

Section 32 Report – Part 2

Rangitahi Peninsula Zone

prepared for the

Proposed Waikato District Plan

July 2018



TABLE OF CONTENTS

1	OVERVIEW AND PURPOSE.....	4
1.1	Topic Description	4
1.2	Significance of this Topic	5
1.3	Resource Management Issue(s) to be Addressed	5
1.4	Current Objectives, Policies, Rules and Methods	5
1.5	Information and Analysis	6
1.6	Consultation Undertaken.....	6
1.7	Iwi Authority Advice	10
1.8	Decision-making	14
1.9	Reference to Other Relevant Evaluations.....	14
2	ISSUES, OBJECTIVES, POLICIES AND RULES.....	15
2.1	Higher Level Planning Documents and Legislation.....	15
2.2	Issues	17
3	EVALUATION OF OBJECTIVES	20
4	SCALE AND SIGNIFICANCE EVALUATION	24
5	EVALUATION OF PROPOSED POLICIES, RULES AND METHODS	41
5.1	Identification of Reasonably Practicable Options – for Achieving Objective	41
5.2	Evaluation of Selected Options.....	54
5.3	Objective 9.3.1 – Development.....	54
5.3.1	Identification of Options.....	54
5.3.2	Policy, Rule and Method Evaluation.....	57
5.4	Objective 9.3.2 – Non-Residential Activities.....	63
5.4.1	Identification of Options.....	63
5.4.2	Policy, Rule and Method Evaluation.....	65
5.5	Objective 9.3.3 Natural Features	69
5.5.1	Identification of Options.....	69
5.5.2	Policy, Rule and Method Evaluation.....	71
5.6	Objective 9.3.4 - Heritage.....	75
5.6.1	Identification of Options.....	75
5.6.2	Policy, Rule and Method Evaluation.....	77
5.7	Objective 9.3.5 Transport Network	80
5.7.1	Identification of Options.....	80
5.7.2	Policy, Rule and Method Evaluation.....	82
6	CONCLUSION.....	86
	APPENDIX 1 PROVISION CASCADE.....	87
	APPENDIX 2 HIGHER ORDER PLANNING DOCUMENTS – PROVISIONS	90

APPENDIX 3 MINUTES FROM 8 JUNE 2018..... 99

I OVERVIEW AND PURPOSE

The purpose of this chapter is to set out the context for, and issues of relevance to, the development of the Rangitahi Peninsula, and to set out a summary of the reasoning for the proposed District Plan provisions for the Rangitahi Peninsula Zone.

The Operative Waikato District Plan contains the current objectives, policies and rules for development in the Rangitahi Peninsula. This chapter identifies the significant resource management issues to be addressed in the development of the Rangitahi Peninsula. There is also an assessment of the proposed objectives for the development of the Rangitahi Peninsula, whether the objectives are the most appropriate way to achieve the purpose of the Act, and whether the proposed provisions are the most appropriate way to achieve the objectives. This chapter also assesses the effectiveness of the current provisions.

This section should be read in conjunction with Part I Section 32 Report – Introduction to the Evaluation Report which provides the context and approach for the evaluation and consultation undertaken in the development of the whole Proposed Plan.

I.1 Topic Description

Rangitahi Peninsula is located on the Raglan harbour, southwest of the existing Raglan township. The land was rezoned to Rangitahi Living Zone in 2015 following the decision of Independent Hearing Commissioners on Private Plan Change 12. This resulted in the insertion of the Rangitahi Peninsula Structure Plan into the Operative Waikato District Plan: Waikato section 15B, as well as Schedule 21C – the Rangitahi Living Zone Rules, Structure Plan and Comprehensive Development Plan, Neighbourhood Outcome Plans, new objectives and policies, and a number of other consequential changes to the Plan. Around 500 residential lots are enabled by the District Plan provisions as well as a variety of other uses such as commercial and community uses.

There are seven ‘precincts’ to be developed in the Structure Plan area. Each precinct is physically separated from the others by areas which will be retained as farmland or as open space. The precincts will be connected to each other by a walking/cycling and transport network.

Precinct ‘A’ was granted resource consent in March 2017, for subdivision of 89 single dwelling lots, three mixed use lots, one comprehensive residential development lot, one commercial lot, one recreation reserve, and two drainage reserves, along with walkways, cycleways, accessways and roads to vest.

A resource consent (LUC0249/06) is currently being implemented for the construction of the bridge/causeway to Opotoru Road and upgrade of Opotoru Road.

This section 32 report considers the options for appropriate provisions for the continued development of the Rangitahi Peninsula in the Proposed District Plan. This includes provisions for the location, type and density of built development, the proposed mix of uses, the requirements for access to the Peninsula, and the requirements that will apply to subdivision of sites on the Peninsula.

1.2 Significance of this Topic

The development of the Rangitahi Peninsula will introduce around 500 residential dwellings as well as a number of other uses, onto a prominent peninsula on the Raglan harbour overlooking the existing Raglan township. The Peninsula is currently in predominantly rural use and is largely free of built development.

The proposed development of the area will provide for a reasonable proportion of the growth that Raglan is expected to experience over the next 30 years as set out in the Future Proof Strategy.

1.3 Resource Management Issue(s) to be Addressed

The Operative District Plan identifies the following issue for the development of the Peninsula and this is still relevant:

15B.2 Issue – Effects of Rangitahi Peninsula Development

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

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

1.4 Current Objectives, Policies, Rules and Methods

The Operative Waikato District Plan (Waikato Section) contains a suite of objectives, policies, rules and other methods to manage the development of the Rangitahi Peninsula.

The Rangitahi Peninsula Structure Plan is included as section 15B of the Operative Waikato District Plan, and sets out the issue, objectives, policies and methods of implementation. The Structure Plan also contains maps which indicate where land uses (such as development precincts, residential, retail/mixed-use, reserves, and the

Balance lot (farm management)) are to be located, the location and type of open space networks, proposed roading networks, and detailed guidance as to the design of roads and neighbourhoods/precincts within the Structure Plan area.

The provisions for the Rangitahi Peninsula Structure Plan were introduced to recognise and protect particular attributes of Raglan and its seaside village character, coastal and other environmental elements specific to the Rangitahi Peninsula. The rules were designed to accommodate the future growth of Raglan whilst avoiding, remedying or mitigating adverse effects on the environment. In particular, the rules were designed to ensure that natural values of the coastline can be protected, and to ensure extensive open spaces between developed areas to achieve a high quality environmental balance whilst enabling development in the area to accommodate an expected modest increase in population in Raglan.

The current provisions set up a three-level regulatory approach:

- A structure plan which provides certainty about the extent and location of development;
- The requirement for a Comprehensive Development Plan to be approved prior to any development occurring;
- Following the approval of a Comprehensive Development Plan, allowing most activities to be permitted where in accordance with an approved Comprehensive Development Plan, except that any activities that depart from that approved Plan, or any activity that requires subdivision, would require a separate resource consent.

1.5 Information and Analysis

The most informative reports were part of the plan change request and hearing as set out below:

Table 1 List of relevant background assessments and reports

Title	Author	Description of Report
Rangitahi Peninsula, Raglan - Volume 1 – Plan Change Request	Harrison Grierson, Boffa Miskell, Robert Makgill, M.Espatial team, Coffey, Commonground Studio (October 2013)	4.1.4 Raglan Growth Scenarios 5.10.1 Future Proof Strategy Appendix 2 – Section 32 Evaluation.
Plan Change 12 hearing evidence	Multiple parties.	Evidence presented by multiple parties to the Plan Change 12 hearing.

1.6 Consultation Undertaken

While no specific consultation has been undertaken for the Residential Zone, this matter has been canvassed through the comprehensive consultation and engagement on the wider District Plan review. A series of open days and stakeholder information days were held during 2015 and the third phase during 2017, these are listed below:

- 02/06/2015 – Open day Raglan
- 03/06/2015 – Open day Te Uku
- 04/06/2015 – Open day Te Kowhai
- 09/06/2015 – Open day Tamahere
- 10/06/2015 – Open day Puketaha
- 11/06/2015 – Open day Ngaruawahia
- 16/06/2015 – Open day Whitikahu
- 17/06/2015 – Open day Orini
- 18/06/2015 – Open day Te Akau
- 23/06/2015 – Open day Matangi
- 24/06/2015 – Open day Huntly
- 25/06/2015 – Open day Tuakau
- 30/06/2015 – Open day Waerenga
- 01/07/2015 – Open day Mangatani
- 02/07/2015 – Open day Pokeno
- 07/07/2015 – Open day Te Kauwhata
- 08/07/2015 – Open day Port Waiake
- 09/07/2015 – Open day Otaua
- 23/07/2015 – Extended working group workshop
- 25/03/2015 – Extended working group workshop
- 27/08/2015 – Consultants workshop
- 19/01/2015 – Presentation to Extended Working Group
- 17/10/2017 – Stakeholder information day in Ngaruawahia town hall;
- 19/10/2017 – Stakeholder information day in Tuakau town hall;
- 20/11/2017 – Open day Tuakau;
- 22/11/2017 – Open day Mangatangi;
- 23/11/2017 – Open day Pokeno;
- 28/11/2017 – Open day Te Kauwhata;
- 29/11/2017 – Open day Huntly;
- 30/11/2017 – Open day Raglan;
- 05/12/2017 – Open day Te Kowhai;
- 06/12/2017 – Open day Tamahere; and
- 07/12/2017 – Open day Ngaruawahia.

In summary, feedback on the whole has touched on the following:

- Smaller lot sizes;
- Housing typology,
- Prescriptive objectives and policies;
- Alignment with neighbouring districts in terms of rules (e.g daylight admission plane)
- Improved flexibility with Multi-unit development rules;
- Support for Multi-unit development;
- Larger gross floor areas for Minor Dwellings;
- Confusion with earthworks rules interpretation; and
- Overall more enabling bulk and location standards.

As a result of consultation on the draft district plan in conjunction with various open days, substantial feedback was received from the community. Feedback is

summarised in Table 2 below. The draft district plan was available for public to view on Council's website from November 2017 to January 2018.

