

**IN THE ENVIRONMENT COURT
AT AUCKLAND**

**I TE KŌTI TAIAO O AOTEAROA
KI TĀMAKI MAKĀURAU**

Decision [2025] NZEnvC 413

IN THE MATTER OF appeals under clause 14 of the First
Schedule to the Resource Management
Act 1991

BETWEEN KONING FAMILY TRUST AND M
KONING

(ENV-2022-AKL-000034)

RANGITAHĪ LIMITED

(ENV-2022-AKL-000069)

Appellants

AND WAIKATO DISTRICT COUNCIL

Respondent

AND RAGLAN LAND CO AND SCENIC
PROPERTIES LIMITED

WHAINGAROA ENVIRONMENT
DEFENCE INCORPORATED

Section 274 Parties

Court: Environment Judge S M Tepania sitting alone under s 279 of the
Act

Last case event: 18 November 2025

Date of Order: 23 December 2025

Date of Issue: 23 December 2025



Koning Family Trust and M Koning & Rangitahi Limited v Waikato District Council –
Appeals against the proposed Waikato District Plan – Topic 13.2: Urban residential
development – Raglan

CONSENT DETERMINATION

A: Under s 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that:

- (1) the appeal is allowed subject to amendment of the Interpretation, Transportation (TRPT), Subdivision (SUB), General residential zone (GRZ) and Rangitahi Peninsula (RPZ) chapters of the Waikato District Plan – Operative in Part as set out in **Appendix A** to this Order;
- (2) the planning maps are amended to introduce a new overlay to the properties at 339B Wainui Road, 146 Te Hutewai Road, and 151 Te Hutewai Road, Raglan titled ‘Te Hutewai Precinct’ and 14 additional layers to match the Hutewai Structure Plan, as shown in **Appendix B** to this Order;
- (3) new Appendix APP19 – PREC37 Te Hutewai Structure Plan is inserted into Part 4 of the DP-OP in accordance with **Appendix C** to this Order; and
- (4) the appeals by Koning Family Trust and M Koning and Rangitahi Limited are otherwise dismissed.

B: Under s 285 of the Act, there is no order as to costs.

REASONS

Introduction

[1] These matters concern appeals by Rangitahi Limited (**Rangitahi**) and Koning Family Trust and M Koning (**Koning**) against parts of the decisions of the Waikato District Council on the proposed Waikato District Plan (**PDP**). The PDP became the Waikato District Plan – Operative in Part on 30 October 2024 (**DP-OP**).

[2] The appeals were assigned to Topic 13.2: Urban residential development – Raglan. No appeals remain extant in this topic.

Background

[3] During the hearings on the PDP, the Independent Hearing Panel (**IHP**) made the decision to amend the notified PDP to adopt the National Planning Standards (**NPS**) which came into force after notification of the PDP. As a result, the chapters and provisions referenced in submissions, further submissions, and in some notices of appeal do not reflect the chapter and provision references in the decisions version of the PDP. The decisions version of the provisions are referred to in this Order.

The appeals

Koning

[4] Koning is the owner of land at 339B Wainui Road, 146 Hutewai Road, and 151 Te Hutewai Road, Raglan (the **Te Hutewai Precinct**). Under the notified version of the PDP, the Te Hutewai Precinct was zoned Rural.

[5] Koning made a submission on the PDP seeking the rezoning of the Te Hutewai Precinct to General residential zone (**GRZ**). To support their submission, Koning proposed a Te Hutewai Structure Plan (**Structure Plan**) for insertion into the PDP and included a Structure Plan Map and supporting text.

[6] The IHP considered there were no technical reasons why the Te Hutewai Precinct could not be developed for residential activities. The decisions version therefore zoned the Te Hutewai Precinct residential. Despite the IHP's comments supporting the Structure Plan, the decisions version of the PDP did not incorporate the Structure Plan.

[7] Koning's appeal sought:

- (a) addition of the Structure Plan as a document guiding subdivision and development of the Structure Plan area; and
- (b) insertion of a rule or rules in GRZ requiring subdivision and development within the Te Hutewai Precinct to be generally in

accordance with the Structure Plan or such other relief required to achieve this.

[8] Rangitahi, Raglan Land Co & Scenic Properties Ltd (**Raglan Land Co**) and Whaingaroa Environmental Defence Society (**WED**) gave notice of an intention to join Koning's appeal under s 274 of the Act.

Rangitahi

[9] Rangitahi owns residential and rural properties in Raglan. Consistent with its original submission and position advanced at the hearing, Rangitahi's appeal sought:

- (a) deletion of the definition for 'Rangitahi commercial activity';
- (b) deletion of the definition for 'Rangitahi integrated development' and replace it with a new definition for 'Rangitahi comprehensive residential development';
- (c) various amendments to the PDP to correct minor errata;
- (d) amendment to the Structure Plan prepared by Koning to address various issues and include this updated version as an appendix in the PDP;
- (e) amendment to the Subdivision (**SUB**) chapter to insert a new subdivision policy for the Te Hutewai Precinct as well as new rules and assessment criteria which are aligned with the outcomes identified in the Structure Plan;
- (f) amendment to the GRZ chapter to insert new rules and assessment criteria that are aligned with the outcomes identified in the Structure Plan;
- (g) amendment to the Transport (**TRPT**) chapter to insert a new rule requiring that an Integrated Transport Assessment must be prepared to accompany any application for residential development or subdivision in the Te Hutewai Precinct and outlining the matters that it must address;

- (h) amendment to the PDP to detail how the outcomes of the Structure Plan should be achieved, including a mixture of dwelling typologies;
- (i) amendment to the Structure Plan to provide for a mixture of dwelling typologies, including indicative locations for multi-unit residential development, to enable housing choice and to achieve suitable overall density for the Te Hutewai Precinct; and
- (j) amendment to the GRZ chapter to include a new rule and assessment for multi-unit residential development in the Te Hutewai Precinct.

[10] Koning and Raglan Land Co gave notice of an intention to join Rangitahi's appeal under s 274 of the Act.

Agreement reached

[11] Koning and Rangitahi entered into direct discussions with the Council and reached agreement on most appeal points. Following court-assisted mediation on 24 May 2024, the parties have now reached agreement which will fully resolve both appeals.

Definitions

[12] During negotiations, the Council agreed that, as the Rangitahi peninsula zone (RPZ) chapter no longer refers to the term 'Rangitahi commercial activity', the retention of this definition in the decisions version of the Interpretation chapter was an error. With respect to the definition for 'Rangitahi integrated development', the Council further agreed that as the RPZ uses the term 'Rangitahi comprehensive residential development', the retention of the definition for 'Rangitahi integrated development' in the decisions version was also an error.

[13] Accordingly, the parties have agreed to delete the terms 'Rangitahi commercial activity' and 'Rangitahi integrated development' from the Interpretation chapter and insert a new defined term 'Rangitahi comprehensive residential development'. The wording of this new definition is set out in **Appendix A** and is largely similar to the wording proposed in Rangitahi's notice of appeal, with some minor amendments.

Minor errors

[14] The parties have agreed to further amendments to the RPZ and SUB chapters of the DP-OP to correct minor errors in relation to wording, planning maps, numbering and cross referencing. These minor amendments are set out in **Appendix A** (deletions marked as strikethrough and additions underlined).

[15] As a result of discussions between the parties as to the requirements under the NPS, Rangitahi is no longer seeking to pursue its appeal point with respect to amending the shading for the RPZ on the planning maps. Further, Rangitahi no longer seeks to amend Rule EW-R58(1)(a) in the RPZ as that clause already contains its requested wording ('standards' rather than 'conditions').

Inclusion of the Te Hutewai Structure Plan

[16] Both appeals sought inclusion of the Structure Plan in the PDP. The issue in dispute between the parties was which version of the Structure Plan should be included. Rangitahi's appeal sought broad amendments to the Structure Plan proposed by Koning. The key areas of dispute as to the Structure Plan, and the agreement reached between the parties on this, are discussed below.

Inclusion of a neighbourhood centre and neighbourhood parks

[17] During negotiations, Rangitahi sought the inclusion of a neighbourhood centre and neighbourhood parks within the Structure Plan. The parties have now agreed to include these features within the Structure Plan. This agreement is reflected in the final version of the Structure Plan, as well as the Structure Plan text, set out in **Appendices B and C** to this Order.

[18] Specifically, the Structure Plan identifies the locations of two neighbourhood parks, and a neighbourhood centre. The Structure Plan text provides context of the purpose and anticipated form of the neighbourhood centre. This requirement is supported by existing (SUB-R11B) and new (SUB-R29B, SUB-R29C, GRZ-R18) subdivision and multi-unit development rules for the Te Hutewai Precinct, which require subdivision and multi-unit development are in accordance with the Structure Plan. The supporting provisions are set out in **Appendix A** to this Order.

Preparation of an Integrated Transport Assessment

[19] The parties have agreed that any application for subdivision and multi-unit development in the Te Hutewai Precinct must be accompanied by an Integrated Transport Assessment. This requirement is supported by amendment to the TRPT chapter to insert new ‘Table 15 – Integrated Transport Assessment’ (ITA).

[20] Requirements for subdivision and development in ‘PREC-37 – Te Hutewai Precinct’, which:

- (a) outlines the matters that the assessment must address;
- (b) includes new subdivision and multi-unit development rules (SUBR29B, SUB-R29C, GRZ-R18) for the Te Hutewai Precinct which require provision of an Integrated Transport Assessment which is in accordance with the requirements set out in TRPT Table 15; and
- (c) includes the Structure Plan text.

[21] The new table in the TRPT chapter and supporting provisions in the SUB and GRZ chapters are set out in **Appendix A** to this Order. The Structure Plan text is set out in **Appendix C** to this Order.

Transport connections

[22] The parties have agreed that development within the Te Hutewai Precinct should provide an east to west transport connection between Te Hutewai Road and Wainui Road. This connection is referred to as the ‘collector road’.

[23] With respect to the intersection of the collector road with Te Hutewai Road, Rangitahi requested an intersection at the southernmost end of the Te Hutewai Precinct. The area is approximately 190m south of the location indicated in the Structure Plan submitted into evidence by Koning as part of the hearings process. The parties have agreed to Rangitahi’s requested intersection location. This agreement is reflected in the final version of the Structure Plan, as well as the Structure Plan text. This intersection requirement is also supported by new subdivision and multi-unit development rules (SUB-R29B, SUB-R29C, GRZ-R18) for the Te Hutewai

Precinct which require subdivision and multi-unit development within development stage 1C to provide the connection to Te Hutewai Road in accordance with the Structure Plan. The supporting provisions are set out in **Appendix A** to this Order.

[24] Koning requested that the collector road intersect with Wainui Road through 339B Wainui Road, at the northern end of the Te Hutewai Precinct. Rangitahi requested the collector road be shown over 405 Wainui Road, at the southern end. This is a private property located outside of the Te Hutewai Precinct and is owned by a third party.

[25] Under Rangitahi's proposal, the collector road would intersect with Wainui Road directly opposite Ngarunui Beach Road in the south. The Council's infrastructure team confirmed that its preferred location for the intersection of the collector road with Wainui Road is through 405 Wainui Road, as this connection would provide for traffic from the anticipated development and integrate with the wider Council roading network to provide for strategic east to west traffic from the wider catchment. However, the Council's legal advice was that including a road in the Structure Plan over this property was not within the scope of the appeal.

[26] The Council therefore proposed that the collector road be shown only up to the property boundary of 405 Wainui Road, as that was within scope. As the parties were unable to reach a mutually agreeable solution, the matter proceeded to court-assisted mediation.

[27] At mediation on 24 May 2024, the parties agreed that the Structure Plan would identify:

- (a) the proposed collector road stopping at the property boundary between 339B Wainui Road and 405 Wainui Road; and
- (b) a local road intersecting with Wainui Road at 339B Wainui Road at the northern end of the Te Hutewai Precinct.

[28] This agreement is reflected in the final version of the Structure Plan, as well as the Structure Plan text. This requirement is also supported by new subdivision and multi-unit development rules (SUB-R29B, SUB-R29C and GRZ-R18) which require subdivision within stage 5 of the Te Hutewai Precinct to provide the collector road to

the boundary of the Te Hutewai Precinct in accordance with the Structure Plan. The supporting provisions are set out in **Appendix A** to this Order.

Staging

[29] Rangitahi requested staging of development within the Te Hutewai Precinct to occur in an east to west direction only. It contended this would ensure that development is integrated with infrastructure development and aligns with wider Council networks. Koning's preference was to retain the option to undertake early development in the west of the Te Hutewai Precinct, as well as generally staging development in an east to west direction, provided that appropriate access and infrastructure services are available. As the parties were unable to reach a mutually agreeable solution, the matter proceeded to court-assisted mediation.

[30] To better inform discussions at mediation, the Council sought advice from Watercare (Council's provider of 3 waters infrastructure) prior to the mediation. The advice from Watercare was that the development on the western side of the Te Hutewai Precinct is not able to be serviced by existing water or wastewater infrastructure along Wainui Road. This advice was shared with the parties.

[31] The parties agreed at mediation that the Structure Plan would show staging from east to west only. This agreement is reflected in the final version of the Structure Plan, as well as the Structure Plan text. Any subdivision and development (except for stages 1A and 1B) that does not follow the east to west sequencing and/or is not accompanied by the progressive construction of the proposed collector road including water and wastewater infrastructure, will require resource consent for a discretionary activity. This requirement is also supported by new subdivision and multi-unit development rules (SUB-R29B, SUB-R29C, GRZ-R18) for the Te Hutewai Precinct which require subdivision and multi-unit development are in accordance with the Structure Plan. The supporting provisions are set out in **Appendix A** to this Order.

Multi-Unit Development

[32] The parties agreed that the areas of the Te Hutewai Precinct which are subject to standard controls (shown as the standard controls area on the Te Hutewai Structure Plan Map) are suitable for the development of multi-unit residential development.

