

# **Section 32 Report – Part 2**

## **Business and Business Town Centre**

prepared for the

### **Proposed Waikato District Plan**

**July 2018**



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## I OVERVIEW AND PURPOSE

This report provides an analysis of objectives and provisions proposed to regulate subdivision, use, and development in town centres and business areas in the Waikato District. It should be read in conjunction with Part I Section 32 report – Introduction to the Evaluation Report that provides the context and approach for the evaluation and consultation undertaken in the development of the Proposed Plan.

The proposed objectives, policies, and methods respond to resource management issues that relate to town centres and businesses in the District. Objectives and policies for both zones are contained in Section 4.5 of the Plan. Chapters 17 and 18 contain rules for the Business and Business Town Centre Zones respectively.

This report addresses all objectives and policies relevant to business zones. Rules that relate to s6 matters, specifically those that relate to significant natural areas, Maori sites and areas of significance, heritage, notable trees, and outstanding landscapes are not assessed in this topic. They are the subject of analysis in other s32 reports.

Industry and heavy industry are also the subject of another section 32 report. Similarly, this report does not analyse strategic direction objectives and policies. It is recommended that this report be read in conjunction with the s32 report that analyses strategic direction and the management of growth. This will help give context to the growth of towns in the district as that growth will be supported by and dependant on town centres and business areas.

### I.1 Topic Description

The Business and Business Town Centre Zones apply to town centres, retail areas, and areas of commercial activity. This report covers resource management issues that are relevant to town centres and business areas where commercial and retail activity occurs. There are three main parts of the topic; the function of centres, urban form and design within centres; and managing the effects of subdivision, use, and development in centres.

Business activity within the Waikato District is part of a larger regional hierarchy of business centres, with Hamilton City as the primary centre. The Business Zone is generally located around town centres and in smaller settlements in the district. The town centres are identified as the Business Town Centre Zone and are located in Raglan, Ngaruawahia, Huntly, Te Kauwhata, Pokeno, and Tuakau and these are identified in the Future Proof Growth Strategy and Implementation Plan. The business town centre is the primary focus within each town for commercial and business activity. The town centres are mixed-use areas that are more publically accessible that have a greater emphasis on pedestrian focused small scale retail, business administration and commercial services than Business Zone. Generally, they are not intended to accommodate large format retail or wholesale activity. Multi-unit development is allowed for in the Town Centre Zone; with residential uses above ground level.

The Tamahere Business Zone is specific to development in the Tamahere Village Concept Plan. The purpose of business areas is to support town centres. They provide for a wide range of commercial activities; including large format retail. Multi-unit development may establish in the Business Zone, with residential living above ground level. Neighbourhood centres are small in scale and are intended to provide for the day to day needs of the community.

The significance of the range of issues covered by this topic is discussed in the following section of this report.

## **1.2 Significance of this Topic**

Town centres and business areas provide for the economic, social, and cultural well-being of current and future generations. Forecasts indicate that an additional 28,300 people will live in the District by 2035. As the population grows, the significance of town centres will increase; as will the importance of addressing resource management issues faced in centres. Ninety-four percent of land in the Waikato District is located in the Rural Zone, as is 52% of the District's population. Centres play an important role to support the rural economy and provide for the needs of the rural population.

The use of two business zones is significant, as it gives effect to Future Proof and the settlement pattern identified in the Waikato Regional Policy Statement. It strengthens the approach of current provisions that rely on one broad business zone and the use of structure, concept, or precinct plans for Raglan, Tamahere, Pokeno, Te Kauwhata, and Rangiriri.

The proposed provisions have incorporated more urban design requirements and guidance; particularly in town centres. Of most significance in terms of changes to the approach to managing the urban form of town centres is that all new buildings within the town centre zone require resource consent for a restricted discretionary activity. Applications are assessed based on consistency with the Town Centre Design Guidelines and Town Centre Character Statements. Multi-unit development also requires resource consent, and applications are assessed for consistency with the design guide for multi-unit development and the Town Character Statement; if the latter is relevant. The increased emphasis on design is of importance to reinforce the function of centres, but also to make sure that they offer high levels of amenity and are attractive and safe. It has potential to make a significant difference to the quality of town centres.

Concentrating commercial and retail activity provides a sense of identity for communities, reduces infrastructure and transport costs, and results in a more efficient land use pattern. Having business areas and town centres throughout the District therefore minimises travel distances, makes the provision of infrastructure more efficient, and reduces potential environmental effects. This has direct benefits for the District but is also of benefit to the wider region and promotes sustainable management.

## **1.3 Resource Management Issues to be Addressed**

Current and historic provisions have supported the development of centres in the District by discouraging the ad hoc location of businesses. To respond to population growth and give effect to higher level documents, a greater focus is now needed on the urban form and function of Centres in the District.

If the design of town centres is uncoordinated or inconsistent, development can detract from the overall character of the area and different parts of the centre can be disconnected. This decreases the vibrancy of the centre, opportunities for social interaction and can compromise amenity values. This may discourage the establishment of new businesses and mixed-use opportunities.

Current provisions generally do not define the function of centres in the District. With the exception of areas subject to a structure plan or concept plan, all centres are regulated by the application of a single business zone. This does not provide any guidance on how centres in the District relate to each other, where investment in infrastructure will be prioritised and, within a centre, provides little guidance on where activities of different scale, and therefore effects on urban form, should locate.

Now that centres are well established in the District, population growth provides the opportunity to enhance the amenity values of those centres through implementation of urban design principles and to allow a greater mixture of uses in town centres. Population growth also enables the function of centres to be more defined to plan for their growth in an integrated manner and support the strategic growth direction for both the District and sub-region.

## **1.4 Current Objectives, Policies, Rules and Methods**

### **1.4.1 Scope of the Current Objective, Policy and Method Framework**

The broad approach to both sections of the Waikato District Plan is similar. There is, however, some variance between the two sections and within the Waikato Section with respect to the strength of the provisions to achieve objectives. With the exception of the business zones in Pokeno, Te Kauwhata and Tamahere Village, none of the provisions in either section of the Operative District Plan relate specifically to town centres and their form or function and differentiation from surrounding business areas.

The following sections of this report discuss the policy approach of each section of the Operative District Plan to business areas.

### **1.4.2 Waikato Section**

The objectives and policies relevant to business zones are contained in the Waikato District Growth Strategy, Built Environment; and Social, Cultural and Economic Well-being and Amenity Values Chapters of the Plan. Holistically, the objectives and policies seek to encourage a sense of place and identity in town centres, social coherence, as well as the management of adverse effects; particularly those that impact on amenity values.

The Waikato Section of the Operative District Plan contains rules that apply to land in the Business Zone. Generally, the rules have a greater focus on controlling the effects of activities on amenity, rather than on the form and function of business areas and town centres. There are specific rules to implement the Te Kauwhata Business Zone and Tamahere Village Business Zone. Other than this, there is no separation in the approach taken to the regulation of town centres and business areas. The rules are permissive in nature; restricting nuisance effects and those elements that could impact on the amenity of business areas. The rules allow for one dwelling per lot but require an 80m<sup>2</sup> outdoor living court, which restricts multi-unit or apartment development.

The rules for Te Kauwhata do allow for mixed-use development to create ‘an attractive and lively extension of business activities’, and there is a concept plan that is used as a matter of discretion. Any comprehensive development in the Mixed-Use Policy Area is restricted discretionary; with discretion restricted to the control of actual and potential effects.

In the Tamahere Village Business Zone, rules implement the Tamahere Village Concept Plan and are additional to the Business Zone rules; unless otherwise stated. In this manner, the provisions place greater focus on the form and function of the Tamahere and Te Kauwhata Villages than the other business areas of the District.

Special provisions apply to the Lakeside Precinct at Te Kauwhata. The appropriate zoning and the relevant provisions for comprehensive development of this 194ha block of land at Lakeside Te Kauwhata was extensively worked through under Plan Change 20 to the Operative District Plan: Waikato Section. This plan change went to a hearing with decisions released in 2018. There were no appeals to the provisions.

Because these matters have been extensively examined this year, and remain appropriate to control the planning outcomes of this part of Te Kauwhata, the Proposed District Plan adopts and largely rolls over these provisions. The only changes are related to format and context changes to align the operative Lakeside provisions with the Proposed District Plan as notified.

The Operative Plan Lakeside Precinct Plan was supported by an extensive section 32 analysis report. This report was updated following the hearing of submissions to the plan, and further informed by the decision of the Independent Hearing Commissioners who heard Plan Change 20.

The combination of the original section 32 report, the updated amendments in the section 32AA report, and the Commissioners’ decision on Plan Change 20 outlines:

- Why the objectives of the plan best meet the purposes of the Resource Management Act;
- Why the provisions specific to Lakeside best meet the objectives

This Proposed District Plan section 32 analysis adopts the section 32AA report and updates for Plan Change 20 of the Operative Plan as informed by the decision of the Independent Commissioners on Plan Change 20.

The approach of this Proposed District Plan sets out a more concise targeted set of objectives and policies than the Operative Plans. This is consistent throughout the Proposed Plan provisions. Consequently the objectives and policies for Lakeside are similarly targeted at a more focused set of provisions. Some of the more generic Plan Change 20 objectives and policies are contained within the general objectives and policies of the Proposed Plan. The specific Lakeside objectives and policies are carried over into the Proposed District Plan, albeit in a more concise form.

The key rules of the plan change, particularly the 'Precinct Plans', 'comprehensive land development consents' and 'comprehensive subdivision' provisions are carried over into the Proposed Plan. These are core mechanisms to ensure integrated development of Lakeside. The other Lakeside specific provisions of Plan Change 20 are similarly carried over into the Proposed District Plan. Again the reasons why these controls best meet the objectives and policies of the plan are set out in the section 32AA analysis of Plan Change 20 as informed by the Independent Hearings Panel decision (see Appendix 9 for Lakeside Development Section 32AA Report).

### **1.4.3 Franklin Section**

Part 19 of the Franklin Section of the Plan contains objectives and policies relevant to business areas. The approach taken is to allow a wide range of business activities in commercial areas and to discourage the development of businesses outside of urban areas, unless effects can be appropriately managed. This gives some indication that there is a preference for development to occur in centres. The objectives and policies, however, do not specifically provide guidance on how larger town centres should develop.

Policies direct that the Plan is to take an effects-based approach rather than prescriptively managing activities. Specific provisions for neighbourhood centres encourage the development of small scale neighbourhood centres where they provide for convenience needs of local communities and will reduce travel distances.

Rules for the Business Zone are contained in Part 29 Business Zone, Part 29A Village Business Zone and Part 29D Neighbourhood Centre. A wide range of activities are permitted in the zone, subject to complying with performance standards. The rules are effects-based and relatively permissive, allowing a wide range of activities to establish in business areas. Development in Pokeno is guided by the Pokeno Structure Plan that provides specific direction of the development of that Town Centre.

## **1.5 Information and Analysis**

The Council has commissioned technical advice and assistance from the following sources to assist with setting the plan framework for the proposed business town centre zone and business zone chapter provisions. This advice is listed in Table 1 below. The Town Centre Design Guide and town centre character statements for each town are listed in Appendix 4 of this report.



**Table 1: List of relevant background assessments and reports**

<b>Title</b>	<b>Author</b>	<b>Description of Report</b>
Waikato Urban Design Guidelines Town Centre	Beca, 2017	The purpose of the town centre design guide is to provide development guidance based on best practice design principles. The guideline is to assist with implementation of objectives, policies and rules and to assist the community, landowners, developers and Council to clearly understand the design outcomes sought for any development in the town centres throughout the district. (Appendix 4)
Waikato Urban Design Guidelines Multi-Unit Development.	Beca, 2017	The purpose of the design guides set out the principles and a consistent approach to multi-unit development. (Appendix 5)
Waikato District Council Character Statements - <ul style="list-style-type: none"> <li>• Huntly town centre</li> <li>• Ngaruawahia town centre</li> <li>• Pokeno town centre</li> <li>• Raglan town centre</li> <li>• Tuakau town centre</li> </ul>	Beca 2017	The purpose of the Character Statements is to identify the specific characteristics of each town centre which, in addition to the Town Centre Urban Design Guidelines, are to support the desired outcomes for each town. (Appendix 6)
Pokeno Town Centre Architectural Form, Materials and Signage Design Guide (forms part of the Pokeno Town Centre Character Statement).	Richard Knott Ltd 2015	This design guide provides guidance for developers on the architectural form, materials and signage that should be used for new developments within Pokeno's main street. It applies to all Business Zone properties that frame Market Square and those fronting Great South Road between Market Square and Selby Street. The design guide works in conjunction with the Pokeno town centre character statement. (Design Guide is appended to Pokeno Character Statement in Appendix 6)
Assessment of Options for Urban Design Guidance for the Waikato District Plan Review.	Beca, 2016	This assessment report provides a record of the detailed assessment of options that have informed the overall recommendations including the following: <ul style="list-style-type: none"> <li>• Problem Definition</li> <li>• National and Local Policy Context</li> <li>• Relevant Resource Management Issues</li> <li>• Draft District Wide Urban Design Objective</li> <li>• Preliminary Section 32 review of the draft objective</li> <li>• Assessment of long list of options</li> <li>• Detailed option assessment of preferred options, including efficiency and effectiveness, benefits and costs and risks, in accordance with Section 32 of the Resource Management Act.</li> </ul>

## 1.6 Consultation Undertaken

Consultation on provisions for the Business Zone and Business Town Centre Zone was carried out as part of the comprehensive consultation and engagement on the wider District Plan review. A series of open days and stakeholder information days were held during 2015 to ascertain the broad resource management issues. The open days on the Draft District Plan carried out in the third phase during 2017, these are listed in Table 2 below.

**Table 2: Open days**

Date	Open day	Number of attendees
17/10/2017	Stakeholder information day in Ngaruawahia town hall	41
18/10/2017	Partner Council information day Council Committee Rooms	9
19/10/2017	Stakeholder information day in Tuakau town hall	25
20/11/2017	Open day Tuakau	64
22/11/2017	Open day Mangatangi	38
23/11/2017	Open day Pokeno	71
28/11/2017	Open day Te Kauwhata	55
29/11/2017	Open day Huntly	18
30/11/2017	Open day Raglan	51
05/12/2017	Open day Te Kowhai	116
06/12/2017	Open day Tamahere	104
07/12/2017	Open day Ngaruawahia	30

As a result of the draft district plan consultation and various open days, substantial feedback was received from the community, feedback is summarised in Table 3. The draft district plan was available for public to view on council's website from November 2017 to January 2018.

**Table 3 Specific consultation processes**

Residents, Architects, Surveyors and Planners	Subject Matter	Feedback
Surveyor/Architect	Multi-unit development	Further detail required on site areas, design criteria, definitions for living court standards.
Surveyor/Architect	Multi-unit development	Provide as a permitted activity, smaller lot sizes than 300m <sup>2</sup> , increase building coverage to 60% for multi-unit development, remove waste minimisation plan and communal waste requirement.
Surveyor/Architect/Planner	Multi-unit development	Seeking apartment sizes to be flexible and the market demand to dictate the size and quality.
Surveyor/Architect/Planner	Multi-unit development	Reduction in minimum lot sizes for multi-units to provide more flexibility in design.
Surveyor/Architect/Planner	Multi-unit development	Support options for multi-unit development. Multi-unit development should be permitted up to three dwellings.

<b>Residents, Architects, Surveyors and Planners</b>	<b>Subject Matter</b>	<b>Feedback</b>
Surveyor/Architect/Planner	Multi-unit development	Amend the multi-unit design guide to align with Hamilton city councils as it is tried and tested and works.
Survey/Architect/planner	Living Court	Amend living court definition to include covered decks.
	Living court	Amend definition for living court to enable them to be on covered deck areas. Remove reference and rule pertaining to orientation.
Surveyor/Architect/Planner	Acoustic insulation	Suggest acoustic insulation should be required adjacent to strategic roads and rail routes.
Surveyor/Architect/Planner	Gross leasable floor area	Gross leasable floor area definition appears to only apply to the Tamahere Village Business Zone, wider application is sought to other appropriate zones.

## **1.7 Iwi Authority Advice**

### **1.7.1 Consultation**

Clause 3 of Schedule 1 of the RMA sets out the requirements for local authorities to consult with tangata whenua through iwi authorities. Clause 3 also requires local authorities to consult with any person, group or ministry that may be affected by changes made to the District Plan.

Council used the following methods to establish an Iwi Reference Group.

- Joint Management Agreement
- Tai Tumu Tai Pari Tai Ao (Waikato Tainui Environmental Plan)
- Partnerships
- Collaboration

The purpose of the Iwi Reference Group was to provide Council with a single forum to socialise the proposed changes to the Operative District Plan.

The Iwi Reference group was made up of all iwi and hapuu within the district that council currently consults with via the Resource Consent Process.

Engagement and consultation with the Iwi Reference group took place between December 2014 and December 2017. (See Part 1 Section 32 Report – Introduction to the Evaluation Report)

## 1.7.2 Advice

Clause 4A of Schedule 1 of the RMA sets out the requirements for local authorities to consult with iwi authorities before notifying a proposed plan. Clause 4A(1)(b) requires Council to have particular regard to any advice received on a draft proposed policy statement or plan from those iwi authorities.

Council undertook consultation with the relevant Iwi and Hapuu and through Te Kahui Mangai website and included the following:

Iwi authorities within Waikato District:

- Waikato Tainui
- Ngaati Tamaoho

Iwi for the purpose of RMA list on Te Kahui Mangai

- Tainui o Tainui

Iwi that have relationship from other districts

- Hauraki
- Ngaati Maniapoto
- Ngaati Paoa - Hauraki

A summary of the issues identified through consultation and Council's consideration of those issues are listed in Part 1 Section 32 Report – Introduction to the Evaluation Report.

## 1.8 Decision-making

Initially the review focussed on the key resource management topics. Each topic included one or more resource management issues. Many of the issues are relevant to multiple zones. Each topic was presented and discussed with Councillors through a series of informal workshops throughout the review process. General feedback was given but no formal resolutions were made. Feedback on topics relevant to both the business and business town centre zones is listed in Table 4.

**Table 4: Summary of decision-making processes**

Date	Meeting	Document	Feedback
11 July 2017	Councillor Workshop	District Plan Review – Built Environment 1 and Industrial	Presentation and discussion on draft building rules including Business Zone and Town Centre zone rules. Covered display windows, road frontage, Verandah lines, building coverage, building height, daylight admission and dwellings in the business zones.

			A small amount of discussion only on road frontage lines, building height and trees affecting verandahs.
17 July 2017	Councillor Workshop	District Plan Review – Built Environment 2 and Design Guide	Presentation on design guide approach to achieving good urban design outcomes. Councillors were generally supportive of design guides that are town centre specific rather than generic across the district.
18 April 2017	Councillor Workshop	District Plan – Amenity One	Presentation and discussion on draft amenity rules including light spill, signs, outdoor storage. There was general agreement to regulate these matters as proposed.
9 May 2017	Councillor Workshop	District Plan – Amenity Two	Presentation and discussion on draft noise rules. Councillors were generally supportive of noise provisions, especially at the interface between zones.