Table 2 Specific consultation processes

Date	Group	Subject Matter	Feedback
February 2013 - July 2013	Tainui Awhiro Ngati Mahanga Raglan Community Board Waikato Regional Council Futureproof Partners Rangitahi Residents Oporuru Rd and Goodare Place Residents Smith Street Residents Jocelyn Hartstone Department of Conservation Whaingaroa Environmental Defence Society Whaingaroa Environmental Centre Whaingaroa Harbour Care Raglan Residents and Ratepayers ASS Raglan Chamber of Commerce NZTA Chorus WEL Networks	<ul style="list-style-type: none"> • Unique Proposal with many valuable elements. • Positive vision for Raglan • Support to Raglan being infilled with dense development • “Breath of Fresh air” relative to other development in Raglan • Support for development and new commercial opportunities • Support for native restoration proposals • Support for walkway/ cycleway networks and proposed open space • Would like to see plans for affordable housing and pensioner housing • Concerns about the proposal to access Rangitahi via Oporuru Rd, and associated traffic noise, safety and property access • Feeling that property values on Oporuru Rd could be adversely affected • Impacts on Wainui Rd/ Oporuru Rd intersection (congestion and safety) • Potential effects on one-lane Wainui bridge • View that road access should be via an alternative such as Smith Street, Te Hutewai Rd to the west, or via a new bridge to Hills Rd 	<ul style="list-style-type: none"> • Seeks to utilise the consent RLC has in place to upgrade the causeway • Oporuru Rd is the logical access for peninsula. There is potential for the upgrading to happen within the existing road reserve • Consideration given to the traffic accessing the peninsula via Te Hutewai Rd. This would create inefficiencies and would not be good urban design principles • To provide existing Rangitahi Residents with formalised, legal and practical access via the new causeway • Commission a Traffic Engineering report to investigate access issues relating to additional traffic. • Low impact designs for stormwater plus the ability to “lift the bar” when technology is available.

		or Maungatawhiri Rd to the east • Impacts on wastewater system and harbour	
--	--	--	--

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 and 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 create 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 held discussions with the relevant Iwi and Hapuu and through Te Kahui Mangai website:

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

The above Iwi groups were consulted with and a summary of their comments issues and Council's consideration are listed in Part I Section 32 Report – Introduction to the Evaluation Report.

Iwi provided information to plan change I2 which is still relevant. This feedback is outlined in Table 3.

Table 3 feedback from iwi on plan change 12				
Date	Iwi Authority	Subject Matter	Advice Received	Consideration of Advice
August – September 201	Tainui	<p>Impact Assessment August 2013</p> <p>Methods Used:</p> <ul style="list-style-type: none"> • Site Visit • Consultation – Poihakene Marae • Review Application V1, V2, V3 • Review Statutory Provisions under RMA 1991 • NZ Coastal Policy Statement 2010 • Review Regional Policy Statements • Review WDC plan <p>Objectives:</p> <ul style="list-style-type: none"> • Documentation of significance in area for Tainui • Identify potential adverse/ positive effects on Tainui • Assessment of potential impacts on Tainui cultural sites values and relationships • Identify appropriate 	<p>Recommendations</p> <ul style="list-style-type: none"> • Tainui recommends that the policy 15B.3.6g) be changed to read: 15B.3.6g) orientation of dwellings where practical to utilise passive solar gain with outlook towards the coast • Tainui recommend that word Architectural be deleted and that 15B.3.9 should read: Design that combines quality with diversity and a sense of informality character of Raglan should be promoted • Amend the wording in policy 15B 3.11 a) and the rule in 21C.11.2 to clear plain English to remove ambiguous interpretation. • Insert trigger points to have the community facilities, mixed use zones from each of the developments in place prior starting the next stage of residential development. • Apply building restriction setbacks to areas that have less geotechnical risk in Hazard Zone C and Zone D • Maintain the 6m from the road boundary as in accordance with the District Plan. • Apply the building height limits and height to boundary set in the district plan • Determine responsibility for retaining 	<p>Plan Change 12 considered all Iwi advice as part of the Schedule 1 decision-making process. Tainui hapuu are considered an affected party in Restricted Discretionary subdivision applications.</p>

		measures to avoid, remedy or mitigate any adverse effects	walls and planting of those walls <ul style="list-style-type: none"> • Tainui to participate in the creation of all management plans and to monitor the earthworks to give effect to kaitiakitanga • Reseed and replace the pip beds that would be destroyed or disturbed during construction • Avoidance of all waahi tapu and wahi whakahirahira sites. Registration of all historic sites with the Historic Places Trust and form covenants to protect those sites in perpetuity.	
25 June 2013	Ngaati Maahanga	Methods: The identification and acquisition of significant sites names and locations was done through interview with leading kaumaatua and through the research of land court documents and tribal history. A holistic approach that encapsulating any and all information recorded and or otherwise passed on in aural form.	Recommendations <ul style="list-style-type: none"> • Rigorous treatment plan for disposal of stormwater and sewerage (Council) • Protection of water environs around the building of the bridge between Oporuru Rd and the Rangitahi Rd • Marking of old settlements, middens, terraces, paa sites • Protocols identified by Tainui regarding the discovery of artefacts or tuupaapaku 	

1.8 Decision-making

The decision was made to create a Rangitahi Peninsula Zone chapter based on the fact that Schedule 21C had its own objectives and policies within the Operative District Plan. This schedule, along with the objectives and policies in section 15B Rangitahi Peninsula Structure Plan, has provisions that are specific to the Rangitahi Peninsula Structure Plan area. The provisions are designed to ensure that the development is appropriately managed and contributes to the compact urban form of Raglan and that it is consistent with the main objectives of the Future Proof Growth Strategy.

The full development of the Rangitahi Peninsula will introduce a level of master-planning, design and some development types that are relatively new to the wider Raglan area. The development is proposed to be compatible with its seaside village character, maintaining and enhancing the natural values of the harbour coastal environment and responding appropriately to the environmental characteristics of the Peninsula itself.

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

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

Table 4 Summary of decision-making processes

Meeting / Feedback	Document	Decision/direction
7 June 2018	Meeting with Rangitahi Development is (see attachment 1)	<ul style="list-style-type: none"> • Made some changes to the Objectives and Policies and rejected others. (see attachment 2) • Made some changes to the rules there will be some submissions received on other issues that were not changed. (see attachment 3)

1.9 Reference to Other Relevant Evaluations

This section 32 topic report should be read in conjunction with the following evaluations:

- Tangata whenua
- Transport
- Historic Heritage
- Reserves
- Biodiversity

2 ISSUES, OBJECTIVES, POLICIES AND RULES

2.1 Higher Level Planning Documents and Legislation

Those strategic matters and provisions that have been specifically given effect or had regard to in this chapter are summarised in Table 5 below and are set out in full in Appendix 2. These documents broadly identify the resource management issues for the District and provide the higher-level policy direction to resolve these issues.

The provisions are required to give effect to the New Zealand Coastal Policy Statement 2010 (NZCPS), the objectives and policies of the Waikato Regional Policy Statement (WRPS), and Section 74(2)(b) of the RMA requires regard be given to management plans and strategies prepared under other Acts.

Note that the coastal marine area, being land from mean high water springs out to the 12-mile limit of the territorial sea, is addressed in the WRPS and the Regional Coastal Plan, not in the Waikato District Plan. On the Rangitahi Peninsula, there is a 20 metre-wide Crown-owned esplanade reserve and Waikato District reserve adjacent to the coast, and this land was excluded from the original Plan change application.

Table 5 Higher order and guiding documents

Document (Statutory obligation in italics)	Relevant provisions the Rangitahi Peninsula Zone topic is required to take into account/give effect to
New Zealand Coastal Policy Statement 2010	Policy 7, Policy 13, Policy 17, Policy 18, Policy 25.
Operative Waikato Regional Policy Statement 2016	Objectives 3.7, 3.12 Policies 6.1, 6.2, 6.3, 6.14, 6.15, 6.16, 6.2.3
Future Proof Growth Strategy 2017	1.3, 6.2, 6.3, 7.1, Table 4, Appendix One.
Waikato District Development Strategy 2015	Section 4.4, Map 6

New Zealand Coastal Policy Statement 2010 (NZCPS 2010)

The NPCPS 2010 must be given effect to in district plans. It contains policies about how certain matters in relation with coastal management should be dealt with in RMA documents, including district plans.

Under Policy 7 of the NZCPS, regional policy statements and plans must specify where subdivision and development may be inappropriate in the coastal environment

Policy 13 of the NZCPS relates to preservation of natural character. Evidence at the Plan Change 12 hearing established that the subject site has not been identified to have “outstanding natural character” and is not pristine or sufficiently unmodified so as to warrant such a classification. The setback of development and maintenance and enhancement of the indigenous vegetation cover and naturally functioning biological systems in the area that interfaces with the coast addresses any adverse effects on natural character.

Policy 17 seeks to ensure that historic heritage is identified and protected. This is addressed through the Structure Plan and assessed further in section 5.6 below.

Policy 18 seeks to ensure that access is retained to the coastal environment. The Rangitahi Structure Plan includes provisions for reserves, walkways and accessways.

Policy 25 states that in areas potentially affected by coastal hazards over at least the next 100 years, changes in land use should be avoided where that would increase the risk of adverse effects from coastal hazards. Coastal hazards are being addressed separately and are not assessed as part of this section 32 report.

Operative Waikato Regional Policy Statement 2016

The Waikato Regional Policy Statement 2016 sets out a number of objectives and policies for development in the region which seek to ensure that development of the built environment occurs in an integrated, sustainable and planned manner, which enables positive environmental, social and economic outcomes, as set out in Objective 3.12. Provisions for development in the Rangitahi Peninsula must give effect to the objectives and policies in the Regional Policy Statement.

The direction sought by the Regional Policy Statement is that development of the built environment should occur in an integrated way, so that environmental, social, cultural and economic considerations are addressed, and to ensure that infrastructure is integrated with development.

The Regional Policy Statement also seeks to ensure the coastal environment is managed in a way that preserves the natural character of the coastal environment, as set out in Objective 3.7.

The Regional Policy Statement sets out a number of policies through which the above objectives are to be addressed. The Regional Policy Statement requires, through these policies, that development is undertaken in such a way that it, amongst other things:

- Has regard to local coastal character, and provides for safe and efficient connectivity with the coastal marine area.
- Ensures appropriate infrastructure necessary to service the development is in place.
- Occurs within defined urban limits, or where alternative land release patterns are proposed that they demonstrate consistency with the principles of the Future Proof land use pattern.
- Achieves compact urban environments, that support existing commercial centres and multi-modal transport options. For Raglan/Whaingaroa there is a

goal to achieve densities of around 15 households per hectare for residential development.

- Allows people to live, work and play within their local area.
- Ensures that commercial development is managed to support and sustain the vitality and viability of existing commercial centres including Raglan town centre.

