>
21C.17 Daylight admission	<p>21C.17.1 Construction or alteration of a building is a permitted activity if it is on a site for which a CDP has been approved:</p> <p>a) the building does not protrude through a height control plane rising at an angle of 37° commencing at an elevation of 2.5m above ground level at every point of the site boundary, except that this standard does not apply to party walls located along site boundaries or along boundaries indicated as having a zero setback on the Rangitahi Peninsula Structure Plan in 21C.3. Such boundaries are also to be identified on any Comprehensive Development Plan approved under Rule 21.C.10.</p>	<p>21C.17.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> ▪ height of building ▪ design and location of building ▪ admission of daylight and sunlight to the site and other sites ▪ privacy on other sites ▪ amenity values of the locality ▪ consistency with an approved CDP
21C.18 Non-residential building	<p>21C.18.1 Construction or alteration of a non-residential building is a permitted activity if it is on a site for which a CDP has been approved, and:</p> <p>a) it is in accordance with the Rangitahi</p>	<p>21C.18.2 Any building that does not comply with a condition for a permitted activity is a</p>

	<p>Peninsula Structure Plan in 21C.3, and</p> <p>b) the gross floor areas of all non-residential building on a residential site do not exceed 70m²; or</p> <p>c) the building is located outside the Development Precincts defined in the Rangitahi Peninsula Structure Plan and the building is a permitted activity in the Rural Zone and the gross floor area does not exceed:</p> <p>(i) 400m² on a site having an area of at least 2ha,</p> <p>(ii) or does not exceed 250m² on a site smaller than 2ha.</p>	discretionary activity.
21C.19 Building set back: road boundary	<p>21C.19.1</p> <p>Construction or alteration of a building is a permitted activity if it is on a site for which a CDP has been approved and is set back at least:</p> <p>a) 3m from the road boundary; or</p> <p>b) no minimum setback shall apply on the lots shown and described in the Rangitahi Peninsula Structure Plan in 21C.3 (such lots are also to be identified in a Comprehensive Development Plan approved under Rule 21C.10).</p>	<p>21C.19.2</p> <p>Any activity that does not comply with the condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> ▪ amenity of neighbouring properties including shadowing, building dominance and privacy ▪ streetscape quality ▪ consistency with an approved Comprehensive Development Plan

Subdivision

ITEM	CONTROLLED	RESOURCE CONSENT
21C.20 Consistency with the Rangitahi Peninsula Structure Plan	<p>21C.20.1</p> <p>Subdivision is a controlled activity if:</p> <p>a) it is in accordance with the Rangitahi Peninsula Structure Plan in 21C.3 including the density ranges specified therein for each neighbourhood in the Neighbourhood Outcomes Plans; and</p> <p>b) environmental improvements required by the Rangitahi Peninsula Structure Plan (including, but not limited to restoration planting shown on the Indicative Open Space Framework Plan and provision of</p>	<p>21C.20.2</p> <p>Subdivision that does not comply with a condition for a controlled activity is a discretionary activity.</p> <p>Note: The assessment criteria in 21C.5 provide guidance for the approval of a Comprehensive Development Plan but the criteria may also be used to assess any subdivision that is not fully in</p>

	<p>walkways and cycleways shown on the Indicative Movement Network Plan) have been implemented to the extent required, or</p> <p>c) the requisite environmental improvements are proposed to be implemented as a condition of subdivision consent to be completed or bonded prior to the issue of a section 224(c) certificate for the subdivision; and</p> <p>d) the primary access to the Rangitahi Peninsula Structure Plan Area via an upgraded Oporu Road (inclusive of the Oporu Road/Wainui Road intersection and the bridge/causeway at each end) has been formed; and</p> <p>e) provision is made for a secondary legal access for all road users when the Oporu Road connection is not available for any reason. A metalled access route protected by easement is sufficient for this purpose.</p> <p>f) it is on a site for which a CDP has been approved.</p> <p>Control is reserved over:</p> <ul style="list-style-type: none"> ▪ extent to which it accords with the Rangitahi Peninsula Structure Plan ▪ extent of variation in allotment sizes from provisions of the Rangitahi Peninsula Structure Plan ▪ matters referred to in Appendix B (Engineering Standards) ▪ amenity and streetscape ▪ vehicle and pedestrian networks ▪ implementation of environmental improvements required by the Rangitahi Peninsula Structure Plan ▪ extent to which it is in accordance with the approved CDP 	<p>accordance with the Rangitahi Peninsula Structure Plan.</p>
21C.21 Frontage	<p>21C.21.1 Subdivision is a controlled activity if:</p> <p>a) every allotment with a road boundary, other than an access allotment, access leg or utility allotment, has a width along the road boundary of at least 20m or complies with the Rangitahi Peninsula Structure Plan. Such boundaries are also to be identified in</p>	<p>21C.21.2 Subdivision that does not comply with the condition for a controlled activity is a restricted discretionary activity.</p>

	<p>a Comprehensive Development Plan approved under Rule 21C.10, and</p> <p>b) it is on a site for which there is an approved CDP.</p> <p>Control is reserved over:</p> <ul style="list-style-type: none"> ▪ road efficiency and safety ▪ amenity and streetscape. ▪ extent to which it is in accordance with the approved CDP. 	<p>Discretion restricted to:</p> <ul style="list-style-type: none"> ▪ road efficiency and safety ▪ amenity and streetscape. ▪ consistency with Urban Design Guidelines in an approved Comprehensive Development Plan ▪ extent to which it is in accordance with the approved CDP.
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21C.3 Rangitahi Peninsula Structure Plan

The Rangitahi Peninsula Structure Plan consists of the following indicative plans which are contained in the schedule following Rule 21C.4:

- Plan 1 Structure Plan Area;
- Plan 2 Indicative Land Use Plan (including Development Precincts);
- Plan 3 Indicative Open Space Framework Plan;
- Plan 4 Indicative Movement Network Plan;
- Plan 5 Development Outcomes Plan;
- Plan 6 Neighbourhood Outcomes Plan-Precinct A
- Plan 7 Neighbourhood Outcomes Plan-Precinct B
- Plan 8 Neighbourhood Outcomes Plan-Precinct C
- Plan 9 Neighbourhood Outcomes Plan- Precinct D
- Plan 10 Neighbourhood Outcomes Plan-Precinct E
- Plan 11 Neighbourhood Outcomes Plan-Precinct F
- Plan 12 Neighbourhood Outcomes Plan-Precinct G [**Incorrectly labelled Plan 7g in this Decision Version**]
- Plan 13 Road Details Document

21C.4 Assessment criteria for approval of a Comprehensive Development Plan and any amendments thereto.

Rule 21C.10.1 sets out the requirements for a Comprehensive Development Plan to be based on, and be closely similar to, the Rangitahi Peninsula Structure Plan in 21C.3 in order to have controlled activity status. The matters listed below are included in Rule 21C.10.1 as being matters over which Council reserve control.

In the event that an application is made under Rule 21C.10.4 for a Comprehensive Development Plan that does not meet the requirements of Rules 21C.10.1 or 21C.10.2, then the following assessment criteria shall apply.

The following assessment criteria are presented in a hierarchical format, which reflects the scale of their application and their influence on overall urban form and amenity. Priority should be given to those criteria at the top of the hierarchy (permeability, spatial variety

and integration with the natural environment and legibility) that have the greatest influence on large scale, initial site planning matters.

PERMEABILITY

- (i) The road network generally conforms to the configuration shown in the Rangitahi Peninsula Structure Plan in 21C.3;
- (ii) The road network allows multiple routes for pedestrians, cyclists and motorists to destinations within the Peninsula;
- (iii) The road network allows for an alternative public access to the Peninsula in the event that the primary access route is unavailable for any reason;
- (iv) The road network allows for future expansion by providing logical connections to future stages, to maintain permeability;
- (v) Block shapes and road alignment respond to natural topography rather than imposing a geometric grid;
- (vi) Pedestrian-only walkways that connect roads are minimised, except where part of a defined movement network and open space framework or otherwise where topography or natural features make a road connection difficult;
- (vii) The road environment encourages walking with separation between footpaths and vehicle carriageways and through the provision of street trees.
- (viii) Rear lots make up less than 10% of lots per neighbourhood block with driveways to rear lots shared by not more than two adjoining lots. This criteria shall not discourage courtyards and rear access arrangements;
- (ix) Road reserve widths reflect the road hierarchy and cross-sections contained in the Rangitahi Peninsula Structure Plan;
- (x) The subdivision plan and section shapes maximise north-south roads and sections with north, east or west facing rear yards;
- (xi) Integration of land use and infrastructure;
- (xii) The type, location, density, staging and trigger requirements of land uses match the location, type, scale, funding and staging of infrastructure required to service the area;
- (xiii) The safe and efficient functioning of existing and planned transport and other infrastructure will be protected and enhanced;
- (xiv) Multi-modal transport links and connectivity, both within the Peninsula and to neighbouring areas and existing transport infrastructure;

SPATIAL VARIETY AND INTEGRATION WITH THE NATURAL ENVIRONMENT

- (xv) Blue corridors (containing watercourses/ponds) and green corridors (reserve networks) are linked to create natural habitat for wildlife species;
- (xvi) Stormwater detention ponds and wetlands are integrated with green corridors and/or public open space where possible;
- (xvii) Recreation reserve areas are bounded by public road to increase public access and surveillance;
- (xviii) Natural landmarks such as ridges, valleys and knolls are used to maintain character and differentiate neighbourhoods from one another;

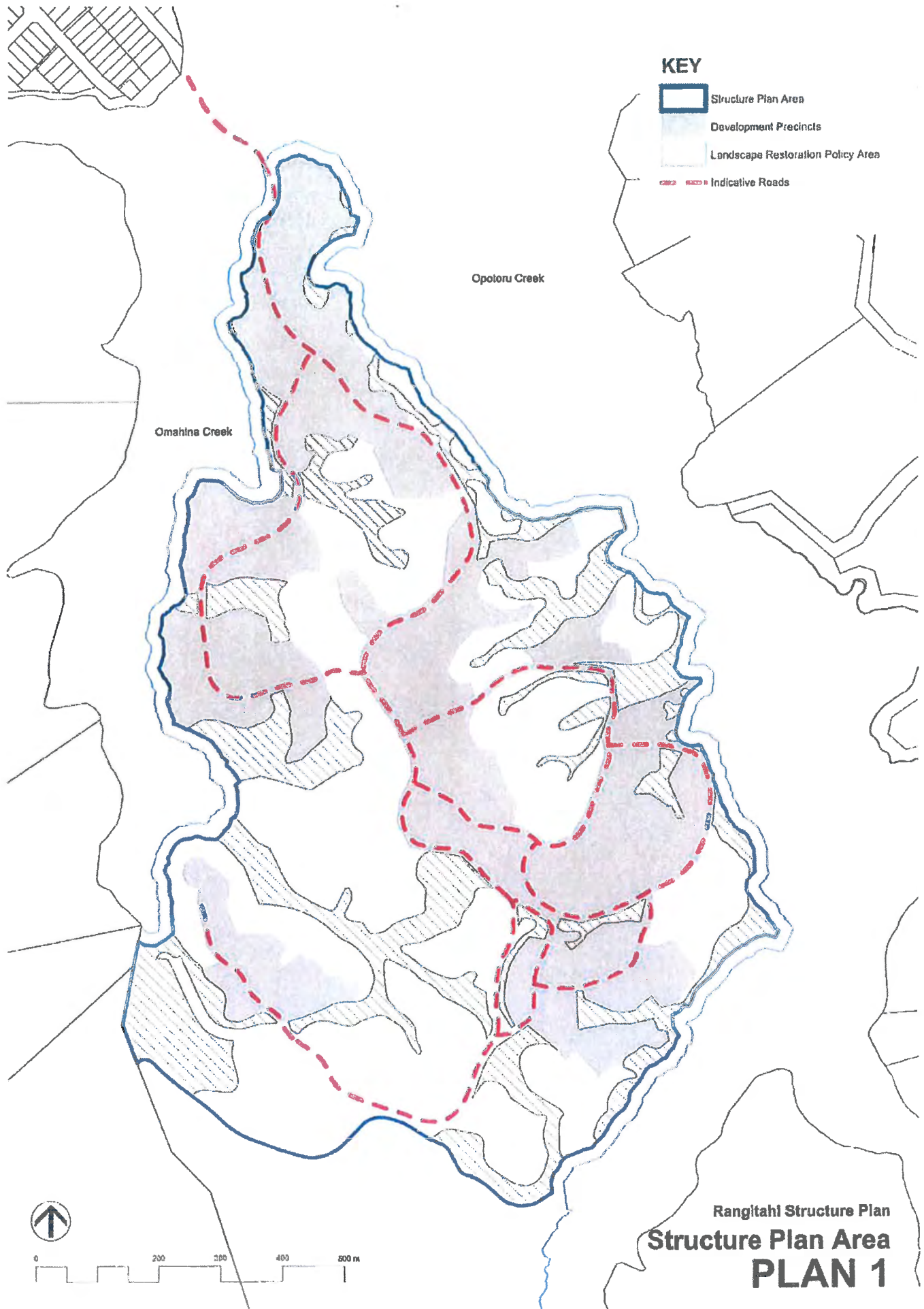
- (xix) Where modifications to natural landform are needed, these are preferably undertaken at the subdivision stage in a controlled and consistent manner in order to minimise the need for secondary earthworks and sediment discharges and minimise retaining wall heights;
- (xx) Integration with the natural environment – the extent to which the proposal is consistent with Policies 15B.3.22 and 15B.3.23.