## 1.9 Reference to Other Relevant Evaluations

This s32 topic report should be read in conjunction with the following evaluations that are of particular relevance:

- Industry and Heavy Industry;
- Historic Heritage;
- Infrastructure and Energy;
- National Grid;
- Renewable Electricity Generation;
- Water supply, stormwater and wastewater;
- Transport;
- Strategic Direction and Management of Growth;
- Tangata Whenua;
- Significant natural areas; and
- Residential.

## 2 ISSUES, OBJECTIVES, POLICIES AND RULES

### 2.1 Higher Level Planning Documents and Legislation

The Business and Business Town Centre parts of the Plan must give effect, and have regard to, a range of higher level and guiding documents. These documents, particularly the Waikato Regional Policy Statement, set the policy direction for the plan. The direction set by the Waikato Regional Policy Statement, Waikato River Vision and Strategy, and relevant National Policy Statements is set out in the following sections of this report. Table 5 states specific documents and provisions the Business and Business Town Centre parts of the Plan must give effect or have regard to. Full text of all provisions is attached in Appendix 2 of this report.

#### 2.1.1 National Policy Statement on Urban Development Capacity 2016

The National Policy Statement on Urban Development Capacity 2016 directs Council to ensure that there is sufficient land available to meet demand for residential and business growth. This is to enable current and future generations to provide for their wellbeing by having sufficient land available for effective and efficient urban environments. There are no medium or high growth areas in the Waikato District defined in the NPS. The Waikato District is however, between Hamilton and Auckland which are both defined as high growth areas. In addition, forecasts indicate that the population in the district will increase by 28,300 people by 2035. This growth will increase demand for goods, services, and businesses.

To give effect to the National Policy Statement on Urban Development Capacity, there must be sufficient, appropriately zoned land available to meet demand. This may be achieved through intensification and greenfield development.

In 2017 Hamilton City Council, Waikato District Council and Waipa District Council engaged Market Economics to calculate the current business, retail and industrial land capacity in each of the respective districts and to assess the demand for further business, retail and industrial land over the short term (0-3 years), medium term (0-10 years) and long term (0-30 years). The land demand and capacity calculations are contained in the Business Development Capacity Assessment contained in Appendix 8. The breakdown of Waikato Districts future business land demand is summarised in Table 5.

**Table 5: Waikato Future Business Land Demand (Ha and m<sup>2</sup>)**

Sector		Short term	Medium term	Long term
Commercial	Ha	3.2	10.6	33.5
	GFA	18,535	63,882	204,114
Retail	Ha	0.8	3.2	11.4
	GFA	4,562	18,594	66,834
Industrial	Ha	22.8	77.1	209.4
	GFA	95,008	319,138	865,660

Waikato is estimated to require 33.5ha of commercial land over the long term (30 years). The majority of this demand arises in the north, in the ward containing Pokeno and Tuakau (the Awaroaki-Tuakau ward) with almost 12ha of demand. In the short term 3.2ha is demanded over the next 3 years and a total of 10.6ha over the medium term (10 years). Overall the rate of demand is approximately 1ha per year over the next 30 years.

In terms of retail land demand, Waikato is estimated to require 11.4ha over the long term. The most demand arises in the north as Waikato grows on the back of Auckland's expansion. The Awaroaki-Tuakau ward sees demand growth of 4.6ha in the long term. In the short term (3 years) retail land demand is less than 1ha, with 3.2ha demanded over the next 10 years. Industrial land demand in Waikato is high. Over the long term over 209ha of land is estimated to be required. Of this, 22.8ha are required in the short term and 77.1ha in the medium term. While the most demand is from the north (65ha in Awaroaki-Tuakau) there is strong demand across the rest of the district.

### ***Anticipated Capacity***

No significant additional anticipated capacity is envisaged for business land either through existing private plan changes or through the District Plan Review. However, there is some additional business and business town centre zoning proposed through the District Plan Review. This was based on previous structure plans in Tuakau and Ngaruawhia as well as private plan changes in Te Kauwhata and Pokeno.

In combination with the Industrial and Heavy Industrial Zones, the Business and Business Town Centre zone provisions will provide for a portion of required growth and will also provide some residential capacity by providing opportunities for mixed-use development. Giving effect to the National Policy Statement on Urban Development Capacity means that the growth of town centres must be planned and supported by surrounding business areas, so they are able to effectively function in a way that enables communities to provide for their wellbeing. In this manner, town centres should become a focal point of the urban areas in the District.

## **2.1.2 Te Ture Whaimana O Te Awa O Waikato – Waikato River Vision and Strategy 2008**

The Waikato River Vision 'is for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River and all it embraces for generations to come'<sup>1</sup>. Objectives include restoring the health and protecting the River and taking an integrated and coordinated approach to management of the River's resources. The Vision and Strategy is incorporated into the Waikato Regional Policy Statement<sup>2</sup>. In the case of inconsistency with a National Policy Statement, New Zealand Coastal Policy Statement, or National Planning Standard, the Vision and Strategy prevails<sup>3</sup>.

<sup>1</sup> Waikato River Vision and Strategy 2008 P4 and Waikato Regional Policy Statement s2.5.1

<sup>2</sup> Waikato- Tainui Raupatu Claims (Waikato River) Settlement Act 2010 s11(1)

<sup>3</sup> Waikato – Tainui Raupatu Claims (Waikato River) Settlement Act 2010 s12

The Waikato River flows through Huntly, Mercer, and Ngaruawahia. Meremere, Te Kauwhata, and Tamahere are also within the lower Waikato River Catchment – Area A. To give effect to the Vision and Strategy, land use and subdivision within Business and Town Centre Zones must be integrated with infrastructure to minimise potential environmental effects that could adversely affect the health of the Waikato River. The Waikato Regional Plan controls discharges to land, air, and water; however, the District Plan can contribute to minimising the level of potential effect on the River by restricting the use and effect, especially in proximity to the River.

A holistic view of development and the wellbeing of the River is required. To give effect to the Strategy; particularly to avoid cumulative effects and further degradation, land development within business areas needs to be controlled, including land disturbance and dust generation. The design of business zones adjacent to the Waikato River (Ngaruawahia, Mercer, and Huntly) can give effect to the Waikato River Vision and Strategy by ensuring appropriate public access to the River in a way that protects the health of the Awa. This may offer opportunities for the public to gain knowledge of the current state of the River and importance of restoration.

### **2.1.3 Waikato Regional Policy Statement 2016**

Objective 3.12 effectively sets the policy direction for business areas and centres. Objective 3.12 is “Development of the built environment (including transport and other infrastructure) and associated land use occurs in an integrated, sustainable, and planned manner; which enables positive environmental, social, cultural, and economic outcomes, including by...(j) promoting a viable and vibrant Central Business District in Hamilton City, with a supporting network of sub-regional and town centres; and (k) providing for a range of commercial development to support the social and economic wellbeing of the region.’

To give effect to Objective 3.12 and Policies 6.1, 6.3, 6.14, and 6.16 that implement it, the Waikato District needs to provide opportunities for a range of commercial development that is adequately serviced by infrastructure and integrated with the transport network. Town centres should be the focus of commercial activity, providing for the social and economic wellbeing of the community. The centres should have an appropriate scale and function to support the Hamilton CBD, which is the primary centre for the sub-region. Policy 6.15 is to implement the Franklin District Growth Strategy, and this is relevant to the Franklin Section of the District. Business areas in this part of the District are likely to support centres in Auckland, given their location closer to Auckland.

The effects of commercial development, and residential activities in town centres, must be managed so that the ability of communities to provide for their wellbeing is not compromised and to give effect to Objective 3.21, which is ‘The qualities and characteristics of areas and features, valued for their contribution to amenity, are maintained or enhanced.’ This requires identification of those elements that contribute to amenity within business areas and centres and methods to maintain or enhance those qualities.



### 2.1.4 Future Proof 2017

The Waikato Regional Policy Statement incorporates and implements key principles of Future Proof and the Settlement Pattern. Future Proof provides for the coordinated and managed growth of the Sub Region. Future Proof itself is a strategy that must be had regard to. Of note, Future Proof includes the following centres as Town Centres for the region; Huntly, Ngaruawahia, Raglan, Te Kauwhata, Pokeno, and Tuakau. Pokeno and Tuakau are not included in Table 6-4 of the Waikato Regional Policy Statement. In the preparation of the proposed provisions, however, they have been treated as town centres.

### 2.1.5 Specific Provisions in Higher Order and Guiding Documents

Those strategic matters and provisions that have been specifically given effect or had regard to in this chapter are summarised in Table 6 below and are set out in full in Appendix 2 of this report. These documents broadly identify the resource management issues for the District and provide the higher-level policy direction to resolve these issues.

**Table 6: Higher order and guiding documents**

Document (Statutory obligation in italics)	Relevant provisions the Business and Business Town Centre parts of the Plan are required to take into account/give effect to
<b>National Policy Statements – must give effect to</b>	
National Policy Statement on Urban Development Capacity 2016	<p>OAI: Effective and efficient use of urban environments that enable people and communities and future generations to provide for social, economic, cultural and environmental wellbeing.</p> <p>OA2: Urban environments that have sufficient opportunities to meet demand, and which provide choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses.</p> <p>OA3: Urban Environments that, over time, develop and change in response to the changing needs of people and communities and future generations.</p> <p>OBI: A robustly developed, comprehensive and frequently updated evidence base to inform planning decisions in urban environments.</p> <p>OCI.: Planning decisions, practices and methods that enable urban development which provides for the social, economic, cultural and environmental wellbeing of people and communities and future generations in the short, medium and long term.</p> <p>OC2.: Local authorities adapt and respond to evidence about urban development, market activity and the social, economic, cultural and environmental wellbeing of people and communities and future generations, in a timely way.</p> <p>OD1.: Urban environments where land use, development, development infrastructure and other infrastructure are integrated with each other.</p> <p>OD2.: Coordinated and aligned planning decisions within</p>

	<p>and across local authority boundaries.</p> <p>PA3.: When making decisions that affect the way and rate at which development capacity is provided, decision-makers shall provide for the social, economic, cultural and environmental wellbeing of people and communities and future generations, having regard to:</p> <ul style="list-style-type: none"> <li>• Providing choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses</li> <li>• Promoting efficient use of scarce urban land and infrastructure</li> <li>• Limiting as much as possible adverse impacts on the competitive operation of land and development markets.</li> </ul> <p>PA4.: When considering effects of urban development, decision-makers shall take into account:</p> <ul style="list-style-type: none"> <li>• The benefits that urban development will provide with respect to the ability of people, communities and future generations to provide for their social, economic, cultural and environmental wellbeing</li> <li>• The benefits and costs of urban development at a national, inter-regional, regional and District scale, as well as local effects.</li> </ul>
<b>Regional Policy Statement – (must give effect to)</b>	
Waikato Regional Policy Statement 2016 –	<p>3.10 Sustainable and efficient use of natural and physical resources</p> <p>3.12 Built Environment</p> <p>3.21 Amenity</p> <p>Policy 6.1 Planned and Coordinated Subdivision Use and Development</p> <p>Policy 6.3 Coordinating growth and infrastructure</p> <p>Policy 6.12 Implementing the Franklin District Growth Strategy</p> <p>Policy 6.14 Adopting Future Proof Land Use Patterns</p> <p>Policy 6.16 Commercial development in the future proof sub-region</p> <p>6A Development Principles</p>
Te Ture Whaimana O Te Awa O Waikato – Waikato River Vision and Strategy (incorporated into the Waikato Regional Policy Statement)	<p>(in this section numeric references are to the Waikato Regional Policy Statement that the Vision and Strategy is incorporated into).</p> <p>2.5.1 Vision for the Waikato River</p> <p>2.5.2 Objectives (a) – (e) and (g), (h), (j), and (l).</p> <p>2.5.3 Strategies (h), (i), (k), and (l).</p>
<b>Regional Plan - Must not be inconsistent with any matter specified in s30(1) of the Resource Management Act 1991</b>	
Waikato Regional Plan –	<p>6.1.2 Objective 3 - Cumulative effect of discharges on ambient air quality</p> <p>2.3.2 Objective 1 - Uncertainty for all parties regarding the relationship between tangata whenua and resources for which they are Kaitiaki minimised</p> <p>2.3.2 Objective 2 - Tangata Whenua able to give effect to Kaitiakitanga</p>

	<p>6.1.2 Objective 3 - Cumulative effect of discharges on ambient air quality</p> <p>5.1.4.11- Permitted activity rule – soil disturbance</p> <p>5.1.4.14 - Controlled activity rule – soil disturbance</p> <p>5.1.4.15 - Discretionary activity rule – soil disturbance</p>
<b>Iwi Authority Documents – <i>Must take into account</i></b>	
<p>Waikato Tainui Iwi Environmental Management Plan – <i>Must take into account</i> <sup>4</sup></p>	<p>Objective 21.3.1 Effectively Manage Soil Erosion Policy 21.3.1.2 Land Development Methods 21.3.1.2(a) and (b)</p> <p>Objective 21.3.2 The Life Supporting Capacity of Land and Soils Policy 21.3.2.1 Soil and Land Management Practices Methods 21.3.2.1(a) and (c) Policy 21.3.2.2 Land Management Methods 21.3.2.2(a) and (b) Policy 21.3.4.2 Collaboration with Landowners and Managers Method 21.3.4.2 (a) Policy 21.3.4.3 Waikato-Tainui Relationship with Catchment Method 21.3.4.3(b)</p> <p>Objective 25.3.1 Approach to Land Use and Development Policy 25.3.1.1 Approach to Land Use and Development Method 25.3.1.1(a)</p> <p>Objective 25.3.2 Urban and Rural Development Policy 25.3.2.1 Urban Development Methods 25.3.2.1 (a) to (b), (e), (f), and (h) Policy 25.3.3.2 Rural Development Methods 25.3.3.2 (a) to (d)</p> <p>Objective 25.3.3 Positive Environmental and Cultural Effects Policy 25.3.3.1 Positive Environmental and Cultural Effects Methods 25.3.3.1 (a) to (e)</p>
<p>Ko Ta Maniapoto Mahere Taiao - Maniapoto Environmental Plan – <i>Must take into account</i></p>	<p>8.3.2 Maniapoto culture, history, and identity are reflected in commercial developments</p> <p>13.3.1.1(b) Promote and support urban planning</p> <p>13.3.1.1 (d) Promote and support improved land use activities and practices to reduce emissions</p> <p>13.3.2.1 Subdivision, development, and land use to recognise and provide for the need to avoid contributing further to climate change.</p> <p>13.3.2.1(a) Subdivision and design location to make best use of transport</p> <p>13.3.2.1(b) Encourage developments, land use, and activities that provide for developments and transport provisions that enable sustainable communities to thrive.</p> <p>22.3.4 Transport infrastructure that connects communities and enables businesses to develop whilst minimising negative impacts to the environment.</p>

<sup>4</sup> Resource Management Act 1991 s74(2A) A territorial authority, when preparing or changing a District plan, must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the District

	<p>22.3.4(b) Ensure subdivision and land use planning supports and enables all relevant modes of transport as viable options for daily activities.</p> <p>22.3.4.4(a) Plan layout and design of developments promotes access to more sustainable forms of transport.</p>
<b>Plans and strategies prepared under other Acts (must have regard to)</b>	
Future Proof – Sub-Regional Growth Strategy 2017	<p>(Note: the main principles are incorporated in the Waikato Regional Policy Statement).</p> <p>Regard has been had to the strategy in a holistic way, particularly the following parts of the strategy</p> <p>Settlement Pattern</p> <p>Growth Area Visions</p> <p>Future Proof and Regional Policy Statement hierarchy of major commercial areas</p>
Three Waters Plan – Future Proof implementation plan (non-statutory)	Regard has been had to the strategy in a holistic manner and the need to efficiently provide infrastructure, rather than specific provisions.
Waikato District Development Strategy	Regard has been had to the strategy in a holistic manner and the outcomes sought.
District Plans of Neighbouring Territorial Authorities ( <i>must have regard to the extent to which the District plan should be consistent with these plans</i> ) <sup>5</sup>	
Auckland Unitary Plan Operative in Part	Centres to the North of Waikato (Pokeno, Tuakau, Te Kauwhata) are likely to support and be supported by the Auckland Region. The Auckland Unitary Plan Operative in Part 2016 effectively creates a hierarchy of centres with supporting Mixed-Use Zones. The business parts of the Proposed District Plan should not be inconsistent with this approach, as to do so would undermine it and may have negative impacts on the northern part of the District and result in an inefficient growth pattern.
Waipa District Plan	At a higher-level growth; Waikato, Waipa, and Hamilton City are managed as a sub-region. As centres are the focal point for urban areas of the sub-region and underpin the growth pattern to be implemented, it is important that the approach taken to agglomerating business activity in centres and creating strong vibrant centres is consistent. The management of business areas and town centres is key to implementing the growth strategy provisions for the sub-region.
Hamilton City District Plan	Development in town centres should ensure that they support Hamilton CBD and, in this manner, the business parts of the plan need to be consistent with the overall approach to growth and the concentration of this growth in centres at an appropriate scale.

### Other Guidance Documents

The following guidance documents were referred to when developing options and provisions:

- New Zealand Urban Design Protocol 2005
- New Zealand Crime Prevention Through Environmental Design Guidelines 2005

<sup>5</sup> s74(2)(c) When preparing a District plan, territorial authorities must have regard to the extent to which the District plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities

## 2.2 Issues

The evaluation of objectives and provisions in the following sections relate to the resource management issues stated below. The issue statements below refer to sections of the Resource Management Act 1991 to demonstrate their relevance. Full text of the sections of the Resource Management Act 1991 referred to are attached in Appendix 3 of this report. The full cascade of objectives, policies and rules that relate to each issue are listed in the cascade table in Appendix 1 of this report.

### 2.2.1 Issue 1:

<b>Issue statement</b>	Inappropriate development in town centres can lead to a loss of character and amenity.
<p>Development that does not correspond with, or respect the context of, the place and the established development pattern can cause towns, villages, neighbourhoods, and localities to lose social coherence and a sense of place, resulting in a loss of social, cultural, and economic well-being.</p> <p>Addressing this issue is within Council's functions under s31(1)(a) of the Act. Addressing the issue achieves s5 of the RMA; particularly ss5(2)(b) and 5(2)(c). It also has regard to s7(c).</p>	

### 2.2.2 Issue 2:

<b>Issue statement</b>	Poor functioning centres and scattered business development adversely affect wellbeing.
<p>If the function of centres is not well defined, there is a risk of scattered business development and it is less efficient to provide infrastructure and ensure an adequate level of amenity. It is challenging for the community to meet their needs. People may have to make multiple trips, increasing environmental effects. A failure to clearly define the function of centres and support this with appropriate urban form may result in less investment and development in centres and the benefits to be gained from co-location and adherence to urban design principles are lost. Further business development will not support the sub-region's growth pattern and Hamilton as the primary urban centre.</p> <p>This issue needs to be addressed to give effect to higher level documents. It is within Council's functions under s31(1)(a) and achieves the sustainable management of natural and physical resources. It also has regard to ss7(c) and 7(f).</p>	

### 2.2.3 Issue 3

<b>Issue statement</b>	Inappropriate land use, development, and signage in town centres can compromise amenity and have adverse effects.
<p>The adverse effects of land use can diminish the natural and physical qualities and characteristics of an area, which contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes. Development that is not controlled adequately; particularly earthworks, can have environmental effects.</p> <p>Addressing this issue is within Council's functions under s31(1)(a) of the Act and s31(1)(d) that</p>	

provides Council with a function to control the emission of noise and the mitigation of the effects of noise. Addressing the issue achieves s5 of the RMA, particularly ss5(2)(b) and 5(2)(c). It also has regard to ss7(c) and s7(f).