The relevant objectives and policies are copied in Appendix 2 for reference.

Future Proof Strategy 2017:

The Future Proof Strategy sets out the growth strategy for the Future Proof sub-region including Waikato District, Hamilton City and Waipa District council areas. The strategy seeks to ensure that growth occurs in an integrated manner with infrastructure, achieves compact urban development, and that growth occurs in a planned manner in locations identified for development.

For Waikato District, the strategy is to contain approximately 80% of growth within Pokeno, Tuakau, Te Kauwhata, Huntly, Ngaruawahia, Raglan and the villages. The aim is that development in the seaside settlement of Raglan maintains the established desirable character of the Raglan coastal environment, and that commercial development does not undermine the vitality and influence of the Raglan town centre. Residential densities of around 12-15 households per hectare are sought.

Waikato District Development Strategy 2015:

The Waikato District Development Strategy identifies urban extents of townships in Waikato, and includes the Rangitahi Peninsula within the future urban extent of Raglan. The Strategy seeks to focus future urban development in and around the district's existing towns in line with the RPS, and to use structure plans to guide the staged provision of additional urban land and infrastructure. Biodiversity outcomes in urban areas are an important focus, and recreational walking and cycling routes are encouraged as part of green corridors restoring indigenous vegetation along river and stream margins.

2.2 Issues

The evaluation of objectives and provisions in the following sections relate to the resource management issue stated below:

<p>Issue statement</p>	<p>Effects of Rangitahi Peninsula Development</p> <p>Comprehensive planning for the Rangitahi Peninsula development is essential to avoid or mitigate significant adverse effects on the environment and ensure that:</p> <ul style="list-style-type: none"> - High-quality urban design and residential amenity outcomes within new village development are achieved; - Coastal natural values are preserved; - Landscape and other environmental values of the Peninsula are maintained or enhanced; - Quality open space and amenity, including walkways, cycleways and streetscapes are achieved; - Development is supported by efficient and adequate provision of infrastructure; - New development forms and character within Rangitahi are compatible with the seaside village character of wider Raglan, and - Commercial development does not undermine the role and viability of the Raglan town centre as the primary centre for Raglan.
<p>Description/discussion</p>	<p>The provisions relating to the Rangitahi peninsula need to meet the purpose of the RMA which is to promote the sustainable management of natural and physical resources. The Rangitahi peninsula has been identified as a location for future growth in Raglan, and the existing provisions in the Waikato District Plan seek to develop a high quality urban area which seeks to respond to the prominent position of the peninsula overlooking Raglan Harbour and to ensure that development avoids, remedies or mitigates adverse effects on the environment. Existing natural values of the coastline are to be protected, and a strong focus is on the maintenance and enhancement of environmental values in accordance with Part 2 of the RMA.</p> <p>The existing plan provisions also seek to ensure that development of the peninsula addresses the existing Raglan township in such a way that it supports the township, provides for some of the identified growth of the township, and supports but does not detract from the vitality of the existing Raglan village.</p> <p>The provision of timely and appropriate infrastructure to the development is of vital importance to ensuring adverse effects are avoided, remedied and mitigated. The ability to service the development with stormwater, wastewater, water and transportation were canvassed during the hearing of the Plan Change which inserted the Rangitahi provisions into the Operative District Plan. The way in which the existing Plan provisions require and address infrastructure provision to the development have been further tested through recent resource consent applications on the peninsula. This has shown that there is an issue with the Plan provisions in relation to the provision of secondary access to the peninsula and in relation to the ability to monitor the total gross floor area of commercial developments occurring. A key issue for the review of the District Plan provisions is to ensure that the provisions relating to the secondary access and non-residential activities are adequately addressed in the Plan provisions.</p> <p>A key issue has emerged in terms of the way in which the Plan provisions achieve comprehensive development of the peninsula. The existing Plan provisions for Rangitahi peninsula rely upon the use of two-stage Comprehensive Development Plans (CDPs). The use of two-stage CDPs has been addressed in recent environment court cases (see [2014] NZEnvC 93, [2016] NZEnvC 65 and [2016] NZEnvC 166). These cases have considered</p>

the use of CDPs which set the activity status for an activity based on whether a CDP exists, and the degree of compliance with a CDP. Where a consent authorises a 'bundle' of activities, that is appropriate and *intra vires* the Act. However, where a consent sets up the activity status of future consents, that has been deemed to be *ultra vires* the Act. A key issue for the review of the District Plan provisions is how to ensure that the peninsula is developed in such a way that addresses the resource management issue identified above, in a comprehensive way, without relying on the CDP mechanism.

3 EVALUATION OF OBJECTIVES

Below is an analysis of the objectives that have been identified as the most appropriate to address this resource management issue and achieve the purpose of the Resource Management Act 1991.

The Objectives from the Operative District Plan have been largely carried forward into the Proposed Plan, but amended for clarity and to address a number of issues that were identified through the development of the Proposed District Plan including:

- Clarifying the development outcomes being sought by the Structure Plan, rather than the Structure Plan being the end in itself;
- Amalgamating objectives for clarity and brevity where they were addressing similar issues;
- Deleting objectives addressing matters outside of the Waikato District Council jurisdiction, such as those relating to the Coastal Marine Area.

The following objectives are considered to be the most appropriate way to achieve the purpose of the Act.

Where there is a policy instrument (such as the Regional Policy Statement or New Zealand Coastal Policy Statement) which contains relevant provisions, reference to these documents addresses the requirements of the Act.

Table 6 Evaluation of objectives

Objective	Evaluation
<p>9.3.1 Objective – Development Development of the peninsula is of a character and scale that reflects its harbour setting and is compatible with Raglan’s seaside village character.</p>	<p>The importance of the seaside character of Raglan is addressed in the Operative District Plan. The objective is the same as Objective 15B.3.1 in the Operative Waikato District Plan (Waikato Section) and was deemed to be the most appropriate way to achieve the Purpose of the Act through the Plan Change 12 process.</p> <p>The intent of the Objective is to ensure that the development on the peninsula is undertaken in a way which responds to its prominent harbour setting and which is compatible with the village character of Raglan.</p> <p>The implementation of this Objective will allow Council to consider the character and scale of the development to ensure a high amenity neighbourhood is created which addresses the physical location of the peninsula and maintains the character of Raglan and the coastal environment.</p>

	<p>The Objective is consistent with the purpose of the RMA (section 5) as it promotes sustainable management of the peninsula and allows people to provide for their social, economic and cultural well-being. It addresses matters of national importance in section 6 of the Act by allowing consideration of the character and scale of the development to ensure it is compatible with the coastal village setting. The Objective sets up a framework to ensure matters in section 7 of the Act are addressed, including the maintenance and enhancement of amenity values and the quality of the environment.</p> <p>The Objective gives effect to the RPS provisions Objectives 3.7, 3.12, Policies 6.1, 6.2, 6.3, 6.14, 6.15, 6.16, and 6.2.3. As such, it is considered the most appropriate way to achieve the Purpose of the Act.</p>
<p>9.3.2 Objective – Non-Residential Activities Non-residential activities contribute to village character without significant adverse effects on the role, amenity, commercial and social function of the Raglan town centre or effects on traffic.</p>	<p>The management of non-residential activities within the Rangitahi peninsula development is necessary in order to give effect the Regional Policy Statement policy 6.16 which sets out policies regarding commercial development in the Future Proof area. This is also consistent with the RMA Part Two provisions which seek to avoid, remedy or mitigate adverse effects on the environment.</p> <p>Non-residential activities include things such as shops, childcare centres and local businesses. These have the potential to cause adverse effects including traffic and noise effects. Where these effects are not properly managed, non-residential activities have the potential to be incompatible with residential activities. The scale of non-residential activities in a significant development such as the Rangitahi peninsula has the potential to have an adverse effect on the role, amenity and social function of the Raglan town centre, inconsistent with the RPS.</p> <p>Without this Objective and an accompanying policy and rule framework, there would be the potential for non-residential activities to occur at such a scale that there would be negative impacts on the existing Raglan township, and negative amenity impacts on the residential uses on the peninsula. This would not give effect to the RPS provisions and as such would not be in accordance with the purpose of the</p>

	<p>Act.</p> <p>As such, the Objective is the most appropriate means to achieve the purpose of the Act.</p>
<p>9.3.3 Objective - Natural Features</p> <p>Natural features of the Rangitahi Peninsula including landscape, ecology, habitat and the coastal environment are maintained and enhanced.</p>	<p>The purpose of this Objective is to ensure that the development of the Rangitahi peninsula is undertaken in such a way that the landscape, ecology and habitats of the area, and the coastal environment are maintained and enhanced. This links directly to RPS objectives, the New Zealand Coastal Policy Statement 2010 and to Part Two of the Act.</p> <p>The location of the development on a coastal peninsula on the Raglan Harbour means it is imperative that the development seeks to maintain or enhance the important environmental values. To not have an objective that seeks to ensure these natural features are maintained or enhanced would not be in accordance with the RPS, NZCPS or Part Two of the Act. As such, it is considered the most appropriate way to achieve the Purpose of the Act.</p>
<p>9.3.4 Objective - Heritage</p> <p>Cultural and historic heritage on the Rangitahi Peninsula is retained.</p>	<p>The Rangitahi peninsula contains significant examples of cultural and archaeological heritage. 83 archaeological sites, along with a pa site, were identified in an archaeological survey of the peninsula.</p> <p>Evidence presented on behalf of Heritage New Zealand and Tainui Hapu at the Plan Change 12 provisions. The Commissioners were satisfied that the approach taken to recognise and provide for the heritage values was appropriate. It is necessary in the provisions. To not have an objective which seeks to ensure cultural and historic heritage is retained would not be consistent with Part Two of the Act. As such, it is considered the most appropriate way to achieve the Purpose of the Act.</p>
<p>9.3.5 Objective – Transport Network</p> <p>An integrated transport network that provides access to and within the Rangitahi Peninsula for vehicles, walking and cycling.</p>	<p>The intent of the Objective is to ensure that the development is served by a transport network which addresses the need for vehicular, walking and cycling provision. There are two parts to the Objective – firstly provision of access to and from the peninsula, and secondly provision of access within the peninsula development.</p>