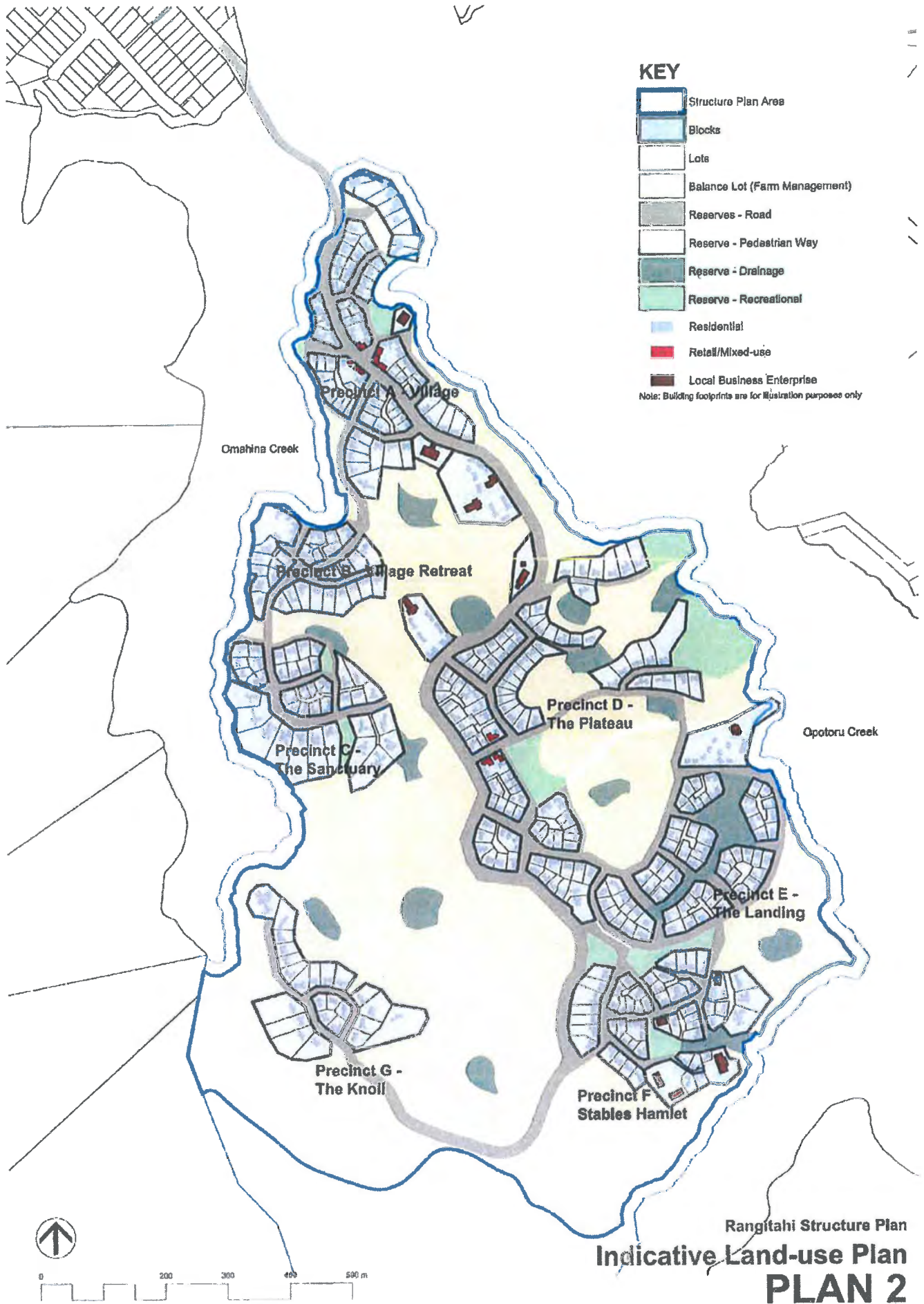
LEGIBILITY

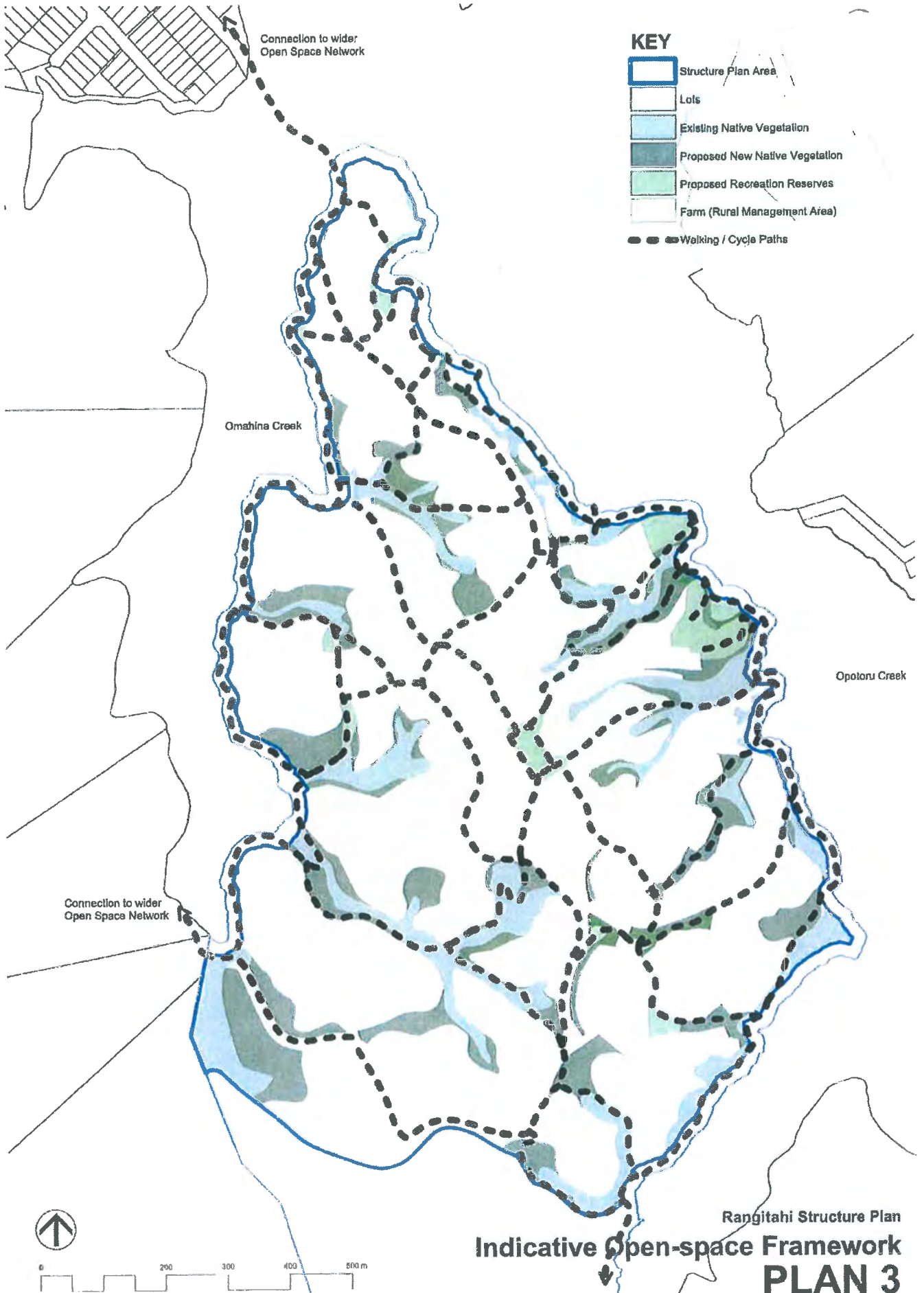
- (xxi) There is a clear visual distinction between the different road types (local, collector) within the subdivision which clearly communicates the road hierarchy;
- (xxii) Site planning avoids the requirement for back fences facing collector roads;
- (xxiii) Pedestrian pathways and cycleways between private lots are designed to clearly “read” as public thoroughfares, are overlooked by neighbouring properties and are straight and short;
- (xxiv) Roads are aligned to highlight existing landmarks;
- (xxv) Streets are visually narrowed by the use of different paving for parking bays.