#### 2.2.4 Issue 4

<b>Issue statement</b>	Poorly designed centres compromise amenity, safety and wellbeing.
<p>Poorly designed development can result in buildings that are dominant and do not relate well to the street and public spaces. It can also lead to town centres becoming disconnected. This reduces opportunities for crime prevention and decreases amenity offered by centres. If buildings are not well designed, they will offer a poor level of amenity for residents and, overall, the ability of people to use town centres to provide for their wellbeing is compromised.</p> <p>Addressing this issue is within Council's functions under s31(1)(a) of the Act. Addressing the issue achieves s5 of the RMA, particularly ss5(2)(b) and 5(2)(c). It also has regard to s7(c).</p>	

#### 2.2.5 Issue 5

<b>Issue statement</b>	Town centres do not relate to the Waikato River.
<p>The Waikato River flows through or is in close proximity to the Huntly and Ngaruawahia town centres. Currently, there is not much connection between town centres and the Awa. There is an opportunity to enhance connections and to reflect the River in the design of town centres and business areas.</p> <p>This is consistent with the Waikato River Vision and Strategy, which seeks appropriate public access to the River in a way that protects the health of the Awa. Reflecting the River in the design of town centres may also reinforce the need for restoration, whilst contributing to overall amenity.</p> <p>Addressing the issues achieves s5 of the Resource Management Act as it enables opportunities for wellbeing. It also has regard to s7(c) by maintaining amenity values. It is within Council's functions under s31(1) of the RMA.</p>	

### 3 EVALUATION OF OBJECTIVES

The objectives set out in Table 8 are considered to be the most appropriate way to achieve the purpose of the Act. The criteria in Table 7 have been used to guide the evaluation of objectives. Sections of the Resource Management Act 1991 relevant to the assessment of objectives are listed in Appendix 3.

**Table 7: Criteria Used to Evaluate Objectives**

<b>Relevance</b>
Achieves purpose and principles of RMA
Addresses a resource management issue
Assists Council to carry out its statutory function
Within the scope of higher level documents
<b>Feasibility</b>
Acceptable level of uncertainty and risk
Realistically able to be achieved
<b>Acceptability</b>
Consistent with identified lwi and community outcomes
Will not result in unjustifiably high costs on the community or parts of the community

**Table 8: Summary of Objectives**

<b>Objectives</b>	<b>Summary of Evaluation</b>
<p>4.5.1 Objective: Commercial Function and Purpose</p> <p>a) Commercial activity is focussed within a differentiation of commercial zones and development (comprising the Business Town Centre Zone, the Business Zone, the Tamahere Business Zone and neighbourhood centres).</p>	<p><b>Relevance</b> A hierarchy of centres enables people and communities across the District to provide for their wellbeing. The clustering of business activities into a hierarchy means that infrastructure can be provided efficiently that has regard to s7(b). Creating a focus for commercial activity means that there is greater opportunity to maintain and enhance amenity values as stated in s7(c). The objective responds to s8 by providing opportunities to enhance social and cultural wellbeing.</p> <p><b>Addresses a resource management issue</b> Creating a hierarchy of centres addresses Issues 1 and 2 and provides greater opportunities to address the other issues.</p> <p><b>Assists Council to carry out its statutory function</b> The objective is within s31(1) of the RMA, which gives Council the function of establishing and reviewing objectives to achieve the integrated management of resources to manage effects. A centres approach to development takes an integrated approach to resource management. It enables effects to be better managed and, in this manner, land uses are not scattered throughout the District.</p> <p><b>Within the scope of higher level documents</b> Clustering commercial development in centres in a hierarchical way is a requirement of the Waikato Regional Policy Statement and it is therefore appropriate that the plan enables this to give effect to the Waikato Regional Policy Statement.</p> <p><b>Feasibility</b> <b>Acceptable level of uncertainty and risk</b> Centres and business areas to support those centres are already established in the District, minimising uncertainty and risk.</p> <p><b>Realistically able to be achieved</b> The pattern of centres exists, and this provides a basis to build on. A hierarchy of centres is realistically able to be achieved because it enables Council to use resources efficiently. It</p>

	<p>means that community facilities and infrastructure to support communities and business growth can be provided more efficiently and at lower cost than providing that infrastructure to multiple locations across the District.</p> <p><b>Acceptability</b>  <b>Consistent with identified Iwi and community outcomes</b>  Iwi Management plans refer to promoting sustainable modes of transport and providing for the wellbeing of communities and access to services. Creating a hierarchy of centres partly enables to this occur.</p> <p><b>Will not result in unjustifiably high costs on the community or parts of the community</b>  The approach of creating a hierarchy of centres will not have unjustifiably high costs to the community as a whole or any parts of the community.</p>
<p>4.5.12 Objective – Business Town Centre - Character</p> <p>(a) The commercial and mixed-use character of Raglan, Huntly, Ngaruawahia, Te Kauwhata, Pokeno and Tuakau town centres is maintained and enhanced.</p> <p>(b) The Business Town Centre Zone is promoted as a community focal point.</p> <p>(c) Development of town centres is designed in a functional and attractive manner serving the needs of the community.</p>	<p><b>Relevance</b>  <b>Achieves purpose and principles of RMA</b>  Town centres being a focal point for the community and being functional and attractive enables people to provide for their wellbeing, particularly social and economic wellbeing; in the wider sense of creating more vibrant centres. It enhances amenity values, having regard to s7(c).</p> <p><b>Addresses a resource management issue</b>  Objective 4.5.12 addresses Issues 2 and 5 above by enabling centres to be the focus for commercial and mixed-use development and directing that they need to be designed well.</p> <p><b>Assists Council to carry out its statutory function</b>  Objective 4.5.12 assists Council to carry out its function under s31(1)(a) to manage effects on physical resources.</p> <p><b>Within the scope of higher level documents</b>  Creating well functional and attractive town centres that are the focus for the community and commercial and mixed-use activities gives effect to the Waikato Regional Policy Statement; particularly Objective 3.12, Policy 6.16 and the Development Principles set out in Section 6A of the Regional Policy Statement.</p> <p><b>Feasibility</b>  <b>Acceptable level of uncertainty and risk</b>  There is little uncertainty, as town centres are established and perform the function of providing the needs for the community. There is little uncertainty about population growth in the District and this will support increasing the scale of centres and centres being a focal point.</p> <p><b>Realistically able to be achieved</b>  Objective 4.5.12 is realistically able to be achieved, and can be implemented through individual developments and public projects.</p> <p><b>Acceptability</b>  <b>Consistent with identified Iwi and community outcomes</b></p>



	<p>Well-designed centres that enable people to meet their needs and are the focal point for communities is consistent with the aspirations of Iwi Management Plans to encourage strong communities.</p> <p><b>Will not result in unjustifiably high costs on the community or parts of the community</b></p> <p>The costs of maintaining and enhancing town centre amenity and character will not have unjustifiably high costs, either holistically or to any part of the community.</p>
<p>4.5.25 Objective – Business Zone - Character</p> <p>a) The commercial scale, form of buildings and character of the Business Zone is maintained.</p>	<p><b>Relevance</b></p> <p><b>Achieves purpose and principles of RMA</b></p> <p>Objective 4.5.25 enables people to provide for their wellbeing, particularly social and economic wellbeing (in the wider sense of creating more vibrant centres). It enhances amenity values, having regard to s7(c).</p> <p><b>Addresses a resource management issue</b></p> <p>The objective is relevant to all issues above as it seeks to maintain the character, amenity and function of centres and business areas.</p> <p><b>Assists Council to carry out its statutory function</b></p> <p>Objective 4.5.25 assists Council to carry out its function under s31(1)(a) to manage effects on physical resources.</p> <p><b>Within the scope of higher level documents</b></p> <p>The objective is within the scope of the Waikato Regional Policy Statement, particularly those provisions contained in chapter 6 (outlined in section 2.1 of this report).</p> <p><b>Feasibility</b></p> <p><b>Acceptable level of uncertainty and risk</b></p> <p>There is relatively low uncertainty and risk; the level is acceptable.</p> <p><b>Realistically able to be achieved</b></p> <p>Achieving the objective is within Council’s functions and resources.</p> <p><b>Acceptability</b></p> <p><b>Consistent with identified Iwi and community outcomes</b></p> <p>Achieving the objective is consistent with the overall outcome of strengthening communities and creating a sense of identity expressed broadly in Iwi Environmental Management Plans.</p> <p><b>Will not result in unjustifiably high costs on the community or parts of the community</b></p> <p>With reference to the later evaluation of provisions in this report, the objective will not result in unjustifiably high costs on the community or parts of the community.</p>
<p>4.5.30 Objective – Business Zone and Business Town Centre Zones – Amenity</p> <p>(a) The amenity values of residential activities within, and activities in, adjoining zones are</p>	<p><b>Relevance</b></p> <p><b>Achieves purpose and principles of RMA</b></p> <p>Part 2 and s5, and s7 are relevant to amenity. Section 7(c) refers directly to the maintenance and enhancement of amenity values and the maintenance and enhancement of the quality of the environment.</p> <p><b>Addresses a resource management issue</b></p> <p>The issue identifies that anticipated levels of amenity can be</p>

<p>protected from the adverse effects of developments and activities in the Business and Business Town Centres Zones.</p>	<p>diminished when the adverse effects of land use activities are not effectively managed.</p> <p><b>Assists Council to carry out its statutory function</b> It is within Councils functions under s31(1)(a) and s31(d).</p> <p><b>Within the scope of higher level documents</b> The Waikato Regional Policy Statement provides some direction to TAs to manage adverse effects on amenity and it is within the scope of the RPS.</p> <p><b>Feasibility</b> <b>Acceptable level of uncertainty and risk</b> There is a very low level of uncertainty and risk. <b>Realistically able to be achieved</b> Through land use and development controls such as minimum criteria to meet anticipated levels of amenity and Councils regulatory functions, development can be controlled to ensure amenity is at least maintained to an acceptable level for any given location. The objective is feasible.</p> <p><b>Acceptability</b> <b>Consistent with identified Iwi and community outcomes</b> The issues, objectives, policies, and methods within Section D of the Waikato Tainui Environmental Plan relates to specific environmental issues associated with amenity that are of interest to Waikato-Tainui. Relevant Section D environmental elements include discharge to air, the coastal environment; and land use planning.</p> <p>The Maniapoto Environmental Plan identifies the adverse amenity effects, particularly with activities that impact air quality, which in turn affect the environment and the health and wellbeing of people. The Maniapoto Environmental Plan also recognises that poor quality-built environments and urban design adversely affect people.</p> <p><b>Will not result in unjustifiably high costs on the community or parts of the community</b> There may be additional costs for avoiding, remedying, or mitigating adverse effects of activities and development but the cost should fall to the developer rather than adjacent land owners, the community, or the environment. There can be a larger cost to adjacent land owners, the community, or the environment if adverse effects are not avoided, remedied, or mitigated to acceptable levels.</p>
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## 4 SCALE AND SIGNIFICANCE EVALUATION

The level of detail undertaken for the evaluation of the proposed District Plan provisions has been determined by an assessment of the scale and significance of the implementation of the Proposed District Plan provisions. The scale and significance assessment considered the environmental, economic, social, and cultural effects of the provisions. In making this assessment, regard has been had to the following, namely whether the provisions:

- (a) Are of regional or District wide significance;
- (b) Have effects on resources that are considered to be a matter of national importance in terms of Section 6 of the Act;
- (c) Adversely affect people's health and safety;
- (d) Result in a significant change to the character and amenity of local communities;
- (e) Adversely affect those with particular interests, including Maori;
- (f) Limit options for future generations to remedy effects;
- (g) Whether the effects have been considered implicitly or explicitly by higher order documents; and
- (h) Include regulations or other interventions that will impose significant costs on individuals or communities.

The evaluation has focused on those provisions that will result in a substantial change to business areas and town centres and are of greater importance to ensure the objective of the Town Centre and Business zone chapters, and other objectives where relevant, are achievable.

The majority of changes proposed to the current provisions involve strengthening provisions that define the function of town centres and business areas. This is enforced by creating two separate zones: the Business Town Centre Zone and Business Zone. Current provisions do not create a hierarchy of centres or provide much guidance on the appropriate location of activities, such as large-scale retail. Generally, one zone is used as a method to identify appropriate location and controls for a wide range of business activities. The proposed provisions create a centres hierarchy and provide each centre with a clear function and place in that hierarchy. They also make specific provision for mixed-use development in both business and town centres zones, with this development assessed against the Multi-Unit Design Guide.

Overall, the provisions strengthen requirements for adherence to urban design principles and maintaining the character of centres. Whilst not a substantial change to current provisions, the provisions are quite a lot stronger. Remaining changes to provisions are not substantial and are more an 'update' to Operative Plan provisions. Policies and rules have been evaluated as a package, as together they address a particular issue and seek to meet a specific objective. Some rules implement more than one policy; for example, land use building standards can maintain character and amenity and ensure town centres are well defined. As most rules implement more than one policy, they have been referred to multiple times.

The following table contains a summary of the policies and rules considered to be of a scale and significance to justify a more comprehensive evaluation of options.

**Table 9: Scale and significance assessment**

Issue	Provisions evaluated	Scale and Significance Reasoning
<p><b>Issue 1</b> Inappropriate development leads to a lack of character and amenity</p> <p>Issue 5 Town Centres do not relate to the Waikato River</p>	<ul style="list-style-type: none"> <li>a) Policy 4.5.13 Town Centre Built Form</li> <li>b) Policy 4.5.14 Raglan Town Centre</li> <li>c) Policy 4.5.15 Huntly Town Centre</li> <li>d) Policy 4.5.16 Ngaruawahia Town Centre</li> <li>e) Policy 4.5.17 Te Kauwhata Town Centre</li> <li>f) Policy 4.5.18 Pokeno Town Centre</li> <li>g) Policy 4.5.19 Tuakau Town Centre</li> <li>h) Policy 4.5.20 Pedestrian frontages</li> <li>i) Policy 4.5.21 Corner buildings</li> <li>j) Policy 4.5.22 Landscaping</li> <li>k) Policy 4.5.23 Height Business Town Centre</li> <li>l) Policy 4.5.24 New Buildings Business Town Centre</li> <li>m) Character Statements for all centres</li> <li>n) Town Centre Design Guidelines</li> <li>o) Business Town Centre Zone</li> <li>p) Rule 18.1 Land use activities</li> <li>q) Rule 18.2 Land use effects</li> <li>r) Rule 18.3 Land use buildings</li> <li>s) Rule 18.4 Subdivision</li> <li>t) Policy 4.5.26 landscaping onsite parking areas</li> <li>u) Policy 4.5.27 Front set back business zone</li> <li>v) Policy 4.5.28 Height business zone</li> <li>w) Policy 4.5.29 New Buildings Business zone</li> </ul>	<ul style="list-style-type: none"> <li>a) This issue has district wide significance</li> <li>b) It will result in a change in the approach of current provisions</li> <li>c) It gives effect to the Waikato Regional Policy Statement</li> <li>d) The issue impacts on people's health and safety</li> </ul>
<p><b>Issue 2</b> Poor functioning centres and scattered business development adversely affect</p>	<ul style="list-style-type: none"> <li>a) Business Town Centre Zone</li> <li>b) Policy 4.5.2 Commercial function and purpose</li> <li>c) Policy 4.5.3 Commercial purpose: Town Centre</li> </ul>	<ul style="list-style-type: none"> <li>a) Addressing this issue is required to give effect to the Waikato Regional Policy Statement, Future Proof and takes into account Iwi Management Plans.</li> </ul>

wellbeing	<ul style="list-style-type: none"> <li>d) Policy 4.5.4 Commercial purpose Business Zone</li> <li>e) Policy 4.5.6 Commercial purpose Neighbourhood centres</li> <li>f) Policy 4.5.7 Commercial purpose neighbourhood centres in structure plans</li> <li>g) Policy 4.5.8 Role and function of the Business Zone</li> <li>h) Policy 4.5.9 Employment</li> <li>i) Policy 4.5.10 Retail: Business Town Centre Zone and Business Zone</li> <li>j) Policy 4.1.3 Location of development</li> <li>k) Rule 17.1 Land use activities</li> <li>l) Rule 17.2 Land use effects</li> <li>m) Rule 17.3 Land use – Building</li> <li>n) Rule 17.4 – Subdivision</li> <li>o) Rule 18.1 Land use activities</li> <li>p) Rule 18.2 Land use effects</li> <li>q) Rule 18.3 Land use – building</li> <li>r) Rule 18.4 Subdivision</li> <li>s) Business Zone</li> <li>t) Business Town Centre Zone</li> <li>u) Definitions</li> <li>v) Multi-Unit development guide</li> <li>w) Town Centre Design Guide</li> <li>x) Town Centre Character Statements</li> </ul>	<ul style="list-style-type: none"> <li>b) It is relevant to achieving capacity under the National Policy Statement for Urban Development Capacity</li> <li>c) It has region wide significance</li> <li>d) It will result in a change to the current character of town centres</li> <li>e) There is a change in approach from the current plan as two zones are created with a hierarchy of centres</li> <li>f) The issue impacts directly on individual and community wellbeing.</li> </ul>
<p><b>Issue 3</b> Inappropriate land use and development has adverse effects</p>	<ul style="list-style-type: none"> <li>a) Policy 4.5.32 Adjoining site amenity</li> <li>b) Policy 4.5.33 Reverse sensitivity</li> <li>c) Policy 4.5.34 Temporary events</li> <li>d) Policy 4.5.35 Noise</li> <li>e) Policy 4.5.36 Signage</li> </ul>	<ul style="list-style-type: none"> <li>a) It is not a substantial change from the current approach</li> <li>b) Inappropriate development can impact on the health and safety of people</li> <li>c) The issue has district wide effects</li> </ul>

	<ul style="list-style-type: none"> <li>f) Policy 4.5.37 Managing the adverse effects of signs</li> <li>g) Policy 4.5.38 Artificial outdoor lighting</li> <li>h) Policy 4.5.39 Outdoor storage</li> <li>i) Policy 4.5.40 Objectionable odour</li> <li>j) Policy 4.5.41 Earthworks</li> <li>k) Rule 17.1 Land use activities</li> <li>l) Rule 17.2 Land use effects</li> <li>m) Rule 17.3 Land use buildings</li> <li>n) Rule 18.1 Land use activities</li> <li>o) Rule 18.2 land use effects</li> <li>p) Rule 18.3 Land use buildings</li> </ul>	
<p><b>Issue 4</b> Poorly designed centres compromise amenity, safety and wellbeing</p>	<ul style="list-style-type: none"> <li>a) Policy 4.5.20 Pedestrian frontages</li> <li>b) Policy 4.5.21 Corner buildings</li> <li>c) Policy 4.5.22 Landscaping</li> <li>d) Policy 4.5.23 Height Business Town Centre</li> <li>e) Policy 4.5.24 New Buildings Business Town Centre</li> <li>f) Character Statements for all centres</li> <li>g) Town Centre Design Guidelines</li> <li>h) Business Town Centre Zone</li> <li>i) Rule 18.1 Land use activities</li> <li>j) Rule 18.2 Land use effects</li> <li>k) Rule 18.3 Land use buildings</li> <li>l) Rule 18.4 Subdivision</li> <li>m) Policy 4.5.26 landscaping onsite parking areas</li> <li>n) Policy 4.5.27 Front set back business zone</li> <li>o) Policy 4.5.28 Height business zone</li> <li>p) Policy 4.5.29 New Buildings Business zone</li> </ul>	<ul style="list-style-type: none"> <li>a) Addressing this issue takes into account future proof and lwi Management Plans and gives effect to the Waikato Regional Policy Statement.</li> <li>b) It impacts on the health and safety of people</li> <li>c) It is a difference to current provisions</li> <li>d) It has district and regional significance</li> </ul>

## **5 EVALUATION OF PROPOSED POLICIES, RULES AND METHODS**

Section 32(1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions. The assessment must identify and assess the benefits and costs of environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions; including opportunities for economic growth and employment. The assessment must, if practicable, quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

### **5.1 Identification of Reasonably Practicable Options – for Achieving Objectives**

The following assessment consists of an examination of all reasonably practicable options for achieving Objectives 4.5.1, 4.5.12, 4.5.25, and 4.5.30. This high-level screening process considers the effectiveness of each option. Only those options considered to be reasonably practicable will be evaluated in this section.