	<p>Suitable access to the peninsula is necessary in order to address the RPS provisions which seek to ensure that new development does not occur until provision for appropriate infrastructure necessary to service the development is in place. The location of the development, on a peninsula physically separated from the Raglan township by the Raglan Harbour and hill-country, means that suitable transportation options to and from the peninsula are critical to ensuring people are able to safely enter and leave the development.</p> <p>The primary access to the development will be via an upgraded Opotoru Road and a new bridge/causeway across the Raglan Harbour (currently under construction).</p> <p>Provision of a secondary access is necessary to provide access choices for future residents and to provide a safe and efficient alternative route in the event that the primary access should be closed.</p> <p>The applicant also proposed, in evidence to the Plan Change 12 hearing, that all traffic associated with civil works associated with the development of the Rangitahi peninsula, including bridge/causeway-related construction traffic (except for traffic involved in the final construction of the northern causeway connection to Opotoru Road and the Opotoru Road upgrade) will utilise a secondary access via Hill Road and Te Hutewai Road. The applicant stated at the hearing that the secondary access via Hill Road and Te Hutewai Road would be available from the beginning of construction of the bridge/causeway. The Commissioners included a condition on the land use consent requiring this to be the case (see LUC0249/06), which reads:</p> <p><i>Condition 25A. Opotoru Road is not to be used by any heavy vehicles associated with the construction of:</i></p> <p style="padding-left: 40px;"><i>(a) any civil works on the Rangitahi Peninsula associated with the implementation of Plan Change 12 to the Waikato District Plan; and (b) the bridge/causeway, except to the extent necessary to connect the causeway to Opotoru Road.</i></p> <p>It is insufficient to rely upon the condition in the resource consent to ensure secondary</p>
--	--

	<p>access is undertaken for the purposes of reliable access for around 500 new dwellings plus other commercial and mixed uses. A secondary access needs to be built to a suitable standard to ensure it is able to provide reliable access that is available in all weathers and conditions.</p> <p>Provision of access within the peninsula development is an important part of ensuring that adverse effects can be avoided, remedied and mitigated and to ensure the development has provision for multiple modes of transport, including walking and cycling. The Objective seeks to achieve this, in accordance with the Waikato Regional Policy Statement provisions.</p> <p>The Objective seeks to address both access to and from, and access within and around the peninsula. It is considered to be the most appropriate Objective to achieve the Purpose of the Act.</p>
--	---

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 the current provisions and are of greater importance to ensure the objectives of the Rangitahi Peninsula Zone Chapter (and other objectives where relevant) are achieved.

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 that development should be consistent with the Rangitahi Peninsula Structure Plan, and therefore 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 7 Scale and significance assessment

Issue	Provisions evaluated	Scale and Significance Reasoning
-------	----------------------	----------------------------------

<p>Effects of Rangitahi Peninsula Development</p>	<p>(a) Chapter 28 – Rangitahi Peninsula Zone - Land use activity tables</p> <p>(b) Chapter 28 – Rangitahi Peninsula Zone - Activity status and standards relating to commercial and mixed use development</p> <p>(c) Chapter 28 – Rangitahi Peninsula Zone – Restricted Discretionary conditions relating to the construction of access to the peninsula</p> <p>9.3.1 Objective – Development Development of the peninsula is of a character and scale that reflects its harbour setting and is compatible with Raglan’s seaside village character.</p> <p>9.3.1.1 Policy – Development</p> <p>(a) Development should be consistent with the Rangitahi Peninsula Structure Plan</p> <p>(b) Enable some flexibility in the subdivision layout to respond to natural characteristics in a manner that retains the overall concept design.</p> <p>(c) Development has the following characteristics:</p> <p>(i) Residential development within each precinct is in accordance with densities in the Rangitahi Structure</p>	<p>(a) The approach to achieving the comprehensive development form envisaged for the Rangitahi Peninsula in the current Operative District Plan has been revisited following recent Environment Court decisions regarding the use of Comprehensive Development Plans. As such, the structure of the chapter has been revisited. The changes proposed are considered to be significant because they impact the whole Rangitahi Peninsula Zone rules and the ability for the objectives to be addressed.</p> <p>(b) Commercial development was previously provided for as part of the Comprehensive Development Plan provisions. The proposed provisions would mean that commercial development was a permitted activity subject to standards/conditions. These changes are significant because of their potential to impact upon the wider Raglan commercial hierarchy.</p> <p>(c) The proposed provisions would strengthen requirements to ensure secondary access is provided to the peninsula. At present, the objectives and policies seek to ensure that a secondary public access is constructed, but the provisions in the existing rule framework are unclear. The proposed rule would ensure that a secondary legal access for all road users is available when the Opororu Road connection is not available for any reason. It will also address potential impacts related to traffic related to civil works on the Rangitahi peninsula. This topic is considered to be significant because without a secondary accessway there would be wider transportation, social and health and safety impacts from the development.</p>
---	--	---

	<p>Plan;</p> <ul style="list-style-type: none"> (ii) Lower-density residential development is located to maintain rural and coastal natural values; (iii) The Balance Lot (Farm Management) is retained for rural uses and structures; (iv) A sense of place that reflects village scale, coastal environment and its role in part as a holiday destination; (v) Maintains a physical and visual connection to the existing Raglan settlement, (vi) Maintains a visual connection to Mt Karioi; (vii) Provides walking and cycling access to the coast; (viii) Public open space is integrated within the village layout; (ix) Small-scale / local-level businesses are enabled in appropriate locations. <p>9.3.1.2 Policy – Residential development</p> <ul style="list-style-type: none"> (a) Residential development should adopt building forms and attributes that support the seaside 	
--	--	--

	<p>village character, including:</p> <ul style="list-style-type: none"> (i) Creation of distinct neighbourhoods based on landscape character; (ii) A low-speed, pedestrian-friendly road network; (iii) A highly-connected network of pedestrian, cycle and bridle ways, (iv) A range of building forms and intensity; (v) Concentration of more intensive building forms around amenity areas and settlement nodes, and a predominance of freestanding dwellings; (vi) Orientation of dwellings to utilise passive solar gain and maximise outlook towards the coast; (vii) Establishing building platforms that minimise earthworks; (viii) Design of buildings support good street outlook / surveillance for safety. <p>9.3.1.3 Policy – Staged, integrated infrastructure</p> <ul style="list-style-type: none"> (a) Provision of infrastructure works should be staged, integrated and maintained to achieve efficient 	
--	--	--

	<p>provision and operation of infrastructure without:</p> <ul style="list-style-type: none"> (i) Inhibiting planned timing of residential development; (ii) Relying on future capacity increases or parallel systems. <p>9.3.1.4 Policy - Activities</p> <ul style="list-style-type: none"> (a) Subdivision, use and development should be located and designed to provide a variety of living environments with recreational opportunities in close proximity. <p>9.3.2 Objective – Non-residential activities</p> <ul style="list-style-type: none"> (a) Non-residential activities contribute to village character without significant adverse effects on the role, amenity, commercial and social function of the Raglan town centre or effects on traffic. <p>9.3.2.1 Policies – Commercial activities</p> <ul style="list-style-type: none"> (a) Commercial activities are managed to ensure that: <ul style="list-style-type: none"> (i) They are in locations consistent with the Rangitahi Peninsula Structure Plan; (ii) activities will meet local 	
--	--	--

	<p>needs;</p> <ul style="list-style-type: none"> (iii) Traffic impacts are managed; (iv) adverse effects on the role, amenity, commercial and social function of the Raglan town centre are minimised; (v) They are designed and located to contribute to village character; (vi) They are at a scale that retains the overall residential character of the Peninsula. <p>(b) Mixed-use developments should be located and designed to:</p> <ul style="list-style-type: none"> (i) Provide active ground-floor business activities and frontages to public spaces at ground level. Provide residential activities that are above ground floor with adequate amenity; (ii) Enable commercial activities that are compatible with residential uses; (iii) Retain residential character and amenity. <p>9.3.2.2 Policy - Community facilities</p> <ul style="list-style-type: none"> (a) Community facilities should: <ul style="list-style-type: none"> (i) Be designed and located to be 	
--	--	--

	<p>compatible with residential activities;</p> <ul style="list-style-type: none"> (ii) Provide a service or function to the local neighbourhood; (iii) Be of an appropriate scale and function; and (iv) Not detract from the vitality of the Raglan town centre. <p>9.3.3 Objective - Natural features</p> <ul style="list-style-type: none"> (a) Natural features of the Rangitahi Peninsula including landscape, ecology, habitat and the coastal environment are maintained and enhanced. <p>9.3.3.1 Policy – Green spaces</p> <ul style="list-style-type: none"> (a) In addition to the existing public coastal reserve, a range of green buffers between urban development and the coast shall be provided. <p>9.3.3.2 Policy – Coastal margins</p> <ul style="list-style-type: none"> (a) Coastal strip and buffer areas, as shown on the Rangitahi Peninsula Structure Plan, shall be planted with appropriately-sourced, locally appropriate indigenous coastal species to maintain and enhance the natural values of the coastal environment. <p>9.3.3.3 Policy – Stormwater</p>	
--	--	--

	<p>management</p> <p>(a) Stormwater management systems shall be designed to minimise the erosion potential and rate of run-off into the coastal marine area.</p> <p>9.3.3.4 Policy - Stock exclusion</p> <p>(a) Stock should be excluded from steep slopes and gully systems to the extent compatible with maintaining a sustainable farming operation in the Balance Lot (Farm Management).</p> <p>9.3.3.5 Policy – Environmental improvement</p> <p>(a) Gully systems and stream margins should be planted and managed to maintain and enhance natural ecosystems, contribute to land stability and restore habitat for indigenous flora and fauna.</p> <p>(b) Planting and management of gully systems and stream margins will result in net environmental gain.</p> <p>9.3.3.6 Policy – Landscape values</p> <p>(a) Planting on steep slopes should be encouraged and designed to protect and enhance the landscape values on the peninsula.</p> <p>(b) Landscape planting along streets and public open spaces should incorporate species to contribute</p>	
--	--	--

	<p>to habitat for indigenous fauna.</p> <p>(c) Landscaping shall be designed to incorporate ecological and habitat linkages, where appropriate.</p> <p>9.3.3.7 Policy – Ecological and habitat values</p> <p>(a) The significant ecological and habitat values of the Rangitahi Peninsula are maintained and enhanced.</p> <p>(b) The loss of significant indigenous vegetation and significant habitat of indigenous fauna should be avoided.</p> <p>9.3.4 Objective - Heritage</p> <p>(a) Cultural and historic heritage on the Rangitahi Peninsula is retained.</p> <p>9.3.4.1 Policies – Cultural and historic sites of significance</p> <p>(a) The cultural and historic heritage significance of Rangitahi Peninsula should be recognised and maintained through:</p> <p>(i) Publications and other forms of communication to interpret natural, cultural and historic heritage and/or the use of story board signs,</p> <p>(ii) Registration of archaeological sites with</p>	
--	---	--