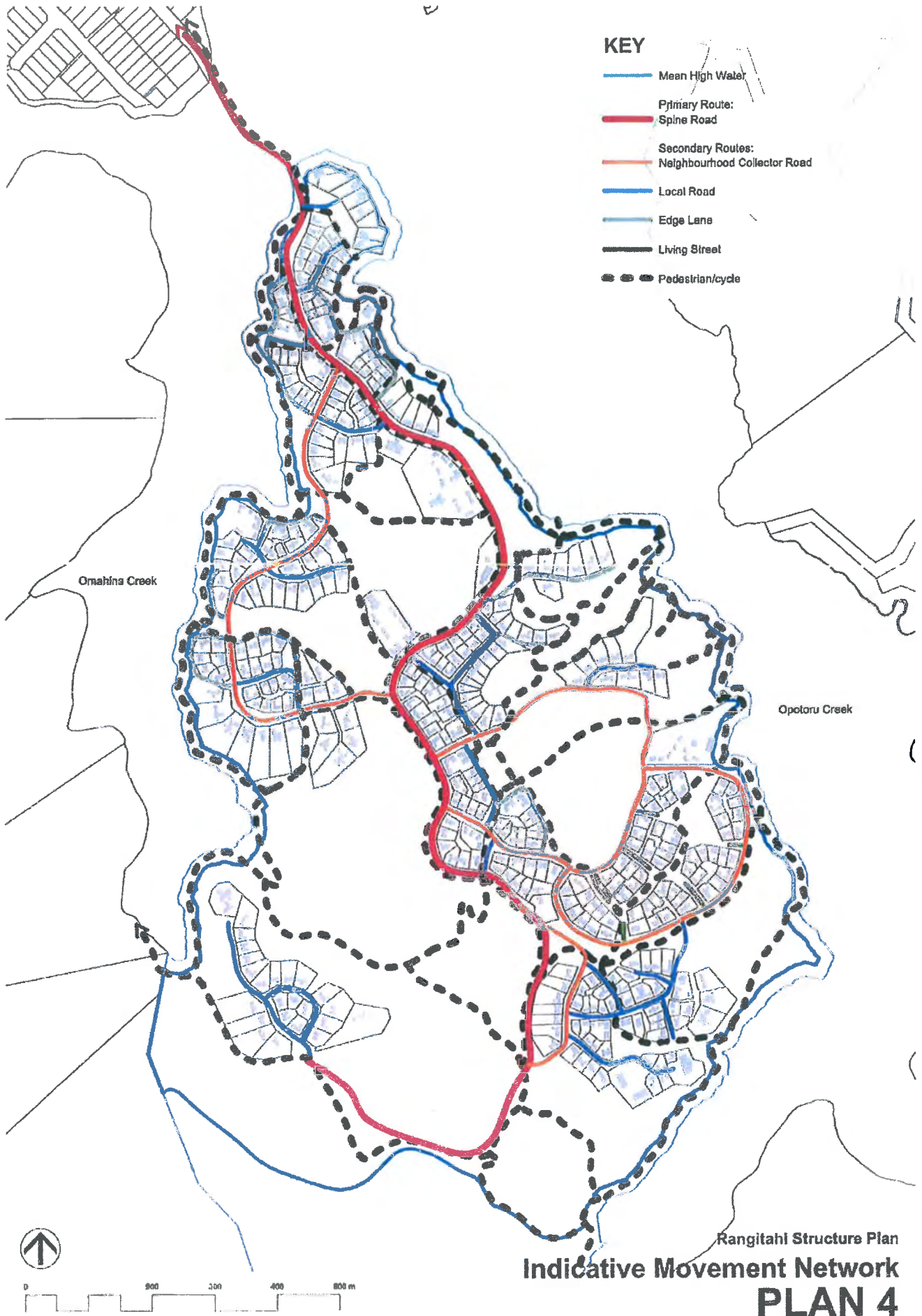
ROBUSTNESS OF LOT DESIGN

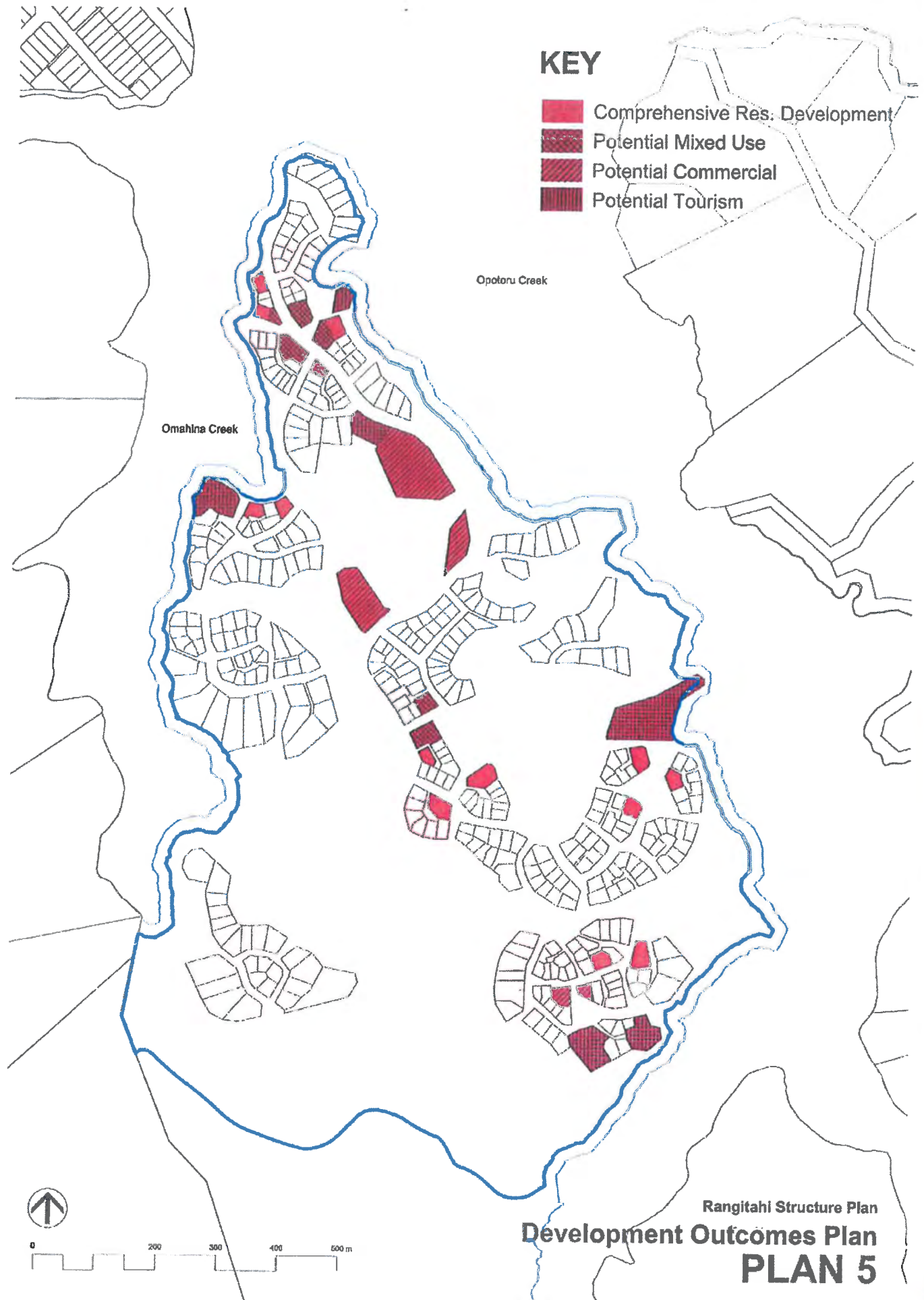
- (xxvi) The effects of block size and shape on the configuration of individual lots has been considered at the initial site planning stage;
- (xxvii) Individual lots are designed to accommodate a variety of uses and building typologies;
- (xxviii) Individual lots are designed such that when built on, dwellings will generally be able to have private outdoor living courts located in rear and/or side yards and oriented towards the north and will be able to receive sunlight;
- (xxix) Subdivisions are designed with regard to the principles of CPTED (Crime Prevention through Environmental Design) and the principles of low impact design.











SUMMARY	
Neighbourhood Area	7.77 ha
Dwellings Illustrated	117
Density Range	18 - 16 dph

The collage consists of four photographs. The top-left photo shows a modern building with a glass facade and a large, colorful mural. The top-right photo shows a street scene with a large, modern building and a tree. The bottom-left photo shows a narrow street with a red and white striped awning. The bottom-right photo shows a courtyard with a large tree and a building.

KEY

- Single-Family Lots
- Water
- Village of Port Hope
- Recreation - Rural
- Recreation - Residential Site
- Recreation - Residential
- Recreation - Agricultural
- Recreation

Legend

- Village of Port Hope
- United Nations Convention on the Law of the Sea

KEY

- City of San Diego
- Proposed City Limits
- Proposed City Center
- Proposed Development

KEY

- Estimated Area
- Not Designated Area
- Archaeological Area
- Archaeological Feature

KEY

- Fringe boundary
- Vehicle access boundary

- A mixed-use village core with higher intensity residential concentrated around a central square.
- A more intense residential form with a series of networked small parks and urban spaces.
- Larger lots on land that slopes away from the central ridge line to the waters edge.
- Integrated developments with commercial and tourism opportunities at key locations on the periphery.

- ▶ Limited mixed-use concentrated around, and within close proximity to, the central square along the Main Road can have zero front yard setbacks.
- ▶ Other higher intensity residential overlooking feature open space areas in close proximity to the square.
- ▶ A visitor accommodation facility is indicated to the east of the village square to preserve a more public use activity of a prominent place.
- ▶ Boutique commercial and visitor facilities are indicated at the southern end to create a gateways statement to the neighbourhood and provide a public interface to the farm estate.

- Cover ants are to be registered on the title of the balance lot for all archaeological sites indicated.

- 3 Incorporating architectural features that stimulate and enhance sociability at the street front including verandahs, bay windows and balconies.
- 4 Vehicle access from rear lanes and courts where possible to create uninterrupted social environments.



SUMMARY	
Neighbourhood Area	3.42 ha
Dwellings Illustrated	57
Density Range	16 – 18 dph

Frontage & Vehicle Access

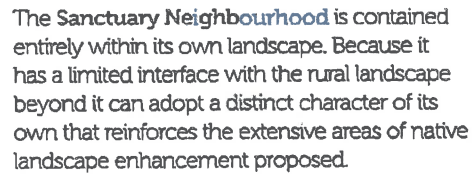


While more informal than The Village Core, this neighbourhood still maintains 'village' attributes, including:

- Building and house designs that

- » Building and house designs that promote active engagement with the street and edge lanes.
- » A strong frontage to the Omahina Creek coastal margin and regenerating watercourse landscapes.
- » Vehicle access from the central road is discouraged.
- » Vehicle egress is provided through lanes, courts and Edge Lanes.

- 2. Covenant to be registered on the title (private lot).



SUMMARY	
Neighbourhood Area	457 ha
Dwellings Illustrated	41
Density Range	8-10 dph

The overall density in this neighbourhood is much lower than other areas to accommodate larger house forms that integrate with a natural landscape.



Comprehensive Development Lots

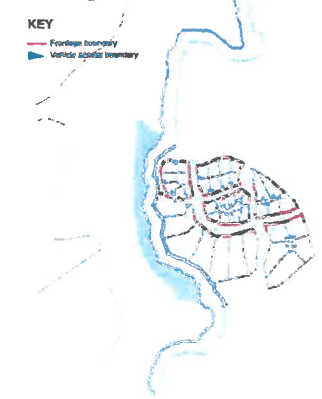


There are no Comprehensive Development Lots identified within this neighbourhood although some may be possible through lot integration at some future point with careful design.

- A central Secondary Road through the centre of the neighbourhood generates more intensive development on the north-facing slopes and large lots to the south.
- More intense residential forms on the lower north-facing slopes front a series of networked small parks and urban spaces within the gully floor.
- Larger lots on land that slopes away from the central ridge line to the waters edge and rural environs.

- » More activity along the coastal walkway.
- » A public interface to the farm lot.

Frontage & Vehicle Access



Covenanted areas are required to be re-vegetated consistent with the wider landscape enhancement programme. The purpose of this is to:

- Protect (from development) and maintain steep southern slopes.
- Visually protect ridge lines
- Extended areas of (re) vegetation to be vested.

Building platforms are confined to the front (road edge) of lots.

Covenant areas occupy the rear of lots.

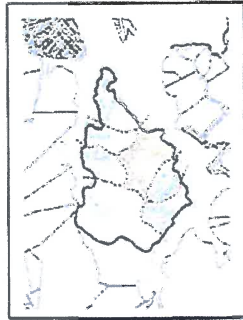
There are no archaeological sites within Precinct C

The Sanctuary maintains a 'village' atmosphere by ensuring development and building platforms are focused on the street.

Vehicle egress is typically from the front of the site to enable a more efficient and environmentally responsive construction approach - minimising cut and fills, and enabling quality private outdoor living areas to be created.

Where terrain allows, lanes and courts are to be used.

Precinct D – The Plateau



The Plateau is the largest neighbourhood by area and household number. Sitting on the upper plateau it encircles a large basin landscape character area and incorporates two small 'spur' development clusters. It is the central 'hub' development, connecting directly to all other development pods - especially the two key destinations of *The Village Core* and *The Landing*.

SUMMARY	
Neighbourhood Area	10.7 ha
Dwellings Illustrated	110
Density Range	11 – 13 dph

Land Use & Density Distribution



Key Elements:

- » A mixed-use village core with higher intensity residential concentrated around the Domain.
- » A more intense residential form with a series of networked small parks, urban spaces and continuing down through the basin to link with The Landing.
- » Larger lots on the outlying spurs with contained development areas.
- » Integrated developments with commercial and tourism opportunities at key locations on the periphery.

Comprehensive Development Lots



Comprehensive Development Lots are capable of supporting additional height up to 11m.

Key Elements:

- » Limited mixed-use concentrated around a central Domain and within close proximity along the Main Road. These areas can have zero frontyard setbacks.
- » Other higher intensity residential developments overlooking, and in close proximity to the Domain.
- » Two boutique commercial and visitor facilities on west-facing spurs overlooking the Productive Basin at the northern end create gateways statements from adjacent neighbourhoods

While the overall density of The Plateau appears low, it contains two distinct responses - an intensive residential density in the main plateau landscape and much lower densities on the outer spurs.



Archaeological Sites and Lot Covenants



Covenanted areas are required to be re-vegetated consistent with the wider landscape enhancement programme. The purpose of this is to:

- » Protect (from development) and maintain steep southern slopes.
- » Visually protect ridge lines
- » Extend areas of (re) vegetation to be vested.

Larger lots are principally located on the two knolls to the east of the main neighbourhood concentration.

- » Building platforms are confined to the front (road edge) of lots.
- » Covenant areas occupy the rear of lots.

Archaeological sites:

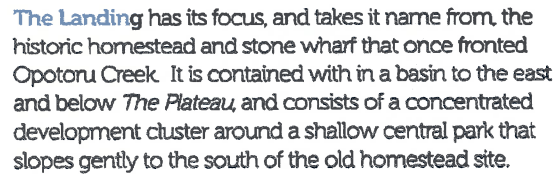
- » All areas contained within Recreational Reserves and protected through management plans.

Frontage & Vehicle Access



The Plateau is effectively an extension of the village environment from The Village Core neighbourhood. Consequently it exhibits similar attributes including:

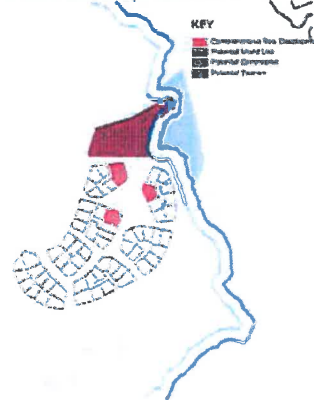
- » A more intensive built form to the street with buildings and houses that actively engage with the street.
- » Incorporating architectural features that enhance sociability at the street front including verandahs, bay windows and balconies.
- » Maximising vehicle access from rear lanes and courts in order to create uninterrupted social environments.



The character of the Landing is derived from the heritage elements of the stone wharf and old homestead, reinforcing that found within Raglan Town.



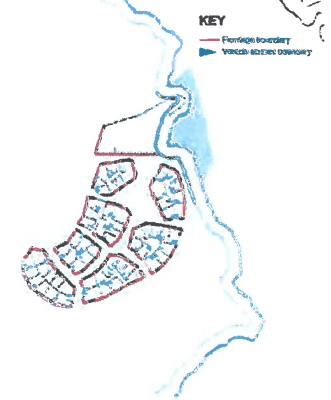
Comprehensive Development Lots



Archaeological sites:

- Entire sites protected though covenants registered on the title of the balance and private lot concerned.