The options evaluated in Tables 10 – 12 comprise broad approaches, rather than detailed provisions. The options range from do nothing (no policy intervention to achieve the objective(s)) to a more restrictive approach (a heavier amount of policy intervention).

**Table 10: Reasonably Practicable Options for Achieving Objectives that relate to Business Town Centre and Business Area Character**

Objectives	Objective 4.5.12 - Town Centre Character Objective 4.5.25 - Business Area Character				
Options	Description (brief)	Relevance	Feasibility	Acceptability	Recommendation
<b>Option 1:</b> Do nothing – (remove all policies and associated methods)	This option involves removing all policies and methods that relate to town centre character and business area character.	May not achieve good urban design outcomes. Development is unlikely to be designed to achieve Council’s vision for the future growth of town centres.	Low risk from uncertain information. Risk associated with not acting, as ad hoc or poorly designed residential and commercial development may reduce ability of the community to provide for wellbeing.	Reduced compliance costs but increased long term community costs make this option unacceptable.	<b>Discard</b> Not effective or acceptable
<b>Option 2:</b> Status quo – (retain the approach of existing policies)	This option is to retain current provisions relating to character and design and retain existing guidelines in their current form.	Design guidelines that exist are inconsistent and overall do not have a lot of weight in the consent process. Some character statements are out of date.	This option is within Council’s powers and resources. There is some uncertainty the approach will achieve the objectives, as it is inconsistent and has low strength as a policy intervention.	The level of impact and distribution of effects would be the same as the existing distribution of effects, although overtime these may increase given that the guidelines need to be updated.	<b>Evaluate Further</b>
<b>Option 3:</b> Use character statements and design guidelines as a non-statutory	Provide District wide guidelines for town centre and character statements	Requires the consideration of urban design and provides a consistent	Whilst it requires investment from Council initially, the approach is within the resources that	This option is likely to result in greater effects long term as a result of the inconsistent application of urban design	<b>Discard</b> This option is likely to be ineffective and is not overly efficient for



Objectives	Objective 4.5.12 - Town Centre Character Objective 4.5.25 - Business Area Character				
Options	Description (brief)	Relevance	Feasibility	Acceptability	Recommendation
tool	and use this as non-statutory guidance to complement district plan provisions.	approach across the district. Character statements address special urban design characteristics. There is efficiency from clear guidance.	Council has and within Council's functions. However, there is uncertainty that it will achieve the objective, because there is no requirement for the guidelines to be taken into account; they have low weight.	principles.	Council, as it requires a moderate amount of investment without any likely improvement in design quality.
<b>Option 4:</b> Incorporate urban design principles, character statements, and guidance into the rules and policies.	This approach is to incorporate key parts of urban design guides as standards in the Plan and make reference to design guides in the assessment of the application.	The approach is effective, as it allows design and character to be considered and assessed as appropriate depending on the scale/significance of the activity.	The approach is within Council's responsibilities, powers, and resources. There is low risk.	The approach is likely to be acceptable and, whilst there may be higher costs during development, these are outweighed by the longer term benefits to the community.	<b>Evaluate Further</b>

**Table 11: Reasonably Practicable Options to achieve Objective 4.5.1 Commercial Function and Purpose**

Objective	4.5.1 Commercial function and purpose				
Options	Description (brief)	Relevance	Feasibility	Acceptability	Recommendation
<b>Option 1:</b> Do nothing – (remove all policies and associated methods)	This option involves removing all policies and methods that define the function and purpose of centres and business areas in the District.	Is unlikely to create differentiation between centres and will create uncertainty for investment.	Low risk from uncertain information. Risk associated with not acting as a failure to achieve a hierarchy of centres has impacts for both the district and sub-region.	Reduced compliance costs but increased long term community costs make this option unacceptable.	<b>Discard</b> Not effective or acceptable
<b>Option 2:</b> Status quo – (retain the approach of existing policies). The Franklin section and Waikato section are similar in approach and for this reason are considered together	This option is to retain current provisions that provide little differentiation between business areas and town centres (this approach is discussed in earlier sections of this report).	This approach is unlikely to be effective because having one zone does not allow for a differentiation in urban form or function. The zone, however, has allowed centres to establish.	This option is within Council's powers and resources. There is some uncertainty the approach will achieve the objectives as it is inconsistent and has low strength as a policy intervention.	The level of impact and distribution of effects would be the same as the existing distribution of effects, although overtime these may increase.	<b>Evaluate Further</b>
<b>Option 3:</b> Provide a differentiation between centres with a different function  Note: <i>There are a</i>	This option is for provisions to establish functions for different types of centres and control building form and	The approach is likely to be effective as it creates a hierarchy of centres in the District.	Whilst there is some duplication from administering provisions for different levels of centre, this is within Council's resources.	This option is likely to be acceptable. It is not likely to have an unfair distribution of costs.	<b>Evaluate Further</b>

Objective	4.5.1 Commercial function and purpose				
Options	Description (brief)	Relevance	Feasibility	Acceptability	Recommendation
<i>number of sub options that sit under this option. However, the purpose of this analysis is to screen options at a higher level.</i>	activities accordingly.		Having different provisions for centres with differing functions is feasible.		

**Table 12: Reasonably Practicable Options to achieve objective 4.5.30 Business Zone and Business Town Centre Zones - Amenity**

Objective	4.5.30 Objective – Business Zone and Business Town Centre Zone Amenity				
Options	Description (brief)	Relevance	Feasibility	Acceptability	Recommendation
<b>Option 1:</b> Do nothing – (remove all policies and associated methods)	This option involves removing all policies and methods that relate to the control of amenity effects.	This approach is likely to result in nuisance effects and increase the risk of reverse sensitivity. Therefore, in both the short and long term, this option is unlikely to protect amenity values.	Low risk from uncertain information. Risk associated with not acting potential amenity effects could have impacts on wellbeing.	Reduced regulation but increased long term community costs make this option unacceptable.	<b>Discard – Not effective or acceptable</b>

Objective	4.5.30 Objective – Business Zone and Business Town Centre Zone Amenity				
Options	Description (brief)	Relevance	Feasibility	Acceptability	Recommendation
<p><b>Option 2:</b> Status quo – (retain the approach of existing policies)</p> <p><i>Note: At a high level the approach of the two sections of the operative district plan is similar enough to be combined in this analysis.</i></p>	<p>This option is to retain current provisions that manage nuisance effects to protect amenity values.</p> <p><i>This option assumes the provisions would be updated to refer to updated standards as necessary (e.g. current provisions refer to an outdated noise standard)</i></p>	<p>This approach has been effective. It ensures that there is some control over the level of effects generated in business town centre and business areas, particularly effects that could be adverse to adjoining sites.</p>	<p>This option is within Council’s powers and resources.</p>	<p>The level of impact and distribution of effects would be the same as the existing distribution of effects and therefore likely to be acceptable.</p>	<p><b>Evaluate Further</b></p>
<p><b>Option 3:</b> Impose more restriction</p>	<p>This option would further reduce the level of effects able to be generated by activities in the Business and Business Town Centre Zones.</p>	<p>Whilst the approach reduces nuisance effects, it is unlikely to result in maintenance of amenity values within the zones as it may place too much restriction on some activities.</p>	<p>The option is within Council’s functions and resources (although greater resources would be required).</p>	<p>This option is not likely to be acceptable due to the level of restriction that would result to activities within the Business and Business Town Centre Zones however this needs further evaluation.</p>	<p><b>Evaluate Further</b></p>

## 5.2 Evaluation of Selected Options

This section contains an evaluation of those options identified above for further evaluation. The short list of options has been developed further to include, where relevant, policies, rules, and methods.

In some instances, provisions have been bundled where they are expected to work together to achieve the objective(s). For efficiency, this second-tier evaluation focuses on the approach and the policies and rules which implement that approach as a package, rather than a detailed analysis of every policy and every rule.

How this section is approached in terms of level of detail depends to what extent the options are departing from the existing District Plans and the significance of the alternative options. The following tables provide a summary of the evaluation results. Supporting information is covered in more detail in Appendix 4 of this report.

### 5.3 Objective 4.5.1 Commercial Function and Purpose

*The following provisions work as a package to achieve Objective 4.5.1*

- a) *Business Town Centre Zone*
- b) *Policy 4.5.2 Commercial function and purpose*
- c) *Policy 4.5.3 Commercial purpose: Town Centre*
- d) *Policy 4.5.4 Commercial purpose Business Zone*
- e) *Policy 4.5.6 Commercial purpose Neighbourhood centres*
- f) *Policy 4.5.7 Commercial purpose neighbourhood centres in structure plans*
- g) *Policy 4.5.9 Employment opportunities*
- h) *Policy 4.5.8 Role and function of the Business Zone*
- i) *Policy 4.5.10 Retail: Business Town Centre Zone and Business Zone*
- j) *Policy 4.1.3 Location of development*
- k) *Rule 17.1 Land use activities*
- l) *Rule 17.2 Land use effects*
- m) *Rule 17.3 Land use – Building*
- n) *Rule 17.4 – Subdivision*
- o) *Rule 18.1 Land use activities*
- p) *Rule 18.2 Land use effects*
- q) *Rule 18.3 Land use – building*
- r) *Rule 18.4 Subdivision*
- s) *Business Zone*
- t) *Business Town Centre Zone*
- u) *Definitions*
- v) *Multi-Unit development guide*
- w) *Town Centre Design Guide*
- x) *Town Centre Character Statements*

### 5.3.1 Identification of Options

In considering options for managing and enabling Objective 4.5.1 a number of factors were taken into account, including:

- Future Proof defines a land use and settlement pattern for Hamilton, Waipa, and Waikato Districts based on integrated planning principles. Both Future Proof and the Waikato Regional Policy Statement state that Hamilton is to be the primary urban centre supported by other centres throughout the sub-region. In the Waikato District; Taupau, Te Kauwhata, Raglan, Ngaruawahia, Huntly, and Pokeno are specifically listed as town centres.
- The strategic direction for the plan (set out in Chapter 4.1 of the Proposed Plan) is to create sustainable villages and towns. The provisions for business areas and town centres need to support the strategic direction for the District.
- The characteristics of the District were considered, including growth pressure and population projections as well as demographic analysis on the structure of the population of the District and economy. Population growth and demographic changes are likely to increase the viability of establishing a hierarchy of centres.
- The National Policy Statement for Urban Capacity requires business capacity to be considered and provided. The approach selected should make it efficient to both monitor and provide capacity.
- Assessment of Options for Urban Design Guidance carried out by Beca prior to the development of the Urban Design Guidelines. The full assessment is in Appendix 4 of this report.

### 5.3.2 Policy, Rule and Method Evaluation

This section assists to identify the provisions (i.e. policies, rules and methods) that are the most appropriate to achieve the objective.

As the policies and rules work as a package, they have been grouped. The provisions to achieve Objective 4.5.1 fall into three groups:

- 1) Provisions that define the commercial function of centres and business areas throughout the District (Table 13)
- 2) Provisions that manage the scale of retail activities in the Town Centre and Business Zones (Table 14)
- 3) Residential use above ground level (Table 15)

A separate analysis is provided for each of the groups or packages or provisions in the following tables. As a whole, the evaluation concludes that provisions to achieve Objective 4.5.1 are appropriate.

**Table 13: Evaluation of provisions that define the commercial function of centres and business areas throughout the District**

Provisions most appropriate	Effectiveness and Efficiency	
	Benefits	Costs
<p>These provisions work as a package:</p> <ul style="list-style-type: none"> <li>a) Business Town Centre zone</li> <li>b) Policy 4.5.2 Commercial function and purpose</li> <li>c) Policy 4.5.3 Commercial purpose: Town Centre</li> <li>d) Policy 4.5.4 Commercial purpose Business Zone</li> <li>e) Policy 4.5.6 Commercial purpose Neighbourhood centres</li> <li>f) Policy 4.5.7 Commercial purpose neighbourhood centres in structure plans</li> <li>g) Policy 4.5.9 Employment opportunities</li> <li>h) Rule 18.1 Land use activities</li> <li>i) Rule 18.2 Land use effects</li> <li>j) Rule 18.3 Land use – Building</li> <li>k) Rule 18.4 - Subdivision</li> </ul>	<p><b>Environmental:</b> Reduced environmental effects associated with more efficient infrastructure provision.</p> <p>Reduces the risk of ad hoc out of centre commercial development and associated potential reverse sensitivity and amenity effects.</p> <p>A hierarchy of centres may reduce overall trip duration for the District and associated environmental effects; particularly if they include mixed-use development.</p> <p><b>Economic:</b> Allows infrastructure to be provided in an efficient and integrated way.</p> <p>Agglomeration (co-location) of businesses provides increased opportunities for efficiency and economic development.</p> <p>Reduced risk that development outside of towns will compromise the viability of existing towns and devalue public spending and existing investment.</p> <p>Supports the hierarchy of centres identified for the sub-region in Future Proof and the Waikato Regional Policy Statement (Policy 6.1).</p>	<p><b>Environmental:</b> As Development in more intense, environmental effects are concentrated over a smaller area.</p> <p>Intensification and development in towns close to the River increases the risk of sedimentation from earthworks and environmental effects.</p> <p><b>Economic:</b> “Price to market’ costs maybe higher for some retail activities as some out of centre activity can have lower cost.</p>

	<p>Sends clear signals to the market where commercial and more intense development is to be located.</p>	
	<p><b>Social:</b> Provides opportunities to create vibrant town centres that in turn will allow communities to provide for social wellbeing.</p> <p>Increased chances for social cohesion and interaction.</p> <p>May encourage further investment and economic growth in the District.</p> <p>Increased implementation of urban design principles may increase overall amenity values and safety of centres.</p> <p>A hierarchy of centres results is likely to result in more transport mode choices.</p> <p>Reduced risk of ribbon development and sporadic commercial development that provides less diversity and ease for communities to provide for their wellbeing.</p>	<p><b>Social:</b> Residents that live close to a business area have a greater distance to travel to access a town centre</p>
	<p><b>Cultural:</b> Greater opportunities to develop a sense of identity in towns and reflect cultural values through design.</p>	<p><b>Cultural:</b> None identified.</p>



### Opportunities for economic growth and employment

Creating a hierarchy of centres offers opportunities for both economic growth and employment, due to the benefits derived from the co-location of businesses in centres and increased vitality that will provide support for public and private sector investment and further development. Well-functioning business areas may attract further businesses and employment. The provisions clearly define the function of each centre and this provides clarity to the market.

### Options less or not as appropriate to achieve the objective

#### Option 1: Adopt Waikato District rules

The status quo is to continue to provide for all business activities in the business zone; with no differentiation for development in town centres.

#### Appropriateness:

The Waikato District is growing, and this creates the need for additional capacity to be provided in centres for businesses to give effect to the settlement pattern of Future Proof, Waikato Regional Policy Statement, and the National Policy Statement for Urban Development Capacity. Raglan, Huntly, Ngaruawahia, Te Kauwhata, Pokeno, and Tuakau are all identified as town centres in Future Proof. The current Business Zone does not allow for mixed-use development. One uniform zone for all business activity does not allow focal points to be established, decreases the likelihood of agglomeration (because businesses are spread over a wider range of locations), does not send a clear signal to the market of Council's priorities for infrastructure investment, and may make the provision of infrastructure less efficient. Further; without defined centres, it is more challenging to implement urban design principles and there is less chance of developing a sense of identity and of social cohesion. One zone does not clearly identify or create a hierarchy of centres.

#### Option 2: Adopt Franklin District Rules

The Franklin District has neighbourhood centres and takes a structure plan approach to development of Pokeno. Outside of neighbourhood centres and Pokeno, a General Business Zone is used to focus a wide range of business activities.

#### Appropriateness:

The structure plan approach to creating a town centre focal point in Pokeno is appropriate. However, it does not apply across the Franklin area and the plan does not provide enough differentiation to support the development of a clear centres hierarchy. Structure plans are a tool for planning greenfield areas. Therefore, this approach could not be applied to existing centres.

### Risk of acting or not acting

#### Uncertainty or insufficiency of information:

There is sufficient information to understand the issues. Capacity analysis and population growth projects that support the approach of developing town centres as primary, retail, commercial, and administrative centres is based on modelling that has underlying assumptions. This means that there is a low level of uncertainty. Models, however are interpreted using a wide range of analysis; greatly reducing this risk.

#### Risk of acting or not acting:

The level of uncertainty is very low. The risk of not acting is high, because developing clearly defined town centres is necessary to give effect to strategic growth objectives and create strong vibrant communities.

#### Efficiency and effectiveness

##### **Effectiveness:**

Raglan, Huntly, Ngaruawahia, Te Kauwhata, Pokeno, and Tuakau are recognised as the primary town centres for Waikato District in Future Proof and the settlement pattern in the Waikato Regional Policy Statement. The provisions strengthen the role of these centres by providing for a mix of uses that supports co-location and ensuring quality urban design that develops identity within each town centre. Creating a clearly defined town centre in these centres that have been strategically identified supports the direction of Objective 4.5.1 to concentrate commercial and retail activity in centres, rather than dispersed development.