	<p>the New Zealand Archaeological Association (NZAA), and</p> <p>(iii) Consultation with Tainui Hapuu.</p> <p>9.3.4.2 Policy – Heritage protection</p> <p>(a) Development on Rangitahi Peninsula shall provide for the protection of historic heritage, including archaeological sites and areas and sites of significance to Tainui Hapuu.</p> <p>9.3.5 Objective – Transport network</p> <p>(a) An integrated transport network that provides access to and within the Rangitahi Peninsula for vehicles, walking and cycling.</p> <p>9.3.5.1 Policies - Integrated transport network</p> <p>(a) An integrated transport network shall be designed and implemented for the peninsula that:</p> <ul style="list-style-type: none"> (i) establishes a road hierarchy that differentiates between collector roads and local roads, (ii) utilises engineering standards and geometric designs for local roads appropriate to village 	
--	--	--

	<p>character, low-speed and low-volume usage,</p> <ul style="list-style-type: none"> (iii) applies low-impact urban design techniques, (iv) prioritises pedestrian and cycle routes, (v) Provides options for effective public transport. <p>9.3.5.2 Policy – Transport network design</p> <ul style="list-style-type: none"> (a) The peninsula transport network should be located and designed to contribute towards development of the seaside village character of the Rangitahi Peninsula residential development including: <ul style="list-style-type: none"> (i) a high degree of connectivity within the village, (ii) convenient and high-amenity walking and cycling routes within and between each development area, public open spaces and the coastal area, (iii) consistency with the Structure Plan road and indicative walkway network, (iv) design and traffic management features to achieve low vehicle 	
--	---	--

	<p>speeds,</p> <ul style="list-style-type: none"> (v) minimising the number of access points on roads, (vi) Designing road alignments with regard to natural contours to minimise earthworks. <p>9.3.5.3 Policies – Primary access</p> <ul style="list-style-type: none"> (a) Primary access to the Rangitahi Peninsula Structure Plan Area shall be maintained via: <ul style="list-style-type: none"> (i) an upgraded Oporuru Road (inclusive of the bridge/causeway) to ensure that traffic generated by development in the Rangitahi Peninsula Structure Plan Area is safely and efficiently accommodated, and (ii) an upgraded intersection of Oporuru Road with Wainui Road to ensure its safe and efficient operation. (b) The upgraded Oporuru Road shall: <ul style="list-style-type: none"> (i) achieve efficient access to the Raglan town centre, (ii) enable convenient connections for pedestrians and cyclists to the village centre in 	
--	---	--

	<p>Development Precinct A and the network of pedestrian and cycling routes as shown on the Rangitahi Peninsula Structure Plan, and</p> <p>(iii) encourage walking to the beach and Raglan town centre.</p> <p>(c) Design and construction of the access, including any Opotoru Road upgrade shall:</p> <p>(a) provide for continued access to adjoining properties to appropriate access and road performance standards,</p> <p>(b) use best-practice mitigation techniques to manage construction effects such as (but not limited to) sediment movement, dust and noise.</p> <p>9.3.5.4 Policy – Secondary access</p> <p>(a) From the beginning of development of the Rangitahi Peninsula Structure Plan Area up to completion of the permanent secondary access, an interim alternative access shall be provided to a usable standard for use at any time where the primary</p>	
--	---	--

	<p>access may be closed.</p> <p>(b) A permanent secondary access must be constructed:</p> <p>(i) Prior to development of any of the Precincts E, F or G; and</p> <p>(ii) In accordance with access and road performance standards suitable for its secondary function.</p> <p>9.3.5.5 Policy – Open space and coastal access</p> <p>(a) Public access to open space and the coastal environment within the Rangitahi Peninsula Structure Plan Area shall be provided by walkways/ cycle ways/bridleways in a way that:</p> <p>(i) provides convenient and practical connections to the Rangitahi Peninsula residential areas,</p> <p>(ii) enables connections to walkways/cycle ways/bridleways in the greater Raglan area,</p> <p>(iii) avoids significant adverse effects on ecological values,</p> <p>(iv) provides for access to the coastal marine area whilst avoiding significant adverse effects on the</p>	
--	--	--

	<p>natural environmental character of the coastal environment.</p> <p>Infrastructure and Energy Rules: 14.12.1 P1, P4, P6 14.12.5.7 – Required parking spaces and loading bays</p>	
--	--	--

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 Objective

The following assessment consists of an examination of all reasonably practicable options for achieving Objectives 9.3.1, 9.3.2, 9.3.3, 9.3.4 and 9.3.5. 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 the table below comprise three broad approaches:

- “Do nothing” – remove Rangitahi Peninsula provisions and rely on Rural and Residential Zone provisions;
- “Status Quo” - retain Existing District Plan provisions;
- “Amend Provisions” – amend Rangitahi Peninsula provisions.

Where there are matters which have been identified as being of significance, further detailed assessment has been undertaken and in some cases additional options are identified.

Table 8 Reasonably Practicable Options for Achieving Objective

Objective(s)	9.3.1 Objective – Development Development of the peninsula is of a character and scale that reflects its harbour setting and is compatible with Raglan’s seaside village character.				
Options	Description (brief)	Relevance	Feasibility	Acceptability	Recommendation
Option 1: Do nothing (remove all policies and associated methods) and rely on Residential and Rural zone provisions	This option would mean that the Proposed Plan would contain Objectives but no specific policies or methods to implement the Objectives.	Removing all policies and associated methods would mean that development would not address the Objective. The Residential and Rural policies and methods would go somewhat towards achieving the Objective, but there would be no framework for assessing whether or not development was of a character and scale reflective of its harbour setting or compatible with Raglan’s seaside village character.	The ability to enforce matters such as amount of commercial development, number and type of dwellings, location of development, proposed infrastructure, open space and transportation, including walking and cycling networks, would be severely restricted.	There was a level of concern raised during the Plan Change 12 process about matters such as the level of compatibility of the development with the “old” Raglan, and the mix of housing provided. Changes were made to the Plan Change 12 provisions to address concerns. A specific policy and rule framework would retain the ability to shape the development of the peninsula in a way that ensures the character and scale reflect setting and are compatible with Raglan’s character.	Discard. It is highly unlikely that the Objective would be met without a specific set of policies and associated methods to assist in implementation.
Option : Status quo (retain existing policies and associated	This option would retain the existing policies and associated methods	The two-stage Comprehensive Development Plan approach has been	A number of issues have been identified by Council planners when processing the	The existing provisions have been through a Schedule 1 process with	Discard. The current three-level process, with a two-stage

Objective(s)	9.3.1 Objective – Development Development of the peninsula is of a character and scale that reflects its harbour setting and is compatible with Raglan’s seaside village character.				
Options	Description (brief)	Relevance	Feasibility	Acceptability	Recommendation
methods)	that were put in place by Plan Change 12. This includes a three-level regulatory process – a Structure Plan, a Comprehensive Development Plan and a resource consent or permitted activity status following approval of a Comprehensive Development Plan.	assessed as being ultra vires in a number of case law examples (see for example [2014] NZEnvC 93, [2016] NZEnvC 65 and [2016] NZEnvC 166).	resource consent for the first phase of the development. This option proposes amended provisions to address these issues,	submissions, a hearing and a decision by independent commissioners. Whilst not all submitters will have been satisfied with the result, the statutory process has been followed and the provisions are therefore acceptable under the provisions of the Act.	Comprehensive Development Plan, has been deemed ultra vires by the Environment Court.
Option 3 (amend policies and associate methods)	This option develops provisions that do not rely upon two-stage Comprehensive Development Plans. The option retains the Structure Plan and associated Neighbourhood Outcome Plans to ensure that the overall outcomes sought by the original Plan Change 12 are still the focus, but	The provisions would be effective in ensuring that the development of the peninsula in accordance with the Structure Plan is achieved. Further evaluation of the effectiveness of the proposed rules and methods is set out below.	This option proposes amended provisions to address issues associated with a two-stage CDP approach.	The provisions are seeking broadly similar outcomes to the existing Plan provisions. The provisions seek to ensure social, economic, environmental and cultural effects are addressed.	Evaluate further.

Objective(s)	9.3.1 Objective – Development Development of the peninsula is of a character and scale that reflects its harbour setting and is compatible with Raglan’s seaside village character.				
Options	Description (brief)	Relevance	Feasibility	Acceptability	Recommendation
	the method by which this is achieved is amended. Most activities become permitted, and developments will be in accordance with the Structure Plan. Subdivision retains a Restricted Discretionary Activity status.				

Objective(s)	9.3.2 Objective – Non-Residential Activities Non-residential activities contribute to village character without significant adverse effects on the role, amenity, commercial and social function of the Raglan town centre or effects on traffic.				
Options	Description (brief)	Relevance	Feasibility	Acceptability	Recommendation
Option 1: Do nothing (remove all policies and associated methods) and rely on Residential and Rural zone provisions	This option would mean that the Proposed Plan would contain Objectives but no specific policies or methods to implement the Objectives.	Removing all policies and associated methods would mean that development would not address the Objective. It would be difficult to monitor and enforce compliance in terms of non-residential activities.	The ability to enforce matters such as amount of commercial or community development would be severely restricted.	Social and economic impacts on the existing Raglan township may result due to a lack of policy framework under which to assess proposals.	Discard. This option will not achieve the Objective.
Option 2: Status quo (retain existing policies and associated methods)	This option would retain the existing policies and associated methods that were put in place by Plan Change 12. This includes a three-level regulatory process – a Structure Plan, a Comprehensive Development Plan and a resource consent or permitted activity status following approval of	The two-stage Comprehensive Development Plan approach has been assessed as being ultra vires in a number of case law examples (see for example [2014] NZEnvC 93, [2016] NZEnvC 65 and [2016] NZEnvC 166).	The status quo is a feasible option and would address matters associated with non-residential activities on the Rangitahi peninsula but reliance on the two-stage CDP process is not feasible.	The existing provisions have been through a Schedule 1 process with submissions, a hearing and a decision by independent commissioners. Whilst not all submitters will have been satisfied with the result, the statutory process has been followed and the provisions are therefore acceptable	Discard. The current three-level process, with a two-stage Comprehensive Development Plan, has been deemed ultra vires by the Environment Court.