Frontage & Vehicle Access

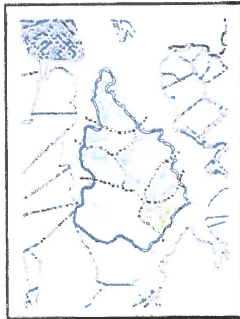


The Landing is in close proximity to the amenity provided in The Plateau provides a high level of amenity on almost all fronts.

- In combination with a simple loop perimeter road and vehicle egress through lanes and courts, The Landing has a high level of amenity on all fronts, reinforcing village density and attributes including:

- Rangitahi Structure Plan
- Neighbourhood Outcomes – Precinct E**
- PLAN 10**

Precinct F – The Stables



The *Stables* is a small enclosed basin directly to the south of *The Landing* that faces east to the wide open head of the estuary. Separated from other neighbourhoods by high ridge lines, its character is derived from rural/productive landscape qualities enabling more intensive options derived from rural building forms in a village environment.

SUMMARY	
Neighbourhood Area	4.71 ha
Dwellings Illustrated	58
Density Range	11 – 13 dph



Land Use & Density Distribution



The *Stables* area is constrained within a shallow basin with a deep gully area extending up from the Opoturu Creek into its core. While roads connect to surrounding neighbourhoods the low-speed and low volume environment means they should be much smaller and treated more as 'public realm' than road. This pattern supports:

- Higher intensity residential concentrated around the low speed road pattern in the centre
- Larger lots at the edge to bring the rural landscape as close as possible to the core
- Integrated developments with commercial and tourism opportunities at key locations.

Comprehensive Development Lots



The *Stables* has a number of Comprehensive Development Lots capable of supporting additional height up to 11m. These include:

- Limited boutique commercial opportunities based on rural production with 'barn-like' complexes around central service courts.
- Higher intensity residential at key locations with a similar form to commercial buildings (above) to create a focal point and aid legibility.
- Visitor operations and accommodation facilities (such as horse trekking, stables etc.) are envisaged on the southern edge.

Archaeological Sites and Lot Covenants



Lots with constraints and landscape requirements are limited to the western boundary below the *Main Road*.

These lots need to front the internal road networks and create visual screening to the *Main Road*. This also reinforces landscape enhancement programs to the *Main Road* and landscapes beyond.

Archaeological sites:

- Sites protected through covenants registered on the title of the balance and private lots concerned.
- Management Plan proposed for Pa site on headland

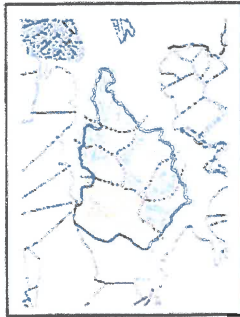
Frontage & Vehicle Access



The low-speed, low-traffic volume road network inherently creates a village environment that enables buildings and houses to engage with the street. Features sought include:

- Incorporation of architectural elements that enhance sociability at the street front including verandahs, bay windows and balconies.
- Vehicle access from rear lanes and courts where possible.

Precinct G – The Knoll



The Knoll is a 'hamlet style' residential area along a narrow spur off the main spine ridge at the 'end' of the Rangitahi Zone. It is completely contained by wetlands, bush and the farm with long-distance views up the estuary over the town environs.

SUMMARY	
Neighbourhood Area	4.30 ha
Dwellings Illustrated	34
Density Range	5-7 dph

Land Use & Density Distribution



The surrounding rural and natural regenerating landscape provides The Knoll with its boutique hamlet character.

Key Elements:

- Houses are on larger lots and support either regeneration of gullies and estuary, or the arboricultural focus of the farmland along the northern edge.
- Given the nature and scale of the roadway, residential form is concentrated to the street front as much as possible.
- A cluster of relatively small lots at the entry accentuate the form of the knoll.

Comprehensive Development Lots



There are no Comprehensive Development Lots in this neighbourhood requiring additional height or setback variance.

Archaeological Sites and Lot Covenants



The Knoll character is driven by landscape. Consequently the majority of sites have development area and landscape covenants applied to ensure a seamless integration of the development with the surround, specifically:

- The steep southern slopes are planned to be naturally revegetated, strengthening the bond with the neighbouring water catchment reserve and providing a strong visual and physical separator with the rural catchment beyond.
- Slopes on the northern side need to reinforce the rural land use - an orchard/forest/tree crop environment is suggested at this point.

Archaeological sites

- Site protected through a covenant registered on the title of the balance and lot.

Frontage & Vehicle Access



The hamlet type environment aims to produce a sociable, informal streetscape connecting frequently to the Open Space Network where people chose to walk rather than drive.

The nature of the site is not conducive to the use of lanes or courts so effort must be made to integrate front yards with the streetscape, including;

- Low or no walls
- Limited use of fences and/or permeable fences

A lower density neighbourhood integrated with its landscape.



Rangitahi Structure Plan

Road Details

Introduction

By intent, and reinforced by topography, all Rangitahi neighbourhoods require specific road design responses. Using a range of road corridor treatments, the CDP aims to create a low speed, pedestrian-centric environment.



Cliff Street, Raglan

Many of the original streets of Raglan's early development demonstrate the attributes that Rangitahi Peninsula is seeking to recapture.

To respond to this aim, straight sections of road are kept short and the moving vehicle carriageway is as narrow as possible. This is combined with a range of materials to differentiate activity/ functions within the reserve.

Planting is used to contain the 'moving vehicle' space and lower speed perception of the road.

There are four types of public road and one semi-private typology proposed for Rangitahi Peninsula:

1. Primary (spine) Road
2. Secondary (neighbourhood or local) Road
3. Edge Lane
4. Living Street
5. Access Lane / court

All roads will be constructed according to specific need ie traffic volume and the nature of the surrounding environment (village centre, neighbourhood terminus, open connection, etc).

There are two primary variations however, that will determine different content and even different minimum reserve widths for different parts of a road. They are:

- » Double-fronted Roads – lots/ footpaths on both sides, stormwater managed in the parking/landscape strip between the vehicle pavement and the footpath.
- » Single-fronted Roads – footpath to the lot side only (configuration as per double-fronted road), stormwater on the open side managed largely with swales.

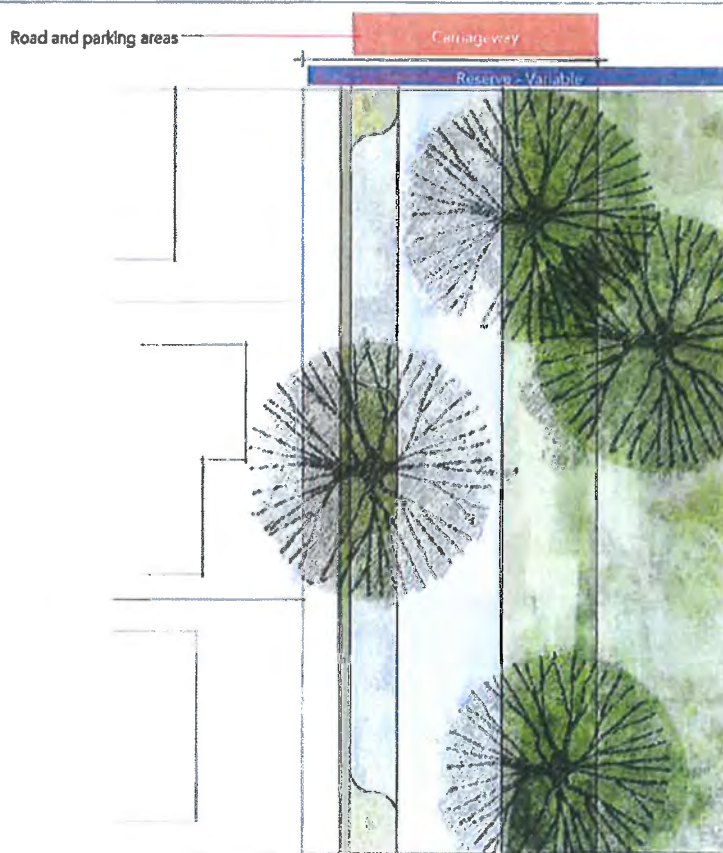
The application of these are covered on the following pages.



With careful detailing, the streets of Rangitahi Peninsula are intended to become far more functional as open space amenity.

Single-sided Roads

Single-sided roads are used extensively in Rangitahi Peninsula to help with low impact development solutions that utilise natural contour and provide an efficient overall movement network.



- » Single-sided roads are typically found along the edge of neighbourhoods and can be of any road type.
- » The footpath and on-street parking front the lot.
- » Stormwater management is predominantly handled in the landscape area on the open side of the carriageway.

Primary Road

This road runs along the backbone of the peninsula. It connects the peninsula to the rest of Raglan and is positioned to enable a further connection to Te Hutewai Road in the future if required.

In open stretches it is designed to be a 50kph road, in the constrained village core, 30kph.

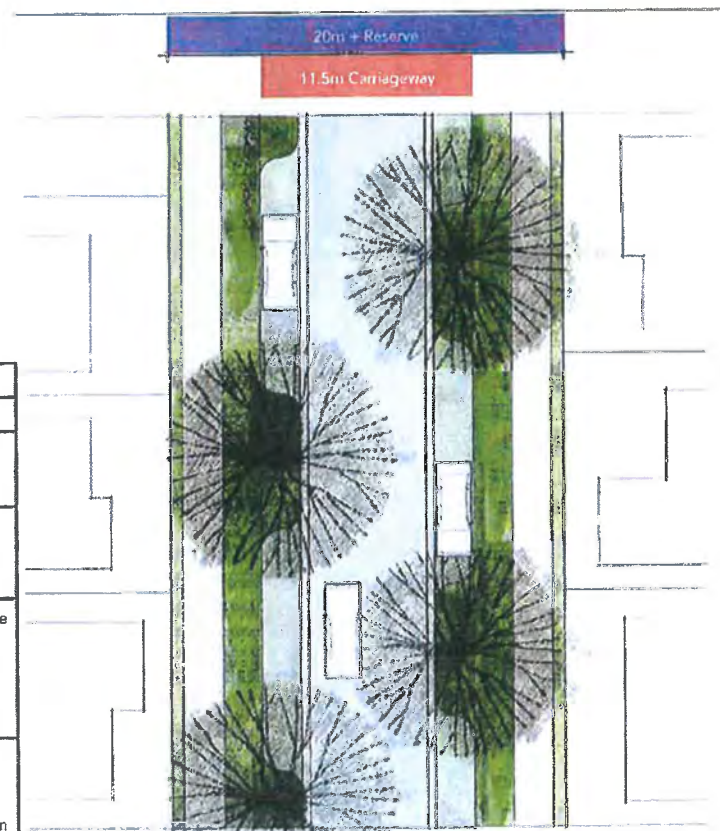
Continuous, but informally placed, avenue tree planting reinforces a low-speed environment and supports visual legibility.

Parking is accommodated within wide bays between the trees which reduces conflict with car doors opening to both the street and the footpath.

A limited-width combined cycleway/footpath allows for an increased landscape strip between the footpath and carriageway, increasing the overall feeling of informal pedestrianised space and supports stormwater collection/detention initiatives.