The parties agreed that the density and development outcomes should fall generally between the density outcomes of the medium density residential zone (**MRZ**) which applies in Raglan and the GRZ. The agreed multi-unit development provisions are included in the GRZ (being GRZ-R18, GRZ-R19 and GRZ-P20) set out in **Appendix A** to this Order and generally provide for the following:

- (a) maximum height of 8m (i.e. two storeys) (provided for by existing rule GRZ-S4, which would continue to apply to multi-unit development);
- (b) minimum unit and outdoor living size requirements (GRZ-R18);
- (c) impervious surface no greater than 70% (GRZ-S13A);
- (d) service court requirements (GRZ-R18); and
- (e) building setbacks of 3m from road boundaries and 1.5m from all other boundaries (provided for by existing rule GRZ-S17, which would continue to apply to multi-unit development).

[33] The parties agreed that multi-unit development within the standard controls area should be provided for as a restricted discretionary activity to provide the Council with discretion relating to:

- (a) the intensity of any proposed development;
- (b) amenity and character impacts; and
- (c) infrastructure considerations.

[34] The GRZ provisions are supported by new subdivision rule (SUB-R29B) for the Te Hutewai Precinct which does not require a minimum lot size to be achieved where all development standards are met. Existing rule SUB-R11(1)(a)(i) is also amended to clarify that the minimum lot size in this standard does not apply to multi-unit subdivision in the Te Hutewai Precinct.

[35] The agreed Te Hutewai Structure Plan Map and accompanying Te Hutewai Structure Plan Text will be included in Part 4 of the DP-OP as APP19 – PREC37 Te Hutewai Structure Plan.

Giving effect to the Structure Plan

[36] To give effect to the Structure Plan, the parties have agreed to introduce into the DP-OP a suite of provisions relating to the Te Hutewai Precinct. The wording of the agreed supporting provisions in the SUB, GRZ and TRPT chapters are set out in **Appendix A** to this Order. In summary, these are new policies, rules and assessment criteria which apply to subdivision and development, including multi-unit development, in the Te Hutewai Precinct including:

- (a) a new policy (SUB-P24) and new and amended rules and assessment criteria (SUB-R11B, SUB-R29B, SUB-R29C, SUB-R29D, and SUB-R29E) into the SUB chapter that are aligned with the outcomes identified in the Structure Plan;
- (b) a new policy (GRZ-P20), new rules and assessment criteria (GRZ-R8A, GRZ-S13A, GRZ-R18, GRZ-S26, GRZ-S27) into the GRZ chapter that are aligned with the outcomes identified in the Structure Plan; and
- (c) a new table (Table 15) in the TRPT chapter outlining the requirements of the Integrated Transport Assessment, which is required by Rules SUB-R29B, SUB-R29C, and GRZ-R18 to be prepared to accompany any application for subdivision or multi-unit development in the Te Hutewai Precinct.

[37] The inclusion of multi-unit development provisions (GRZ-P20 and GRZ-R18) in the Te Hutewai Precinct was linked to the outcomes sought by Variation 3 to the PDP (being the Council's Intensification Planning Instrument under the RMA) and the Blue Wallace appeal¹ allocated to Topic 13.

[38] The Council's decisions on Variation 3 were notified on 22 October 2024 and became operative on 30 October 2024. On 20 November 2024, Blue Wallace filed a notice withdrawing its appeal assigned to Topic 13. This was actioned by the Court on 2 December 2024. As such, the multi-unit development rules in the Te Hutewai Precinct will be the only such rules in the district.

¹ ENV-2022-AKL-000032.

[39] The parties have also agreed that the planning maps will be amended to insert the following layers which will apply to the Te Hutewai Precinct, to match the Structure Plan and align with the supporting provisions:

- (a) A residential precinct layer.
- (b) Layers to show open space, planting, wetlands, streams, neighbourhood parks, walking tracks, proposed collector roads, indicative local roads, roading connections, and a 5m wide landscape strip. These layers show where these features should be located during subdivision. The activity standards in proposed new rules SUB-R29B, SUB-R29C, GRZ-R8A, and GRZ-R18, require applications for subdivision and development to be in accordance with the Structure Plan, and the Council retains discretion over the consistency of the application with these features.
- (c) A standard controls area layer. Development within this area is subject to proposed new rule SUB-R29B. Activity standards require applications within this area to have a minimum site area of 450m², connection to reticulated services, stormwater to be managed in accordance with a Stormwater Management Plan, an Integrated Transportation Assessment, and specific requirements for transport infrastructure.
- (d) An Additional Controls Area layer. Development within this area is subject to proposed new rule R29C in addition to the general standards set out in (b) and (c) above. Lots within this layer are required to have a minimum site size of 800m² (as opposed to 450m² in the Standard Controls Area), and not less than 40% of each lot is required to be landscaped with native species and protected in perpetuity by a consent notice.
- (e) A Planting/No Housing Area layer. This area is subject to geotechnical constraints which cannot be remediated. Proposed new rule GRZ-S27 provides that buildings or structures within this layer require resource consent as a non-complying activity.

- (f) A Neighbourhood Centre layer. Proposed new rule GRZ-R8A provides that commercial activity within this layer, which meet certain standards, can be undertaken as a permitted activity.
- (g) An Archaeological Site layer. This layer indicates the locations of three archaeological sites identified in the Archaeological Association database. The Structure Plan text sets out specific development actions which are required prior to or during subdivision of these sites, including requiring subsurface investigations.
- (h) A Development Stages layer. This layer sets out the staging for the development, which moves from east to west.

Summary of agreed amendments

[40] Following discussions, mediation on 24 May 2024, and consultation with the s 274 parties, the parties have agreed to the following changes to the DP-OP:

- (a) inclusion of supporting provisions in the SUB, GRZ and TRPT chapters of the DP-OP;
- (b) amendment to the RPZ and SUB chapters of the DP-OP to correct minor errata;
- (c) amendment to the planning maps to identify the 'Te Hutewai Structure Plan' overlay as applying to the Te Hutewai Precinct;
- (d) amendment to the planning maps to introduce 14 additional layers which will apply to the Te Hutewai Precinct; and
- (e) inclusion of the Te Hutewai Structure Plan Map and accompanying Te Hutewai Structure Plan and Text in Part 4 of the DP-OP (as APP19 – PREC37 Te Hutewai Structure Plan).

[41] The Structure Plan Map, Structure Plan text, wording of the agreed supporting provisions in the SUB, GRZ and TRPT chapters and other amendments to correct minor errata, are set out in **Appendices A to C** to this Order.

Statutory planning assessment

[42] The amendments to the RPZ will correct minor errata and improve the consistency and clarity of the DP-OP. The parties consider that no specific statutory assessment is required for those minor amendments.

[43] The parties prepared an assessment of the proposed inclusion of the Structure Plan and associated amendments against higher order policy provisions to show that the agreement reached is the most effective and efficient way to give effect to these higher order provisions.

The National Planning Statement on Urban Development 2020

[44] The National Planning Statement on Urban Development 2020 (**NPS-UD**) sets out the objectives and policies for planning well-functioning urban environments, with urban environments defined as any area of land that is, or is intended to be, part of a housing and labour market of at least 10,000 people. Raglan has a current population of approximately 3,280 which is estimated to reach 7,500 by 2061 (including the nearby environment of Whale Bay) and has a possible future population of 12,500 by 2070 (as indicated in Waikato 2070). The parties therefore consider the NPS-UD is relevant to the appeals as Raglan is likely to become an urban environment in the long-term.

[45] Policy 1 requires that planning decisions contribute to well-functioning urban environments. The parties consider that amending the DP-OP to insert the agreed Structure Plan for the Te Hutewai Precinct will give effect to this policy as the Structure Plan identifies and protects key strategic road corridors, including connections into the existing transport network and future growth areas. The Council retains discretion over the transport network, including that there are accessible, safe and secure pedestrian and cycling connections within the Te Hutewai Precinct and to the existing transport network.

[46] The Structure Plan also identifies and requires provision of neighbourhood parks and a neighbourhood centre, which are key elements of well-functioning urban environments. Finally, the parties advised that the Structure Plan provides for a range of housing typologies including standalone dwellings and multi-unit development,

thereby meeting the needs of a range of household types. The parties consider that, through these elements, the Structure Plan will contribute to the development of a well-functioning urban environment which has good accessibility for people between housing, jobs and community services (both in the Te Hutewai neighbourhood centre and Raglan town centre), and natural and open spaces, including by way of active transport.

[47] The parties consider that the Structure Plan will also contribute to a well-functioning urban environment through the staging provisions, which require development to be staged from east to west. They consider that this will encourage development patterns to achieve a connected and consolidated urban form and enable the efficient and effective coordination of development with infrastructure delivery.

[48] Objective 6 requires that local authority decisions on urban development which affect urban environments are integrated with infrastructure planning and funding decisions. The parties advised that the agreed staging provisions align with the planned development of key water and wastewater infrastructure, which will also be built in an east to west direction. Developing from east to west also aligns with funding requirements as it provides the Council with time to secure funding to deliver key elements of the strategic roading network.

New Zealand Coastal Policy Statement

[49] The Te Hutewai Precinct is subject to the coastal environment overlay of the DP-OP, which means the New Zealand Coastal Policy Statement (**NZCPS**) applies to Te Hutewai.

[50] Objective 6 requires that use and development within the coastal environment is in an appropriate location and form, and within appropriate limits. Te Hutewai is located at an elevated position on a peninsula, with the eastern and western sides of Te Hutewai located approximately 500m and 1km from the coast respectively. The Structure Plan anticipates an average gross yield per hectare of 10 to 15 units. This level of development is considered to be within appropriate limits given both the relative separation of the 3 from the coast, and the topography and areas of geotechnical instability within the Te Hutewai Precinct.

[51] Policy 6 requires that activities in the coastal environment consider the rate at which built development, and the associated public infrastructure, should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the coastal environment. Policy 6 also encourages the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth.

[52] Whilst Te Hutewai is included within the coastal environment overlay of the DP-OP (both the operative and decisions versions), the Te Hutewai Block does not contain any areas of high, very high or outstanding natural character, and the parties consider that the Structure Plan will not result in adverse effect on identified natural character values. The development is therefore not anticipated by the parties to compromise the values of the coastal environment and will consolidate the existing urban development between Wainui Road and the main Raglan town.

[53] Policy 17 requires that historic heritage in the coastal environment is protected from inappropriate subdivision, use and development. The parties consider that the Structure Plan will protect historic heritage through the inclusion of the identified archaeological storage pit site within the open space network, and the requirement for other archaeological sites and areas of interest to be investigated in advance of any future development.

Waikato Regional Policy Statement

[54] Objective UFD-O1 of the Waikato Regional Policy Statement (**WRPS**) seeks to develop the built environment in an integrated, sustainable and planned manner that enables positive environmental, social, cultural and economic outcomes. In particular:

- (a) UFD-O1(1) requires the promotion of positive indigenous biodiversity outcomes. The Structure Plan requires subdivision and development within the Te Hutewai Precinct to protect and enhance native vegetation, wetlands, and stream corridors; and for gully systems, stream margins, and land subject to instability to be planted and managed to maintain and enhance natural ecosystems and restore habitat for

indigenous flora and fauna. The Structure Plan identifies areas for open space/planting within the riparian margins of streams within the Te Hutewai Precinct. Two rimu trees, and a stand of pine trees which have been identified as potential bat habitat, are protected via inclusion within the open space/riparian network.

- (b) The agreed rule framework also requires sites which are subject to additional controls to landscape a minimum of 40% of each lot with native species. The planting is required to be protected in perpetuity by a consent notice. The framework also provides decision makers with discretion over the effects of development of all sites on ecological values, the consistency with the recommendations of an Ecological Management Plan, and the protection and enhancement of native planting, wetlands and stream corridors.
- (c) UFD-O1(3) requires that development of the built environment does not compromise the safe, efficient and effective operation of infrastructure corridors. The staging provisions require development to be staged from east to west, which aligns with the efficient and planned rollout of the wastewater, and water infrastructure. The strategic roading networks are identified and protected on the Structure Plan map, and the staging will enable the Council to secure funding to develop the key roading connection with Wainui Road, in the safest and most efficient location available.
- (d) UFD-O1(7) requires development to minimise land use conflicts, including minimising potential for reverse sensitivity. The Te Hutewai Precinct abuts the Council Transfer Station and Resource Recovery Centre at the south-eastern corner of the development. The parties advised that the proposal will minimise the potential for reverse sensitivity by requiring that development within the Precinct along the Transfer Station and Resource Recovery Centre boundary provides a landscaped strip no less than 5m in width, and that sensitive land uses are set back 50m from the site boundary.

[55] Policy UFD-P1 seeks to develop the built environment in a planned and coordinated manner that has regard to the principles of APP11, considers potential cumulative effects, and has sufficient information for the long-term effects. The parties consider that the proposal gives effect to this policy as the development will be staged from east to west and is generally consistent with the principles of Appendix 11 of the WRPS as outlined in Table 1 below. They consider that the potential cumulative effects of the proposal can be assessed through the subdivision process. In particular, subdivision applications will require the provision of an Integrated Transport Assessment which will enable assessment of the cumulative effects of additional vehicles on the roading network and on the one-way Wainui Bridge.

[56] Policy UFD-P2 requires that management of the built environment ensures:

- (a) the nature, sequencing and timing of new development is coordinated with the development, funding, implementation and operation of transport and other infrastructure to maintain or enhance the operational effectiveness, viability and safety of existing and planned infrastructure;
- (b) the efficient and effective functioning of infrastructure, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained; and
- (c) where new infrastructure is provided by the private sector, it does not compromise the function of existing, or the planned provision of, infrastructure provided by government agencies.

[57] The parties consider that the Structure Plan will give effect to Policy UFD-P2 as follows:

- (a) The Structure Plan includes a connection to Te Hutewai Road in the east at a location which aligns with the planned east west strategic link between State Highway 23 and the Ngarunui Beach Road. The Structure Plan also protects an arterial corridor which will enable construction of a direct connection between the Te Hutewai block and Ngarunui Beach Road through 405 Wainui Road in the future, when land and funding are

available. Development is staged from east to west to provide the Council with time to secure the land and funding to build the transport connection. This staging also aligns with the planned rollout of the wastewater and water infrastructure.