Business areas are around the Town Centre Zone or are smaller centres for smaller sized villages in the District. It is essential that these areas function well to provide for the needs of these communities and the provisions effectively define this function by defining both their size through zoning, the range of activities that can be undertaken, and their form. Business areas around town centres should support those town centres rather than dominate them. If activity within business areas is of a greater scale or intensity than the town centre, this will undermine the hierarchy of centres. Again, the provisions effectively manage this through zoning, the range of activities that can be undertaken and, particularly, building use building standards that create a differentiation between the types of building generally appropriate in each zone.

The provisions are efficient, as they provide clarity over where activities are appropriate and what kind of activities are sought. There is a low level of restriction in the Business Zone allowing of wide range of activities to develop, including large format retail and trade retail. This is a more efficient use of land than the sporadic development of these activities or their development in the Town Centre Zone or Industrial Zones.

##### **Efficiency:**

The benefits of the provisions that establish a hierarchy by defining the function of each centre within it exceed costs; therefore, they are efficient. The approach is efficient, as it provides for economies of scale through agglomeration, improves the efficiency of infrastructure provision including transport infrastructure, allows for a range of activities to establish so that community needs can be met without the need to make multiple trips, and business activity is rationalised and not spread throughout the District in a haphazard way. The provisions are efficient, as they are clear and establish a clear function for each centre in the hierarchy.

**Table 14: Management of large format and small-scale retail and activities with location constraints to support hierarchy**

Provisions most appropriate	Effectiveness and Efficiency	
	Benefits	Costs
a) Business Town Centre Zone b) Policy 4.5.8 Role and function of the Business Zone c) Policy 4.5.10 Retail: Business town centre zone and business zone d) Policy 4.1.3 Location of Development e) Rule 17.1 Land use activities f) Rule 17.2 Land use effects g) Rule 17.3 land use – Building h) Rule 17.4 – Subdivision i) Rule 18.1 Land use activities j) Rule 18.2 Land use effects k) Rule 18.3 Land use – building l) Rule 18.4 Subdivision	<b>Environmental:</b> Creates a clear guide on location to manage environmental effects.	<b>Environmental:</b> Large format retail may generate a larger number of vehicle trips.  High amounts of impervious surface could be developed, although this is generally expected in business areas.
	<b>Economic:</b> Clear direction is provided on where the development of large format retail can establish.  Provides the basis for a wide range of activities to provide opportunities for communities to meet their needs.	<b>Economic:</b> Large format retail may detract from the vibrancy of town centres.
	<b>Social:</b> Creates a clear urban form, with more intense development in the town centre.  Activities that have not limited location opportunities because of their form or function are provided for.  Provides for large scale retail.	<b>Social:</b> Large format retail and those activities that require larger areas of space may detract from the amenity of the centre.  Without specific design guidance, large scale retail may have adverse visual amenity effects within business areas.  In smaller towns without a town centre zone, large scale retail may displace smaller scale development.
	<b>Cultural:</b> Large buildings do not detract from cultural identity in town centres.	<b>Cultural:</b> None identified

<b>Opportunities for economic growth and employment</b>		
Defining the function of business areas and the place of business areas in the hierarchy provides opportunities for economic growth and employment by creating clarity for investment and by increasing opportunities for the viable operation of town centres. Well-functioning business areas may attract further businesses and employment. Providing for large scale retail may also offers opportunities for increased employment.		
<b>Options less or not as appropriate to achieve the objective</b>		
<p>Option 1: Define a large-scale retail zone or overlay</p> <p>The status quo within both plans is to continue to provide for all business activities in the business zone, with no direction provided on the scale of activities appropriate within and outside established town centres.</p> <p><b>Appropriateness:</b></p> <p>This approach is likely to be less efficient, because there are a number of factors that determine where large scale retail can viably locate. There is a limited supply of business land in the District and allocating land to large scale retail would mean that there is less land available for smaller scale activities. This provides less flexibility for the future to respond to changing needs. It would also create uncertainty about achieving the objective, because a large format retail zone would likely distort the overall differentiation in the function of centres.</p>		
<p><b>Option 2:</b> Do not distinguish between the scale of retail activity in the business and business town centre zone – under this option provisions would not provide any direction on location of large scale retail (this option is the status quo as there is currently no differentiation between business areas and town centres)</p> <p><b>Appropriateness:</b></p> <p>This could lead to large scale retail establishing within a town centre. This would decrease the range of services and legibility within the town centre and is likely to use land in the town centre inefficiently. There would also be a loss of focal point and the character of the town centre could be compromised. This leads the approach to be uncoordinated and, overall, does not provide enough differentiation to achieve the objective. The achievement of urban design principles would be problematic.</p>		
<b>Risk of acting or not acting</b>		
<p><b>Uncertainty or insufficiency of information:</b></p> <p>There is not a lot of specific information on whether a large-scale retail operator would establish in a town centre due to constraints; however, it is possible, so the level of uncertainty is very low.</p> <p><b>Risk of acting or not acting:</b></p>		

The risk of not acting is high because developing clearly defined functions for business zones that support town centres is necessary to enforce a hierarchy of centres and directing the location of large scale retail is necessary to achieve this.

#### **Efficiency and effectiveness**

The establishment of large scale retail activity in town centres would undermine design provisions in the plan and the level of amenity sought for town centres, as well as adversely affecting character and being inconsistent with policies that seek to maintain character. To provide for the well-being of the community, there is a need to provide for a wide range of commercial activities of differing sizes. It is necessary to provide for large scale retail and commercial activities that face location constraints because if they are not provided for, they are likely to establish in industrial areas. This reduces land available for industrial activities and would detract from the approach taken to establish a hierarchy of centres. The provisions provide for large scale retail, whilst ensuring that it does not dominate or detract from the town centre.

Overall, the provisions are efficient, because they provide for the efficient use of land in the town centre for a number of activities, whilst still providing for large scale retail where the effects can be managed, and more land is available. Overall, the scale of benefits is greater than costs and the provisions are efficient.

**Table 15: Evaluation of provisions that support residential use above ground level**

Provisions most appropriate	Effectiveness and Efficiency	
	Benefits	Costs
a) <i>Business zone</i> b) <i>Business Town Centre zone</i> c) <i>Policy 4.5.11 Residential upper Floors: Business and Business Town Centre Zones</i> d) <i>Rule 18.3.8 Dwelling</i> e) <i>Rule 17.3.6 Dwelling</i>	<p><b>Environmental:</b> Mixed use development supports compact growth and encourages walking.</p> <p><b>Economic:</b> Mixed use developments and providing residential uses above ground floor level provide the opportunity for a range of development models.</p> <p>Residential use does not detract from the main function of the Town Centre or Business Zone.</p> <p><b>Social:</b> More likely to provide passive surveillance over the street.</p> <p>Greater opportunities to provide outdoor living areas</p>	<p><b>Environmental:</b></p> <p><b>Economic:</b> There may be some increased costs to provide an adequate level of amenity to units above the street (e.g. acoustic insulation).</p> <p><b>Social:</b> Initially there is likely to be a low population that may create safety concerns.</p>

	<p>that have more privacy.</p> <p>Provides greater chances for social interaction. Provides for mixed use environments.</p> <p>Provides activation of street frontages and interaction between buildings and the street.</p> <p>Residential use does not dominate the centre or cause any impact on business capacity that is more than minor.</p>	
	<p><b>Cultural:</b> Environmental effects are likely to be lower and this may reduce potential effects on cultural values.</p>	<p><b>Cultural:</b> None identified</p>
<p><b>Opportunities for economic growth and employment</b></p>		
<p>Allowing residential use above ground level and ensuring that residential use does not detract from the function of centres but adds amenity may indirectly lead to economic growth and increase employment by increasing the attractiveness of centres and business areas for investment and business location.</p>		
<p><b>Options less or not as appropriate to achieve the objective</b></p>		
<p><b>Option 1: Status quo</b> Currently one unit above ground level is provided (there are some exemptions to this in some structure plan areas). Appropriateness: The provision of only one unit per lot is unlikely to provide a sufficient mix of use to create differentiation between different centres, as it is more the form of caretaker accommodation or a flat for the owner of a business. This does not distinguish the function of town centres in particular and overall is not appropriate.</p>		
<p><b>Risk of acting or not acting</b></p>		
<p><b>Uncertainty or insufficiency of information:</b> There is sufficient information. There is a low level of uncertainty about the demand for residential.</p> <p><b>Risk of acting or not acting:</b> The risk of acting is very low, as the point of the policy is to manage residential use in town centres and business areas should people wish to take the opportunity. Other provisions ensure that residential use does not compromise the function of the centre.</p>		
<p><b>Efficiency and effectiveness</b></p>		
<p>The provisions are effective, as they increase the vibrancy of town centres and provide more intense activity and development. In turn, this provides a</p>		

differentiation in the function of town centres.

The provisions are efficient, because they allow the development with residential activity that has benefits to the District but few costs.

## 5.4 Objective 4.5.12 Business Town Centre Character

The following list of provisions work as a package to achieve Objective 4.5.12:

- a) Policy 4.5.13 Town Centre Built Form
- b) Policy 4.5.14 Raglan Town Centre
- c) Policy 4.5.15 Huntly Town Centre
- d) Policy 4.5.16 Ngaruawahia Town Centre
- e) Policy 4.5.17 Te Kauwhata Town Centre
- f) Policy 4.5.18 Pokeno Town Centre
- g) Policy 4.5.19 Tuakau Town Centre
- h) Policy 4.5.20 Pedestrian frontages
- i) Policy 4.5.21 Corner buildings
- j) Policy 4.5.22 Landscaping
- k) Policy 4.5.23 Height Business Town Centre
- l) Policy 4.5.24 New Buildings Business Town Centre
- m) Character Statements for all centres
- n) Town Centre Design Guidelines
- o) Business Town Centre Zone
- p) Rule 18.1 Land use activities
- q) Rule 18.2 Land use effects
- r) Rule 18.3 Land use buildings
- s) Rule 18.4 Subdivision

### 5.4.1 Identification of Options

In considering options for managing and enabling Objective 4.5.12 Business Town Centre Character, a number of factors were taken into account, including:

- Feedback on current urban design guidelines; specific issues were inconsistencies across the District and relatively generic content.
- The need to have a consistent approach that allows decision makers to apply design guidance in appropriate instances is necessary if good urban design outcomes are to be fostered.
- NZ Urban Design Protocol 2005, to which Waikato District Council is a signatory. The protocol commits signatories to design initiatives included to raise the quality of urban design within the District. Seven essential design qualities to be considered in day to day planning and design are:
  - Context
  - Character
  - Choice
  - Connections
  - Creativity
  - Custodianship
  - Collaboration
- National Guidelines for Crime Prevention through Environmental Design 2005. These guidelines provide Council with a framework for incorporating crime prevention within quality urban design by focussing on reducing the opportunity to commit crime.



- Waikato Regional Policy Statement 2012
  - Encourages development of the built environment to occur in an integrated, sustainable and planned manner by minimizing land use conflicts (and potential for reverse sensitivity) and anticipating/responding to changing land use pressures outside of the Waikato Region which may impact local built environment.
  - Promotes compact urban environments that support existing commercial centres and multi-modal transport options.
- Review of other approaches taken by other authorities in district plans
- The Waikato-Tainui Environment Plan identifies issues with the cumulative effects of poorly planned, ad hoc subdivision and land development. Waikato-Tainui would like to ensure that these cumulative effects are recognised and responded to potentially by taking a more strategic and holistic view to evaluating consent applications, rather than the current individual site assessment approach. The Maniapoto Environment Plan refers to minimising environmental effects through sustainable design.

#### **5.4.2 Policy, Rule and Method Evaluation**

This section assists to identify the provisions (i.e. policies, rules and methods) that are the most appropriate to achieve the objective.

**Table 16: Evaluation of Provisions Defining Character of Town Centres**

Provisions most appropriate	Effectiveness and Efficiency	
	Benefits	Costs
<p>List the provisions as a package e.g.</p> <p>a) Policy 4.5.26 landscaping onsite parking areas Policy 4.5.27 Front setback</p> <p>b) Policy 4.5.28 Height business zone</p> <p>c) Policy 4.5.29 New Buildings</p> <p>d) Business Zone</p> <p>e) Rule 18.1 Land use activities</p> <p>f) Rule 18.2 Land use effects</p> <p>g) Rule 18.3 Land use buildings</p> <p>h) Rule 18.4 Land use subdivision</p> <p>i) Town Centre Character Statements</p> <p>j) Town Centre urban design guidelines</p>	<p><b>Environmental:</b> The consideration that is required to be given to design elements is also likely to reduce environmental effects.</p>	<p><b>Environmental:</b></p>
	<p><b>Economic:</b> Clear character guidance assists developers to gain best value from their projects and reduces uncertainty during the consent phase.</p>	<p><b>Economic:</b></p>
	<p><b>Social:</b> Provides for place-based outcomes and the development of a sense of identity.</p> <p>Reinforces aspirations of individual town centres (e.g. Future Proof comments that Ngaruawahia could be the cultural and heritage capital of New Zealand).</p>	<p><b>Social:</b> Guidelines need to be updated as necessary.</p>
	<p><b>Cultural:</b> Allows the cultural elements of character to be maintained and enhanced.</p> <p>Opportunities to reflect cultural identity through design</p> <p>Responds to unique qualities of the locality</p>	<p><b>Cultural:</b></p>
<p><b>Opportunities for economic growth and employment</b></p> <p>Town centres with a sense of place maybe more attractive for business and investment. This provides some opportunities for economic growth and employment.</p>		
<p><b>Options less or not as appropriate to achieve the objective</b></p>		

**Option 1: Status quo**

This option is to retain current provisions relating to character and design and retains existing guidelines in their current form and development controls as is.  
*Appropriateness:* Some of the character statements are outdated and existing provisions do not give them sufficient weight to achieve the level of differentiation and attention to character that is now sought by the objective in response to the increase in the significance of the design and character of town centres.

**Option 2: More restrictive approach**

The option is to incorporate desired elements of character into building development standards

**Appropriateness:**

This option is not the most appropriate as it would be difficult to achieve due to some elements of character being subjective. Further the approach would be inefficient as the costs of the overly prescriptive nature would outweigh the benefits.

**Risk of acting or not acting****Uncertainty or insufficiency of information:**

There is no uncertain or insufficient information.

**Risk of acting or not acting:**

*There is no uncertain or insufficient information. The risk of acting or not acting is therefore not a consideration.*

**Efficiency and effectiveness****Effectiveness:**

Place based character statements are intended to support urban design guidelines (particularly the Town Centre Urban Design Guidelines and Multi-Unit Urban Design Guidelines) and outline the specific issues or character sought for an area. This provides clarity to those developing in an area what kind of development is appropriate to maintain character. The character statements and associated policies that are specific to each centre are a key part recognising the individual identity of each centre and the elements that provide character and serve as the basis for maintaining or enhancing that character.

**Efficiency:**

Whilst the approach of referring to character statements does have some costs (identified in the first part of this table), overall, these are outweighed by the benefits of maintaining and enhancing character and the overall contribution that this will make to the amenity of centres and ability of people to provide for their wellbeing.

**Table 17: Analysis of Provisions that relate to urban design within Town Centres**

Provisions most appropriate	Effectiveness and Efficiency	
	Benefits	Costs
a) 4.5.13 Town Centre built form b) 4.5.20 Pedestrian frontages: Active street frontages c) 4.5.21 Corner Buildings d) 4.5.22 Landscaping e) Height f) Rule 18.1 Land use activities g) Rule 18.3 Land use – Buildings (particularly new buildings) h) Rule 18.4 subdivision i) Town Centre zone j) Town centre urban design guidelines k) Town Centre Character Statements l) Multi-Unit Urban Design Guidelines	<b>Environmental:</b> Adoption of the urban design principles articulated through the rules and guidelines is likely to lead to more sustainable buildings.	<b>Environmental:</b>
	<b>Economic:</b> Reduced infrastructure costs.  Clear guidance to developers and applicants helps them to achieve the best value for their projects.  Clear guidance is provided across town centres in the District reducing current inconsistencies.  Well-designed more attractive environments are more likely to attract investment and further growth.	<b>Economic:</b> Preparation of specific District wide design guidelines is required – estimated cost of minimum of \$25,000. Design guides need to be updated to remain relevant.  Applicants/ developers need to refer to an external set of design guidelines to accurately interpret and apply the rules to gain maximum benefit. This is best practice anyway, so to many developers this will simply be part of the design process, rather than an additional cost.  Increased cost to council providing guidance on the design guidelines and urban design provisions. Some of these provisions are new so there will be some additional cost training Council staff. This cost is minimal as staff interpreting the guidelines are qualified and understand general principles  Reference to design guides for small scale projects is inefficient.  A consent application is required for new buildings. This has associated consent costs in fees and through the requirement for a design statement to be prepared, although minor works are exempt. The cost estimate

		for a design statement is between \$2,000 and \$5,000 but will vary. Consent costs will vary depending on the overall project. They are likely to be less than \$10,000.
	<p><b>Social:</b> Higher quality environments.</p> <p>Provides for place-based outcomes.</p> <p>Allows urban design principles to be incorporated into town centres facing high growth pressures.</p> <p>Well-designed places are likely to have better public health outcomes.</p> <p>Allows principles of safety through environmental design to be incorporated.</p>	<p><b>Social:</b> Changes to communities may require design guidance to become out of date.</p>
	<p><b>Cultural:</b> Higher quality subdivision and development, creating better living environments.</p> <p>Allows heritage to be protected and taken into account during design as appropriate.</p>	<p><b>Cultural:</b> None identified</p>
<b>Opportunities for economic growth and employment</b>		
Well designed, mixed use centres offer the opportunity for a range of activities to locate together. Through agglomeration effects this may facilitate economic growth. The provision of infrastructure is likely to be more efficient and more attractive towns may act as a catalyst for further investment. Therefore, indirectly the provisions provide an opportunity for increased economic growth and employment.		
<b>Options less or not as appropriate to achieve the objective</b>		
<p><b>Option 1: Status quo</b></p> <p>The current approach has only one business zone (in both sections of the operative provisions). Design guidelines are referred to as matters of discretion in structure plan areas, precincts, and concept plan areas; however, there is no specific focus on character or the design of town centres as distinct from wider business areas.</p>		

**Appropriateness:**

The option has been disregarded as it does not provide the character of town centres to develop distinct from business areas. The inconsistent use of design guides is unlikely to achieve the outcome sought by the objective that is 'functional and attractive town centres that serve as community focal points'. Mixed-use development is also more limited in the current provisions that mean they are not the most appropriate option.

**Option 2: Incorporate character statements and design guidelines directly into the implementation methods**

This option would incorporate a greater amount of the design guidelines and key elements of the character statements directly into Plan rules. These rules would need to be met for activities to be permitted. In other words, land use – building standards in the plan would be very prescriptive.