Objective(s)	9.3.2 Objective – Non-Residential Activities Non-residential activities contribute to village character without significant adverse effects on the role, amenity, commercial and social function of the Raglan town centre or effects on traffic.				
Options	Description (brief)	Relevance	Feasibility	Acceptability	Recommendation
	a Comprehensive Development Plan.			under the provisions of the Act.	
Option 3 (amend policies and associated methods)	This option develops provisions that do not rely upon two-stage Comprehensive Development Plans. Non-residential activities will be controlled via activity status, standards, and an assessment of accordance with the Structure Plan.	The provisions would be effective in ensuring that the development of the peninsula in accordance with the Structure Plan is achieved. Further evaluation of the effectiveness of the proposed rules and methods is set out below.	This option proposes amended provisions to address issues associated with a two-stage CDP approach.	The provisions are seeking broadly similar outcomes to the existing Plan provisions. The provisions seek to ensure social, economic, environmental and cultural effects are addressed.	Evaluate further.

Objective(s)	9.3.3 Objective – Natural Features Natural features of the Rangitahi Peninsula including landscape, ecology, habitat and the coastal environment are maintained and enhanced.				
Options	Description (brief)	Relevance	Feasibility	Acceptability	Recommendation
Option 1: Do nothing (remove all policies and associated methods) and rely on Residential and Rural zone provisions	This option would mean that the Proposed Plan would contain Objectives but no specific policies or methods to implement the Objectives.	Removing all policies and associated methods would mean that development would not address the Objective. There would be no framework for assessing whether or not development would ensure the natural features of the peninsula were maintained or enhanced.	The ability to ensure that landscape, ecology, habitat and the coastal environment are maintained and enhanced would be severely restricted without reference to the Structure Plan or a set of supporting policies and methods.	The environmental impacts of development on the peninsula would be addressed in a more ad-hoc fashion and the outcomes sought by the Structure Plan would not be addressed. The community has a level of expectation based on the decisions on Plan Change 12 and the ‘do nothing’ approach would not address these expectations.	Discard. It is highly unlikely that the Objective would be met without a specific set of policies and associated methods to assist in implementation.
Option 2: Status quo (retain existing policies and associated methods)	This option would retain the existing policies and associated methods that were put in place by Plan Change 12. This includes a three-level regulatory process – a Structure Plan, a Comprehensive	The two-stage Comprehensive Development Plan approach has been assessed as being ultra vires in a number of case law examples (see for example [2014] NZEnvC 93, [2016] NZEnvC 65 and	The status quo is a feasible option and would address matters associated with natural features on the Rangitahi peninsula but reliance on the two-stage CDP process is not feasible.	The existing provisions have been through a Schedule 1 process with submissions, a hearing and a decision by independent commissioners. Whilst not all submitters will have been satisfied with the	Discard. The current three-level process, with a two-stage Comprehensive Development Plan, has been deemed ultra vires by the Environment Court.

Objective(s)	9.3.3 Objective – Natural Features				
	Natural features of the Rangitahi Peninsula including landscape, ecology, habitat and the coastal environment are maintained and enhanced.				
Options	Description (brief)	Relevance	Feasibility	Acceptability	Recommendation
	Development Plan and a resource consent or permitted activity status following approval of a Comprehensive Development Plan.	[2016] NZEvnC 166).		result, the statutory process has been followed and the outcomes being sought by the provisions are therefore acceptable under the provisions of the Act.	
Option 3 (amend policies and associate methods)	This option develops provisions that do not rely upon two-stage Comprehensive Development Plans. Non-residential activities will be controlled via activity status, standards, and an assessment of accordance with the Structure Plan.	The provisions are seeking broadly similar outcomes to the existing Plan provisions. The provisions seek to ensure social, economic, environmental and cultural effects are addressed.	This option proposes amended provisions to address issues associated with a two-stage CDP approach.	The provisions are seeking broadly similar outcomes to the existing Plan provisions. The provisions seek to ensure social, economic, environmental and cultural effects are addressed.	Evaluate further.

Objective(s)	9.3.4 – Objective - Heritage Cultural and historic heritage on the Rangitahi Peninsula is retained.				
Options	Description (brief)	Relevance	Feasibility	Acceptability	Recommendation
Option 1: Do nothing (remove all policies and associated methods) and rely on Residential and Rural zone provisions.	This option would mean that the Proposed Plan would contain Objectives but no specific policies or methods to implement the Objectives.	Removing all policies and associated methods would mean that development would not address the Objective. It would be difficult to ensure that historical and cultural sites would gain the requisite protection.	The ability to ensure that cultural and historic heritage was retained would be severely restricted.	The Plan Change 12 process addressed concerns from Heritage NZ and Tainui hapuu regarding the protection of historical and culturally significant sites. To not address these concerns would not be acceptable.	Discard. This option will not achieve the Objective.
Option 2: Status quo (retain existing policies and associated methods)	This option would retain the existing policies and associated methods that were put in place by Plan Change 12. This includes a three-level regulatory process – a Structure Plan, a Comprehensive Development Plan and a resource consent or permitted activity status following approval of a Comprehensive	The two-stage Comprehensive Development Plan approach has been assessed as being ultra vires in a number of case law examples (see for example [2014] NZEnvC 93, [2016] NZEnvC 65 and [2016] NZEnvC 166).	The status quo is a feasible option and would address matters associated with natural features on the Rangitahi peninsula but reliance on the two-stage CDP process is not feasible.	The existing provisions have been through a Schedule 1 process with submissions, a hearing and a decision by independent commissioners. Whilst not all submitters will have been satisfied with the result, the statutory process has been followed and the outcomes sought by the provisions are therefore acceptable	Discard. The current three-level process, with a two-stage Comprehensive Development Plan, has been deemed ultra vires by the Environment Court.

Objective(s)	9.3.4 – Objective - Heritage Cultural and historic heritage on the Rangitahi Peninsula is retained.				
Options	Description (brief)	Relevance	Feasibility	Acceptability	Recommendation
	Development Plan.			under the provisions of the Act.	
Option 3 (amend policies and associate methods)	The provisions are seeking broadly similar outcomes to the existing Plan provisions. The provisions seek to ensure social, economic, environmental and cultural effects are addressed.	This option proposes amended provisions to address issues associated with a two-stage CDP approach.	The provisions are seeking broadly similar outcomes to the existing Plan provisions. The provisions seek to ensure social, economic, environmental and cultural effects are addressed.	The provisions are seeking broadly similar outcomes to the existing Plan provisions. The provisions seek to ensure social, economic, environmental and cultural effects are addressed.	Evaluate further.

Objective(s)	9.3.5 – Objective – Transport Network				
An integrated transport network that provides access to and within the Rangitahi Peninsula for vehicles, walking and cycling.					
Options	Description (brief)	Relevance	Feasibility	Acceptability	Recommendation
Option 1: Do nothing (remove all policies and associated methods) and rely on Residential and Rural zone provisions	This option would mean that the Proposed Plan would contain Objectives but no specific policies or methods to implement the Objectives.	Removing all policies and associated methods would mean that development would not address the Objective. It would be difficult to ensure that an integrated transport network would result as the assessment of proposals would be on an ad-hoc basis without the guidance of the Structure Plan. Access requirements to and from the Peninsula would be inadequately addressed.	The ability to ensure that a suitable transportation network, which takes into account the environmental features and outcomes sought for the peninsula, and provides a safe and reliable network, would be severely restricted.	The Plan Change 12 provisions address concerns regarding traffic movement and safety, which the community and wider public had a chance to influence through the hearing process. To fail to address these outcomes would not be acceptable.	Discard. This option will not achieve the Objective.
Option 2: Status quo (retain existing policies and associated methods)	This option would retain the existing policies and associated methods that were put in	The two-stage Comprehensive Development Plan approach has been assessed as being	A number of issues have been identified by Council planners when processing the resource consent	The existing provisions have been through a Schedule 1 process with submissions, a hearing	Discard. The current three-level process, with a two-stage Comprehensive

Objective(s)	9.3.5 – Objective – Transport Network				
An integrated transport network that provides access to and within the Rangitahi Peninsula for vehicles, walking and cycling.					
Options	Description (brief)	Relevance	Feasibility	Acceptability	Recommendation
	place by Plan Change 12. This includes a three-level regulatory process – a Structure Plan, a Comprehensive Development Plan and a resource consent or permitted activity status following approval of a Comprehensive Development Plan.	ultra vires in a number of case law examples (see for example [2014] NZEnvC 93, [2016] NZEnvC 65 and [2016] NZEnvC 166).	for the first phase of the development. This option proposes amended provisions to address these issues, including the ability to ensure the secondary access is provided.	and a decision by independent commissioners. Whilst not all submitters will have been satisfied with the result, the statutory process has been followed and the provisions are therefore acceptable under the provisions of the Act.	Development Plan, has been deemed ultra vires by the Environment Court. The existing rule framework does not adequately ensure the provision of an integrated transport network including the provision of secondary access.
Option 3 (amend policies and associate methods).	The provisions are seeking broadly similar outcomes to the existing Plan provisions. The provisions seek to ensure social, economic, environmental and cultural effects are addressed. The provisions seek to provide more certainty as to the provision of the secondary access.	This option proposes amended provisions to address issues associated with a two-stage CDP approach.	The provisions are seeking broadly similar outcomes to the existing Plan provisions. The provisions seek to ensure social, economic, environmental and cultural effects are addressed.	The provisions are seeking broadly similar outcomes to the existing Plan provisions. The provisions seek to ensure social, economic, environmental and cultural effects are addressed. More certain provisions regarding the timing of the provision of the secondary access would meet the	Evaluate further.

Objective(s)	9.3.5 – Objective – Transport Network				
	An integrated transport network that provides access to and within the Rangitahi Peninsula for vehicles, walking and cycling.				
Options	Description (brief)	Relevance	Feasibility	Acceptability	Recommendation
				expectations of the public as set out in the Plan Change 12 decision. There is an expectation that the secondary access will be provided, and proposed amendments will increase certainty as to when this will occur.	

5.2 Evaluation of Selected Options

The following sections 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. 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.

The level of detail in each section is determined by the extent to which the options are departing from the existing Operative Waikato District Plan (Waikato Section) provisions, and the significance of the alternative options, as discussed in Section 4 above (Scale and Significance).

The tables provide a summary of the evaluation results.