- (b) The agreed policies, rules, and matters of discretion require that the planned future transport network, and the ability to upgrade intersections to form that network, is not precluded by development. The framework also provides decision makers with the necessary discretions to consider the safety and efficiency of any proposed intersections, and the effects of the proposal on both the existing and future network. The policies and rules also require that subdivisions that do not connect to public reticulated wastewater and water services are avoided, and proposed lots which are not able to connect to public reticulated water supply and wastewater require consent as a non-complying activity. This means that private infrastructure will not compromise the efficiency or delivery of infrastructure planned by government.
- (c) The Structure Plan includes provisions that enable the development of multi-unit residential dwellings. Such development will contribute to an efficient use of infrastructure given the increased residential densities.

[58] Policy UFD-P12 seeks to achieve compact urban environments, which support multi-modal transport options, and achieve a minimum net target density of 20-25 dwellings per hectare within greenfield locations in Raglan. The parties consider that the Structure Plan will give effect to this policy as follows:

- (a) The agreed rule framework supports the provision of multi-modal transport options by providing decision makers with discretion over vehicle and pedestrian networks, including provision of accessible, safe and secure pedestrian and cycling connections within the Te Hutewai Precinct and to the existing transport network.
- (b) The minimum net density within the Te Hutewai Precinct is 10-15 dwellings per hectare, which is lower than the targeted 20-25 dwellings

per hectare. However, the lower minimum density is considered appropriate given the topographical and geotechnical constraints of the Te Hutewai block. The development capacity of the Te Hutewai Precinct will be maximised by the enablement of multi-unit development (on sites which are not subject to additional controls due to geotechnical risks). There are no minimum lot sizes proposed for multi-unit development within the Te Hutewai Precinct which will promote higher density outcomes.

[59] APP11 of the WRPS contains general development principles to guide future development of the built environment. These are not absolutes and the WRPS acknowledges that some developments will support some principles more than others.

[60] The table below was prepared by the parties to show the consistency of the agreed amendments with the development principles.

General Development Principle		Comment
d.	Not compromise the safe, efficient and effective operation and use of existing and planned infrastructure, including transport infrastructure, and should allow for future infrastructure needs, including maintenance and upgrading, where these can be anticipated.	Development will be staged from east to west, which aligns with the efficient and planned rollout of key infrastructure. The agreed provisions give the Council the required discretions to ensure that applications for subdivision meet these development principles.
e.	Connect well with existing and planned development and infrastructure.	
i.	Promote compact urban form, design and location, which minimises energy and carbon use, minimises the need for private motor vehicle use, encourages	The agreed rule framework provides decision makers with discretion for vehicle and pedestrian networks to ensure that applications for subdivision meet this development

	walking, cycling and multimodal transport connections.	principle. The minimum net density within the Te Hutewai Precinct is 10-15 dwellings, which is appropriate for the location. This is further supported by the enablement of multi-unit residential development in suitable locations to ultimately achieve compact urban outcomes.
j.	Maintain or enhance landscape values and provide for the protection of historic and cultural heritage.	The Te Hutewai Structure Plan will protect historic heritage through the inclusion of the identified archaeological storage pit site within the open space network, and the requirement for other archaeological sites and areas of interest to be investigated in advance of any future development.
k.	Promote positive indigenous biodiversity outcomes and protect significant indigenous vegetation and significant habitats of indigenous fauna.	The Te Hutewai Structure Plan requires subdivision and development within the Te Hutewai Precinct to protect and enhance native vegetation, vegetation with identified habitat values, wetlands, and stream corridors. The Structure Plan also requires gully systems, stream margins, and land subject to instability to be planted and managed to maintain and enhance natural ecosystems and restore habitat for indigenous flora and fauna.

l.	Maintain and enhance public access to and along the coastal marine area, lakes, and rivers.	The Te Hutewai Structure Plan enhances public access along streams by providing riparian corridors with walking tracks alongside the streams.
m.	Avoid as far as practicable adverse effects on natural hydrological characteristics and processes, soil stability, water quality, and aquatic ecosystems.	<p>The proposal is consistent with this policy as follows:</p> <ul style="list-style-type: none"> • The Te Hutewai Structure Plan protects riparian areas around streams and wetlands which protect the natural hydrological characteristics and process, water quality, and aquatic ecosystems on the Te Hutewai block. • Agreed additional controls apply to areas of geotechnical instability, including larger lot sizes, lower impervious surface thresholds, and requirements for sites to be planted with native planting which will be protected in perpetuity. This will reduce the adverse effects of development on soil stability.
o.	Not result in incompatible adjacent land uses (including those that may result in reverse sensitivity effects).	The proposal will minimise the potential for reverse sensitivity on the Council Transfer Station and Resource Recovery Centre by requiring that development within the Te Hutewai Precinct along the boundary provides a landscaped strip no less than 5 m in width, and that sensitive land uses are set back 50 m from the site boundary.

p.	Be appropriate with respect to the project effects of climate change, and to support reductions in greenhouse gas emissions within urban environments.	Whilst it is likely that a significant proportion of future residents of Te Hutewai will commute into Raglan or further afield via private motor vehicle, the plan retains discretion regarding the provision of accessible, safe and secure pedestrian and cycling connections within the Te Hutewai Precinct and to the existing transport network. This will encourage walking and cycling, supporting reductions in greenhouse gas emissions to the extent practicable. The Te Hutewai Precinct is not located within flood plains, and the capacity of key flow paths will be protected through the retention of stream systems and open space riparian margins. Additional development controls within the land which is subject to potential geotechnical instability will assist with reducing the potential for slips and erosion resulting from extreme weather events or patterns in future.
----	--	---

Future Proof Strategy 2022

[61] The Future Proof Strategy 2022 (**Future Proof**) is a relevant strategy as it identifies Raglan as one of the district's main townships. The minimum net density within the Te Hutewai Precinct is 10-15 dwellings per hectare, which is lower than the targeted 20-25 dwellings per hectare targeted in Future Proof. However, the parties consider that the lower minimum density is appropriate given the topographical and geotechnical constraints of the Te Hutewai block. The development capacity of the Te Hutewai Precinct will also be maximised by the enablement of multi-unit

development which are provided for in identified areas within the Te Hutewai Precinct. Within these areas there will be no minimum lot sizes, and it is expected that higher densities will be achieved.

[62] The table below was prepared by the parties to show the consistency of the agreed amendments with the guiding principles of Future Proof.

Guiding Principle		Comment
2.5	Promote increased densities in new residential development and more intensive redevelopment of existing urban areas.	Multi-unit development is provided for within parts of the Te Hutewai Precinct. Within these areas there are no minimum lot sizes and enabling built form outcomes to achieve increased residential densities. In other parts of the Te Hutewai Precinct the minimum net density within is 10-15 dwellings, which is appropriate for the location and geotechnical constraints of the Te Hutewai block.
3.2	Restore, enhance and create important bluegreen corridors for the protection and improvement of the natural environment.	The Structure Plan requires subdivision and development within the Te Hutewai Precinct to protect and enhance wetlands and stream corridors, including requiring gully systems and stream margins to be planted and managed to maintain and enhance natural ecosystems and restore habitat for indigenous flora and fauna.

4.3	<p>Protect existing and future infrastructure and transport corridors, including the Waikato Expressway, Southern Links and rail corridors, from development that could constrain or compromise the efficiency of infrastructure and transport corridor operation.</p>	<p>The Structure Plan achieves this as follows:</p> <ul style="list-style-type: none"> • The Structure Plan identifies and protects the strategic east west link road corridor between Te Hutewai Road and the boundary of the Te Hutewai Precinct and 405 Wainui Road. This will enable the road to be connected to Wainui Road through 405 Wainui Road in future when land and funding becomes available. • Development is required to be staged from east to west and serviced by public reticulated water and wastewater services. This aligns with the planned rollout of services and avoids alternate private schemes which could constrain or compromise the efficient rollout and delivery of these public services.
-----	--	---

6.3	Ensure that planning addresses the need to reduce emissions and build climate resilience.	<p>The Structure Plan retains discretion regarding the provision of accessible, safe and secure pedestrian and cycling connections within the Te Hutewai Precinct and to the existing transport network. This will encourage walking and cycling, supporting reductions in greenhouse gas emissions to the extent practicable.</p> <p>The capacity of key flow paths will be protected through the retention of stream systems and open space riparian margins. Additional development controls within the land which is subject to potential geotechnical instability will assist with reducing the potential for slips and erosion resulting from extreme weather events or patterns in future.</p>
-----	---	---

DP-OP

[63] The parties consider that the agreed amendments are consistent with the DP-OP as follows:

- (a) Policy SUB-P20 requires that urban subdivision and development is to be in accordance with a structure plan, including outlining key matters that a structure plan must address. The inclusion of the Structure Plan will be consistent with this policy. The Structure Plan contains the majority of key matters which are required to be provided in a structure plan as follows:

- (i) key roading connections between Te Hutewai and Wainui Road are indicated, with a collector road alignment throughout the Te Hutewai Precinct;
 - (ii) key pedestrian linkages which connect roads and open spaces are indicated;
 - (iii) measures to mitigate geotechnical issues include planting requirements, and additional controls restricting multiunit development in areas subject to geotechnical issues which are reasonably able to be remediated. Additional rules restrict subdivision and the development of structures and buildings in areas of geotechnical risk which are not able to be remediated (the no housing area);
 - (iv) land to be set aside for public open space is identified;
 - (v) measures to maintain and enhance ecological values include the retention of riparian areas and trees with identified arboricultural or habitat values, and a requirement to develop an Ecological Management Plan;
 - (vi) reverse sensitivity is mitigated through the requirement for development adjacent to the Transfer Station and Resource Recovery Centre to include landscape buffers and be set back a minimum distance from the boundary;
 - (vii) the minimum number of lots for the Te Hutewai Precinct is specified to be 394; and
 - (viii) staging is required to be from east to west, to ensure development achieves a good urban form and is able to be serviced.
- (b) SUB-P7 requires any staging of subdivision to be undertaken in a manner that promotes efficient development and integration of infrastructure and community facilities. Policy SUB-P4 requires that subdivision and development is serviced to a level that will provide for

the anticipated activities in a structure plan, or otherwise anticipated within the zone, including through the provision of roads.

- (c) The All Infrastructure (**AINF**) chapter of the DP-OP contains a number of objectives that are relevant, primarily objectives AINF-O1, O2, O3, O7 along with policies P1, P3, P25, P26, P28, P29, P30 and P35. Collectively, those provisions direct that new development follows an approach to the provision of infrastructure that is sensitive to the local environment, recognises constraints, recognises and avoids or mitigates natural hazards, and is provided in an integrated manner and aligns with the wider Council networks.
- (d) The agreed amendments are consistent with the requirements of the objectives and policies identified in (b) and (c) above, as follows:
 - (i) The Structure Plan protects a strategic corridor from Te Hutewai Road, through the Te Hutewai Precinct, to the boundary of 405 Wainui Road. This road will be connected to Wainui Road through 405 Wainui Road in future, once land and funding are available. This connection provides for traffic from the anticipated development and will be integrated with the wider Council roading network to provide strategic east west traffic from the wider catchment. A second connection to Wainui Road is also provided for. This connection will also provide for traffic from the anticipated development, and recognises the short-term land ownership and funding constraints, as well as the appeal scope constraints, to indicating and developing a strategic connection through 405 Wainui Road on the Structure Plan. The policy and rule framework provides the Council with sufficient discretions to require the proposal to avoid compromising the safety and efficiency of the existing land transport network.
 - (ii) Staging will ensure that development is integrated with infrastructure development and aligns with wider Council networks.

Section 32AA Assessment

[64] Section 32AA of the Act requires a further evaluation of any changes to the proposed plan change since the initial s 32 evaluation report and the Decision.

[65] The Council has prepared a standalone s 32AA evaluation, which in summary concludes that:

- (a) The proposed amendments to the Interpretation and RPZ chapters are considered minor updates and correction of errors that relate specifically to Rangitahi and thus it was considered that no detailed evaluation is required for these changes as they are of an administrative nature.
- (b) The proposed changes to Parts 2 and 3 of the DP-OP are specific to the Te Hutewai Precinct and include the addition of the Structure Plan and related additional text and new policies, rules and assessment criteria. The proposal is highly significant to the Te Hutewai Precinct but of low significance to the wider district as it is focused on a specific area and will not affect the whole district.
- (c) The proposal is the most appropriate way to achieve the purpose of the RMA. In this case, the purpose of the proposed amendments (including the addition of the Structure Plan) is to provide clarity for the provisions of the RPZ, and a framework for guiding and integrating the development of the Te Hutewai Precinct. It gives effect to ss 5, 6, 7 and 8 of the RMA as the proposed amendments to existing provisions, the new provisions as well as the proposed Structure Plan provide clear guidance as to how the precinct can be developed in a sustainable manner. The agreed amendments also manage the use, development, and protection of natural and physical resources in a sustainable manner which protects, safeguards and enhances these resources.
- (d) The proposed inclusion of the Structure Plan and associated amendments will enable a well-integrated residential development on a site which is live zoned for development. The Structure Plan enables higher density residential development (in the form of multi-unit

development) to establish within parts of the site that have been identified as suitable. This will contribute to the achieving good planning principles relating to urban form while also giving effect to the higher order planning documents (NPS-UD and RPS) relating to increased residential densities.

- (e) The preferred option will have some costs associated with it, for example the requirement in the Structure Plan that prior to or during subdivision within the Precinct, tangata whenua are consulted to obtain feedback regarding the residential development, a method of preserving the storage site is developed, and a programme of subsurface investigations is undertaken prior to any bulk earthworks for the nine identified sites of interest. However, it will also provide more certainty which in turn will result in time and cost savings. A further benefit of this option is that the proposed amendments, including the Structure Plan, clearly set out the requirements with regards to protection of natural features, provision of social benefits (e.g. delivery of a neighbourhood centre and open spaces) and protection of existing heritage on site.
- (f) Overall, the proposal meets the objectives in the most effective way by enabling and guiding the future development to maximise the use of this finite resource and deliver much needed housing in different types and forms in this location, in a way which is integrated with the provision of essential local and strategic infrastructure.