ROAD RESERVE	20m +
CARRIAGEWAY TOTAL	11.5m (double-sided)
ROAD DESCRIPTION	<ul style="list-style-type: none"> Sealed 6.5m 50kph design speed
PARKING	<ul style="list-style-type: none"> Defined bays Permeable surface except for village centre
PEDESTRIAN	<ul style="list-style-type: none"> Combined pedestrian/cycle paths Sealed pavement 2m wide Separated by landscape edge from parking bays
LANDSCAPE ELEMENTS	<ul style="list-style-type: none"> Clear stemmed trees (to 4m) under-planted with grasses and native species Limited use of planting/rain gardens where possible

Double Sided



berm footpath LS IPS Sealed carriageway LPS LS footpath berm

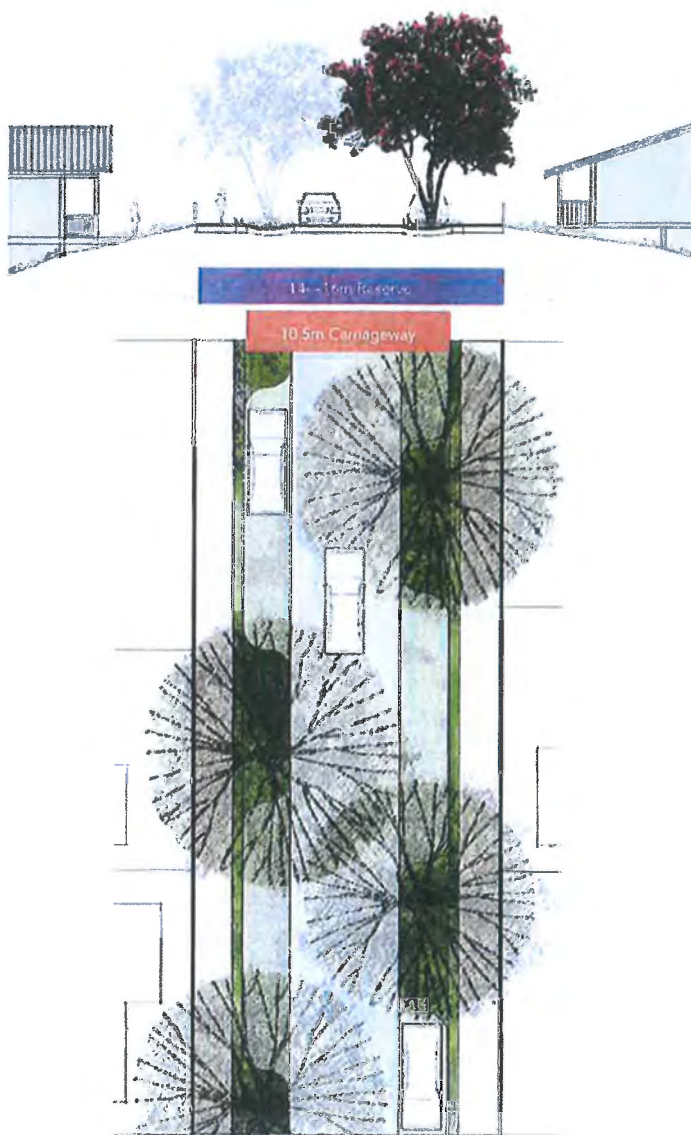
Local Roads

These are all the other roads that service the development pods at a range of scales from collector loops to short lane connections. In general they are designed to be 30kph roads.

The typical carriageway of 10.5 metres contains on-street parking between informal avenue planting. Stormwater managed in the landscape / parking area via reinforced grass, planting and rain gardens.

The low speed design includes flush curbs and limited distance between pavement and property boundary.

Any additional width is utilised for informal variation in the parking areas and for landscape.



ROAD RESERVE	14 -16m
CARRIAGEWAY TOTAL	10.5m (double-sided)
ROAD DESCRIPTION	<ul style="list-style-type: none"> Sealed 5.5m min 30kph design speed Flush curbs
PARKING	<ul style="list-style-type: none"> Defined bays Permeable surface
PEDESTRIAN	<ul style="list-style-type: none"> Combined pedestrian/ cycle paths to all frontage boundaries Sealed pavement 1.8m wide
LANDSCAPE ELEMENTS	<ul style="list-style-type: none"> Clear stemmed trees to 4m with grass and LPS parking areas. Limited use of landscaping/ rain gardens where possible

Edge Lane

Edge lanes are small, very low speed (10kph) roads that front and give access to public reserves. They may (though not necessarily) also provide vehicle access for a small number of lots, generally in the order of 1—4.

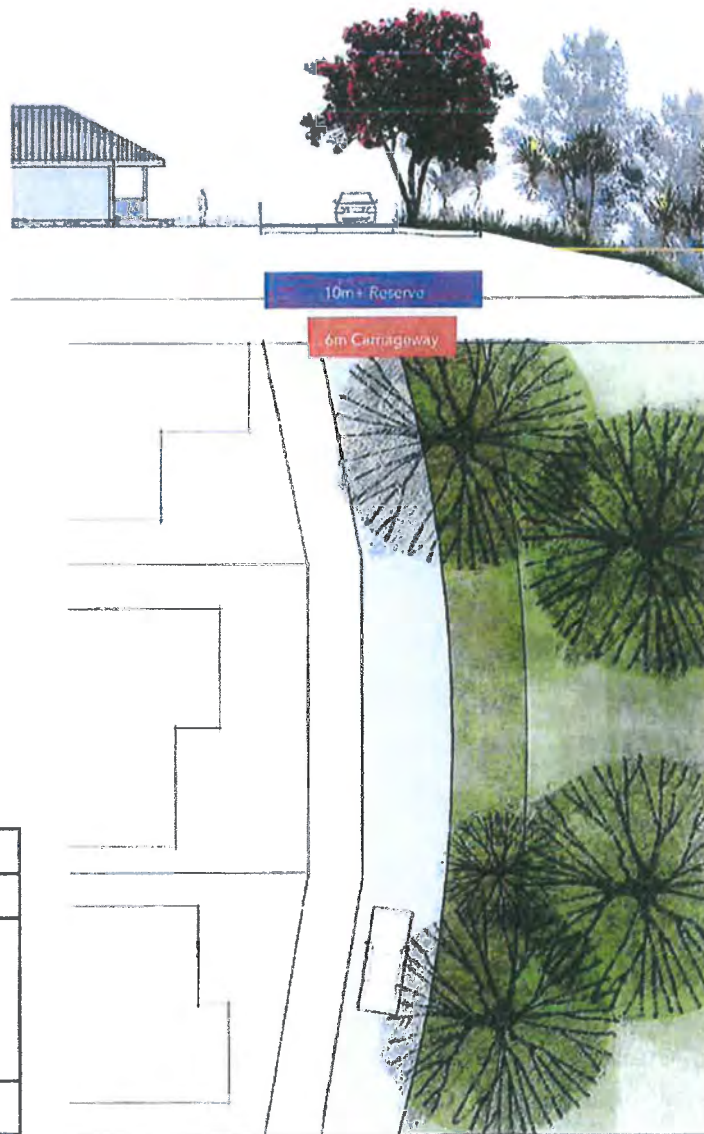
In general the lanes provide access and egress points for the coastal walkway, and where overlooked by properties provide an added level of security for the walkway.

Informal parking is allowed for, using a reinforced grass surface. The position of the carriageway in the reserve will be a minimum of 2.5m from the front boundary to allow for parking on the lot side. At times extra parking will be provided at the lane end and on the reserve side of the carriageway for walkway access. In these cases the reserve and carriageway widths shall increase sufficient to accommodate manoeuvring requirements.

Where several properties front the lane and the lane forms part of a pedestrian/cycle route, a footpath is provided close to the boundary as per normal.

Where vehicle access to a lot is off an Edge Lane, the garage shall be set back a minimum of 6m from the front boundary to allow for parking and manoeuvring (see Setbacks pg 105).

ROAD RESERVE	10m +
CARRIAGEWAY TOTAL	6m min
ROAD DESCRIPTION	<ul style="list-style-type: none"> › Sealed 3.5m min › 10kph design speed › 1-way, 2-way or shared surface › 2.5m min offset to front boundary
PARKING	› Informal on permeable surface
PEDESTRIAN	Footpath or shared surface (depending on number of properties serviced)



Living Street

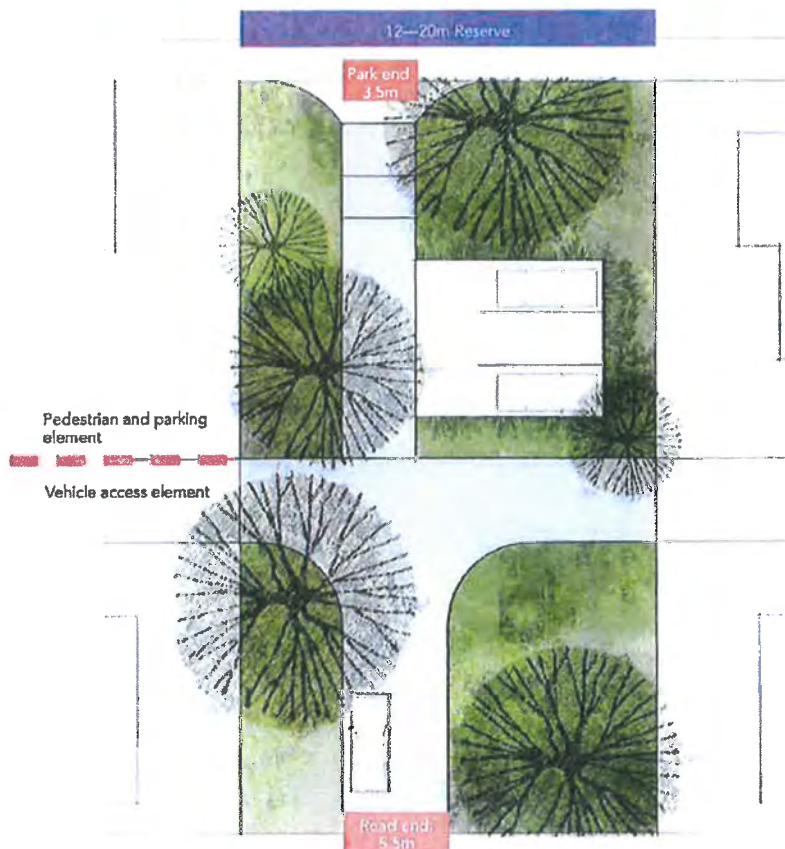


This form of road is more a type of park than a road and is only found in The Landing neighbourhood. They are short extensions of the park that connect it to the surrounding local road. Living Streets are clearly pedestrian priority with the design including a large amount of grass, planting, trees and leading to a number of elements encouraging community activity such as seating and play areas.

Configured irregularly as park spaces, they still contain three 'traffic' elements:

- » Access to the internal courts (the part of the Living Street closest to the Local Road)
- » Driveway access to one or two lots not able to be serviced via the rear court
- » Small off-road parking areas

Visitor parking for park frontage properties is provided within designated areas at the park end of the street, with spaces being defined by planting and changes of paving material. This eliminates the need for additional on-street parking throughout the street and reduces carriageway widths to the bare minimum.



ROAD RESERVE	12 - 20m
CARRIAGEWAY TOTAL	Variable (one- / two-way)
ROAD DESCRIPTION	<ul style="list-style-type: none"> » Sealed 3.5 (parking element) » Sealed 5.5m (access element) » 10kph design speed
PARKING	<ul style="list-style-type: none"> » Defined bays / areas » Permeable surface
PEDESTRIAN	Footpath or shared surface, depending on frontage and number of properties serviced
LANDSCAPE ELEMENTS	Mix between small native trees and ornamental planting, grass and rain gardens

Access Lanes and Courts

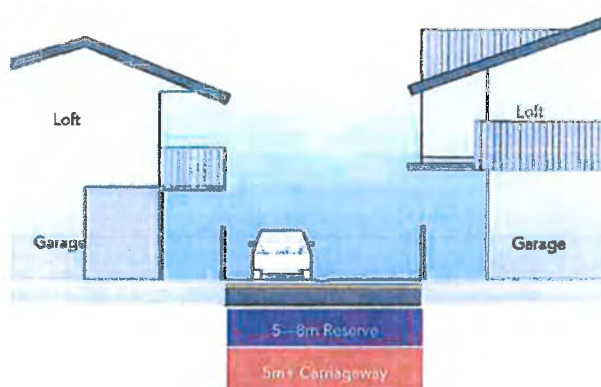
As section sizes fall the impact of car access and garaging increases disproportionately. In many new urban centre developments it is almost impossible to find a pedestrian friendly footpath.

Rangitahi Peninsula responds to this by providing vehicle access at the rear of properties through lanes and courts owned and managed by the properties which they access.

This approach leaves streets as predominantly pedestrian environments and maximises visitor on-road parking. Furthermore it also ensures a high level of private amenity within the individual lot by removing the driveway and manoeuvring space.

The lane is of variable width with a central V-drainage channel. Where the lane extends into a court, limited landscaping is provided to increase visual intimacy, reduce vehicle impacts and provide covered parking.

When the lane width is narrow, setting garages back from the lot line ensures adequate vehicle manoeuvring space (see Setbacks pg 105).



Lanes, courts and other parking areas need to reflect the low speed nature of Rangitahi. Materials selection for low-traffic areas can also be informal.



ROAD RESERVE	Not Applicable
CARRIAGEWAY TOTAL	5-8m
ROAD DESCRIPTION	<ul style="list-style-type: none"> Sealed 5+m 10kph design speed
PARKING	Private parking within the lot and in the court if large enough
PEDESTRIAN	Shared surface
LANDSCAPE ELEMENTS	<ul style="list-style-type: none"> Limited. Specimen trees, rain gardens, grasses and native plants in courts

Chapter 29: Explanations and Reasons

12. **Amend Chapter 29: Explanations and Reasons by adding the following after provision "Living Zone" on page 29.4:**

Rangitahi Living Zone

This zone applies to the Rangitahi Peninsula Structure Plan Area and provides for a combination of village development precincts and significant open space areas. A number of non-residential activities under the general title of "Rangitahi Commercial Activity" are provided for subject to District Plan controls over scale to ensure they contribute to rather than detract from the intended seaside village character of Raglan. All development within the zone must be in accordance with the Rangitahi Peninsula Structure Plan in 21C.3. A Comprehensive Development Plan (which may be prepared in stages) is required to be approved prior to any new development or land-use activity occurring within the zone. The Comprehensive Development Plan is required to be closely similar to the Rangitahi Peninsula Structure Plan contained in Schedule 21C.3 in order to have controlled activity status. A Comprehensive Development Plan that is not closely similar to the Rangitahi Peninsula Structure Plan is either a discretionary or non-complying activity, depending on the degree of variance.