5.3 Objective 9.3.1 – Development

The analysis of the options for implementing Objective 9.3.1 addresses the following policies and methods as a ‘bundle’:

- a) Policy 9.3.1.1 - Development
- b) Policy 9.3.1.2 – Residential Development
- c) Policy 9.3.1.3 – Staged, Integrated Infrastructure
- d) Policy 9.3.1.4 – Activities
- d) Rules: Rangitahi Peninsula Zone
 - 28.1.2 Permitted Activities not specifically listed;
 - 28.1.3 Specific activities – Permitted activities;
 - 28.1.4 Specific Activities – Restricted Discretionary Activities;
 - 28.1.5 Specific Activities- Discretionary Activities
 - 28.2 Land Use – Effects (all);
 - 28.3 Land Use – Buildings (all)
 - 28.4 Subdivision (all)
 - Rangitahi Peninsula Structure Plan

The policies and methods seek to ensure that the development of the peninsula is of a character and scale that reflects its harbour setting and is compatible with Raglan’s seaside village character.

5.3.1 Identification of Options

In considering options for managing and enabling development of the Rangitahi peninsula, a number of factors were taken into account including:

- The provisions of the WRPS
- The effectiveness of the existing Operative District Plan provisions including via monitoring of the consent processes to date

- Environment Court case law relating to the use of two-stage Comprehensive Development Plans

Specific consideration has been given as to what level of regulatory control is appropriate and whether the existing Rangitahi provisions are adequate.

Overview of Proposed Approach:

The proposed approach can be summarised as follows:

- Any building, structure, objects or vegetation that obscures the sight lines of the Raglan navigation beacons identified in Appendix 7 (Raglan Navigation Beacon) for vessels entering Raglan Harbour (Whaingaroa) are prohibited.
- The provisions seek to ensure consistency with the Rangitahi Peninsula Structure Plan as a way of addressing the Objective. Stronger policies have been inserted to require development to be in accordance with the Structure Plan. The Rangitahi Peninsula Structure Plan was designed to ensure that development occurs in an orderly fashion, in a way that preserves large areas of open space between built development and in a way that responds to the coastal environment. It also seeks to ensure that the scale and character of development reflects the harbour setting by containing a variety of design guidelines to ensure good quality urban development. A certain amount of variance is allowed for in the rules (e.g. 10% variance in development precinct boundaries) to provide flexibility. Without a CDP stage in the process, the degree to which development is consistent with the Structure Plan will become more important.
- The provisions seek to create distinct neighbourhoods based on landscape character, and a range of building forms, while maintaining rural and coastal natural values.
- The provisions also seek to ensure that infrastructure works are staged and integrated to achieve efficient provision and operation of infrastructure.
- The proposed rules provide for numerous activities, including residential and community activities, to be permitted subject to a number of standards to ensure good quality urban development. Many activities are permitted if they are in accordance with the Structure Plan and standards.
- The rules make provision for Comprehensive Residential Development as a Restricted Discretionary Activity. These are a bundle of residential activities for which one resource consent can be sought. This is not the same as a Comprehensive Development Plan consent, because activities accommodated within a Comprehensive Residential Development would not need a further resource consent to be implemented.
- Mixed use activity, comprising of Comprehensive Residential Development and a Rangitahi Commercial Activity or community facility is a restricted discretionary activity. These are a bundle of activities for which one resource consent can be sought. This is not the same as a Comprehensive Development Plan consent, because activities accommodated within a

Comprehensive Residential Development would not need a further resource consent to be implemented.

- The subdivision provisions require consistency with the Structure Plan to ensure the development of the peninsula occurs in a comprehensive way.
- Policy 9.3.1.1 (c) addresses the use of the Balance Lot (Farm Management) to ensure it is retained for rural uses and structures. Agricultural or horticultural activities would be permitted under Rule 28.1.1 (P7).
- Ensuring infrastructure is provided prior to development. Plan Change 12 addressed the substantive issues as to whether there was the ability to service the peninsula with water, wastewater, stormwater and transportation infrastructure. The provisions in the Operative and Proposed Plans ensure that development addresses infrastructure requirements through the rules in the Rangitahi Peninsula Zone and in other sections of the Plan (e.g. Infrastructure and Energy chapter).

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.

The alternative to the use of Comprehensive Development Plans is a matter of scale and significance as outlined in Section 4 above. As such, this particular issue has been examined in further detail below.

Table 9 Evaluation of provisions

Provisions most appropriate to achieve Objective 9.3.1 - Development	Effectiveness and Efficiency	
	Benefits	Costs
a) Policy 9.3.1.1 - Development b) Policy 9.3.1.2 – Residential Development c) Policy 9.3.1.3 – Staged, Integrated Infrastructure d) Policy 9.3.1.4 – Activities d) Rules: Rangitahi Peninsula Zone 28.1.2 Permitted Activities not specifically listed; 28.1.3 Specific activities – Permitted activities; 28.1.4 Specific Activities – Restricted Discretionary Activities; 28.1.5 Specific Activities- Discretionary Activities 28.2 Land Use – Effects (all); 28.3 Land Use – Buildings (all) 28.4 Subdivision (all) Rangitahi Peninsula Structure Plan	Environmental: The provisions would ensure that the environmental outcomes being sought for the peninsula can be achieved, by requiring developments to be consistent with the Rangitahi Peninsula Structure Plan. The Structure Plan identifies several environmental requirements for development within the Rangitahi Structure Plan area. A rule framework that includes standards and amenity provisions will ensure that development addresses environmental effects. A comprehensive approach is still proposed	Environmental: There are no environmental costs identified in relation to these provisions.

	<p>but guided by the Structure Plan. Comprehensive residential and mixed use developments can still occur, as a Restricted Discretionary activity. In the 2016 EnvC 166 case, Judge Smith noted that there are significant advantages in comprehensive approaches to development, in that they enable many of the infrastructural matters to be assessed at the outset of a large project, and ensure that many of the key spatial features could be addressed as part of such an applications. Thus, the provisions allowing comprehensive residential and mixed use developments are beneficial, and in this case do not rely on a subsequent consent being granted and as such are intra vires the Act.</p> <p>Ensuring that there is no obscuring of sight lines to the Raglan navigation beacons is vital to safe navigation, and therefore buildings, structures, objects or vegetation that obscures sight lines for the beacons are prohibited.</p> <p>The provisions allow for some flexibility (e.g. 10% variance in Development Precinct areas) to allow for flexibility when development occurs. However, due to the reliance on the Structure Plan to ensure comprehensive, integrated development occurs in a way that will meet the Objectives, any further</p>	
--	--	--

	<p>variance is considered as a Discretionary activity.</p> <p>The proposed height limits for Comprehensive Residential Developments within Comprehensive Residential Development Lots (shown on Plan 5 of the Rangitahi Peninsula Structure Plan) would be greater than height limits on other residential lots (11m compared with 7.5m). This reflects the comprehensive nature of development in these lots which allows for impacts within the sites to be addressed as part of the Restricted Discretionary consent. The assessment of these consents will include the amenity values for occupants and neighbours in respect of outlook, privacy, noise, light spill, access to sunlight, outdoor living court orientation, site design and layout. With these requirements, the effects of the additional height possible within comprehensive residential developments can be avoided, remedied or mitigated.</p>	
	<p>Economic:</p> <p>Many activities would be permitted and would not require resource consent, therefore saving money and time for applicants provided they can meet the permitted activity standards.</p>	<p>Economic:</p> <p>The provisions require developments to be consistent with the Structure Plan. The use of 'general' accordance is not possible due to the structure of the Plan provisions – standards for a permitted activity must be measurable and enforceable. Therefore, there is an added level of</p>

	<p>The provisions increase the amount of certainty in the resource consenting process. Greater certainty leads to more efficient administration and monitoring of the District Plan as the environmental outcomes of the area are well understood.</p>	<p>complexity for applicants to determine whether or not their activity meets the permitted activity standard. Applications would be assessed as Discretionary activity if there was a failure to comply with the Structure Plan. This may add additional costs to developers if an application is required.</p>
	<p>Social: The provisions take into account the need to ensure that the development is compatible with the existing character of the Raglan township. The provisions as written will ensure that development is consistent with the Rangitahi Peninsula Structure Plan. Any departure from this will be assessed as a Discretionary Activity which will allow consideration of matters in the Objective and policies.</p>	<p>Social: There are no social costs identified in relation to these provisions.</p>
	<p>Cultural: The provisions seek to ensure that the development is in accordance with the Structure Plan. The area is rich with cultural and archaeological sites. This is further addressed in the analysis under Objective 9.3.4 below.</p>	<p>Cultural: There are no cultural costs identified in relation to these provisions.</p>
<p>Opportunities for economic growth and employment</p>		
<p>The proposal will result in additional residential housing, mixed use and commercial uses. The growth of Raglan is anticipated in the Future Proof Strategy and the Waikato District Development Strategy and the proposal will accommodate this growth. These matters were assessed in further detail in Plan</p>		

Change 12 and are not repeated here.
Options less or not as appropriate to achieve the objective
<p>Option 1: Do nothing “Do nothing” – remove Rangitahi Peninsula provisions and rely on Rural and Residential Zone provisions;</p> <p>Appropriateness: This approach would not take account of the specific environmental characteristics and objectives and policies for the Rangitahi Structure Plan area.</p>
<p>Option 2: Status Quo – keep the existing Rangitahi Peninsula provisions from the Operative Waikato District Plan</p> <p>Appropriateness: The Operative rules are based on a two-stage Comprehensive Development Plan process which has been deemed ultra vires by the Environment Court. As such, it is not considered appropriate to promulgate the use of this process in the Proposed District Plan.</p>
Risk of acting or not acting
<p>Uncertainty or insufficiency of information: There is sufficient information to develop provisions that will address the Objective. The evidence provided during the development of Plan Change 12, and subsequently through resource consents processed to date, has informed the development of the provisions.</p> <p>Risk of acting or not acting: Plan Change 12 was developed following a detailed analysis of the existing Raglan seaside village character and the environmental characteristics and sensitivities of the Rangitahi peninsula. That analysis has produced adequate information that the policy topics can be determined with certainty. Consequently, there is a sound foundation and little risk in adopting the policies set out in this alternative. The risk of not acting and keeping the Operative provisions would be to promulgate a set of Plan provisions which was <i>ultra vires</i> the RMA.</p>
Efficiency and effectiveness
<p>The preferred option is considered to be more efficient than the other Options in achieving the Objective as it will:</p> <ul style="list-style-type: none"> - Utilise the Structure Plan provisions to ensure the outcomes sought for the area are delivered in a comprehensive way; - Simplify the regulatory process by removing the Comprehensive Development Plan step; - Provide clarity as to what activity status would apply, and many activities would become permitted activities under the proposed framework.