Court's concerns

[66] On 17 October 2025, the Court issued a Minute directing that the parties file a joint response addressing issues it identified with respect to the following matters:

- (a) the absence of WED as a signatory to the consent memorandum dated 15 August 2025;
- (b) the s 32AA evaluation undertaken by the Council; and
- (c) drafting errors in the appendices to be attached to the Order.

[67] The parties have now filed a joint memorandum in response to those matters together with an updated draft consent order and amended appendices.²

WED response

[68] The Minute directed WED to file with the Court and serve on all parties by 24 October 2025, a response confirming its position, and the basis for its position, on the consent documents filed by the parties on 15 August 2025.

[69] On 17 October 2025, WED provided the following response to the Court:

On page 9 of WED’s submission of 9 October 2018, WED said –

Most other growth areas have Structure Plans. Without a Structure Plan it is not apparent that the proposed Plan will work for Raglan ward. Raglan increased by 40% over the period 1991–2001 and could more than double over the next 10 years if all the development options are taken up. Nowhere in the Plan is there any estimate of what the population might be, nor what services it would need in the way of phones, internet, water, power supply, sewage, roads, etc, or how it would affect the area needed for shops, schools, etc. In the absence of any estimate of demand or likely development it is hard to know whether the area set aside is reasonable, or what environmental problems it might create.

It is not clear to WED that the 15 August 2025 consent memorandum, nor any other part of the DP addresses that issue and I have no recollection of it being discussed, which is why WED declined to sign the memorandum. Has it been addressed [sic], or is my recollection faulty?

[70] A judicial telephone conference was convened on 31 October 2025 to discuss matters in [66](a) and (b) above. Further directions were issued that same day directing that a response to the Minute be filed by 14 November 2025, including an update regarding discussions that have occurred with Mr Lawson on behalf of WED.

[71] Following the JTC, Council’s planner and Mr John Lawson entered into discussions regarding WED’s concerns. The technical documents supporting the draft consent order and consent memorandum were explained. Mr Lawson still had

² Dated 17 November 2025.

concerns that the Te Hutewai Structure Plan was preceding a Raglan-wide structure plan, but he understood that there was not scope within the appeals or his s 274 notice to seek a Raglan-wide structure plan.

[72] Mr Lawson subsequently signed and returned the consent memorandum on 31 October 2025 but made it clear his preference was still for a Raglan-wide structure plan. The consent memorandum signed by Mr Lawson has been filed with the Court.

Section 32AA evaluation

[73] At the JTC the Court explained that its concerns related to a statement in the report referring to the consent memorandum being signed on behalf of WED, when such a statement was incorrect. The Court asked whether the conclusions of the report still stand in the absence of WED's signature.

[74] Notwithstanding that WED has now signed the consent memorandum, the planners for the Council and Koning have reviewed the s 32AA report. The Council considers that the report does not require amendment as:

- (a) it refers consistently to the "Precinct" which, after the amendments to Appendices A, B and C, is consistent with the terminology used in those documents;
- (b) the changes made to the Te Hutewai Structure Plan and accompanying Planning Map and SP Map are limited to labelling, clarifications and other minor amendments in that vein that do not necessitate further evaluation under s 32AA of the Act; and
- (c) the Court indicated at the Judicial Teleconference that they are otherwise happy with the s 32AA report.

Drafting errors

[75] The Court raised concerns that not all features were clearly identified on the Council's Amended GIS Planning Map (**Planning Map**) and the Te Hutewai Structure Plan Map (**SP Map**) which were attached to the draft consent order filed

on 15 August 2025 (**draft consent order**) as Appendix B and Appendix C respectively.

[76] Appendix C included the text for the Te Hutewai Structure Plan, in addition to the SP Map. The Council has reviewed both appendices to address the Court's concerns. The Planning Map and the Te Hutewai Structure Plan (including the SP Map) now clearly identify site R14/459 (an archaeological site) on the maps in accordance with the provisions of the Structure Plan.

[77] The parties have considered other amendments to the Planning Map and SP Map so that the areas being referenced in the text are easily identifiable on those maps to plan users. The following changes have been made:

Planning Map (Appendix B)

- (a) Inserted labels to NZAA sites R14/459, R14/458, and R14/457 so that all archaeological sites in the New Zealand Archaeological Association database are now identified on the Planning Map. The parties do not consider that it is necessary to identify the "other sites of interest" on the Planning Map as they are not recognised archaeological sites. The parties consider that Figure 1 in the amended Te Hutewai Structure Plan is sufficient to make the sites easily identifiable to plan users.
- (b) Capitalised the words "Planting/No Housing Area", "Additional Controls Area", and "Standard Controls Area", to be consistent with the revised provisions set out below in paragraphs [80](a) to (b) below.

SP Map (Appendix C)

- (c) Shortened the legend entries to "Additional Controls Area" (from Residential Zone (Additional Controls)), "Standard Controls Area" (from Residential Zone (Standard Controls)), and "Planting/No Housing Area" (from Open Space/Planting (No Housing Area)) to be consistent with the legends on the Planning Map. The shortened version in the Planning Map was due to character limits, so cannot be changed.

- (d) As mentioned at paragraph [78](a) above, the parties have chosen not to identify the other archaeological sites of interest (shown as areas A, B, D, H, and I outlined in yellow in Figure 1 of the Te Hutewai Structure Plan) on the SP Map as they are sufficiently identified for plan users in Figure 1.

Typos and other errors

[78] The Council has amended the spelling of Te Hutewai in the intituling of the Planning Map as directed by the Court in paragraph [10] of the Minute.

[79] The Council has reviewed the appendices for other errors and has made the following further amendments for clarity:

Amended provisions (Appendix A)

- (a) Amendments to rules SUB-R29D and GRZ-S27 from “Open Space/Planting (No Housing Area),” to “Planting/No Housing Area” to be consistent with the Planning Map naming protocol in paragraph [78](b) above.
- (b) Amendments to the naming of rules SUB-R29B, SUB-R29C, GRZ-S13A, GRZ-R18, and GRZ-R19 from the “General Residential Zone – (standard controls area)” and “General Residential Zone – (additional controls area)” to simply “Standard Controls Area” and “Additional Controls Area”. The parties consider that the deletion of “General Residential Zone” in each rule achieves consistency with the Planning Map legend.
- (c) For completeness, the parties have also:
 - (i) added Rule Sub-R11 to the list of provisions within the SUB chapter identified as being amended; and
 - (ii) added RPZ-R4 into the list of provisions within the RPZ, EW and SUB chapters identified as being amended to correct minor errata.

Te Hutewai Structure Plan Text

- (d) Amendments to the ‘Archaeological – Development Actions’ section to include the specific archaeological site references for the archaeological sites being referred to in the text.
- (e) Amendment to the ‘Ecological – Development Actions’ section to refer to the “western riparian corridor” shown on the map at Figure 2 of the Structure Plan.
- (f) Amendments to the ‘Ecological – Management Plan’ section to specifically refer to the “native revegetation along the bank at the eastern end of the site” and “western riparian corridor” shown on Figure 2 of the Structure Plan.
- (g) Amendments to the ‘Geotechnical Context’ section to refer to the “Planting/No Housing Area”, “Additional Controls Area” and “Standard Controls Area” which are then shown on Figure 3 of the Structure Plan.
- (h) Inserted the amended SP Map as Figure 3, with references to the figure in the text throughout.

Consideration

[80] The Court has now read and considered:

- (a) the consent memorandum of the parties dated 15 August 2025;
- (b) the joint memorandum dated 18 November 2025;
- (c) Koning’s notice of appeal dated 28 February 2022;
- (d) Rangitahi’s notice of appeal dated 1 March 2022; and
- (e) the s 32AA evaluation prepared by the Council.

[81] The Court is making this Order under s 279(1) of the Act, such order being by consent, rather than representing a decision or determination on the merits. The Court understands for present purposes that:

- (a) all parties to the proceedings agree to the making of the Orders; and
- (b) all parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction and conform to the relevant requirements and objectives of the Act including, in particular, Part 2.

[82] The Court is satisfied that the agreement reached is one that represents the various interests of the parties. It is clear the parties have considered other reasonably practicable options and have undertaken a further evaluation in accordance with s 32AA of the Act. The Court concludes that the parties have taken a nuanced and balanced approach, and the agreed amendments are the most appropriate way to achieve the purpose of the Act and the objectives in the DP-OP. Overall, the Court considers that the sustainable management purpose and the other relevant requirements of the Act are broadly met.

[83] The Court is satisfied that the proposed changes are within the scope of relief sought in Koning and Rangitahi's notices of appeal.

Orders

[84] Under s 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that:

- (a) the appeal is allowed subject to amendment of the Interpretation, Transportation (TRPT), Subdivision (SUB), General residential zone (GRZ) and Rangitahi Peninsula (RPZ) chapters of the Waikato District Plan – Operative in Part as set out in **Appendix A** to this Order;
- (b) the planning maps are amended to introduce a new overlay to the properties at 339B Wainui Road, 146 Te Hutewai Road, and 151 Te Hutewai Road, Raglan titled 'Te Hutewai Precinct' and 14 additional

layers to match the Hutewai Structure Plan, as shown in **Appendix B** to this Order;

- (c) new Appendix APP19 – PREC37 Te Hutewai Structure Plan is inserted into Part 4 of the DP-OP in accordance with **Appendix C** to this Order; and
- (d) the appeals by Koning Family Trust and M Koning and Rangitahi Limited are otherwise dismissed.

[85] Under s 285 of the Act, there is no order as to costs.

_____

S M Tepania

Environment Judge | Kaiwhakawā i te Kōti Taiao



Appendix A – Tracked change version of agreed amendments

I. Amend the Interpretation chapter in Part 2 of the PDP decisions version to:

- Delete the definitions of ‘Rangitahi commercial activity’ and ‘Rangitahi integrated development’
- Insert a new definition for ‘Rangitahi comprehensive development’

Term	Definition
Rangitahi commercial activity	<p>Means within the Rangitahi area, one or any combination of the following activities:</p> <ul style="list-style-type: none"> a) The sale, distribution or supply of goods and services; b) Healthcare facilities; c) Repair services; d) Sports and recreation equipment manufacture and sales.
Rangitahi integrated development	<p>Means development in the locations shown on Development Outcomes Plan 5 of the Rangitahi Peninsula Structure Plan, comprising multiple residential units which are planned and designed in an integrated and comprehensive manner and achieve compatibility between all buildings on a single site or multiple sites. A Rangitahi Integrated Development may also include a Rangitahi commercial activity. Residential activities within a Rangitahi Integrated Development may include duplexes and apartments.</p>
<u>Rangitahi comprehensive residential development</u>	<p>Means multi-unit type development in the locations shown on Development Outcomes Plan 5 of the Rangitahi Peninsula Structure Plan, comprising multiple residential units or buildings, <u>being attached or detached, which are planned and designed in an integrated and comprehensive manner, and achieve compatibility between all buildings on a single site or multiple sites. It may include:</u></p> <ul style="list-style-type: none"> a) <u>an apartment building;</u> b) <u>a duplex;</u> c) <u>terraced housing;</u> d) <u>town houses; or</u> e) <u>retirement villages.</u> <p><u>It excludes:</u></p> <ul style="list-style-type: none"> f) <u>Papakainga housing development; or</u> g) <u>Papakainga building.</u>

2. Insert a new Table 15 into the TRPT chapter in Part 2 of the PDP decisions version after Table 14:

Table 15 - Integrated Transport Assessment (ITA) Requirements for subdivision and development in PREC-37 – Te Hutewai Precinct

Topic	Details to be provided in ITA
<u>Background</u>	<ul style="list-style-type: none"> • <u>Proposed activity, purpose and intended use of ITA.</u> • <u>Outline of discussions with RCA's and territorial authorities.</u>
<u>Existing land data</u>	<ul style="list-style-type: none"> • <u>Location, site layout, existing uses, adjacent land uses.</u> • <u>Any consented or planned changes expected within 10 years likely to affect transport and zoning.</u>
<u>Existing transport data</u>	<ul style="list-style-type: none"> • <u>Current trip generation, access, and parking arrangements.</u> • <u>Description of surrounding transport network including traffic volumes, walking, cycling, public transport provision road hierarchy, safety/ crash history, and any known existing transport issues.</u> • <u>The existing traffic volumes, level of service, queues, and delays at key constraints (specifically, Wainui Bridge). Background traffic growth rate.</u> • <u>Consideration of weekend and holiday peaks, and special event traffic.</u>
<u>Committed environmental changes</u>	<ul style="list-style-type: none"> • <u>Description of consented or planned changes expected within the next 10 years likely to affect network infrastructure, services, and network management. Include walking, cycling, public transport and roads.</u> • <u>Provide information on current level of development (rate of land uptake and how much of the consented area has been developed).</u> • <u>Consideration of any plans for:</u> <ul style="list-style-type: none"> – <u>Wainui Bridge signalisation and capacity upgrades;</u> – <u>Potential future roading corridors between Wainui Road/Te Hutewai Road/Rangitahi and Mangatawhiri Road/SH23;</u> – <u>New or upgraded intersections on Te Hutewai Rd and Wainui Road; and</u> – <u>Pedestrian/cycle networks between identified urban growth areas and the Raglan town centre.</u>
<u>Existing travel characteristics</u>	<ul style="list-style-type: none"> • <u>Details on the existing trip generation, modal split, and assignment of trips to the network.</u> • <u>Include weekend and holiday peaks.</u>
<u>Proposal details</u>	<ul style="list-style-type: none"> • <u>Site layout, operational hours, access, vehicle and cycle parking, drop-offs and loading, internal vehicle and pedestrian circulation, staging/ phasing, construction management, travel planning and end of journey facilities if relevant, consistency with the Te Hutewai Structure Plan.</u>
<u>Predicted travel data</u>	<ul style="list-style-type: none"> • <u>Adjustment of existing traffic data to assessment year. Baseline traffic, including expected traffic from consented and not yet developed land.</u> • <u>Trip generation modal split, trip assignment to the network, trip distribution and trip type proportions of the proposal.</u> • <u>Consideration of future traffic volumes and trip generation.</u> • <u>If relevant validated and comprehensive transportation forecasts are not available, the assessment should consider expected traffic</u>