13. **At the end of the explanatory text in provision "Gully Protection" on page 29.17, add the following paragraph:**

The Rangitahi Peninsula Structure Plan identifies a number of "Landscape Restoration Policy Areas". A large proportion of these policy areas cover gullies within the Rangitahi Peninsula Structure Plan Area. Under the rules for the Rangitahi Living Zone, progressive planting of these landscape restoration policy areas is required as development proceeds.

14. **At the end of the explanatory text in provision "Connection to On-Site Services" on page 29.18, add the following paragraph:**

All development within the Development Precincts in the Rangitahi Peninsula Structure Plan Area must have on-site connections to stormwater, wastewater and water services. Wastewater services will be connected to Council networks. Stormwater services will be reticulated through the urban development and discharge will be subject to low impact design treatment and retention to ensure that potential adverse erosion effects or effects on the surrounding marine environment will be avoided or mitigated.

15. **At the end of the explanation in provision "Non-residential Building" on page 29.20, add the following paragraph:**

In the Rangitahi Living Zone, specific provision is made for Rangitahi commercial activity. For that activity, non-residential buildings are permitted subject to strict controls on scale. That provision operates in addition to the general provisions for non-residential buildings such as sheds within the Living Zone.

- 16. After the second paragraph of explanation in provision "Building Setbacks" on page 29.21, add the following paragraph:**

Minimum front yard setbacks in the Rangitahi Living Zone have been set at the same standard (3 metres) as applies in Living Zones throughout most of the district (except Raglan township). In Raglan township a larger minimum setback (6 metres) applies in recognition of the existing built form and character in the township. At Rangitahi, a 3 metre setback is more appropriate in order to provide flexibility for medium density development in accordance with the Rangitahi Peninsula Structure Plan. The exception is that no minimum setback standard will apply to a small number of specified "mixed use" lots that form the two small village centres to be located in the "Village Core" and "The Plateau" neighbourhoods. This is common in mixed use centres to ensure active street frontages.

- 17. After provision "Design Guides Raglan, Rangiriri, Huntly, Matangi" on page 29.27 add the following provision:**

Rangitahi Urban Design Guidelines	Urban Design Guidelines are required to be prepared as part of a Comprehensive Development Plan for the Rangitahi Living Zone. The rules for that zone require a Comprehensive Development Plan to be approved prior to any subdivision or development. For permitted activities such as dwellings, the urban design guidelines will be applied outside of Council and district plan processes, through developer covenants. However, for activities requiring resource consent (which will be most non-residential activities as the permitted activity thresholds - particularly for gross floor area and vehicle movements - have been set at a low level to trigger case-by-case assessments), an assessment against the urban design guidelines in the approved Comprehensive Development Plan will need to form part of resource consent applications. The combination of rules and Urban Design Guidelines has been designed to ensure that the desired village character in a harbour setting is achieved within the Rangitahi Living Zone.
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- 18. At the end of the explanatory material in provision "Low Impact Design (LID)" on page 29.28, add the following paragraph:**

LID principles have also been applied in planning for development within the Rangitahi Peninsula Structure Plan Area and have been implemented through:

- the location and extent of Development Precincts;

- inclusion of a Rangitahi Peninsula Structure Plan in the District Plan and the requirement for a Comprehensive Development Plan to be approved prior to any new development. The CDP will detail patterns of development within the development precincts and a range of environmental improvements;
- establishment of a hierarchy of roads to be engineered to standards consistent with the number of dwellings to be served at each level of the hierarchy;
- establishment of an integrated network of walkways and cycleways integrated into the environment of the Rangitahi Peninsula;
- establishing landscape restoration policy areas that will provide protection against gully erosion, require new planting of native species that will enhance ecology, habitat and landscape;
- stormwater disposal systems are required to be developed incorporating low impact devices and techniques.

19. After the explanatory material in provision "Subdivision, General" on page 29.28, add the following paragraph:

"For the Rangitahi Peninsula Structure Plan Area, Urban Design Guidelines are required to be incorporated in a Comprehensive Development Plan prior to any new development in that area. Furthermore, rules require the Comprehensive Development Plan to be closely similar to the Rangitahi Peninsula Structure Plan in Schedule 21C.3. Subdivision as a controlled activity is required to be in accordance with the Rangitahi Peninsula Structure Plan and will be assessed against its provisions.

20. After provision "Te Kauwhata Structure Plan Area, Environmental Protection Policy Area" on page 29.31 add a new provision "Rangitahi Peninsula Structure Plan Area" as follows:

Rangitahi Peninsula Structure Plan Area	Within the Rangitahi Peninsula Structure Plan Area shown on Planning Map 43 are a number of environmentally sensitive locations particularly along stream margins, wetlands and gullies. Not only are these locations unsuitable for development but they offer a prospect for environmental improvement. A new policy area "Landscape Restoration Policy Area" has been introduced in the District Plan and applied to the Rangitahi Peninsula Structure Plan Area. Some of these areas adjoining Development Precincts also link into much wider open spaces. It is anticipated that conservation of existing native vegetation within these policy areas together with new planting will protect the sensitive areas and enhance landscape, ecosystems and habitats.
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Appendix A: Traffic

21. Amend Appendix A: Traffic item A12.1 in A2 Roads, Access, Parking, Loading, Queuing, Manoeuvring, by adding the following at the end of the “Note”:

“, or to residential dwellings in the Rangitahi Living Zone.”

22. Amend Table 1: Required Parking Spaces and Loading Bays by adding the underlined words to the identified items as shown in the following table:

Activity	Required Parking Spaces	Required Loading Bays
Dairies, take away food, bottle stores	1 car space per 30m ² GFA, <u>except that in the Rangitahi Living Zone 1 car space per 50m² GFA is required.</u>	1 HGV, <u>except that in the Rangitahi Living Zone 1 HGV per 1000m² GFA of Rangitahi commercial activity is required.</u>
Dependent person's dwelling	1 car space per bedroom, <u>except that in the Rangitahi Living Zone 1 car space per dwelling is required.</u>	Nil
Dwellings	1 car space per bedroom, <u>except that in the Rangitahi Living Zone 2 car spaces are required for dwellings with 2 or more bedrooms and one car space is required for studio or 1 bedroom residential units.</u>	Nil
Hospitality services (e.g. cafes, taverns)	1 car space per 10m ² net public floor area, <u>except that in the Rangitahi Living Zone 1 car space per 15m² net public floor area is required.</u>	1 HGV, <u>except that in the Rangitahi Living Zone 1 HGV per 1000m² GFA of Rangitahi commercial activity is required.</u>
Multi-unit residential development	1 car space per bedroom, <u>except that in the Rangitahi Living Zone, 2 car spaces are required for dwellings with 2 or more bedrooms and one car space is required for studio or 1 bedroom residential units.</u>	Nil
Travellers accommodation	1 car space per bedroom <u>(or in the Rangitahi Living Zone 1 car space per accommodation unit)</u> or 1 per 4 persons to be accommodated, plus 2 for manager residences with more than 1 bedroom, plus 1 for every 2 full-time staff equivalents, plus 1 coach park per 30 hotel or backpacker's beds.	1 HGV, plus 1 bus area to meet demand.

23. Amend Table 4 (Access and Road Performance Standards) in Appendix A as follows:

- (a) Amend the first subheading in the table to add a double asterisk as follows:
- “Living, Business, Industrial Zones excluding the Te Kauwhata Structure Plan Area **”); and
- (b) Add the following words after the table:
- “** In the Rangitahi Peninsula Structure Plan Area, the access and road performance standards in any approved Comprehensive Development Plan as required by Rule 21C.10 of the district plan shall take priority over the standards in this table in the event of any conflict”

24. Amend Table 8 (Road hierarchy) in Appendix A as follows:

- (a) Add “Opotoru Road (from Wainui Road to Rangitahi Peninsula)” as an urban collector; and
- (b) Add “Proposed Rangitahi Peninsula Spine Road” as an urban collector shown in Rangitahi Peninsula Structure Plan; Plan 4
- (c) Add after Table 8A the following statement:

The road hierarchy within the Rangitahi Peninsula Structure Plan Area comprises:

- (i) *Collector roads*: Roads that are shown as indicative roads on Plan 4 of the Rangitahi Peninsula Structure Plan in Schedule 21C (these will be primary or secondary collector roads in any approved Comprehensive Development Plan as required by Rule 21C.10 of the District Plan); and
- (ii) *Local Roads*: All other roads as shown on Plan 4 of the Rangitahi Peninsula Structure Plan Schedule 21C or as approved in a Comprehensive Development Plan as required by Rule 21C.10 of the District Plan.

25. Amend the key of Plan 4 of the Rangitahi Peninsula Structure Plan as follows:

<u>Collector Road</u>	Primary Route: Spine Road Secondary Routes: Neighbourhood Collector Roads
<u>Local Roads</u>	Local Road Edge Lane Living Street

26. Amend A14 (Access and vehicle entrances) by adding the underlined words below to A14.1(c) as follows:

- “(c) no access, access leg or right-of-the way runs parallel to any road within 30m of the Road, except within the Rangitahi Peninsula Structure Plan Area and the primary access route thereto (Opotoru Road), and”

27. Amend A14 (Access and vehicle entrances) by adding the underlined words below to A14.1(d) as follows:

“(d) every access and road entrance is laid out and constructed to comply with the standards in:

- (i) Tables 4, 5 and 6, and
- (ii) Figures 4 to 10, and
- (iii) Appendix B (Engineering Standards), ~~and~~

except that in the Rangitahi Peninsula Structure Plan Area, and the primary access route thereto (Opotoru Road), alternative standards may be applied in relation to access gradients and seal width.

Appendix B: Engineering Standards

28. Amend Appendix B: Engineering Standards by adding a new provision B7.13 as follows:

B7.13 Within the Rangitahi Peninsula Structure Plan Area, all roads and vehicle accesses shall be constructed in accordance with typical cross-sections and vehicle access design standards specified in Appendix A: Traffic unless otherwise approved through a Comprehensive Development Plan resource consent.

Appendix P: Meaning of Words

28. Add the following to Table P3, Defined Terms;

Landscape Restoration Policy Area	Means an area shown on the planning maps where existing native vegetation is to be complemented by additional landscape restoration planting. The purpose of the Policy Area is to promote stabilisation of steep slopes, encourage ecological and habitat linkages and enhance landscape amenity particularly in and near coastal areas and on visually prominent landforms.
Rangitahi Peninsula Comprehensive Development Plan	<p>Means a plan, to be formulated by a developer in conjunction with the Council, for the development of the Rangitahi Peninsula Structure Plan Area that sets out the intended pattern of development and enables full implementation of the Structure Plan. The Comprehensive Development Plan may be formulated and lodged in stages on a Development Precinct by Development Precinct basis. Any Comprehensive Development Plan including staging is to demonstrate how full implementation of the structure plan will be achieved. The Comprehensive Development Plan shall include:</p> <ul style="list-style-type: none"> • urban design guidelines • lot size, access, building locations • development densities • ecological features to be protected, restored or enhanced • existing and future utilities and connections • existing and indicative roads and their connections • provision for public access to the Rangitahi coastal area • indicative public reserves and open space, including linkages between reserves and open space • connectivity to other development areas • location and type of activities including residential, travellers' accommodation and Rangitahi commercial • community facilities • a secondary legal access route suitable to cater for the relevant stage of development. A metalled access route

	<p>protected by easement is sufficient for this purpose</p> <ul style="list-style-type: none"> • identification of historic heritage sites including registration of sites with NZAA.
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Rangitahi Commercial Activity	<p>Means any or any combination of the following activities:</p> <ul style="list-style-type: none"> ▪ the sale, distribution or supply of goods and services ▪ healthcare facilities ▪ repair services ▪ sports and recreation equipment manufacture and sales
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Rangitahi Peninsula Structure Plan Area	Means the area shown on Planning Map 43.
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Tainui Hapū	<p>Tainui Hapū is a confederation of twelve interrelated hapu, Ngati Ruaaruhe, Ngati Koata, Ngati Karu, Ngati Paetoka, Ngati Pukoro, Ngati Tahau, Ngati Hounuku, Ngati te Kore, Ngati Te Ikaunahi, Ngati Kahu, and Ngati Tira. These hapu are tangata whenua of the lands to the north and south of the Whaingaroa harbour entrance. Ngati Te Ikaunahi is the Tainui hapū having mana and kaitiakitanga responsibilities for the Rangitahi Peninsula lands and waterways west of the Oporu River.</p>
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Planning Maps

29. **Amend Planning Map 43 Zones by rezoning the land on the Rangitahi Peninsula as shown from Coastal Zone to Rangitahi Living Zone.**
30. **Amend Planning Map 43 Policy Areas by adding new policy areas on the Rangitahi Peninsula, namely the “Landscape Restoration Policy areas” as shown on the Rangitahi Peninsula Structure Plan.**
31. **Amend Planning Maps 11 Zones and Policy Areas consequential to the above amendments to Planning Maps 43.**
32. **Consequentially amend the Legend pages of the Planning Maps by adding items for the new Rangitahi Living Zone and new Landscape Restoration Policy Area.**

ATTACHMENT 2

**WAIKATO DISTRICT COUNCIL LAND USE CONSENT
0249/06 INCLUDING AMENDED CONDITIONS**

Resource Consent No: LUC0249/06**General**

1. The consent holder shall undertake the proposed work in general accordance with the application dated April 2006 (received 5 April 2006), further information dated January 2007, June 2007 & July 2007, and the updated information provided at the reconvened hearing on 10 July 2008 and also, in respect of the Opotoru Road upgrade, the following information:
 - Conceptual upgrade of Opotoru Road (Harrison Grierson Drawing No. 132677-600, 12 Feb 2015);
 - Opotoru Road Landscape Concept (Boffa Miskell Drawing No. A11126.0001, 4 Feb 2015);
 - Long section Opotoru Road upgrade (Harrison Grierson Drawing No. 132677-420, 24 July 2015).