**Appropriateness:**

This option has been discarded as it is not the most appropriate option. The overly prescriptive nature may discourage development, and this would not achieve the outcome sought, that town centres become focal points. The option is not efficient as the level of regulation does not add sufficient value. Overly prescriptive design standards would provide a lack of flexibility to apply to different environments and circumstances around the District.

**Risk of acting or not acting****Uncertainty or insufficiency of information:**

There is no uncertain or insufficient information.

**Risk of acting or not acting:**

There is no uncertain information and information is sufficient, consequently the level of risk is very low.

**Efficiency and effectiveness****Efficiency:**

Consent is not required for minor works, as these generally do not have an impact on the public realm. A design statement is required for new buildings in the town centre. Whilst this will impose additional costs on developers, the benefits to the community are at a greater scale and are long term benefits. Further, whilst it is an additional requirement in the plan, it is likely that many developers go through a design process when developing commercial buildings so the additional cost for most developments is not likely to be great.

Design guides and character statements are used a matter of discretion for multi-unit developments. Again, whilst this may increase costs to developers these are outweighed by benefits to be gained.

The approach does involve greater resourcing from Council initially to prepare the guidelines. However, this is within Council's resources and therefore efficient. In some ways, requiring design guidelines to be taken into account and the provision of design statements may make the consent process more efficient by providing clear guidance to applicants on the type of development and design likely to be more acceptable.

**Effectiveness:**

Key elements of the design guidelines are incorporated as land use – building standards. This ensures that those elements that are essential to maintain character and for town centres to be functional. The activity rules that allow mixed use development promote town centres as focal points and reinforce the function of town centres. The requirement to refer to design guides and the use of these as matters of discretion allows flexibility in design and combined with the character statements (the effectiveness of these is specifically discussed in the table above), the provisions direct how functional and attractive design may be achieved. The provisions have sufficient flexibility to allow the principles to be applied to developments in the most effective way.

Overall, the provisions that direct urban form are both efficient and effective to achieve Objective 4.5.12.

## **5.5 Objective 4.5.25 Business Zone Character**

The following provisions work together to achieve objective 4.5.25:

- a) Policy 4.5.26 landscaping onsite parking areas
- b) Policy 4.5.27 Front set back business zone
- c) Policy 4.5.28 Height business zone
- d) Policy 4.5.29 New Buildings Business zone
- e) Rule 17.1 Land use – activities
- f) Rule 17.2 Land use – effects
- g) Rule 17.4 Land use – buildings
- h) Rule 17.4 Subdivision
- i) Business Zone
- j) Urban design guidelines town centre
- k) Urban design guidelines multi-unit development

### **5.5.1 Identification of Options**

In considering options for managing and enabling Objective 4.5.25 a number of factors were taken into account, including:

- Those matters listed in Section 5.4, as well as the need to provide clear differentiation between the Business and Business Town Centre Zones (as required by other objectives and the strategic direction for the District).

### **5.5.2 Policy, Rule and Method Evaluation**

This section assists to identify the provisions (i.e. policies, rules and methods) that are the most appropriate to achieve the objective.



**Table 18: Evaluation of Provisions: Business Zone Character**

Provisions most appropriate	Effectiveness and Efficiency	
	Benefits	Costs
<p>The following provisions work together to achieve objective 4.5.25</p> <ul style="list-style-type: none"> <li>a) Policy 4.5.26 landscaping on-site parking areas</li> <li>b) Policy 4.5.27 Front setback business zone</li> <li>c) Policy 4.5.28 Height business zone</li> <li>d) Policy 4.5.29 New Buildings Business zone</li> <li>e) Rule 17.1 Land use – activities</li> <li>f) Rule 17.2 Land use – effects</li> <li>g) Rule 17.4 Land use – buildings</li> <li>h) Rule 17.4 Subdivision</li> <li>i) Business zone</li> <li>j) Urban design guidelines town centre</li> <li>k) Urban design guidelines multi-unit development</li> </ul>	<p><b>Environmental:</b> Reduced environmental effects as a result of the co-location of activities and reduced amenity and character effects.</p>	<p><b>Environmental:</b></p>
	<p><b>Economic:</b> Clear character guidance assists developers to gain best value from their projects and reduces uncertainty during the consent phase.</p>	<p><b>Economic:</b> Cost of urban design guidelines and cost of incorporating this into consents (however, this is more a formalisation of the general design process).</p>
	<p><b>Social:</b> Provides for place-based outcomes and the development of a sense of identity.</p> <p>Business areas development in a way that supports town centres.</p> <p>Neighbourhood centres are able to provide for the day to day needs of the community.</p>	<p><b>Social:</b> Guidelines need to be updated as necessary.</p>
	<p><b>Cultural:</b> Allows the cultural elements of character to be maintained and enhanced.</p> <p>Opportunities to reflect cultural identity through design.</p> <p>Responds to unique qualities of the locality.</p>	<p><b>Cultural:</b> None identified</p>
<p><b>Opportunities for economic growth and employment</b></p> <p>Business areas that provide a sense of character will reinforce the function of town centres and will have increased amenity. In turn, this may attract economic growth and employment.</p>		

### Options less or not as appropriate to achieve the objective

#### **Option 1: Status quo**

The status quo is to take the set of provisions (primarily policies and the land use building/development standards that apply to the business zone and continue to apply these provisions to business areas.

#### **Appropriateness:**

Whilst this is no inappropriate as it would continue a similar form of development to that which exists, it does not provide for the character of business areas to be differentiated from the character of Town Centres. The future character of business areas will be different as a result of the differentiation made between the two zones. This means that applying existing provisions, whilst not inappropriate is not the most appropriate.

#### **Option 2: More direct urban design controls and specific guidelines for business areas**

This option would be to have a greater number of urban design controls incorporated into the plan as development controls, require consent for new buildings with reference to specific design guidelines or character statements.

#### **Appropriateness:**

This option is not efficient, as the level of restriction would not add enough additional value to justify the cost to applicants. There would also be some level of duplication in the preparation of guidelines. Overall, the option is not the most appropriate because it would result in an unnecessary level of regulation.

### Risk of acting or not acting

#### **Uncertainty or insufficiency of information:**

There is sufficient information and none of the information is uncertain.

#### **Risk of acting or not acting:**

There is no insufficient or uncertain information and therefore risk is very low.

### Efficiency and effectiveness

The provisions are not that dissimilar from current development standards. Effective controls include the height of buildings, daylight on zone boundaries, and landscaping. There are no buildings coverage or impervious area controls. This allows larger scale retail to develop. The rules generally control how a building relates to the public realm. This implements policy 4.5.29 that includes direction that new buildings should in particular respond to specific site characteristics and wider street, provides landscape and open space that responds to the qualities of the area, accommodates pedestrian access and minimises impacts of parking facilities. Working together with Policies 4.5.26 – 4.5.28 and the building development standards, the provisions are effective because they discourage any type of development that is out of character or with an inappropriate form or scale.

The provisions are efficient, and benefits exceed costs. They are not overly onerous, as only those elements of design guidelines that are essential to maintaining character have been turned into rules. Other guidelines provide flexibility to applicants. The provisions are therefore efficient.

## 5.6 Objective 4.5.30 Business zone and business town centre amenity

The following provisions work together to achieve objective 4.5.30

- a) Policy 4.5.32 Adjoining site amenity
- b) Policy 4.5.33 Reverse sensitivity
- c) Policy 4.5.34 Temporary events
- d) Policy 4.5.35 Noise
- e) policy 4.5.36 Signage
- f) policy 4.5.37 Managing the adverse effects of signs
- g) Policy 4.5.38 Artificial outdoor lighting
- h) Policy 4.5.39 Outdoor storage
- i) Policy 4.5.40 Objectionable odour
- j) Policy 4.5.41 Earthworks
- k) All Business Zone and Business Town Centre Zone rules

### 5.6.1 Identification of Options

In considering options for managing and enabling Objective 4.5.30 a number of factors were taken into account, including:

- General feedback on the current provisions – this indicated that although some updates were required, the provisions were generally working satisfactorily.
- Requirements of the Waikato Regional Policy Statement and the role and functions of Waikato Regional Council.

#### Waikato Regional Policy Statement

Policy 5.3 seeks to address the amenity values of air in relation to how clean and fresh it is or is perceived to be. High amenity is associated with good visibility, low levels of dust, and people's ability to enjoy the environment. Amenity can be reduced when contaminants affect people's wellbeing, such as when dust or smoke reduces visibility or settles on surfaces, or when odour is considered objectionable. Reverse sensitivity effects can also result from the inappropriate location of sensitive or incompatible activities, and the policies and methods in Chapter 6 [Built Environment] seek to minimize this.

**Section 6:** Built environment is the main section dealing with the built environment. Local authorities shall have regard to the principles in section 6A and particular regard to the potential for reverse sensitivity

#### Roles and responsibilities

The WRPS requires Waikato Regional Council to work with territorial authorities to develop a joint process including the division of responsibilities for responding to complaints about discharges to air; and for managing adverse effects on amenity resulting from discharges to air; including those that are incompatible with the surrounding land uses and character. This includes issues of reverse sensitivity. This process will help to ensure that there is no overlap with regards to District and Regional Plan provisions.

### **5.6.2 Policy, Rule and Method Evaluation**

This section assists to identify the provisions (i.e. policies, rules and methods) that are the most appropriate to achieve the objective. They have been evaluated as a package because they all work together to achieve the objective and there is no substantial change in these provisions.

### 5.8 Table 18: Evaluation of provisions

Provisions most appropriate	Effectiveness and Efficiency	
	Benefits	Costs
a) Policy 4.5.32 Adjoining site amenity b) Policy 4.5.33 Reverse sensitivity c) Policy 4.5.34 Temporary events d) Policy 4.5.35 Noise e) Policy 4.5.36 Signage f) Policy 4.5.37 Managing the adverse effects of signs g) Policy 4.5.38 Artificial outdoor lighting h) Policy 4.5.39 Outdoor storage i) Policy 4.5.40 Objectionable odour j) Policy 4.5.41 Earthworks k) Rule 17.1 Land use activities l) Rule 17.2 Land use effects m) Rule 17.3 Land use buildings n) Rule 18.1 Land use activities o) Rule 18.2 land use effects p) Rule 18.3 Land use buildings	<b>Environmental:</b> Noise, odour, and light spill effects are reduced.  Control of earthworks reduces the risk of sedimentation and subsequent environmental effects.  Visual effects of signs and outdoor storage areas are controlled.	<b>Environmental:</b>          <b>Economic:</b> Acoustic insulation is required in some areas.  Noise modelling will be required where noise limits cannot be met; however, this does not change the status quo.  There is some duplication with odour and earthworks management between Waikato Regional Council and Waikato District Council and the management of signs on a State highway with NZTA. This duplication is not significant as whilst there is some overlap, both Councils consider different effects of these activities.
	<b>Economic:</b> Reverse sensitivity is managed reducing potential impacts on business operation.  Amenity is managed increasing overall attractiveness for investment.	<b>Economic:</b>          <b>Social:</b> Noise limits may place restrictions on the operation of some activities; particularly hours of operation.  Temporary events may cause minor disruption.
	<b>Social:</b> The effects that noise has on amenity are managed.  Management of noise reduces public health effects.  Signs provide valuable information.	

	Signs do not adversely affect the public realm or create a health and safety hazard.	
	<p><b>Cultural:</b> Temporary events allow for cultural events to occur.</p> <p>Earthworks controls manage effects on water quality.</p>	<p><b>Cultural:</b> None identified</p>
<b>Opportunities for economic growth and employment</b>		
Controlling noise and avoiding reverse sensitivity maintains amenity values and supports the continued operation of businesses. It is not likely to provide employment opportunities, nor will it have an impact on employment.		
<b>Options less or not as appropriate to achieve the objective</b>		
<b>Option 1: Impose greater restriction</b>		
This approach would provide tighter restriction on nuisance effects to ensure amenity values are protected. Permitted activity thresholds would be reduced.		
<b>Appropriateness:</b>		
Whilst the approach does largely avoid reverse sensitivity, and this protects amenity values it may have adverse consequences as placing too many restrictions on businesses may decrease their ability to function and this in turn would reduce overall amenity of the centre. Placing greater restriction does not achieve an adequate balance and based on performance of current provisions is not efficient.		
<b>Risk of acting or not acting</b>		
<b>Uncertainty or insufficiency of information:</b>		
There is no uncertain or insufficient information.		
<b>Risk of acting or not acting:</b>		
There is no uncertain information and therefore very low risk or acting or not acting.		
<b>Efficiency and effectiveness</b>		
The provisions are efficient because they control the adverse effects of activities that could establish in the Business Town Centre and Business Zones to a level that minimises the risk of reverse sensitivity and maintains amenity for adjoining land users. The provisions are efficient as the benefits have exceeded costs.		

## 6 CONCLUSION

After undertaking an evaluation as required by Section 32 of the RMA, Objectives 4.5.1- Commercial function and purpose, 4.5.12 – Business town centre character and 4.5.25 – Business Zone character, 4.5.30 – Business Zone and Business Town Centre amenity are considered the most appropriate way to achieve the purpose of the RMA (Section 5) in terms of promoting sustainable management of natural and physical resources in a way that enables people and communities to provide for their social, economic and cultural well-being while also avoiding or mitigating any adverse effects of development and use of a neighbourhood centre on the environment.

It is considered that the recommended policies and methods outlined in this report are the most appropriate way to achieve the objectives, having considered:

- other reasonably practicable options for achieving the objectives; and
- assessing the opportunities for growth and employment and efficiency and effectiveness of the provisions in achieving the objectives.

## **APPENDIX I: PROVISION CASCADE TABLE**



Issue to be addressed	Objective	Policies	Rules
<p><b>Issue 1</b> Inappropriate development in town centres can lead to a loss of character and amenity</p>	<p>Objective 4.5.12 Business Town Centre Character</p> <p>Objective 4.5.25 Business Zone Character</p>	<ul style="list-style-type: none"> <li>a) Policy 4.5.13 Town Centre Built Form</li> <li>b) Policy 4.5.14 Raglan Town Centre</li> <li>c) Policy 4.5.15 Huntly Town Centre</li> <li>d) Policy 4.5.16 Ngaruawahia Town Centre</li> <li>e) Policy 4.5.17 Te Kauwhata Town Centre</li> <li>f) Policy 4.5.18 Pokeno Town Centre</li> <li>g) Policy 4.5.19 Tuakau Town Centre</li> <li>h) Policy 4.5.20 Pedestrian frontages</li> <li>i) Policy 4.5.21 Corner buildings</li> <li>j) Policy 4.5.22 Landscaping</li> <li>k) Policy 4.5.23 Height Business Town Centre</li> <li>l) Policy 4.5.24 New Buildings Business Town Centre</li> <li>m) Policy 4.5.26 landscaping onsite parking areas</li> <li>n) Policy 4.5.27 Front set back business zone</li> <li>o) Policy 4.5.28 Height business zone</li> <li>p) Policy 4.5.29 New Buildings Business zone</li> </ul>	<p>Rule 17.1 Land use activities</p> <p>Rule 17.2 Land use effects</p> <p>Rule 17.3 Land use – Building</p> <p>Rule 17.4 – Subdivision</p> <p>Rule 18.1 Land use activities</p> <p>Rule 18.2 Land use effects</p> <p>Rule 18.3 Land use – building</p> <p>Rule 18.4 Subdivision</p>
<p><b>Issue 2</b> Poor functioning centres and scattered business development adversely affect wellbeing.</p>	<p>Objective 4.5.1 Commercial Function and Purpose</p>	<ul style="list-style-type: none"> <li>a) Policy 4.5.2 Commercial function and purpose</li> <li>b) Policy 4.5.3 Commercial purpose: Town Centre</li> <li>c) Policy 4.5.4 Commercial purpose Business Zone</li> <li>d) Policy 4.5.6 Commercial purpose Neighbourhood centres</li> <li>e) Policy 4.5.7 Commercial purpose neighbourhood centres in structure plans</li> <li>f) Policy 4.5.9 Employment opportunities</li> <li>g) Policy 4.5.8 Role and function of the Business Zone</li> <li>h) Policy 4.5.10 Retail: Business Town Centre Zone and Business Zone</li> <li>i) Policy 4.5.11 Residential upper floors: Business</li> </ul>	<p>Rule 17.1 Land use activities</p> <p>Rule 17.2 Land use effects</p> <p>Rule 17.3 Land use – Building</p> <p>Rule 17.4 – Subdivision</p> <p>Rule 18.1 Land use activities</p> <p>Rule 18.2 Land use effects</p> <p>Rule 18.3 Land use – building</p> <p>Rule 18.4 Subdivision</p>

		Town Centre Zone and Business Zone	
<b>Issue 3</b> Inappropriate land use, development, and signs in town centres can compromise amenity and have adverse effects.	Objective 4.5.30 Business Zone and Business Town Centre Zones - Amenity	<ul style="list-style-type: none"> <li>a) Policy 4.5.32 Adjoining site amenity</li> <li>b) Policy 4.5.33 Reverse sensitivity</li> <li>c) Policy 4.5.34 Temporary events</li> <li>d) Policy 4.5.35 Noise</li> <li>e) policy 4.5.36 Signage</li> <li>f) policy 4.5.37 Managing the adverse effects of signs</li> <li>g) Policy 4.5.38 Artificial outdoor lighting</li> <li>h) Policy 4.5.39 Outdoor storage</li> <li>i) Policy 4.5.40 Objectionable odour</li> <li>j) Policy 4.5.41 Earthworks</li> </ul>	<ul style="list-style-type: none"> <li>Rule 17.1 Land use activities</li> <li>Rule 17.2 Land use effects</li> <li>Rule 17.3 Land use – Building</li> <li>Rule 17.4 – Subdivision</li> <li>Rule 18.1 Land use activities</li> <li>Rule 18.2 Land use effects</li> <li>Rule 18.3 Land use – building</li> <li>Rule 18.4 Subdivision</li> </ul>
<b>Issue 4</b> Poorly designed centres compromise amenity, safety and wellbeing.	<p>Objective 4.5.12 Business Town Centre Character</p> <p>Objective 4.5.25 Business Zone Character</p>	Policy 4.5.29 New Buildings Business zone	<ul style="list-style-type: none"> <li>Rule 17.1 Land use activities</li> <li>Rule 17.2 Land use effects</li> <li>Rule 17.3 Land use – Building</li> <li>Rule 17.4 – Subdivision</li> <li>Rule 18.1 Land use activities</li> <li>Rule 18.2 Land use effects</li> <li>Rule 18.3 Land use – building</li> <li>Rule 18.4 Subdivision</li> </ul>
<b>Issue 5</b> Town Centres Don't relate to the River	<p>Objective 4.5.12 Business Town Centre Character</p> <p>Objective 4.5.25 Business Zone Character</p>	<ul style="list-style-type: none"> <li>a) Policy 4.5.13 Town Centre Built Form</li> <li>b) Policy 4.5.14 Raglan Town Centre</li> <li>c) Policy 4.5.15 Huntly Town Centre</li> <li>d) Policy 4.5.16 Ngaruawahia Town Centre</li> <li>e) Policy 4.5.17 Te Kauwhata Town Centre</li> <li>f) Policy 4.5.18 Pokeno Town Centre</li> <li>g) Policy 4.5.19 Tuakau Town Centre</li> <li>h) Policy 4.5.20 Pedestrian frontages</li> <li>i) Policy 4.5.21 Corner buildings</li> <li>j) Policy 4.5.22 Landscaping</li> </ul>	<ul style="list-style-type: none"> <li>Rule 18.1 Land use activities</li> <li>Rule 18.2 Land use effects</li> <li>Rule 18.3 Land use – building</li> <li>Rule 18.4 Subdivision</li> </ul>

		<ul style="list-style-type: none"><li>k) Policy 4.5.23 height Business Town Centre</li><li>l) Policy 4.5.24 New Buildings Business Town Centre</li><li>m) Policy 4.5.26 landscaping onsite parking areas</li><li>n) Policy 4.5.27 Front set back business zone</li><li>o) Policy 4.5.28 Height business zone</li><li>p) Policy 4.5.29 New Buildings Business zone</li></ul>	
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## **APPENDIX 2: STRATEGIC MATTERS AND PROVISIONS**

**Te Ture Whaimana O Te Awa O Waikato – Waikato River Vision and Strategy (incorporated into the Waikato Regional Policy Statement)**

**2.5.1 Vision for the Waikato River**

Tooku awa koiora me oona pikonga he kura tangihia o te maataamuri

*“The river of life, each curve more beautiful than the last”*

Our vision is for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come.