	<u>conditions over a 10-year period and the sensitivity of assessment conclusions to changes in traffic conditions.</u>
<u>Appraisal of transportation effects</u>	<ul style="list-style-type: none"> • <u>Description of the potential effects on the safety and efficiency of the transport network, and any other transport effects including accessibility, environmental and economic. Include sensitivity testing.</u> • <u>The assessment should consider any changes over the relevant assessment period to:</u> <ul style="list-style-type: none"> – <u>Wainui Bridge traffic volumes and level of service, queues, delays;</u> – <u>Te Hutewai/ Wainui Road intersection;</u> – <u>Safety/ personal risk along key corridors; and</u> – <u>Levels of service (efficiency) of the network.</u> • <u>The assessment should consider the transport effects of the whole growth cell in addition to the proposal and outline the Proposal's contribution to the cumulative effects.</u> • <u>A summary of any consultation completed.</u> • <u>Whether Connection 2 (identified on the Te Hutewai Structure Plan) can be provided in accordance with safe systems principles and if an intersection is not feasible, details of access to Wainui Road for pedestrians and cyclists.</u>
<u>Avoiding or mitigating actions</u>	<ul style="list-style-type: none"> • <u>Details of any mitigating measures and revised effects, including physical on- and off-site mitigation, public transport, walking, cycling and travel planning.</u> • <u>The assessment should outline how the Proposal will contribute to the mitigation of cumulative effects across the entire growth form and consider intersection form/ function, future transport corridor needs and connectivity of PREC37 – Te Hutewai Precinct to the Raglan town centre.</u>
<u>Compliance with policy and other frameworks</u>	<ul style="list-style-type: none"> • <u>Review against District Plan objectives, policies and rules, and other relevant local, regional, and national strategies or plans (e.g., Regional Land Transport Strategy, Regional Public Transport Plan).</u> • <u>Consistency with WDC growth plans and contribution to targets.</u>
<u>Discussion, conclusions and recommendations</u>	<ul style="list-style-type: none"> • <u>Summary and conclusion of assessment of effects, and recommendations including proposed conditions (if any).</u>

3. Amend the SUB chapter in Part 2 of the PDP decisions version to:

- Insert new policy (SUB-P24)
- Amend rule SUB-R11
- Insert new rules SUB-R29B, SUB-R29C, SUB-R29D and SUB-R29E

SUB-P24 Subdivision and development within the PREC37 – Te Hutewai Precinct
(1) Subdivision and development within the PREC37 – Te Hutewai Precinct ensures that:
(a) Development is consistent with the Te Hutewai Structure Plan;
(b) Native vegetation, wetlands and stream corridors are protected and enhanced;

- (c) Gully systems, stream margins and land which is subject to instability are planted and managed to maintain and enhance natural ecosystems, restore habitat for indigenous flora and fauna, and contribute to land stability;
- (d) Development is well connected internally between areas for living, recreation, and commercial activities and externally to Wainui Road, Te Hutewai Road, the Raglan town centre and future growth areas;
- (e) Development is adequately serviced for the provision of wastewater, stormwater and water delivery infrastructure;
- (f) Subdivision that does not connect to public reticulated wastewater and water services is avoided; and
- (g) Adverse effects of subdivision, use and development activities on the transport network are avoided or minimised to the greatest extent possible, with particular regard to protecting the safety, efficiency and effectiveness of existing and planned future transport networks.

SUB-R11	Subdivision - general	
GRZ - General residential zone	<p>(1) Activity Status: RDIS</p> <p>Activity Specific Standards:</p> <p>(a) Subdivision shall comply with all of the following:</p> <ul style="list-style-type: none"> (i) Proposed lots must have a minimum net site area (excluding access legs) of 450m², except where the proposed lot is an access allotment or utility allotment or reserve to vest <u>or a multi-unit subdivision in the PREC37 – Te Hutewai Precinct;</u> (ii) Proposed lots must be able to connect to public-reticulated water supply and wastewater; (iii) Where the subdivision is within a structure plan area, neighbourhood centres within the site are provided in accordance with that structure plan document. <p>Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> (b) Subdivision layout including the grid layout of roads and the number of rear lots; (c) Shape of lots and variation in lot sizes; (d) Ability of lots to accommodate a practical building platform including geotechnical stability for building; (e) Likely location of future buildings and their potential effects on the environment; 	<p>(2) Activity status where compliance not achieved: DIS</p>

	<ul style="list-style-type: none"> (f) Avoidance or mitigation of natural hazards; (g) Management of adverse stormwater effects on downstream sites, including from alteration of the volume, or duration, or frequency of stormwater runoff; (h) The effectiveness of the stormwater system to manage flooding (including safe access and egress), nuisance or damage to other infrastructure, buildings and sites, including the rural environment; (i) The design and capacity of the stormwater system and ability to manage stormwater; (j) The potential for adverse effects to the environment in terms of stormwater volume including downstream channel erosion and stormwater quality, taking into account the requirements or recommendations of the relevant Comprehensive Stormwater Discharge Consent, Catchment Management Plan and Waikato Regional Council Stormwater Guidelines; (k) Extent to which low impact design principles and approaches are used for stormwater management; (l) Amenity values; and (m) Potential for reverse sensitivity effects; (n) Streetscape landscaping; (o) Vehicle and pedestrian networks; (p) Consistency with any relevant structure plan or master plan included in the plan, including the provision of neighbourhood parks, reserves and neighbourhood centres; and (q) Avoidance or mitigation of conflict with gas transmission infrastructure and the ability to inspect, maintain and upgrade the infrastructure; and (r) Provision for new infrastructure and the operation, maintenance, upgrading and development of existing infrastructure including water supply for firefighting purposes. 	
--	--	--

SUB-R29B	<u>Subdivision within the Standard Controls Area of the PREC37 – Te Hutewai Precinct</u>	
<u>PREC37 – Te Hutewai Precinct</u>	<p><u>(1) Activity Status: RDIS</u></p> <p><u>Activity Specific Standards:</u></p> <p>(a) <u>It is in accordance with the Te Hutewai Structure Plan (APPI9 – Te Hutewai Structure Plan);</u></p> <p>(b) <u>Proposed lots must have a minimum net site area (excluding access legs) of 450m² except where:</u></p> <ul style="list-style-type: none"> (i) <u>the proposed lot is an access allotment or utility allotment or reserve to vest; or</u> (ii) <u>the subdivision relates to an approved land use consent for multi-unit development and complies with that resource consent including approved plans and conditions; or</u> (iii) <u>the subdivision relates to multi-unit development and is lodged concurrently with a multi-unit development land use application.</u> <p>(c) <u>The following infrastructure requirements are met:</u></p> <ul style="list-style-type: none"> (i) <u>Proposed lots must be able to connect to public-reticulated water supply and wastewater;</u> (ii) <u>Stormwater must be managed in accordance with a Stormwater Management Plan;</u> (iii) <u>An Integrated Transport Assessment (ITA) shall be provided which must be in accordance with the requirements set out in TRPT Table 15;</u> (iv) <u>Subdivision within Stage 1C provides Connection 1 in accordance with the Te Hutewai Structure Plan (APPI9 – Te Hutewai Structure Plan) in a form which does not preclude the upgrade of the intersection to a 4-legged roundabout in future;</u> (v) <u>Subdivision within Stage 5 provides the collector road to the boundary of</u> 	<p><u>(2) Activity Status where compliance is not achieved with SUB-R29B(1)(a) to (b): DIS</u></p> <p><u>(3) Activity Status where compliance is not achieved with SUB-R29B(1)(c): NC</u></p>

	<p><u>the PREC37 – Te Hutewai Precinct in accordance with the Te Hutewai Structure Plan (APPI9 – Te Hutewai Structure Plan);</u></p> <p><u>(vi) Where subdivision provides a connection to Wainui Road, then the connection is in accordance with safe systems principles.</u></p> <p><u>Advice Note: For the avoidance of doubt, Rules SUB-R13-R18, SUB-R23-R26 apply.</u></p> <p><u>Council’s discretion shall be restricted to the following matters:</u></p> <p><u>(d) Subdivision layout including the grid layout of roads and the number of rear lots;</u></p> <p><u>(e) Shape of lots and variation in lot sizes;</u></p> <p><u>(f) Ability of lots to accommodate a practical building platform including geotechnical stability for building;</u></p> <p><u>(g) Likely location of future buildings and their potential effects on the environment;</u></p> <p><u>(h) Avoidance or mitigation of natural hazards;</u></p> <p><u>(i) Amenity values;</u></p> <p><u>(j) Potential for reverse sensitivity effects;</u></p> <p><u>(k) Streetscape landscaping;</u></p> <p><u>(l) Vehicle and pedestrian networks, including that there are accessible, safe and secure pedestrian and cycling connections within the PREC37 – Te Hutewai Precinct and to the existing transport network and public facilities including the Raglan town centre;</u></p> <p><u>(m) Consistency with the Te Hutewai Structure Plan (APPI9 – Te Hutewai Structure Plan), including staging and the provision of roads, neighbourhood parks, reserves, walkways and the neighbourhood centre;</u></p> <p><u>(n) Provision for new infrastructure and the operation, maintenance, upgrading and development of existing infrastructure including water supply for firefighting purposes;</u></p> <p><u>(o) Effects on the safety and efficiency of the transport network;</u></p> <p><u>(p) Provision for transport connections and upgrades to the public road network and</u></p>	
--	--	--

	<p><u>suitable connections to the Raglan town centre and future growth areas;</u></p> <p><u>(q) The design of, and potential effects on, the safe and efficient operation of intersections with Te Hutewai Road and / or Wainui Road;</u></p> <p><u>(r) The potential effects on the planned future transport network;</u></p> <p><u>(s) The measures within the Stormwater Management Plan, including the consistency of the plan with low impact design principles;</u></p> <p><u>(t) Provision for stormwater management in accordance with a Stormwater Management Plan which must be prepared for the entire PREC37 – Te Hutewai Precinct;</u></p> <p><u>(u) Effects on cultural and archaeological values;</u></p> <p><u>(v) Effects on ecological values including the consistency with the recommendations of an Ecological Management Plan, including protection and enhancement of native planting, wetlands and stream corridors.</u></p>	
--	--	--

<u>SUB-R29C</u>	<u>Subdivision within the Additional Controls Area of the PREC37 – Te Hutewai Precinct.</u>	
<u>PREC37 – Te Hutewai Precinct</u>	<p><u>(1) Activity Status: RDIS</u></p> <p><u>Activity Specific Standards:</u></p> <p><u>(a) It is in accordance with the Te Hutewai Structure Plan (APPI9 – Te Hutewai Structure Plan);</u></p> <p><u>(b) Proposed lots must have a minimum net site area (excluding access legs) of 800 m² except where the proposed lot is an access allotment or utility allotment or reserve to vest;</u></p> <p><u>(c) Not less than 40% of each lot is landscaped with native species and protected in perpetuity by a consent notice except where the proposed lot is</u></p>	<p><u>(2) Activity Status where compliance is not achieved with SUB-R29C(1)(a) to (c): DIS</u></p> <p><u>(3) Activity Status where compliance is not achieved with SUB-R29C(1)(d): NC</u></p>

an access allotment or utility allotment or reserve to vest;

(d) The following infrastructure requirements are met:

- (i) Proposed lots must be able to connect to public-reticulated water supply and wastewater;
- (ii) Stormwater must be managed in accordance with a Stormwater Management Plan;
- (iii) An Integrated Transport Assessment (ITA) shall be provided which must be in accordance with the requirements set out in TRPT Table 15;
- (iv) Subdivision within Stage 1C provides Connection 1 in accordance with the Te Hutewai Structure Plan (APPI9 – Te Hutewai Structure Plan) in a form which does not preclude the upgrade of the intersection to a 4-legged roundabout in future;
- (v) Subdivision within Stage 5 provides the collector road to the boundary of the PREC37 – Te Hutewai Precinct in accordance with the Te Hutewai Structure Plan (APPI9 – Te Hutewai Structure Plan); and
- (vi) Where subdivision provides a connection to Wainui Road, then the connection is in accordance with safe systems principles.

Advice Note: For the avoidance of doubt, Rules SUB-R13-R18, SUB-R23-R26 apply.