Where there is a conflict, the resource consent conditions of this resource consent shall prevail.
2. This consent shall lapse on 15 September 2019 ~~eight years after the date of commencement, unless before commencement the consent is given effect to.~~
- 2A. All construction works authorised and / or required by this consent, including upgrading of Opotoru Road, shall be completed no later than 15 September 2019.
3. The consent holder shall notify the ~~Environmental Services Group~~ Roading Manager in writing not less than two weeks prior to the commencement of activities associated with this consent.
4. The consent holder shall notify the landowners and occupiers of the 8 dwellings on the Rangitahi Peninsula and of all the dwellings on Opotoru Road and Goodare Road in writing 10 working days prior to the commencement of activities associated with this consent.
5. The consent holder shall obtain approval from the ~~Roading Group Manager, Waikato District Council,~~ acting in a technical certification capacity, prior to undertaking any works within the road environment.

Archaeological

6. In the event that any archaeological remains, or artefacts or koiwi are unearthed, the works shall cease immediately at, and in the vicinity of, the place of discovery and the applicant shall notify ~~Tangata Whenua~~ Tainui Hapu and the Waikato District Council within one working day of discovery. At the same time the New Zealand Police, Coroner and ~~Historic Places Trust~~ Heritage New Zealand shall also be contacted as appropriate. Work shall not re-commence in the affected area until all necessary statutory authorisations or consents have been obtained.

Traffic

Note for the following traffic conditions, reference is made to the plan attached (Attachment A) for determining which section of works the conditions relate to:

A. Opotoru Road / Wainui Road Intersection to narrow section**Conditions to be Completed Prior to Construction Completion of the Causeway/Bridge**

7. The consent holder (with the approval of the ~~Council~~ Roading Manager) shall engage an independent specialist pavement condition rating engineer to assess the condition of the existing pavement of Opotoru Road, including the Wainui Road intersection. Any pavement deficiencies that arise during construction should be promptly rectified to minimise noise and vibration from construction traffic.
8. The consent holder shall upgrade of Opotoru Road from Wainui Rd to the narrow section (shown as "A" in Attachment A) in accordance with the requirements of the Hamilton City Development Manual and District Council Supplement. This shall include widening the cross section specified in the supplement (i.e. 11m) and improvements to the vertical geometry to satisfy safe stopping sight distance for 60km/h. The design shall aim to ensure that safe sight distance in accordance with the District Plan is available from each of the existing entranceways and intersections on Opotoru Rd including Wainui Rd and Goodare Rd. shall include improvements to the vertical geometry to satisfy safe stopping sight distance for 60km/hr except between chainages 190m and 335m where the following requirements apply;

(a) A safe stopping sight distance for at least 50km/h is achieved; and

(b) The design is to be specifically assessed and certified as being appropriate as part of the detailed design safety audit required by condition 22A.

9. The consent holder shall construct a minimum 2.0m ~~4.5m~~ footpath continuously along one side of Opotoru Rd, ~~or both sides where practical.~~

Conditions to be Completed after Construction of the Causeway/Bridge

10. The independent pavement condition Engineer shall assess the damage to the pavement and surface and provide instruction to the consent holder to make good those areas of pavement that require repair.

B. Opotoru Road – Narrow section to Foreshore

Conditions to be Completed Prior to Construction Completion of the Causeway/Bridge

11. The consent holder (with the approval of the Council Roading Manager) shall engage an independent specialist pavement condition rating engineer to assess the condition of the existing pavement of Opotoru Road. Any pavement deficiencies that arise during construction should be promptly rectified to minimise noise and vibration from construction traffic.

12. The upgrade of Opotoru Road (shown as “B” in Attachment A) ~~in accordance with the requirements of the Hamilton City Development Manual. This shall include widening the cross section to provide at least 2x3.5m lanes and 0.6m wide shoulders with a footpath on one side only with a minimum unobstructed width of 1.5m and improvements to the vertical geometry to satisfy safe stopping sight distance for 60km/h. shall include improvements to the vertical geometry to satisfy safe stopping sight distance for 60km/hr except between chainages 190m and 335m where the following requirements apply~~

(a) A safe stopping sight distance for at least 50km/h is achieved; and

(b) The design is to be specifically assessed and certified as appropriate as part of the detailed design safety audit required by condition 22A.

- 12A Prior to commencement of construction, the consent holder shall at its cost replace the front window at 22 Opotoru Road with double glazing or other equivalent noise attenuating glass, including a reflective privacy coating, provided that the property owner consents to that work being undertaken. If no such approval is received the consent holder shall have no further obligation under this condition.

Conditions to be Completed after Construction of the Causeway/Bridge

13. The independent pavement condition Engineer shall assess the damage to the pavement and surface and provide instruction to the consent holder to make good those areas of pavement that require repair.

C. Foreshore section

Conditions to be Completed Prior to Construction Completion of the Causeway/Bridge

14. The consent holder shall provide and maintain a 2.0m ~~4.5m~~ footpath continuously along one side of Opotoru Rd, or both sides where practical.

Conditions to be Completed after Construction of the Causeway/Bridge

15. ~~The consent holder shall upgrade of Opotoru Road (shown as “C” in Attachment A) in accordance with the requirements of the Hamilton City Development Manual. This shall include widening the cross section to provide at least 2x3.5m lanes and 0.6m wide shoulders with a footpath on both one side of the causeway with a minimum unobstructed width of 1.5m and improvements to the vertical geometry to satisfy safe stopping sight distance for 60km/h.~~

16. The consent holder shall provide a turning, parking and manoeuvring area at the end of Opotoru Road at the north end of the causeway that includes:

- ~~Turning room for 90°ile truck (Figure 3 Proposed District Plan Appendix A)~~
- Vehicular access to the foreshore (one side adequate)
- Pedestrian access to the foreshore both sides

Design plans for the foreshore end of Opotoru Road shall be submitted to the Roading Manager for approval, acting in a technical certification capacity, prior to construction taking place.

D. Causeway Section and
E. Bridge section

17. The consent holder shall design the Oporoturu Road bridge alignment in accordance with the Hamilton City Infrastructure Technical Specifications HCC Development Manual (see below for cross section standards). The geometry shall be designed using a design speed of 60km/hr. The design and construction drawings of the road shall be submitted to Council the Roding Manager for approval acting in a technical certification capacity prior to construction taking place.
18. The causeway on the west side of the bridge shall have at least 2x 3.5m lanes ~~and 0.6m wide shoulders plus clearance for barriers~~ with a footpath on one side only. The footpaths shall have a minimum unobstructed width of 1.5m, or 2.5m if cyclists are expected to use it. The section of the causeway on the east side of the bridge to the Rangitahi peninsula Peninsula shall have footpaths on both sides. A footpath pram crossing ~~will~~ shall be provided on the western end of the bridge to connect to the continuous causeway footpath.
19. Road side barriers shall be constructed to the causeway. The barriers shall be to TNZ M/23 TL3 or equivalent with approved end terminals. Pedestrian fencing shall be constructed on the footpath side.

F. Peninsula Section

- ~~20. The consent holder shall provide a turning, parking and manoeuvring area at the south end of the bridge that includes turning rooms for a 90%ile truck (Figure 3 Proposed District Plan Appendix A).~~

A, B, & C. Oporoturu Road

21. In addition to pavement condition surveys, the consent holder shall undertake daily maintenance checks of Oporoturu Road to verify if any repairs are warranted. Repairs shall be assessed in accordance with TNZ SOMAC specification SM032 and be carried out promptly.

G. All Sections

22. The design and construction drawings, and construction quality assurance methodology for the road shall be submitted to Council's Roding Manager for approval, acting in a technical certification capacity prior to construction taking place. Construction quality assurance records shall be maintained and presented for approval. Council's Roding Manager shall be advised of key hold points for inspections and construction approval in accordance with Council's Development Manual.
- ~~22A. The consent holder shall, following consultation with the Roding Manager, have carried out an independent road safety audit of the detailed design in accordance with the Road Safety Audit Procedures for Projects Guideline (Interim Release May 2013, NZTA) and resolve any concerns prior to submitting the plans referred to in condition 22 and, following construction, shall have a post-construction safety audit undertaken in accordance with the same Guideline.~~
- ~~22B. Prior to commencement of construction, the consent holder shall make an offer in writing to the owners of numbers 23, 25 and 27 Oporoturu Road to undertake works within their properties, at the consent holder's cost, so as to provide separate practical driveway accesses for each of those properties to Oporoturu Road. The offer shall be conditional upon all three of the property owners accepting the offer so that no property is denied practical access by the driveway improvement works to any of the other properties. The offer shall also be conditional upon timing parameters set out in the offer so as to ensure that design and construction are undertaken when the design and construction is respectively undertaken for this section of Oporoturu Road. If the offers are accepted in writing, the consent holder shall implement these works.~~
- ~~22C. Prior to commencement of construction, the consent holder shall make an offer in writing to the owners of Oporoturu Road properties whose accessways between their property boundary and the road carriageway would be steeper than 1:6 if the road upgrading works were confined to road reserve. The offer shall be to undertake regrading works within their properties, at the consent holder's cost, so as to provide an access gradient between their property boundary and the road carriageway of less than 1:6. The offer shall include plans and reinstatement proposals. The offer shall be conditional upon timing parameters set out in the offer so as to ensure that design and construction are undertaken when the design and construction is respectively undertaken for this section of Oporoturu Road. If any offer is accepted in writing, the consent holder shall implement these works.~~
23. Trucking of supplies to the site via any part of Oporoturu Road shall cease on Sundays and public holidays. The consent holder shall maintain records of all heavy vehicle movements and provide those records to the Roding Group Manager, Waikato District Council. No spoil over the quantity estimated in the application is to be disposed of via Oporoturu Road without prior written approval of the Roding ~~Group~~ Manager, Waikato District Council.

Conditions to be Completed after Construction of the Causeway/Bridge

24. The consent holder shall supply as-built plans and RAMM data to Waikato District Council in an appropriate format prior to the vesting or dedication of the causeway and bridge as a public road.
25. The consent holder shall pay a heavy impact fee of \$ 5,025 plus GST to Council at the completion of construction.
- 25A. Oporuru Road is not to be used by any heavy vehicles associated with the construction of:
- (a) any civil works on the Rangitahi Peninsula associated with the implementation of Plan Change 12 to the Waikato District Plan; and
 - (b) the bridge/causeway, except to the extent necessary to connect the causeway to Oporuru Road.