**2.5.2 Objectives**

In order to realise the vision, the following objectives will be pursued:

- a) The restoration and protection of the health and wellbeing of the Waikato River.
- b) The restoration and protection of the relationships of Waikato-Tainui with the Waikato River, including their economic, social, cultural, and spiritual relationships.
- c) The restoration and protection of the relationships of Waikato River Iwi according to their tikanga and kawa with the Waikato River, including their economic, social, cultural and spiritual relationships.
- d) The restoration and protection of the relationships of the Waikato Region’s communities, with the Waikato River, including their economic, social, cultural and spiritual relationships.
- e) The integrated, holistic and co-ordinated approach to management of the natural, physical, cultural, and historic resources of the Waikato River.
- g) The recognition and avoidance of adverse cumulative effects, and potential cumulative effects, of activities undertaken both on the Waikato River and within the catchment on the health and wellbeing of the Waikato River.
- h) The recognition that the Waikato River is degraded and should not be required to absorb further degradation as a result of human activities
- j) The recognition that the strategic importance of the Waikato River to New Zealand’s social, cultural, environmental and economic wellbeing, requires the restoration and protection of the health and wellbeing of the Waikato River.
- l) The promotion of improved access to the Waikato River to better enable sporting, recreational, and cultural opportunities.

### 2.5.3 Strategies for the Waikato River

- a) Actively promote and foster public knowledge and understanding of the health and wellbeing of the Waikato River among all sectors of the Waikato community.
- b) Encourage and foster a 'whole of river' approach to the restoration and protection of the Waikato River, including the development, recognition and promotion of best practice methods for restoring and protecting the health and wellbeing of the Waikato River.
- c) Ensure that cumulative adverse effects on the Waikato River of activities are appropriately managed in statutory planning documents at the time of their review.
- d) Ensure appropriate public access to the Waikato River while protecting and enhancing health and wellbeing of the Waikato River.

### National Policy Statement on Urban Development Capacity 2016

Objectives	Policies
<p>OA1: Effective and efficient use of urban environments that enable people and communities and future generations to provide for social, economic, cultural and environmental wellbeing.</p> <p>OA2: Urban environments that have sufficient opportunities to meet demand, and which provide choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses.</p> <p>OA3: Urban Environments that, over time, develop and change in response to the changing needs of people and communities and future generations.</p> <p>OBI: A robustly developed, comprehensive and frequently updated evidence base to inform planning decisions in urban environments.</p> <p>OCI: Planning decisions, practices and methods that enable urban</p>	<p>PA1: Local authorities shall ensure that at any one time there is sufficient housing and business land development capacity according to the [following]:</p> <ul style="list-style-type: none"> <li>- Short term: Development capacity must be feasible, zoned and serviced with development infrastructure.</li> <li>- Medium term: Development capacity must be feasible, zoned and either: <ul style="list-style-type: none"> <li>• serviced with development infrastructure, or</li> <li>• the funding for the development infrastructure required to service that development capacity must be identified in a Long-Term Plan required under the Local Government Act 2002.</li> </ul> </li> <li>- Long term: Development capacity must be feasible, identified in relevant plans and strategies, and the development infrastructure required to service it must be identified in the relevant Infrastructure Strategy required under the Local Government Act 2002.</li> </ul> <p>PA2: Local authorities shall satisfy themselves that other infrastructure required to support urban development are likely to be available.</p> <p>PA3: When making decisions that affect the way and rate at which development</p>

<p>development which provides the social, economic, cultural and environmental wellbeing of people and communities and future generations in the short, medium and long term.</p> <p>OC2: Local authorities adapt and respond to evidence about urban development, market activity and the social, economic, cultural and environmental wellbeing of people and communities and future generations, in a timely way.</p> <p>OD1: Urban environments where land use, development, development infrastructure and other infrastructure are integrated with each other.</p> <p>OD2: Coordinated and aligned planning decisions within and across local authority boundaries.</p>	<p>capacity is provided, decision-makers shall provide for the social, economic, cultural and environmental wellbeing of people and communities and future generations, having regard to:</p> <ul style="list-style-type: none"> <li>- Providing choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses</li> <li>- Promoting efficient use of scarce urban land and infrastructure</li> <li>- Limiting as much as possible adverse impacts on the competitive operation of land and development markets.</li> </ul> <p>PA4: When considering effects of urban development, decision-makers shall take into account:</p> <ul style="list-style-type: none"> <li>- The benefits that urban development will provide with respect to the ability of people, communities and future generations to provide for their social, economic, cultural and environmental wellbeing</li> <li>- The benefits and costs of urban development at a national, inter-regional, regional and district scale, as well as local effects.</li> </ul>
<p><b>Waikato Regional Policy Statement</b></p>	
<p><b>Objectives 3.10 Sustainable and efficient use of natural and physical resources</b>  Use and development of natural and physical resources, excluding minerals, occurs in a way and at a rate that is sustainable, and where the use and development of all natural and physical resources is efficient and minimises the generation of waste.</p>	

### **Policies 3.12 Built environment**

Development of the built environment (including transport and other infrastructure) and associated land use occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes, including by:

- a) promoting positive indigenous biodiversity outcomes;
- b) preserving and protecting natural character, and protecting outstanding natural features and landscapes from inappropriate subdivision, use, and development;
- c) integrating land use and infrastructure planning, including by ensuring that development of the built environment does not compromise the safe, efficient and effective operation of infrastructure corridors;
- d) integrating land use and water planning, including to ensure that sufficient water is available to support future planned growth;
- e) recognising and protecting the value and long-term benefits of regionally significant infrastructure;
- f) protecting access to identified significant mineral resources;
- g) minimising land use conflicts, including minimising potential for reverse sensitivity;
- h) anticipating and responding to changing land use pressures outside the Waikato region which may impact on the built environment within the region;
- i) providing for the development, operation, maintenance and upgrading of new and existing electricity transmission and renewable electricity generation activities including small and community scale generation;
- j) promoting a viable and vibrant central business district in Hamilton city, with a supporting network of sub-regional and town centres; and
- k) providing for a range of commercial development to support the social and economic wellbeing of the region.

### **3.21 Amenity**

The qualities and characteristics of areas and features, valued for their contribution to amenity, are maintained or enhanced

#### **Policy 6.1 Planned and Coordinated Subdivision Use and Development**

Subdivision, use and development of the built environment, including transport, occurs in a planned and co-ordinated manner which:

- a) has regard to the principles in section 6A;
- b) recognises and addresses potential cumulative effects of subdivision, use and development;
- c) is based on sufficient information to allow assessment of the potential long-term effects of subdivision, use and development; and
- d) has regard to the existing built environment.



### **Policy 6.3 Co-ordinating growth and infrastructure**

Management of the built environment ensures:

- a) the nature, timing and sequencing of new development is co-ordinated with the development, funding, implementation and operation of transport and other infrastructure, in order to:
  - i) optimise the efficient and affordable provision of both the development and the infrastructure;
  - ii) maintain or enhance the operational effectiveness, viability and safety of existing and planned infrastructure;
  - iii) protect investment in existing infrastructure; and
  - iv) ensure new development does not occur until provision for appropriate infrastructure necessary to service the development is in place;
- b) the spatial pattern of land use development, as it is likely to develop over at least a 30-year period, is understood sufficiently to inform reviews of the Regional Land Transport Plan. As a minimum, this will require the development and maintenance of growth strategies where strong population growth is anticipated;
- c) the efficient and effective functioning of infrastructure, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained; and
- d) a co-ordinated and integrated approach across regional and district boundaries and between agencies; and
- e) that 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 central, regional and local government agencies.

### **Policy 6.12 Implementing the Franklin District Growth Strategy**

The Franklin District Growth Strategy (2007) provides for the management of growth in the part of the Waikato and Hauraki Districts that was the former Franklin District. Growth should be managed in accordance with this Strategy. In particular:

- a) management of the built environment should be in accordance with the general visions and development directions described for the relevant towns and rural character areas in Sections 7 and 8, and Map 1.0 of the Franklin District Growth Strategy; and
- b) new industrial development should predominantly be located in the strategic industrial nodes in Table 6-3.

The Franklin District Growth Strategy applies until the Future Proof Growth Strategy and relevant district plans are amended.

### **Policy 6.14 Adopting Future Proof Land Use Patterns Within the Future Proof area:**

- a) new urban development within Hamilton City, Cambridge, Te Awamutu/Kihikihi, Pirongia, Huntly, Ngaruawahia, Raglan, Te Kauwhata, Meremere, Taupiri, Horotiu, Matangi, Gordonton, Rukuhia, Te Kowhai and Whatawhata shall occur within the Urban Limits indicated on Map 6.2 (section 6C);

- b) new residential (including rural-residential) development shall be managed in accordance with the timing and population for growth areas in Table 6-1 (section 6D);
- c) new industrial development should predominantly be located in the strategic industrial nodes in Table 6-2 (section 6D) and in accordance with the indicative timings in that table except where alternative land release and timing is demonstrated to meet the criteria in Method 6.14.3;
- d) other industrial development should only occur within the Urban Limits indicated on Map 6.2 (section 6C), unless there is a need for the industry to locate in the rural area in close proximity to the primary product source. Industrial development in urban areas other than the strategic industrial nodes in Table 6-2 (section 6D) shall be provided for as appropriate in district plans;
- e) new industrial development outside the strategic industrial nodes or outside the allocation limits set out in Table 6-2 shall not be of a scale or location where the development undermines the role of any strategic industrial node as set out in Table 6-2;
- f) new industrial development outside the strategic industrial nodes must avoid, remedy or mitigate adverse effects on the arterial function of the road network, and on other infrastructure;
- g) where alternative industrial and residential land release patterns are promoted through district plan and structure plan processes, justification shall be provided to demonstrate consistency with the principles of the Future Proof land use pattern; and
- h) where land is required for activities that require direct access to Hamilton Airport runways and where these activities cannot be accommodated within the industrial land allocation in Table 6-2, such activities may be provided for within other land adjacent to the runways, providing adverse effects on the arterial road network and other infrastructure are avoided, remedied or mitigated.

**Policy 6.16 Commercial development in the future proof sub region**

Management of the built environment in the Future Proof area shall provide for varying levels of commercial development to meet the wider community's social and economic needs, primarily through the encouragement and consolidation of such activities in existing commercial centres, and predominantly in those centres identified in Table 6-4 (section 6D). Commercial development is to be managed to:

- a) support and sustain the vitality and viability of existing commercial centres identified in Table 6-4 (section 6D);
- b) support and sustain existing physical resources, and ensure the continuing ability to make efficient use of, and undertake long-term planning and management for the transport network, and other public and private infrastructure resources including community facilities;
- c) recognise, maintain and enhance the Hamilton Central Business District as the primary commercial, civic and social centre of the Future Proof area, by:
  - i) encouraging the greatest diversity, scale and intensity of activities in the Hamilton Central Business District;
  - ii) managing development within areas outside the Central Business District to avoid adverse effects on the function, vitality or amenity of the Central Business District beyond those effects ordinarily associated with trade competition on trade competitors; and

- iii) encouraging and supporting the enhancement of amenity values, particularly in areas where pedestrian activity is concentrated.
- d) recognise that in addition to retail activity, the Hamilton Central Business District and town centres outside Hamilton are also centres of administration, office and civic activity. These activities will not occur to any significant extent in Hamilton outside the Central Business District in order to maintain and enhance the Hamilton Central Business District as the primary commercial, civic and social centre;
- e) recognise, maintain and enhance the function of sub-regional commercial centres by:
  - i) maintaining and enhancing their role as centres primarily for retail activity; and
  - ii) recognising that the sub-regional centres have limited non-retail economic and social activities;
- f) maintain industrially zoned land for industrial activities unless it is ancillary to those industrial activities, while also recognising that specific types of commercial development may be appropriately located in industrially zoned land; and
- g) ensure new commercial centres are only developed where they are consistent with a) to f) of this policy. New centres will avoid adverse effects, both individually and cumulatively on:
  - i) the distribution, function and infrastructure associated with those centres identified in Table 6-4 (section 6D);
  - ii) people and communities who rely on those centres identified in Table 6-4 (section 6D) for their social and economic wellbeing and require ease of access to such centres by a variety of transport modes;
  - iii) the efficiency, safety and function of the transportation network; and
  - iv) the extent and character of industrial land and associated physical resources, including through the avoidance of reverse sensitivity effects.

### **Development Principles**

#### *General Development*

New development should:

- a) support existing urban areas in preference to creating new ones;
- b) occur in a manner that provides clear delineation between urban areas and rural areas;
- c) make use of opportunities for urban intensification and redevelopment to minimise the need for urban development in greenfield areas;
- 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;
- e) connect well with existing and planned development and infrastructure;
- f) identify water requirements necessary to support development and ensure the availability of the volumes required;
- g) be planned and designed to achieve the efficient use of water;
- h) be directed away from identified significant mineral resources and their access routes, natural hazard areas, energy and transmission corridors,

locations identified as likely renewable energy generation sites and their associated energy resources, regionally significant industry, high class soils, and primary production activities on those high-class soils;

- i) promote compact urban form, design and location to:
  - i) minimise energy and carbon use;
  - ii) minimise the need for private motor vehicle use;
  - iii) maximise opportunities to support and take advantage of public transport in particular by encouraging employment activities in locations that are or can in the future be served efficiently by public transport;
  - iv) encourage walking, cycling and multi-modal transport connections; and
  - v) maximise opportunities for people to live, work and play within their local area;
- j) maintain or enhance landscape values and provide for the protection of historic and cultural heritage;
- k) promote positive indigenous biodiversity outcomes and protect significant indigenous vegetation and significant habitats of indigenous fauna. Development which can enhance ecological integrity, such as by improving the maintenance, enhancement or development of ecological corridors, should be encouraged;
- l) maintain and enhance public access to and along the coastal marine area, lakes, and rivers;
- m) avoid as far as practicable adverse effects on natural hydrological characteristics and processes (including aquifer recharge and flooding patterns), soil stability, water quality and aquatic ecosystems including through methods such as low impact urban design and development (LIUDD);
- n) adopt sustainable design technologies, such as the incorporation of energy efficient (including passive solar) design, low-energy street lighting, rain gardens, renewable energy technologies, rainwater harvesting and grey water recycling techniques where appropriate;
- o) not result in incompatible adjacent land uses (including those that may result in reverse sensitivity effects), such as industry, rural activities and existing or planned infrastructure;
- p) be appropriate with respect to projected effects of climate change and be designed to allow adaptation to these changes;
- q) consider effects on the unique tāngata whenua relationships, values, aspirations, roles and responsibilities with respect to an area. Where appropriate, opportunities to visually recognise tāngata whenua connections within an area should be considered;
- r) support the Vision and Strategy for the Waikato River in the Waikato River catchment;
- s) encourage waste minimisation and efficient use of resources (such as through resource-efficient design and construction methods); and
- t) recognise and maintain or enhance ecosystem services.

*Principles specific to rural-residential development*

As well as being subject to the general development principles, new rural-residential development should:

- a) be more strongly controlled where demand is high;
- b) not conflict with foreseeable long-term needs for expansion of existing urban centres;
- c) avoid open landscapes largely free of urban and rural-residential development;
- d) avoid ribbon development and, where practicable, the need for additional access points and upgrades, along significant transport corridors and other arterial routes;
- e) recognise the advantages of reducing fuel consumption by locating near employment centres or near current or likely future public transport routes;
- f) minimise visual effects and effects on rural character such as through locating development within appropriate topography and through landscaping;
- g) be capable of being serviced by onsite water and wastewater services unless services are to be reticulated; and
- h) be recognised as a potential method for protecting sensitive areas such as small water bodies, gully-systems and areas of indigenous biodiversity.

### **Waikato Regional Plan**

2.3.2 Objective 1: Uncertainty for all parties regarding the relationship between tangata whenua and resources for which they are Kaitiaki minimised

2.3.2 Objective 2: Tangata Whenua able to give effect to Kaitiakitanga.

6.1.2 Objective 3: Cumulative effects of discharges on ambient air quality do not:

- present more than a minor threat to the health of humans, flora and fauna
- cause odour that is objectionable to the extent that it causes an adverse effect
- result in levels of suspended or deposited particulate matter that are objectionable to the extent that they cause adverse effects
- have a significant adverse effect on visibility
- cause accelerated corrosion of structures
- cause significant adverse effects on the relationship tangata whenua as Kaitiaki have with their identified taonga such as air, ancestral lands, water and waahi tapu.

5.1.4.11 Permitted Activity Rule – Soil Disturbance, Roding and Tracking and Vegetation Clearance

1. Unless otherwise provided for by Rules 5.1.4.14, 5.1.4.15, 5.1.4.16 or 5.1.4.17, soil disturbance, roding and tracking, and vegetation clearance and any associated deposition of slash into or onto the beds of rivers and any subsequent discharge of contaminants into water or air;
2. Any roding and tracking activities associated with the installation of bridges or culverts permitted by Rules 4.2.8.1, 4.2.9.1 and 4.2.9.2, within 20 metres of that bridge or culvert and any associated deposition of slash into or onto the beds of rivers and any subsequent discharge of

contaminants into water or air;

3. Vegetation clearance of planted production forest as planted at the date upon which this Plan becomes operative;
4. are **permitted activities** subject to the conditions in Section 5.1.5. In addition, 5.1.4.11(3) is subject to the following conditions:
  - a. Provided that replanting of planted production forest does not occur within:
    - i. five metres, on either side, of the bed of a water body excluding an ephemeral stream (except on the Coromandel Peninsula); and
    - ii. ten metres, on either side of the bed of a water body excluding an ephemeral stream on the Coromandel Peninsula streams greater than 50 hectares
    - iii. five metres on either side of the bed of water bodies between 20 and 50 hectares on the Coromandel Peninsula regardless of slope;
  - b. On the Coromandel Peninsula where wilding pines are present at a density of greater than 50 stems per kilometre of riparian margin they will all be removed at first thinning so long as practicable from a safety perspective.