Council's discretion shall be restricted to the following matters:

- (e) Subdivision layout including the grid layout of roads and the number of rear lots;
- (f) Shape of lots and variation in lot sizes;
- (g) Ability of lots to accommodate a practical building platform including geotechnical stability for building;
- (h) Likely location of future buildings and their potential effects on the environment;
- (i) Avoidance or mitigation of natural hazards;
- (j) Amenity values;

	<p><u>(k) Potential for reverse sensitivity effects;</u></p> <p><u>(l) Streetscape landscaping;</u></p> <p><u>(m) Vehicle and pedestrian networks, including that there are accessible, safe and secure pedestrian and cycling connections within the PREC37 – Te Hutewai Precinct and to the existing transport network and public facilities including the Raglan town centre;</u></p> <p><u>(n) Consistency with the Te Hutewai Structure Plan (APPI9 – Te Hutewai Structure Plan), including staging and the provision of roads, neighbourhood parks, reserves, walkways and the neighbourhood centre;</u></p> <p><u>(o) Provision for new infrastructure and the operation, maintenance, upgrading and development of existing infrastructure including water supply for firefighting purposes;</u></p> <p><u>(p) Effects on the safety and efficiency of the transport network;</u></p> <p><u>(q) Provision for transport connections and upgrades to the public road network and suitable connections to the Raglan town centre and future growth areas;</u></p> <p><u>(r) The design of, and potential effects on, the safe and efficient operation of intersections with Te Hutewai Road and / or Wainui Road;</u></p> <p><u>(s) The potential effects on the planned future transport network;</u></p> <p><u>(t) The measures within the Stormwater Management Plan, including the consistency of the plan with low impact design principles;</u></p> <p><u>(u) Provision for stormwater management in accordance with a Stormwater Management Plan which must be prepared for the entire PREC37 – Te Hutewai Precinct;</u></p> <p><u>(v) Effects on cultural and archaeological values;</u></p> <p><u>(w) Effects on ecological values, including consistency with the recommendations in an Ecological Management Plan, including protection and enhancement of native planting, wetlands and stream corridors.</u></p>	
--	---	--

<u>SUB-R29D</u>	<u>Subdivision within the Planting/No Housing Area of the PREC37 – Te Hutewai Precinct</u>	
<u>PREC37 – Te Hutewai Precinct</u>	<u>(1) Activity Status: NC</u>	

<u>SUB-R29E</u>	<u>Development along the Waikato District Council Transfer Station and Resource Recovery Centre boundary of the PREC37 – Te Hutewai Precinct</u>	
<u>PREC37 – Te Hutewai Precinct</u>	<u>(1) Activity Status: PER</u> <u>Where:</u> (a) <u>Any development within Stages 1C or 2 of the Te Hutewai Structure Plan (APPI9 – Te Hutewai Structure Plan) shall include provision for a landscaped strip no less than 5 metres in width along the boundary of Section 10 SO 442742 (the Waikato District Council Transfer Station and Resource Recovery Centre).</u>	<u>(2) Activity status where compliance not achieved: RDIS</u> <u>Council’s discretion is restricted to the following matters:</u> (a) <u>Effects on amenity values;</u> (b) <u>Alternative means of providing visual mitigation;</u> (c) <u>Reverse sensitivity effects; and</u> (d) <u>Legal mechanisms for protecting and maintaining the landscaped strip.</u>

4. Amend the GRZ chapter in Part 2 of the PDP decisions version to:

- Insert new policy (GRZ-P20)
- Insert new rules (GRZ-R8A, GRZ-I3A, GRZ-R18, GRZ-R19, GRZ-S26, GRZ-S27)

GRZ-P20 Multi-unit development in the PREC37 – Te Hutewai Precinct

Ensure multi-unit development in the PREC37 – Te Hutewai Precinct is located and designed to:

- Provide a variety of housing typologies in a compact urban form including apartments, terraced housing, duplexes and town houses;

- (b) Achieve a high quality visual appearance and high standard of amenity and public safety through quality urban design; and
- (c) Provide for a high standard of connectivity to the Neighbourhood Centre, areas of public open space, the Proposed Collector Road and walking/cycling trails.

GRZ-R8A	Commercial activity in the PREC37 – Te Hutewai Precinct
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) <u>Is located within the Neighbourhood Centre shown on the Te Hutewai Structure Plan (APPI9 – Te Hutewai Structure Plan); and</u></p> <p>(b) <u>The total commercial activity gross floor area within the whole of the PREC37 – Te Hutewai Precinct does not exceed 400 m²; and</u></p> <p>(c) <u>Gross floor area of each individual premise does not exceed 100 m².</u></p>	<p>(2) Activity Status: RDIS</p> <p>Where:</p> <p>(a) <u>A commercial activity that does not comply with the standards of Rule GRZ-R8A(1) (b) or (c) provided that the total gross floor area within the PREC37 – Te Hutewai Precinct does not exceed 500 m².</u></p> <p>Council's discretion is restricted to the following matters:</p> <p>(b) <u>Effects on the role, function and vitality of the Raglan town centre;</u></p> <p>(c) <u>Traffic impacts on the safety and efficiency of the road network;</u></p> <p>(d) <u>Consistency with the Te Hutewai Structure Plan (APPI9 – Te Hutewai Structure Plan); and</u></p> <p>(e) <u>Character and amenity of development within the PREC37 – Te Hutewai Precinct.</u></p> <p>(3) Activity Status where a commercial activity does not comply with Rule GRZ-R8A(1)(a) or Rule GRZ-R8A(2): DIS</p>

GRZ-S13A	Impervious surfaces in the PREC37 – Te Hutewai Precinct
<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) <u>The impervious surfaces of a site shall not exceed 70% except that within the Additional Controls Area of PREC37 – Te Hutewai Precinct the maximum impervious surface of a site shall not exceed 60%.</u></p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) <u>Site design, layout and amenity; and</u></p> <p>(b) <u>The risk of flooding, nuisance or damage to the site or other buildings and sites.</u></p>

GRZ-R18	<u>Multi-Unit Development in the Standard Controls Area in the PREC37 - Te Hutewai Precinct.</u>
<p>(1) Activity Status: RDIS</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) <u>Buildings or structures shall not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 3m above ground level at every point of the site boundary;</u> (b) <u>The total building coverage shall not exceed 45% (excluding structures or eaves of buildings that project less than 750mm horizontally from the exterior wall of the building).</u> (c) <u>Residential units must have a minimum net internal floor area of:</u> <ul style="list-style-type: none"> (i) <u>45 square metres for studio and/or one bedroom units.</u> (ii) <u>55 square metres for two bedroom units.</u> (iii) <u>90 square metres for three or more bedroom units.</u> (d) <u>Any residential unit facing the street must have a minimum of 20% of the street facing façade in glazing. This can be in the form of windows or doors.</u> (e) <u>An outdoor living space shall be provided for each residential unit that meets all the following standards:</u> <ul style="list-style-type: none"> (i) <u>Has a minimum area of 20 square metres and a minimum dimension of 4m in any direction.</u> (ii) <u>It is readily accessible from a living area of the residential unit; and</u> (iii) <u>It is for the exclusive use of the occupants of the residential units.</u> (f) <u>A service court with the following dimensions and requirements shall be provided for each residential unit:</u> <ul style="list-style-type: none"> (i) <u>Screened storage of waste and recycling bins with a minimum area of 3m² and minimum width of 1.5m; and</u> 	<p>(2) Activity status where compliance not achieved with GRZ-R18(1)(a) - (g): DIS</p> <p>(3) Activity status where compliance not achieved with GRZ-R18(1)(h): NC</p> <hr/>

<p>(ii) <u>Washing line area with a minimum area of 5m² and minimum width of 2m.</u></p> <p>(iii) <u>Where a communal service court is provided (i) does not apply and a minimum area of 20 square metres with a minimum dimension of 3m is required.</u></p> <p>(g) <u>It is in accordance with the Te Hutewai Structure Plan (APPI9 – Te Hutewai Structure Plan);</u></p> <p>(h) <u>The following infrastructure requirements are met:</u></p> <p>(i) <u>Proposed lots must be able to connect to public-reticulated water supply and wastewater;</u></p> <p>(ii) <u>Stormwater must be managed in accordance with a Stormwater Management Plan;</u></p> <p>(iii) <u>An Integrated Transport Assessment (ITA) shall be provided which must be in accordance with the requirements set out in TRPT Table I5.</u></p> <p>(iv) <u>Multi-unit development within Stage 1C provides Connection 1 in accordance with the Te Hutewai Structure Plan (APPI9 – Te Hutewai Structure Plan) in a form which does not preclude the upgrade of the intersection to a 4-legged roundabout in future.</u></p> <p>(v) <u>Multi-unit development within Stage 5 provides the collector road to the boundary of the PREC37 – Te Hutewai Precinct in accordance with the Te Hutewai Structure Plan (APPI9 – Te Hutewai Structure Plan);</u></p> <p>(vi) <u>Where a connection is provided to Wainui Road, then the connection is in accordance with the safe systems principles.</u></p> <p>(i) <u>The following land use – building standards do not apply:</u></p> <p>(i) <u>GRZ-S2 (Residential units)</u></p> <p>(ii) <u>GRZ-S9 (Height in relation to boundary)</u></p>	
--	--

- (iii) GRZ-S10 (Building coverage)
- (iv) GRZ-S14 (Outdoor living space)
- (v) GRZ-S16 (Service court)

Council's discretion is restricted to the following matters:

- (j) Consistency with the Te Hutewai Structure Plan (APPI9 – Te Hutewai Structure Plan), including staging and the provision of public-reticulated water supply and wastewater and roads, neighbourhood parks, reserves, walkways and the neighbourhood centre; and
- (k) Intensity of the development; and
- (l) Design, scale and layout of buildings and outdoor living spaces in relation to the urban character of the zone; and
- (m) The relationship of the development with adjoining streets or public open spaces, including the provision of landscaping; and
- (n) Privacy and overlooking within the development and on adjoining sites, including the orientation of habitable rooms and outdoor living spaces; and
- (o) Provision of 3-waters infrastructure to individual units; and
- (p) The provision of adequate waste and recycling bin storage including the management of amenity effects of these on streets or public open spaces;
- (q) Where on-site car parking is provided, the design and location of car parking (including garaging) as viewed from streets or public open spaces; and
- (r) The provision for access by emergency services and their vehicles.

<u>GRZ-R19</u>	<u>Multi-Unit Development within the Additional Controls Area in the PREC37 – Te Hutewai Precinct.</u>
<p><u>(1) Activity Status: DIS</u> <u>Activity-specific standards:</u></p> <p>(a) <u>The following infrastructure requirements are met:</u></p> <p>(i) <u>Proposed lots must be able to connect to public-reticulated water supply and wastewater;</u></p> <p>(ii) <u>Stormwater must be managed in accordance with a Stormwater Management Plan;</u></p> <p>(iii) <u>An Integrated Transport Assessment (ITA) shall be provided which must be in accordance with the requirements set out in TRPT Table 15.</u></p> <p>(iv) <u>Multi-unit development within Stage 1C provides Connection 1 in accordance with the Te Hutewai Structure Plan (APPI 9 – Te Hutewai Structure Plan) in a form which does not preclude the upgrade of the intersection to a 4-legged roundabout in future.</u></p> <p>(v) <u>Where a connection is provided to Wainui Road, then the connection is in accordance with the safe systems principles.</u></p>	<p><u>(2) Activity status where compliance not achieved: NC</u></p>

<u>GRZ-S26</u>	<u>Building setback – sensitive land use in the PREC37 – Te Hutewai Precinct</u>
<p><u>(1) Activity status: PER</u> <u>Where:</u></p> <p>(a) <u>Any new building or alteration to an existing building for a sensitive land use shall be set back a minimum of:</u></p> <p>(i) <u>50 m from the boundary of Section 10 SO 442742 (Waikato District Council Transfer Station and Resource Recovery Centre, Designation WDC 46).</u></p>	<p><u>(2) Activity status where compliance not achieved: RDIS</u></p> <p><u>Council's discretion is restricted to the following matters:</u></p> <p>(a) <u>Site amenity values;</u></p> <p>(b) <u>Odour, dust and noise levels received at the notional boundary of the building;</u></p> <p>(c) <u>Mitigation measures; and</u></p> <p>(d) <u>Potential for reverse sensitivity effects.</u></p>

<u>GRZ-S27</u>	<u>Buildings or structures within the Planting/No Housing Area of Te Hutewai Structure Plan (APP19 – Te Hutewai Structure Plan) within PREC37 – Te Hutewai Precinct</u>
<u>(I) Activity status: NC</u>	

5. Amendments to the following provisions in the RPZ, EW and SUB chapters of the PDP decisions version to correct minor errata:

- Policies RPZ-P2, RPZ-P6 and RPZ-P16
- Rules RPZ-R4, RPZ-R5 and RPZ-R11
- Standard RPZ-S10
- Rule SUB-R134

RPZ-P2 Residential development

- (I) Residential development should adopt building forms and attributes that support the seaside village character, including:
- (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;
 - ~~(iv)~~(d) A range of building forms and intensity;
 - ~~(d)~~(e) Concentration of more intensive building forms around amenity areas and settlement nodes, and a predominance of freestanding dwellings;
 - ~~(e)~~(f) Orientation of dwellings to utilise passive solar gain and maximise outlook towards the coast;
 - ~~(f)~~(g) Establishing building platforms that minimise earthworks;
 - ~~(g)~~(h) Design of buildings support good street outlook / surveillance for safety.

RPZ-P6 Community facilities

- (I) Community facilities should:
- (a) Be designed and located to be compatible with residential activities;
 - ~~(ii)~~(b) Provide a service or function to the local neighbourhood;
 - ~~(b)~~(c) Be of an appropriate scale and function; and
 - ~~(c)~~(d) Not detract from the vitality of the Raglan town centre.

RPZ-P16 Integrated transport network.

- (I) An integrated transport network shall be designed and implemented for the peninsula that:
- (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;
 - ~~(iv)~~(d) Prioritises pedestrian and cycle routes;
 - ~~(e)~~(e) Provides options for effective public transport.

RPZ-R4	A community facility
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) Is located within Plan I Structure Plan Area - Development Precincts shown on the Rangitahi Peninsula Structure Plan (APP9 – Rangitahi Structure Plan) or any approved subdivision; and (b) The total gross floor area does not exceed a total of 200m² within the whole of the Rangitahi Peninsula Structure Plan Area (APP9 – Rangitahi Structure Plan). 	<p>(2) Activity status: RDIS</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A community facility that does not comply with a standard in Rule R54(1), provided that 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>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Effects on the role, function, and vitality, of the Raglan town centre; (b) Traffic impacts on the safety and efficiency of the road network; (c) Consistency with the Rangitahi Peninsula Structure Plan (APP9 – Rangitahi Structure Plan); and (d) Character and amenity of development within the Rangitahi Peninsula Structure Plan (APP9 – Rangitahi Structure Plan). <p>(3) Activity Status: DIS</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A community facility does not comply with Rule RPZ-R54(2).

RPZ-R5	Commercial activity (including and / or health facilities)
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) Is located within Plan I Structure Plan Area - Development Precincts shown on the Rangitahi Peninsula Structure Plan (APP9 – Rangitahi Structure Plan) or any approved subdivision; and (b) The total gross floor area does not exceed a total of 400m² gross floor area within the whole of the Rangitahi Peninsula Structure Plan Area (APP9 – Rangitahi Structure Plan); and (c) Gross floor area of each individual premise does not exceed 100m². 	<p>(2) Activity status: RDIS</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A commercial activity (including and / or health facilities) does not comply with a standard in Rule RPZ-R6(5)(1), provided that: <ul style="list-style-type: none"> (i) The total gross floor area does not exceed 600m² within any of the seven neighbourhoods shown on the Rangitahi Peninsula Structure Plan (APP9 – Rangitahi Structure Plan), or (ii) The total gross floor area does not exceed 1000m² within the whole of the Structure Plan Area. <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Effects on the role, function, and vitality, of the Raglan town centre; (b) Traffic impacts on the safety and efficiency of the road network; (c) Consistency with the Rangitahi Peninsula Structure Plan (APP9 – Rangitahi Structure Plan); and (d) Character and amenity of development within the Rangitahi Peninsula Structure Plan (APP9 – Rangitahi Structure Plan). <p>(3) Activity status: DIS</p> <p>Where:</p> <ul style="list-style-type: none"> (a) A community facility <u>commercial activity and / or healthcare facility</u> does not comply with Rule RPZ-R6(5)(2).