Construction Management Plan

26. A construction management plan shall be submitted to ~~Waikato District Council~~ the Roading Manager for approval, acting in a technical certification capacity, no less than 2 months prior to works commencing on the site, and following approval shall be implemented. The plans shall include, but not necessarily limited to:
- A critical review of construction methodology, sequencing and programming to minimise construction period and disruption;
 - Sediment and erosion control measures & dust suppression measures and how dust and debris from construction will generally be contained within the site;
 - The proposed earthworks methodology, including testing;
 - Material sources, use/disposal and treatment;
 - Demonstration of the ability to adhere to the national construction noise standard, NZS 6803:1999 'Acoustics – Construction Noise and the methods to be implemented to adhere to this standard;
 - Hours of Operation, which shall be consistent with those specified within the national construction noise standard, NZS 6803:1999 'Acoustics – Construction Noise'.
 - Traffic management and monitoring arrangements, including heavy vehicle counts;
 - Management of parking, storage and site compound arrangements;
 - Contingency plans if the quantities of material to be disposed of in landfills or elsewhere via the road network are larger than expected; and,
 - How safe pedestrian access to the foreshore is to be maintained.
 - Contact details ~~or of~~ a senior manager for complaints and issues related to construction on a 24 hours seven day a week basis. These details to be advised to all residents on Rangitahi Peninsula and provided in a public notice at the end of Oporuru Road
 - Detailed proposals prepared by a suitably qualified arborist to protect the three pohutukawa trees in the road reserve from damage during construction.
 - Consultation to be undertaken with residents of Oporuru and Goodare Roads during the construction works authorised by this consent, which shall as a minimum, include an invitation to such residents to attend an on-site meeting at not less than 3 monthly intervals.

Geotech

27. A final earthworks design for the proposed excavations, causeway construction, cleanfill disposal site and ancillary earthworks shall be prepared and submitted to Council 2 months prior to earthworks commencing, for review and approval. The earthworks design shall:
- a. be based upon site specific design parameters following site investigations and shall consider static and seismic conditions;
 - b. include stability analysis for the following case loads:
 - (i) static loads and rapid drawdown conditions for each phase/stage of construction, and
 - (ii) 100 year flood level, in relation to the depth of water adjacent to fill slopes, for static seismic and rapid drawdown loads for the completed causeway.
 - c. detail measures for dealing with situations that do not conform at the time of construction with the design assumptions.
28. A liquefaction assessment shall be prepared and submitted to Council 2 months prior to earthworks commencing for review and approval.

Ecological Rehabilitation

29. The consent holder shall revegetate ~~and any~~ disturbed areas to limit/prevent sediment runoff and erosion, to the satisfaction of the ~~Waikato District Council Roading Manager, acting in a technical certification capacity~~. The consent holder shall maintain the site until vegetation is established to such an extent that it prevents erosion and retains sediment from entering the estuary.

30. The consent holder shall engage a suitably qualified person to prepare a Landscape

Rehabilitation Plan to revegetate disturbed areas and for estuarine margin enhancement incorporating species and seeds sourced from the Raglan Ecological District that includes, but is not necessarily limited to:

- I. a plant schedule noting species and number of plants;
- II. planting management plan;
- III. a weed management plan

A copy of this Plan shall be forwarded to the ~~Waikato District Council Roading Manager~~ for approval, acting in a technical certification capacity, at least one month prior to commencement of works. The consent holder shall exercise this consent in accordance with the approved Plan.

Cleanfill Disposal

31. All cleanfill deposition authorised by this consent shall be limited to natural materials such a clay, soil and rock, and other inert materials such as concrete and brick, or mixtures of any of the above. Cleanfill deposition authorised by this consent shall exclude:

- I. Materials that has combustible, putrescible or degradable components;
- II. Materials likely to create leachate by means of biological or chemical breakdown;
- III. Any products or materials derived from hazardous waste treatment, hazardous
- IV. Waste stabilisation or hazardous waste disposal practices;
- V. Materials such as medical and veterinary waste, asbestos, or radioactive substances that may present a risk to human health;
- VI. Soils or other materials contaminated with hazardous substances or pathogens;
- VII. Hazardous substances.

Notwithstanding the above requirements, minor quantities of untreated wood are acceptable within the cleanfill. This untreated wood material shall not exceed 5% by volume per truckload.

32. For each 200 cubic metres of cleanfill material deposited, a composite sample shall be analysed for arsenic, cadmium, chromium, copper, lead, nickel, zinc, and polycyclic aromatic hydrocarbons. Each composite sample will consist of six sub-samples of equal volume. Results will be compared with the cleanfill acceptance thresholds in the below table:

Constituent	Threshold concentration (mg/kg dry weight)
Arsenic	20
Cadmium	1
Chromium	322
Copper	120
Lead	78
Nickel	50
Zinc	175
Benzo (a) pyrene equivalents	0.027
Naphthalene	7.2

Unless otherwise agreed with the Waikato District Council in writing, the 200 cubic metres of sampled materials shall be deemed to meet the cleanfill acceptance thresholds when the concentration of each individual constituent is less than the threshold concentration in the table above.

In the event that a sampled area fails to meet the cleanfill acceptance thresholds for one or more analysed constituents, the 200 cubic metre stockpile shall either be further sampled and tested (with or without mixing in situ).

If after the second test the acceptance criteria are still not met, unless otherwise agreed with the Waikato District Council in writing, the consent holder shall remove the fill material from the disposal site and dispose of that material to a facility authorised to receive the material.

33. Results of testing undertaken as part of condition 32 shall be forwarded to Waikato District Council within one month of the sampling date.
34. Analysis of the testing required by condition 32 shall be undertaken by an appropriately registered laboratory.
35. The consent holder shall ensure that appropriate site security is maintained at all times to ensure that no dumping of unauthorised materials occurs
36. Only material sourced from the removal of the existing causeway shall be disposed of to the cleanfill disposal site
37. The consent holder shall, within the first planting season following the disposal of cleanfill at the cleanfill disposal site, recontour and regrass all areas of ground where earthworks have taken place, or where machinery has disturbed ground surfaces, to a standard the same, or better, as present ground surface conditions.
38. Upon the completion of the cleanfill operation, the consent holder shall submit one set of prints of As Built Plans to scale of the completed cleanfill, as prepared by a registered surveyor or professional engineer. The plans shall include accurate information as to the extent and depth of cleanfill material on the site together with coordinates or dimensions to accurately locate the fill areas. The plan shall be submitted to the satisfaction of the Planning Manager, Waikato District Council.
39. Prior to the commencement of construction, a detailed landscape plan based on the Landscape Concept Plan prepared by Boffa Miskell dated 4 February 2015 shall be submitted to the Roding Manager for approval acting in a technical certification capacity, and be implemented. The landscape plan shall include the retention of the three pohutukawa trees in the road reserve.

Advisory Notes

- AN1 That compliance in all other respects with Council Bylaws, all relevant Acts, Regulations, and rules of law be met.
- AN2 An archaeological authority from Heritage New Zealand Pouhere Taonga will be required before undertaking any upgrade works, because of potential impacts on Te Nihinihi Mission Station archaeological site. An archaeological management plan should accompany the application for authority, to promote the identification of archaeological remains and the detailed investigation and reporting as required.

ATTACHMENT 3

**LIST OF COUNSEL, WITNESSES AND SUBMITTER REPRESENTATIVES
WHO APPEARED AT THE HEARING**

APPEARANCES

The hearing of submissions and further submissions to Waikato District Council Plan Change 12: Raglan Land Company Limited (RLC) – Rangitahi Peninsula was held at the Raglan Bowling Club, 19 James Street, Raglan.

The hearing commenced on Monday 4 August 2014 and continued over four days through till Thursday 7 August 2014 where we adjourned to allow further evidence to be provided and considered.

The hearing reconvened on Monday 13 July 2015 and continued on Tuesday 14 July 2015 and Wednesday 15 July 2015.

Over the four days of the August 2014 hearing, and three days of the re-convened July 2015 hearing we heard from the following organisations and individuals (noting that some witnesses for some organisations appeared “out of order” in order to accommodate travel and other logistical requirements).

AUGUST 2014 HEARING

RAGLAN LAND COMPANY LIMITED

The following persons appeared or presented evidence on behalf of Raglan Land Company at the August 2014 hearing for Raglan Land Company

Person	Topic
Robert Makgill	Legal submissions
David Peacock	Project background and philosophy
Andrew Collins	Planning
Dr Doug Fairgray	Economic matters and population growth
James Lunday	Urban design
Rachel de Lambert	Landscape
Dr Sharon de Luca	Marine ecology
Dr David Slaven	Terrestrial ecology
Kori Lentfer	Geotechnical matters
Phillip Brown	Traffic engineering
David Napier	Civil engineering
Dr Des Kahotea	Archaeology and cultural heritage
Vern Warren	Planning

SUMBITTERS

The following persons presented submissions at the August 2014 hearing:

Person	Submission Number
Ross van der Helder on behalf of himself	123F
Dave Currie on behalf of himself	107
Stuart Doran on behalf of himself	38
Greg Parker on behalf of himself	1

Robert McLeod on behalf of himself	007F
Martin Koning on behalf of the Koning Family Trust	26
Genette Wilson on behalf of herself	34
Craig Inskeep & Mr Dylan Gardiner on behalf of the Waikato Regional Council	95
Tracey Anderson on behalf of herself and Brett Anderson, D, AR & BP Anderson, R Anderton & A Judd	82, 83, 84, 85, 86 & 87
Tracey Anderson on behalf of Joyce Bonner	41
Robert McLeod on behalf of 'People connected to the Opotoru Road Protecting Raglan Character'	105
Craig Rowlandson on behalf of himself	25
Tony Burns on behalf of himself and Suzanne Burns	60
John Lawson on behalf of the Whaingaroa Environmental Defence Inc Society	92
Ratu Mataira on behalf of himself and Donna Mataira	6
Hayley Vink on behalf of herself	98
Ken & Julia Brown on behalf of themselves	36
Carolyn McAlley on behalf of the New Zealand Historic Places Trust	94
Lai Toy on behalf of herself	62
Kate Hayward on behalf of herself	90F
Robert Kirkwood on behalf of himself	121
Jocelyn Hartstone on behalf of herself	106
Angelina Greensill & Mr Malibu Hamilton on behalf of Tainui Hapu	104
Matthew Taggart on behalf of himself	18
Warren Banks on behalf of himself	55F
Alan Vink on behalf of himself	99
Tony Head on behalf of Westbach Ltd	69
Brett McCardle on behalf of himself	20
Joanne Wallace on behalf of herself	93

We were also presented the following tabled items from submitters who would not be present at the hearing:

- Statement of Evidence of KJ Tremaine on behalf of Future Proof Implementation Committee *[Sub 122] [Doc A]*
- Letter from Beca Ltd dated 1 August 2014 on behalf of NZ Fire Service Commission *[Sub 053F] [Doc B]*
- Email from D Van Staden *[Sub 31] [Doc C]*.

WAIKATO DISTRICT COUNCIL

The following persons appeared or presented evidence on behalf of the Waikato District Council at the July 2014 hearing:

Person	Topic
Lachlan Muldowney	Legal submissions
Troy Martin	Presented his section 42A report
Alasdair Gray	Traffic

We were also presented with a statement of evidence from Mr Mansergh on behalf of the Waikato District Council addressing landscape and urban design matters which was taken as read.

RE-CONVENED JULY 2015 HEARING

RAGLAN LAND COMPANY LIMITED

The following persons appeared or presented evidence on behalf of Raglan Land Company at the re-convened July 2015 hearing:

Person	Topic
Robert Makgill	Legal submissions (opening and closing)
James Lunday	Urban design
Rachel de Lambert	Landscape
David Napier	Civil engineering
Keith Bell	Traffic engineering
Vern Warren	Planning
Warren Gumbley	Archaeology

SUMBITTERS

The following persons presented submissions at the re-convened July 2015 hearing:

Person	Submission Number
Cassandra Jarvie on behalf of herself	s127 # 10
Tony and Suzanne Burns on behalf of themselves	PC12 # 60, s127 # 4
Jocelyn Hartstone on behalf of herself	PC12 # 106
Carolyn McAlley on behalf of Heritage NZ	PC12 # 94, s127 #11
Alan Vink on behalf of himself	PC12 # 099
Kate Hayward on behalf of herself	PC12 # 90F, s127 #13
Martin Koning on behalf of the Koning Family Trust	PC12 # 26
Malcolm Davidson on behalf of himself	s127 # 14
Warren Banks on behalf of himself	PC12 # 55, s127 #3
David van Staden on behalf of himself	PC12 # 38
Angeline Greensill and Mr Malibu Hamilton on behalf of Tainui Hapu	PC12 # 104 s127 #12
Stuart Doran on behalf of himself	PC12 # 38
Tracey Anderson on behalf of herself	PC12 # 86 s127 # 15
Jo Wallace on behalf of herself	PC12 # 93
Bob McLeod & Ms Genette Wilson on behalf of themselves	PC12 # 007F, s127 # 6
Dr Keri Oetzel on behalf of herself	PC12 # 21, s127 #7
Professor John Oetzel on behalf of himself	PC12 # 13, s127 #8

WAIKATO DISTRICT COUNCIL

The following persons appeared or presented evidence on behalf of the Waikato District Council at the re-convened July 2015 hearing

Person	Topic
Lachlan Muldowney	Legal submissions (opening and closing)
John Olliver	Presented his section 42A report
Alasdair Gray	Traffic

Dave Mansergh (who contributed to Mr Olliver's section 42A report) was also present.