**Advisory Notes:**

- District plans may have rules which restrict land disturbance and vegetation clearance in areas outside of high risk erosion areas.
- Grazing and cultivation are excluded from the requirements of this Rule.

5.1.4.14 Controlled Activity Rule – Soil Disturbance, Roding and Tracking and Vegetation Clearance, Riparian Vegetation Clearance in High Risk

Erosion Areas

Except as restricted by Rule 5.1.4.16, the following activities, occurring in any continuous 12-month period and located in a high-risk erosion area:

1. Roding and tracking activities between 100 and 2,000 metres in length, or
2. Soil disturbance activities between 250 and 1,000 cubic metres in volume (solid measure), or
3. Soil disturbance activities between 0.2 and 2.0 hectares in area, or
4. Soil disturbance activities resulting in a cut slope batter exceeding three metres in vertical height over a cumulative distance between 30 and 120 metres in length, or
5. Vegetation Clearance of between one and five hectares with the exclusion of planted production forests, plant pests as specified in the Waikato Regional Council's Regional Pest Management Strategy and vegetation clearance adjacent to a Natural State water body as shown on the Water Management Class Maps
6. Vegetation clearance which is within five metres on either side, of the banks of a water body excluding an ephemeral stream, and which is between 50 to 100 metres in length per kilometre of that water body, with the exclusion of planted production forests and vegetation in

riparian margins adjacent to planted production forest, riparian enhancement and replanting programmes and plant pests as specified in the Waikato Regional Council's Pest Management Strategy.

7. Vegetation clearance within five metres on either side of the banks of a water body excluding an ephemeral stream of greater than 50 metres in length per kilometre of that water body of:
  - Planted production forest (except as provided for in Rule 5.1.4.11(3) and/or vegetation in riparian margins adjacent to planted production forest; or
  - Vegetation associated with riparian enhancement programmes.
8. Any roading and tracking activities associated with the installation of a bridge or culvert controlled by Rules 4.2.8.2 and 4.2.9.3, within 20 metres of that bridge or culvert;
9. and any associated deposition of slash into or onto the beds of rivers and any subsequent discharge of contaminants into water or air are controlled activities (requiring resource consent) subject to the standards and terms as specified in Section 5.1.5.

**Exclusion to Rule 5.1.4.14:**

- a. This Rule shall not apply to vegetation clearance within high risk erosion areas and riparian vegetation clearance where it is for the express purposes of erosion control or natural hazard mitigation, provided Waikato Regional Council is notified in writing at least ten (10) working days prior to the activity commencing. (Rule 5.1.4.11 applies).
- b. This Rule shall not apply to the clearance of planted production forest where the clearance is for the express purpose of constructing access across the bed of a river where the crossing structure and associated earthworks are otherwise permitted by this plan or a resource consent.

**Notification:**

1. Subject to 2. below applications for resource consents under this Rule will be considered without notification.
2. Notice of applications for vegetation clearance under this Rule other than:
  - clearance of planted production forest,
  - vegetation clearance in riparian margins adjacent to planted production forest, or
  - riparian enhancement and replanting programmes will be served on all adversely affected persons.

**Advisory note:**

- Information requirements to enable the assessment of any application under this Rule are set out in Section 8.1.4.1 of this Plan. In addition, assessment shall also take into account the matters identified in Policy 2 of Section 5.1.3.

- For the disposal of materials in high risk erosion areas generated by activities under Rule 5.1.4.14 refer to Rules 5.2.5.1, 5.2.5.2 and 5.2.5.3.
- For vegetation clearance by way of burning also refer to Section 6.1.12 of this Plan.
- For vegetation clearance by way of spraying agrichemicals also refer to Section 6.2.4 of this Plan.
- Applicants are advised to consult with the relevant district plan to determine whether district rules apply.
- Grazing and cultivation are excluded from the requirements of this Rule.
- Solid measure may be approximated by calculating the volume of soil that has been disturbed multiplied by a factor of 0.8 to account for the bulking up of soil when disturbed.

#### 5.1.4.15 – Discretionary activity rule – soil disturbance

Except as restricted by Rule 5.1.4.16 the following activities, occurring in any continuous 12-month period and located in a high-risk erosion area:

1. Roading and tracking activities exceeding 2,000 metres in length
2. Soil disturbance activities exceeding 1,000 cubic metres in volume (solid measure)
3. Soil disturbance activities exceeding two hectares in area
4. Soil disturbance activities resulting in a cut slope batter exceeding three metres in vertical height over a cumulative distance exceeding 120 metres in length
5. Vegetation clearance exceeding five hectares with the exclusion of planted production forests (except those restricted by Rule 5.1.4.16), and plant pests as specified in the Waikato Regional Council's Regional Pest Management Strategy
6. Riparian vegetation clearance which is within five metres on either side of the banks of a perennial water body which exceeds 100 metres in length per kilometre, with the exclusion of planted production forests, riparian enhancement programmes and plant pests as specified in the Waikato Regional Council's Regional Pest Management Strategy
7. Any riparian vegetation clearance within five metres of a Natural State water body as shown on the Water Management Class Maps except:
  - i. that which is required as part of the construction of a walking track no greater than two metres width, and
  - ii. the control of plant pests as specified in the Waikato Regional Council's Regional Pest Management Strategy
8. Any activity specified in Rules 5.1.4.14 and 5.1.4.16, that does not comply with the conditions and standards and terms in Section 5.1.5; and any associated deposition of slash into or onto the beds of rivers and any subsequent discharge of contaminants into water or air are **discretionary activities** (requiring resource consent).

#### **Exclusions to Rule 5.1.4.15:**



This Rule shall not apply to vegetation clearance within high risk erosion areas and riparian vegetation clearance where it is for the express purposes of erosion control or natural hazard mitigation, provided Waikato Regional Council is notified in writing at least ten (10) working days prior to work commencing. (Rule 5.1.4.11 applies).

**Advisory Notes:**

- Information requirements to enable the assessment of any application under this Rule are set out in Section 8.1.4.1 of this Plan. In addition, assessment shall also take into account the matters identified in Policy 2 of Section 5.1.3.
- For vegetation clearance by way of burning also refer to Section 6.1.12 of this Plan.
- For vegetation clearance by way of spraying agrichemicals also refer to Section 6.2.4 of this Plan.
- Applicants are advised to consult with the relevant district plan to determine whether district rules apply.
- Grazing and cultivation are excluded from the requirements of this Rule.
- Solid measure may be approximated by calculating the volume of soil that has been disturbed multiplied by a factor of 0.8 to account for the bulking up of soil when disturbed.

**Ko Ta Maniapoto Mahere Taiao - Maniapoto Environmental Plan**

*Objective*

8.3.2 Maniapoto culture, history and identity are reflected in commercial developments

*Policy*

Maniapoto culture, history and identity associated with specific places are reflected in residential and commercial developments.

*Actions*

(c) Ensure Maniapoto have appropriate opportunities to be involved in developing and implementing plans and strategies to identify and protect Maniapoto values in residential and commercial developments

**Objective**

13.3.1 To inform Maniapoto about the cause and effects of climate change to ensure adequate preparations are made throughout Maniapoto rohe

*13.3.1.1 Policy*

Maniapoto are informed on the causes and effects of climate change and are prepared for the resulting impacts.

*13.3.1.1 Actions*

- (b) Promote and support urban planning to reduce transport emissions
- (d) Promote and support improved land use activities and practices to reduce emissions

13.3.2 To minimise and avoid further adverse effects of natural hazards associated with climate change

*13.3.2.1 Policy*

All aspects of subdivision, development, land use and activities recognise and provide for the need to avoid contributing further to climate change and associated natural hazards and their effects.

*13.3.2.1 Actions*

- (a) subdivision and design location to make best use of transport
- (b) encourage developments, land use and activities that provide for developments and transport provisions that enable sustainable communities to thrive.

**Objective**

22.3.4 To ensure transport infrastructure connects Maniapoto communities and enables industry and businesses to develop while minimising negative impacts on the environment

*22.3.4.1 Policy*

Transport networks reduce costs and impacts on the environment through improved energy efficiency.

*22.3.4.1 Actions*

(b) Ensure subdivision and land-use planning supports and enables all relevant modes of transport as viable options for daily activities

*22.3.4.4 Policy*

Dependency on private vehicle use is reduced.

*22.3.4.4 Actions*

(a) Plan layout and design of subdivisions and developments to provide, enable and promote access to more sustainable means of transport, including public transport, walking and cycling

### **Waikato Tainui Environmental Management Plan**

**Objective 21.3.1 Effectively manage soil erosion**

Activities that accelerate soil erosion are managed effectively, including through the reforestation and retirement of marginal lands from existing intensive and environmentally unsustainable land uses.

**Policy 21.3.1.2 Land Development**

All major excavation works that have the potential to impact on waterways shall have sufficient erosion and sediment control measures in place to ensure that adverse effects on water bodies are managed.

**Methods**

- (a) Erosion and sediment control plans in place.
- (b) Waikato-Tainui input, as appropriate, into development and monitoring of the erosion and sediment control plans.

#### Objective 21.3.2 The life supporting capacity of land and soils

The life supporting capacity of land and soils effectively manages soil nutrient loss and water quality so there is minimal impact on nutrient loss to waterways.

#### Policy 21.3.2.1 Soil and land management practices

To promote the adoption of best practice land and soil management that minimises soil erosion, nutrient leaching, and sediment and nutrient runoff.

#### Methods

- (a) Land management practices that are sustainable, improve soil organic matter, naturally improve soil nutrient balance and prevent soil erosion are encouraged and promoted.
- (c) Land use activities are matched to land use capability through methods such as matching land use to soil type so as to minimise soil damage. Ideally, land should only be used in a way that the land is capable of sustaining.

#### Policy 21.3.2.2 Land management

Promote and encourage the development and adoption of land management practices that protects waterways from suspended sediments, nutrients and pollutants.

#### Methods

- (a) Promote and encourage environmentally sustainable farming practices that maintain and restore the good health of the land, rivers, lakes, wetlands, estuaries, and coast.
- (b) Ensure best practice management to minimise soil loss from cultivated land. This shall include, but not be limited to, having planted riparian buffer zones located in areas most likely to intercept surface runoff containing sediment.

#### Policy 21.3.4.2 collaboration with landowners and managers

To ensure that landowners and land managers that impact on the rohe manage land sustainably and effectively. This includes land that is upstream of the Waikato-Tainui rohe.

#### Methods

Landowners and land managers that impact on the rohe manage land in a manner that:

- (a) Protects the mauri of the land.
- (b) Reduces sediment loads resulting from erosion to the extent required to improve the ecological and cultural condition of rivers, lakes, estuaries and coastal areas.
- (c) Ensures farming practices on highly erodible land manage the effects of erosion on this land.
- (d) Encourages retirement of land from inappropriate land use activities or the restoration of land to appropriate land use.
- (e) Ensures there is minimal erosion resulting from vegetation clearance or land disturbance.

#### Policy 21.3.4.3 Waikato-Tainui relationship with catchment

To recognise and provide for the relationship of Waikato-Tainui with catchments in the Waikato-Tainui rohe.

#### Methods

- (b) Waikato-Tainui shall be consulted and included in the decision-making process for all proposed activities, developments, and/or land-use changes that may have an impact on land and water values.

#### Objective 25.3.1 Approach to Land Use and Development

Development principles are applied to land use and development (urban and rural) and, in particular, development in new growth cells, that enhance the environment.

#### Policy 25.3.1.1 Approach to land use and development

To encourage development principles to be applied to land use and developments (urban and rural) and, in particular, development in new growth cells, that enhance the environment.

- (e) Land development, subdivision design, or applications shall consider cumulative effects and demonstrate in a clear fashion the real impacts of the development.
- (f) Land development or subdivisions are not supported where the effects or the cumulative effects of the proposed development or subdivision decreases existing environmental, cultural, spiritual, or social outcomes.
- (h) Manage the adverse effects of urban and rural residential subdivision and development through the use of Low Impact Development ('LID') principles in all new subdivisions and developments including, but not limited to:

- i. Minimising stormwater impacts to the greatest extent practicable by reducing imperviousness, conserving natural resources and ecosystems, maintaining natural drainage courses, reducing use of pipes, and minimising clearing and grading;
- ii. Providing runoff storage measures dispersed through the site's landscape with a variety of detention, retention, and runoff practices;
- iii. Where they will be of benefit, encouraging the use of mechanisms such as rainwater harvesting, rain gardens, roof gardens, and onsite storage and retention;
- iv. Where they will be of benefit, encouraging the use of stormwater treatment devices including on-site treatment systems, allowing for emergency storage and retention structures; and
- v. Such areas that have unavoidable impervious areas, attempt to break up these impervious areas by installing infiltration devices, drainage swales, and providing retention areas.

Policy 25.3.3.2 To ensure that rural development is well planned, and the environmental, cultural, spiritual and social outcomes are positive.

#### Methods

- (a) Generally, the methods in policy 24.3.2.1 above, applies to rural residential subdivision.
- (b) Recognise the genuine need, at times, for smaller rural residential subdivision to enable landowner use of their site for personal, family, or staff use. However, rural residential subdivision shall not result in 'ribbon' type ad hoc development along rural roads.
- (c) Rural residential form shall be well designed taking into account the surrounding environment, visual amenity, and other policies and methods in this chapter.
- (d) Minimise the amount of high quality or highly versatile land that is taken out of productive use or that has options for future use reduced as a result of rural development.

#### Objective 25.3.3 Positive Environmental and Cultural Effects

Land use and development has positive environmental and cultural effects.

Policy 25.3.3.1 To ensure that land use and development, particularly new land use and development, has positive environmental and cultural effects.

#### Methods

- (a) Through the use of LID (Low Impact Design) principles in all new subdivisions and developments;
  - i. Protect surface and ground water quality;

- ii. Maintain the integrity of aquatic and terrestrial ecosystems;
  - iii. Preserve the physical integrity of receiving streams;
  - iv. Protect soils by providing appropriate sediment and erosion control; and
  - v. Make maximum use of natural ground levels.
- (b) Require reserves next to oceans, lakes and rivers to be set-aside during the subdivision and land development process to protect the water body, allow access, increase biodiversity, and enhance ecosystems.
- (c) Decisions on use of reserves or similar provision in subdivision applications shall give priority to protecting the water body health regardless of the water body or subdivision size.
- (d) Subdivisions should not impede access to and along waterways.
- (e) Require resource consent conditions to be imposed that allow Waikato-Tainui access to culturally and/or spiritually significant sites and sites of customary activities through the imposition of caveats on titles or providing for the registration of right-of-way servitudes.
- (f) Ensure in all development proposals that access is retained and improved to water bodies and cultural and/or spiritual sites.
- (g) Structure or management plans will be required as conditions of resource consent to ensure that critical environmental and cultural considerations are taken into account and that on-going monitoring and review occurs.
- (h) Land use and development design features reflect Waikato-Tainui cultural values and perspectives.
- (j) Local authorities revise their statutory instruments to reflect the principles contained in the Plan, including in so far as the Plan affects subdivision, use and development.

#### Objective 26.3.4 Transportation

Transportation infrastructure is developed and managed in a manner that provides for social, cultural, spiritual, economic, and environmental needs.

#### Policy 26.4.3.1 Transportation

To ensure that transportation infrastructure is developed and managed in a manner that provides for social, cultural, spiritual, economic, and environmental needs.

#### Methods

- (b) Sustainable transport options should be incorporated into subdivisions and developments including options for public transport, carpooling, walking, and cycling.





## **APPENDIX 3: RESOURCE MANAGEMENT ACT 1991 RELEVANT SECTIONS**

### **Part 2 – Section 5 – Purpose and Principles**

#### Purpose

- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.
- (2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—
- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations;
  - and
  - (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems;
  - and
  - (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

### **Part 2 – Section 6 – Matters of National Importance**

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:
- (f) the protection of historic heritage from inappropriate subdivision, use, and development:
- (g) the protection of protected customary rights:
- (h) the management of significant risks from natural hazards.

### **Part 2 – Section 7 – Other Matters**

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

- (a) kaitiakitanga:
- (aa) the ethic of stewardship:
- (b) the efficient use and development of natural and physical resources:
- (ba) the efficiency of the end use of energy:
- (c) the maintenance and enhancement of amenity values:
- (d) intrinsic values of ecosystems:
- (e) *[Repealed]*
- (f) maintenance and enhancement of the quality of the environment:

- (g) any finite characteristics of natural and physical resources:
- (h) the protection of the habitat of trout and salmon:
- (i) the effects of climate change:
- (j) the benefits to be derived from the use and development of renewable energy.

#### **Part 2 – Section 8 – Treaty of Waitangi**

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

#### **Part 4 - Section 31 - Functions of territorial authorities under this Act**

- (1) Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:
  - (a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the Use, development, or protection of land and associated natural and physical resources of the district:
    - (aa) the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district:
    - (b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—
      - (i) the avoidance or mitigation of natural hazards; and
      - (ii) *[Repealed]*
      - (iia) the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:
      - (iii) the maintenance of indigenous biological diversity:
    - (c) *[Repealed]*
    - (d) the control of the emission of noise and the mitigation of the effects of noise:
    - (e) the control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes:
    - (f) any other functions specified in this Act.
- (2) The methods used to carry out any functions under subsection (1) may include the control of subdivision.

## **APPENDIX 4: URBAN DESIGN GUIDELINE TOWN CENTRES**

## **APPENDIX 5: URBAN DESIGN GUIDELINES – MULTI UNIT DEVELOPMENT**

## **APPENDIX 6: RAGLAN TOWN CENTRE CHARACTER STATEMENT**

## **APPENDIX 7: NGARUAWAHIA TOWN CENTRE CHARACTER STATEMENT**

## **APPENDIX 8: HUNTLY TOWN CENTRE CHARACTER STATEMENT**



## **APPENDIX 9: POKENO TOWN CENTRE CHARACTER STATEMENT**

## **APPENDIX 10: TE KAUWHATA TOWN CENTRE CHARACTER STATEMENT**

## **APPENDIX 11: TAUKAU TOWN CENTRE CHARACTER STATEMENT**

## **APPENDIX 12: ASSESSMENT OF OPTIONS FOR URBAN DESIGN GUIDE**

## **APPENDIX 13: BUSINESS DEVELOPMENT CAPACITY ASSESSMENT 2017**

## **APPENDIX 14: HOROTIU ACOUSTIC ADVICE**

## **APPENDIX 15A: LAKESIDE FINAL COMMISSIONERS' DECISION**

# **APPENDIX 15B: LAKESIDE SECTION 32 REPORT**