RPZ-R11	Any mixed-use activity comprising of a comprehensive residential development and a commercial activity (including a health facility) ^{yes} or a community facility
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) Any mixed-use activity comprising of a comprehensive residential development and a commercial activity (including a health facility) ^{yes} or a community facility is a restricted discretionary activity and shall meet the standards in Rules RPZ-R5_4 – RPZ-R65; (b) Mixed-use activities provided for under Rule RPZ-R11(1)(a) are exempt from the requirements of RPZ-S8 (Accessory buildings). <p>Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (a) Consistency with the Rangitahi Peninsula Structure Plan; (b) Character and amenity of development within the Rangitahi Peninsula Structure Plan; (c) Traffic impacts on the safety and efficiency of the road network.; (d) The extent to which the development contributes to and engages with adjacent streets and public open space; (e) The extent to which the access, car parking and garaging is integrated into the development in a way that is safe for pedestrians and cyclists; (f) The extent to which the development incorporates environmental efficiency measures such as passive solar principles; 	<p>(2) Activity status where compliance not achieved: DIS</p>

<ul style="list-style-type: none"> (g) Amenity values for occupants and neighbours in respect of outlook, privacy, noise, light spill, access to sunlight, outdoor living court orientation, site design and layout; (h) The extent to which staging is necessary to ensure that development is carried out in a coordinated and timely manner; (i) Avoidance or mitigation of natural hazards; and (j) Geotechnical stability for building. 	
--	--

RPZ-S10	Outdoor living space	
(1) Activity status: PER Where: <ul style="list-style-type: none"> (a) An outdoor living space must be provided for each minor residential unit that meets all of the following standards: <ul style="list-style-type: none"> (i) It is for the exclusive use of the occupants of the minor residential unit; (ii) It is located between 45 degrees northeast through north to 90 degrees west of the minor residential unit measured from the southernmost part of the minor residential unit; (iii) It is readily accessible from a living area of the minor residential unit and either: <ul style="list-style-type: none"> (iv) <u>(1)</u> On the ground floor of the minor residential unit, the outdoor living space must have a minimum of 40m² capable of containing a circle of 6m diameter; or (v) <u>(2)</u> Above ground floor of the minor residential unit, the outdoor living space must be located on a balcony capable of 		(2) Activity status where compliance not achieved: DIS

containing at least 15m ² and a circle with a diameter of at least 2.4m.	
---	--

SUB-R134	Subdivision – boundary adjustments	
RPZ – Rangitahi Peninsula zone	<p>(1) Activity status: CON</p> <p>Activity-specific standards:</p> <p>(a) Proposed lots must comply with the following conditions standards:</p> <p>(i) The number of residential units within a precinct is consistent with the Neighbourhood Outcomes Plans in the Rangitahi Structure Plan (APP9 – Rangitahi Structure Plan) allowing for an increase of up to 10%; and</p> <p>(ii) Environmental improvements required by the Rangitahi Peninsula Structure Plan (APP9 – Rangitahi Structure Plan) (including, but not limited to, restoration planting shown on the Indicative Open Space Framework Plan and provision of walkways and cycle ways shown on the Indicative Movement Network Plan) have been implemented to the extent required; or</p> <p>(iii) The requisite environmental</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

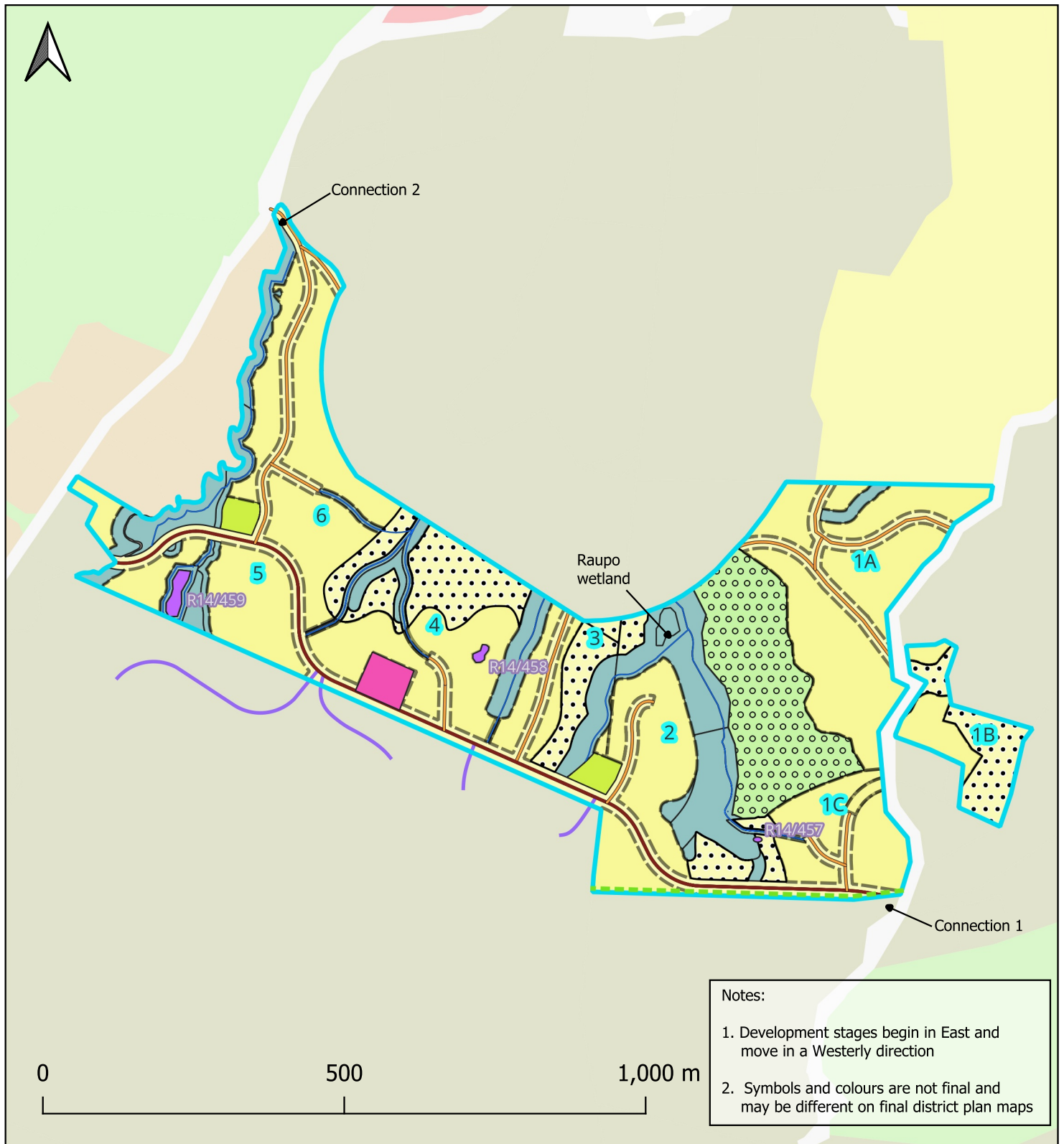
improvements are proposed to be implemented as a condition of subdivision consent to be completed or bonded prior to the issue of a section 224(c) certificate for the subdivision; and

- (iv) The primary access to the Rangitahi Peninsula Structure Plan Area by way of an upgraded Oporu Road (inclusive of the Oporu Road/Wainui Road intersection and the bridge/causeway at each end) has been formed; and
- (v) Proposed lots must not generate any additional building infringements to those which legally existed prior to the boundary ~~relocation~~ adjustment.

Council's control is reserved over the following matters:

- (a) Purpose of the boundary adjustment;
- (b) Effects on existing buildings;
- (c) Extent to which subdivision is consistent with the Rangitahi Peninsula Structure Plan (APP9 – Rangitahi Structure Plan), including the Development Precinct areas, boundaries, density ranges, and road locations.

Appendix B: Planning Map



Legend

Te Hutewai Precinct	Walking Track (6m Wide)	Proposed Collector Road (22m Wide)
Standard Controls Area	Neighbourhood Park	Indicative Local Road
Additional Controls Area	Neighbourhood Centre	Roding Connections
Planting/No Housing Area	Archaeological Site	5m Wide Landscape Strip
Open Space/Planting/Wetlands/Streams		

Appendix C - APP19 - Te Hutewai Structure Plan

APP19 - PREC37 Te Hutewai Structure Plan

INTRODUCTION

The intention of the Te Hutewai Structure Plan (Structure Plan) is to ensure an appropriate urban, cultural, ecological and landscape response to the site development. The Structure Plan informs the location of developable land (free from geotechnical constraints), protection of on-site heritage features (e.g. archaeological sites), provision of vehicle/bicycle/pedestrian connectivity (both within and beyond the site) and enhancement of the existing ecological and open space values of the area. Development of the Precinct is to be undertaken in a manner that promotes urban expansion, while enhancing community interaction and elevating the unique identity of this coastal area.

The Structure Plan is conceptual (e.g. specific street and housing typologies have not been detailed or arranged), however it does provide clarity as to the intended development future of this location.

URBAN FORM

The Precinct consists of approximately 63ha. The intention is to provide a yield of approximately 400-500 dwellings. Lot sizes are anticipated to be sought down to the Residential Zone minimum standard of 450m² for standard residential lots, with options for higher density development to provide a variety of housing typologies. Higher density dwellings will be required to achieve a high quality visual appearance and high standard of amenity for residents and shall be in locations which are well-connected to the Neighbourhood Centre and/ or open space, the Proposed Collector Road and/or walking/ cycling tracks. Design guidelines (which would sit outside of the district plan) are encouraged.

The Structure Plan Map (refer Figure 3) identifies the location for a Neighbourhood Centre which will provide for day-to-day needs for local residents within a walkable catchment. Examples of commercial activities that are anticipated within the centre are food and beverage and small convenience retail and services. The size of the centre will be limited to ensure that it remains of a neighbourhood scale and does not adversely affect the role, function and vitality of the Raglan town centre.

PLANNING FRAMEWORK

The Precinct is primarily located west of Te Hutewai Rd, with a small portion located to the east of Te Hutewai Rd. The north-eastern boundary of the Precinct abuts the existing extent of the General Residential Zone, while the remainder of the northern boundary and the entirety of the southern Precinct boundary are currently adjacent to the Rural Zone. There is also a stretch of six Country Living Zone properties which share the western boundary with the Precinct. Land surrounding the Precinct has been identified for future urban growth in Future Proof and Waikato 2070. It is important that the Precinct is developed in a manner which ensures integration with the future growth areas.

CULTURAL

There has been extensive Māori occupation within the surrounding landscape and recognition of the cultural value is necessary, with a number of important cultural sites in the surrounding area.

Large areas of land surrounding the Precinct are within Māori ownership. Of particular note are the Poihakena Marae and Te Kopua Whānau Camp, which are positioned approximately 1km north near the harbour's edge. Furthermore, the General Residential zoned land directly abutting the north-eastern boundary of the Precinct is within Māori ownership.

ARCHAEOLOGICAL

The Archaeological Assessment for the Precinct contains pertinent information in relation to influencing development of this land and states that;

The study area landscape is set back c.300m from the more favourable coastal locations. Based on current information, it is thought that these locations are less likely to have been the focus of permanent pre-European settlement. There are no known pa sites, kainga, or urupā within the project footprint which could be affected by the proposed zone change.

Three sites have been recorded, two represent (as a minimum) shellfish processing and/or consumption areas (middens) and the third crop storage (pit site). Such site types are some of the most common types of pre-European archaeological evidence. Additional sites may be present but not currently visible. The proposal is likely to see some modification to one or more of these recorded sites. Intrusive archaeological investigations (i.e. test trenching) can be the only way to confidently determine the presence/ absence of archaeological sites, and the extent of archaeological activity.

No evidence has been gathered to date to suggest that there are sites of exceptional archaeological value located within the zone change proposal. Of the sites identified, the pit storage site is currently thought to be in good condition and would be worth preservation within any future subdivision plans. The remaining sites, and areas of interest, should be investigated in advance of any future development.

Development Actions

The necessary actions prior to or during subdivision include:

- Undertaking consultation with tangata whenua to obtain feedback regarding the residential development of the Precinct.
- Developing a method of preserving the storage pit site (shown as NZAA site R14/459 in Figure 1 below).
- Conducting a programme of subsurface investigations prior to any bulk earthworks for the two identified midden sites (shown as NZAA sites R14/458 and R14/457 in Figure 1 below), and the other sites of interest (shown as areas A, B, D, H, and I outlined in yellow in Figure 1 below).
- Implementing setbacks around the storage pit site (shown as NZAA site R14/459 in Figure 1 below) .



Figure 1: Archaeological sites listed on the New Zealand Archaeological Association (NZAA) database, and other areas of archaeological interest (note: areas of archaeological interest are an approximation as the subsurface extents are not known)

ECOLOGICAL

Precinct Attributes

Key ecological functions of the Precinct focus on the streams within the area, being their hydraulic, biogeochemical and habitat provision functions.

The historic vegetation cover is predominantly kahikatea-pukatea-tawa forest and this information, in conjunction with the identified plants on-site, could be used to influence future native restoration across portions of the Precinct. There is also the opportunity to link ecological values of the Precinct to the identified Significant Natural Area that is positioned to the south-east on the neighbouring property which is owned by Waikato District Council.

It has been identified that the existing vegetation on-site provides only lower quality habitat for native skinks and geckos and improving this habitat should be considered as part of the site's comprehensive development. The on-site waterways and wetlands also contribute to the habitat for native birds and fish.

Development Actions

Development is to incorporate the following ecological preservation and enhancement actions:

- Indigenous vegetation to be retained. Avoid the removal of existing indigenous riparian vegetation other than where absolutely necessary for the construction of road crossings. Crossing design should reflect this approach and be positioned where vegetation is most sparse.
- Stream reach to be retained – All stream reaches within the site will need to be retained and will require incorporation into any development design.
- Wetlands to be retained – All native natural wetlands within the site will need to be retained and may result in a reduction of land available for development.
- Implementation of setbacks from all streams and wetlands.
- The Ahiawa Stream – The Ahiawa stream is likely to be a significant migratory corridor for At Risk and Threatened native fish species. As such any access over this stream will need to be designed in a way that will not impact fish passage.
- Large exotic trees within the Precinct, and particularly the western riparian corridor shown as 'Area B' in Figure 2 below, have the potential to act as bat roosting sites. Specific assessment will be required to determine the significance of these trees to bats, prior to any management recommendations being made.
- Retention of lizard foraging habitat - There is moderate quality lizard foraging habitat with many continuous edges of vegetation, namely the riparian and bankside plantings. This ties in with previous considerations to retain indigenous vegetation wherever possible.
- Due to copper skinks being observed just north of the assessment area (approx. 60 metres), it is likely that there are native lizard populations on site. Should further assessments confirm this presence, appropriate mitigation measures would be required to mitigate potential impacts on species protected under the Wildlife Act 1953. This would likely include relocation of animals and enhancement of retained habitat.

Management Plan

Prior to implementation of the development, the following matters are to be addressed in an Ecological Management Plan:

- Restoration of all existing intermittent streams, permanent streams and wetland areas through pest plant and animal control and native infill planting. This would see the development of an Ecological Management Plan (EMP) for the retention and improvement of existing ecological features on site.
- Further protection of existing watercourses via 10-metre buffer planting around the edge of all intermittent streams, permanent streams, and wetland areas. This will further improve the ecological value of the areas for similar reasons to those stated above. If stock are not to be excluded from the proposed Lots as part of the consent process, these planting areas will require permanent, ungated stock-proof fencing installed outside the dripline of the new plantings.
- Completion of native revegetation along the bank situated at the eastern end of the site (refer 'Area A' in Figure 2 below).
- If bats are confirmed present on site and, specifically, found to be utilising the predicted western riparian corridor shown as 'Area B' in Figure 2 below, its enhancement along with the retention of mature exotic trees could improve this commuting route for bats.
- It is expected that a current lack of site-wide pest control is restricting the current lizard population on site. The implementation of a pest management plan, as well as the revegetation mentioned in the first opportunity, will provide additional benefit by way of improving lizard habitat and protection from predators.



Figure 2: Site ecological features

GEOTECHNICAL CONTEXT

The underlying geology of the Precinct is primarily a result of historic volcanic activity of the now extinct Mt Karioi volcano and other nearby volcanic activity. This has produced a predominant ridgeline trend where the ridgeline orientation descends in elevation via a radial pattern centred on Mt Karioi. This pattern, also found across the Precinct, is highlighted by the series of ridgeline/gully fingers which run parallel with the adjacent alignment of the Ahiawa Stream and Wainui/Te Hutewai Roads. The volcanic materials are underlain by mudstone and limestone bedrock.

Geotechnical investigations have determined the extent of a high geotechnical hazard (slope stability), including a subsurface void within the limestone 15m below ground and extending to a possible depth of 45m beneath the largest High Geotechnical Hazard area along with expected soft ground areas. The High Geotechnical Hazard area is shown on the Structure Plan Map provided in Figure 3 as the 'Planting/No Housing Area'. Residential development is not appropriate in this area.

The Precinct also includes areas of only low geotechnical hazard, and intermediate hazard areas which can be remediated. These areas are appropriate for residential development provided that further geotechnical work is undertaken during the detailed design, construction and certification phases. On the Structure Plan Map provided in Figure 3, areas with low geotechnical hazard are shown as the 'Standard Controls Area', whilst areas with intermediate hazard which can be remediated are shown as the 'Additional Controls Area'. These areas are based on the geotechnical investigations and topography which have informed structure planning.

Any development proposed within the 'Additional Controls Area' will require detailed consideration of geotechnical hazards and topography. Lot sizes are generally expected to be larger in these areas and there may be specific requirements for earthworks and building where the land is confirmed as being suitable for development.

CONNECTIVITY

An important structure planning outcome is the provision of appropriate transport connections, both internally and externally of the Precinct. The following outcomes shall be central considerations in designing all transportation and connection features at the time of subdivision and development of the Precinct:

- creates safe, attractive and secure pathways and links between centres, landmarks and neighbourhoods.
- facilitates green networks that link public and private open space.
- places a high priority on walking, cycling and enabling opportunities for public transport.
- anticipates travel demands and provides a sustainable choice of integrated transport modes.
- improves accessibility to public services and facilities, including the Raglan town centre.
- Treats streets and other thoroughfares as positive spaces with multiple functions.
- provides formal and informal opportunities for social and cultural interaction.
- facilitates access to services and efficient movement of goods and people.
- provides environments that encourage people to become more physically active.
- ensures connectivity to future growth areas.

Development Actions

Development within the Precinct shall ensure the following:

- Providing an east-west connection through the Precinct between Te Hutewai Rd and

Wainui Rd in the form of the Proposed Collector Road identified on the Structure Plan Map (refer Figure 3). The location and alignment of the Proposed Collector Road is important for enabling direct future connections east of Te Hutewai Road to other development areas and to Wainui Road and Ngarunui Beach. However where the Proposed Collector Road is located parallel to the southern boundary of the Te Hutewai Precinct there is more flexibility in location to enable residential development on both sides of the road while ensuring connection points to the land to the south.

- Providing safe and efficient connectivity between the Precinct and the Raglan town centre, including for pedestrians and cyclists.
- Providing road connectivity to future growth areas to the north, north-east and south of the Precinct.

INFRASTRUCTURE

Development within the Precinct will require the provision of infrastructure to service the land. Council have indicated timeframes in the Long Term Plan for some of these infrastructural requirements. Where the timing of delivery for this infrastructure does not align with the proposed staging of development within the Precinct as shown on Figure 3, then there may be the opportunity for the infrastructure to be privately funded, subject to resource consent conditions and/or to a Developer Agreement being in place between the private party and Council.

Infrastructure shall be designed in a manner which has appropriate regard to the servicing requirements of the Precinct and which ensures integration with future growth areas.

Development Actions

Transportation

Prior to subdivision and development of the Precinct, an Integrated Transportation Assessment (ITA) shall be prepared to confirm what (if any) infrastructure upgrades are necessary to accommodate growth in traffic volumes arising from that development. This shall include, but not be limited to:

- Capacity constraints at the Wainui Road one-lane bridge; the status of planned upgrades to or replacement of this bridge; and the extent to which alternative solutions such as traffic control devices (traffic lights) could be implemented at this bridge to accommodate the increase in traffic volumes while maintaining the safe operation of the transportation network.

Wastewater

Prior to subdivision and development of the Precinct, a report prepared by a suitably qualified and experienced person shall be submitted with any resource consent application which confirms the ability for that development to connect to and be serviced by the Council's wastewater infrastructure. To be a Restricted Discretionary activity, subdivision and development shall be integrated with and provide for Council's planned network upgrades for the reticulation and disposal of treated wastewater. Any subdivision and development proposal that does not align with the Council's planned network upgrades will require resource consent as a Discretionary Activity.

Water

Prior to subdivision and development of the Precinct, a report prepared by a suitably qualified and

experienced person shall be submitted with any resource consent application which confirms the ability for that development to connect to and be serviced by the Council's water infrastructure, and/or the provision of additional infrastructure, including water storage volume, may be necessary to service that development.

Stormwater

Prior to subdivision and development of the Precinct, a Stormwater Management Plan (SMP) shall be prepared to provide a strategic and integrated approach to stormwater management in the Precinct. This SMP shall provide the framework for the low impact stormwater management to be established in order to service urban development within the Precinct to avoid and minimise effects on the downstream environments.

STAGING

Development stages are indicated on the Structure Plan Map provided in Figure 3. The staging provisions are to provide for integration with existing and planned public infrastructure (which will service the Precinct and, where relevant, future growth areas), and to assist with achieving a good urban form. Subdivision and development shall begin in the east of the Precinct and be integrated with the provision of infrastructure.

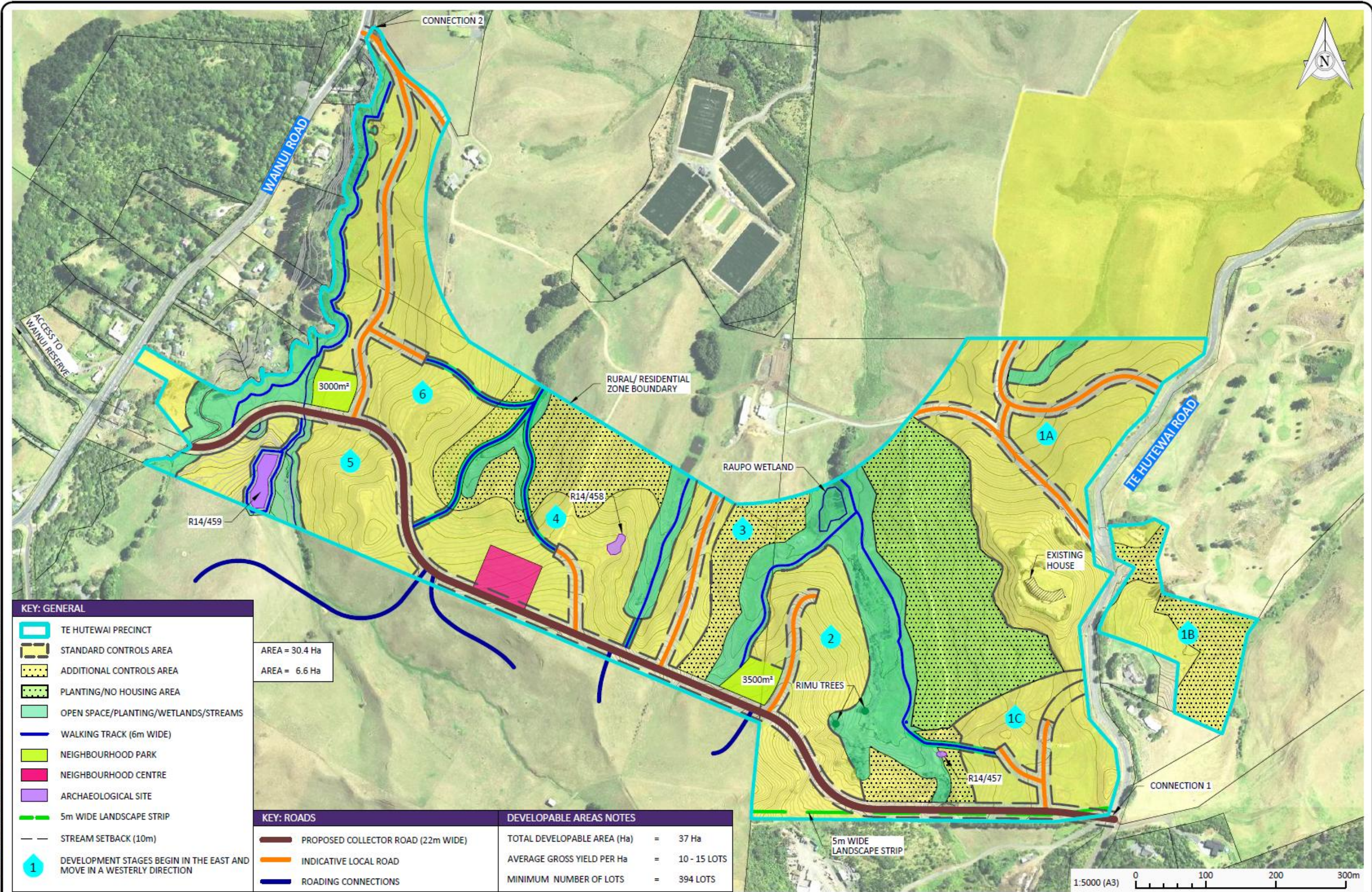
To be a Restricted Discretionary Activity, subdivision and development shall be from the east to the west and, except for stages 1A and 1B, shall be accompanied by the progressive construction of the proposed collector road as shown on the Structure Plan including water and wastewater infrastructure.

Any subdivision and development (except for stages 1A and 1B) that does not follow the east to west sequencing and / or is not accompanied by the progressive construction of the proposed collector road including water and wastewater infrastructure, will require resource consent for a Discretionary Activity.

INTERFACE CONTROL WITH WAIKATO DISTRICT COUNCIL TRANSFER STATION AND RESOURCE RECOVERY CENTRE

Any subdivision and development within the Precinct adjacent to the boundary with 186 Te Hutewai Road (the Waikato District Council Transfer Station and Resource Recovery Centre, legally described as Section 10 SO 442742) shall incorporate the following:

- A five metre wide landscaping strip within the Precinct immediately adjoining the boundary, which shall be planted and maintained to establish a visually impermeable screen of planting along the common boundary; and
- A 50 metre setback for any residential dwelling within the Precinct from the boundary.



H	06.06.2023	GENERAL UPDATES AFTER REVIEW	VD	CD	-	DESIGNED	CHECKED
G	16.05.2023	GENERAL UPDATES AFTER REVIEW	VD	CD	-		CD
F	12.05.2023	GENERAL UPDATES AFTER REVIEW	VD	CD	-		
E	17.04.2023	ADD RESIDENTIAL AND PFDA ZONES	HW	CD	-	DRAWN	APPROVED
D	07.03.2023	INDICATIVE YIELDS	PP	CD	-	HW	
I	24.10.2025	UPDATES TO ALIGN WITH COUNCIL GIS	HW	CD	-	HW	
		ISSUE/REVISION DETAIL	BY	CHK	APPR		



CLIENT

KONING
DEVELOPMENTS

PROJECT

TE HUTEWAI
STRUCTURE PLAN

DRAWING

STRUCTURE PLAN
STAGING PLAN

STATUS

FOR INFORMATION

DATE

17.02.2023

SCALE (ORIGINAL SIZE A3)

1:5000

DRAWING NUMBER

144430-00-0152

REVISION

I