The preferred option is considered to be more effective than the other Options in achieving the Objective as it will:

- Ensure that the Structure Plan elements are strongly tied to the policy and rule framework;
- Provide certainty in the regulatory process.

5.4 Objective 9.3.2 – Non-Residential Activities

This Objective seeks to ensure that non-residential activities contribute to village character without significant adverse effects on the role, amenity, commercial and social function of the Raglan town centre or effects on traffic.

The analysis of the options for implementing Objective 9.3.2 addresses the following policies and methods as a ‘bundle’:

- (a) Policies 9.3.2.1 and 9.3.2.2
- (b) Rule 28.1.1
- (c) Rule 28.1.2
- (d) Rule 28.1.3
- (e) Rule 28.1.4
- (f) Rangitahi Peninsula Structure Plan

5.4.1 Identification of Options

In considering options for managing and enabling development of the Rangitahi Peninsula, a number of factors were taken into account including:

- The provisions of the WRPS
- The effectiveness of the existing Operative District Plan provisions including via monitoring of the consent processes to date
- Latest case law relating to the use of two-stage Comprehensive Development Plans
- Practical issues identified by consenting staff in relation to monitoring the total amount of commercial and community gross floor area on the peninsula.

Specific consideration has been given as to what level of regulatory control is appropriate and whether the existing Rangitahi provisions are able to adequately address the provisions.

Overview of Approach:

The proposed approach is summarised as follows:

- The policy and rule framework seek to ensure commercial, mixed use and community facilities are developed to meet local needs, at a scale that contributes to village character and is compatible with residential activities, and does not detract from the vitality of the Raglan town centre.
- The framework enables commercial activities to occur as a permitted activity, with limits on gross floor area of up to 400m² in total for the peninsula and 100m² per individual activity. These gross floor area limits are the same as the existing Operative provisions. Above this, and up to 600m² in total in any of the neighbourhoods shown on the Structure Plan, and up to 1000m² within the whole Structure Plan area, commercial would be assessed as a Restricted Discretionary activity.
- Community activities can occur as a permitted activity, with a total gross floor area of 200m² for the peninsula, to be located within the specified locations on the Rangitahi Peninsula Structure Plan or a total gross floor area of 300m² within the whole of the Structure Plan area as a Restricted

- Discretionary activity. These gross floor area limits are the same as the existing Operative provisions for a Restricted Discretionary activity.
- Amended provisions clarify that childcare facilities are not part of the definition of 'Rangitahi commercial' activities and can therefore be assessed separately and do not contribute to the cumulative gross floor area limit for commercial developments. Childcare facilities would be provided for as a controlled activity subject to conditions, including consistency with the Rangitahi Peninsula Structure Plan. Character, amenity and traffic impacts are also matters of control. Childcare facilities outside of potential mixed use, potential commercial or potential tourism locations shown on the Rangitahi Peninsula Structure Plan (Plan 5) are Discretionary activities.
 - Provisions relating to mixed-use developments have been clarified to make it clear that commercial developments within these are part of the 'Rangitahi commercial' definition and would contribute to the cumulative gross floor area limit for commercial developments.
 - Stronger policies requiring development to be in accordance with the structure plan in the absence of a Comprehensive Development Approach.

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.

The way in which commercial developments are managed is considered to be a matter of scale and significance as outlined in Section 4 above. As such, this particular issue has been examined in further detail. There are a number of options for managing commercial development so that it meets the Objective, contributes to local needs, is compatible with other uses, and does not impact upon the vitality of the Raglan town centre.

Table 10 Evaluation of provisions

Provisions most appropriate	Effectiveness and Efficiency	
	Benefits	Costs
(a) Policies 9.3.2.1 and 9.3.2.2 (b) Rule 28.1.1 (c) Rule 28.1.2 (d) Rule 28.1.3 (e) Rule 28.1.4 (f) Rangitahi Peninsula Structure Plan	<p>Environmental:</p> <p>The proposed approach would ensure that any adverse effects of non-residential developments can be avoided, remedied or mitigated by addressing non-residential developments through permitted activity conditions and through requiring developments to be consistent with the Structure Plan. This ensures that the location and scale of non-residential activities can be managed.</p> <p>The provisions for commercial activities will ensure that any impacts on the existing Raglan town centre can be addressed as part of any resource consent application.</p> <p>The environmental effects of community and</p>	<p>Environmental:</p> <p>The proposed approach would provide certainty as to the nature and extent of non-residential activities on the peninsula. Environmental costs would be avoided, remedied or mitigated through the proposed policy and rule framework. Amenity standards would ensure that the effects of non-residential activities on residential uses were minimised.</p>

	<p>childcare facilities can be managed via the proposed activity status and standards in the rule framework.</p>	
	<p>Economic: Establishing gross floor area limits to community and Rangitahi commercial activities as permitted activities ensures that, above that scale, potential adverse effects on village character and the town centre will be assessed.</p> <p>The ability for the farm activities to occur on the Balance Lot is preserved in the proposed rule framework. Linking the provisions to the land use effects for the Rural Zone and building requirements for the Rural Zone will ensure there is control over the effects of these activities whilst also ensuring there is sufficient certainty that these uses can continue to occur on the Balance Lot.</p> <p>The provisions also accommodate activities such as tourism opportunities which offer the potential for increased economic activity in the area.</p> <p>The activity status and standards for commercial, mixed use, childcare facilities and community facilities will ensure that the effects of these activities can be avoided,</p>	<p>Economic: The limitations on gross floor area were assessed as part of Plan Change 12 and the commercial and community size limits for the peninsula, along with individual tenancy limits, were deemed to be sufficient to ensure that there were no wider impacts on the Raglan town centre. These limits also ensure that non-residential uses do not negatively affect residential uses on the peninsula.</p> <p>Moving from a two-stage CDP approach, to an approach in which many activities are permitted, will reduce compliance costs for applicants and increase certainty of outcomes.</p> <p>There will be additional monitoring costs for Council to monitor commercial and community gross floor area limits across the peninsula.</p>

	remedied or mitigated.	
	Social: The provisions will ensure that there are facilities which will enable the local community to provide for their everyday needs.	Social: There are no identified social costs of these provisions.
	Cultural: There are no identified cultural benefits.	Cultural: There are no identified cultural costs.
Opportunities for economic growth and employment		
The development of the Rangitahi peninsula will add the provision of commercial and community uses on the peninsula, adding jobs to the Raglan job market. These opportunities were assessed under Plan Change 12 and are not repeated here.		
Options less or not as appropriate to achieve the objective		
Option 1: Status quo No specific provisions – rely on Residential and Rural zone provisions. Appropriateness: This approach would not take account of the specific environmental characteristics and objectives and policies for the Rangitahi Structure Plan area.		
Option 2: Adopt existing Operative Plan provisions Adopt Plan Change 12 provisions. Appropriateness: This option was disregarded because it relied on a three stage regulatory process including a two-stage Comprehensive Development Plan process which has now been deemed <i>ultra vires</i> by the Environment Court in other cases.		
Risk of acting or not acting		
Uncertainty or insufficiency of information: There is sufficient information to develop provisions that will address the Objective. The evidence provided during the development of Plan Change 12, and subsequently through resource consents processed to date, has informed the development of the provisions.		

Risk of acting or not acting:

Plan Change 12 was developed following a detailed analysis of the existing Raglan seaside village character and the environmental characteristics and sensitivities of the Rangitahi peninsula. That analysis has produced adequate information that the policy topics can be determined with certainty. Consequently, there is a sound foundation and little risk in adopting the policies set out in this alternative. The risk of not acting and keeping the Operative provisions would be to promulgate a set of Plan provisions which was *ultra vires* the RMA.

Efficiency and effectiveness

The preferred option is considered to be more efficient than the other Options in achieving the Objective as it will:

- Utilise the Structure Plan provisions to ensure certainty as to where non-residential activities will locate;
- Simplify the regulatory process by removing the Comprehensive Development Plan step;

The preferred option is considered to be more effective than the other Options in achieving the Objective as it will:

- Ensure that any adverse effects of non-residential uses can be addressed through an appropriate consenting regime.

5.5 Objective 9.3.3 Natural Features

This Objective seeks to ensure that the natural features of the Rangitahi peninsula including landscape, ecology, habitat and the coastal environment are maintained and enhanced.

The analysis of the options for implementing Objective 9.3.3 addresses the following policies and methods as a 'bundle':

- (a) Policy 9.3.3.1 – Green spaces
- (b) Policy 9.3.3.2 – Coastal margins
- (c) Policy 9.3.3.3 - Stormwater management
- (d) Policy 9.3.3.4 - Stock exclusion
- (e) Policy 9.3.3.5 - Environmental improvement
- (f) Policy 9.3.3.6 - Landscape values
- (g) Policy 9.3.3.7 - Ecological and habitat values
- (h) Rule 28.2.4.3
- (i) Rule 28.2.8
- (j) Rule 28.4.5
- (k) Rangitahi Structure Plan

5.5.1 Identification of Options

In considering options for managing and enabling development of the Rangitahi peninsula, a number of factors were taken into account including:

- The provisions of the WRPS
- The effectiveness of the existing Operative District Plan provisions
- Latest case law relating to the use of two-stage Comprehensive Development Plans

Specific consideration has been given as to what level of regulatory control is appropriate and whether the existing Rangitahi provisions are able to adequately address the provisions.

Overview of Approach:

The proposed approach is summarised as follows:

- The policy and rule framework seek to ensure that natural features, including landscape, ecology, habitat and the coastal environment, are maintained and enhanced. The policy approach is similar to the Operative provisions, but the rule framework proposed does not incorporate the two-stage Comprehensive Development Plan approach.
- The Structure Plan indicates Landscape Restoration Policy areas, and the Indicative Open Space Framework, which forms part of the Structure Plan, shows the location of existing and proposed native vegetation areas and proposed recreation reserves. Rule 28.4.1 (c) requires environmental improvements as per the Indicative Open Space Framework Plan.
- The Structure Plan also addresses coastal features and setbacks.
- Earthworks provisions, where consent is required, must be consistent with the Structure Plan.
- Other specific provisions relating to earthworks are addressed in a separate section 32 report.

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 11 Evaluation of provisions

Provisions most appropriate	Effectiveness and Efficiency	
	Benefits	Costs
(a) Policy 9.3.3.1 – Green spaces (b) Policy 9.3.3.2 – Coastal margins (c) Policy 9.3.3.3 - Stormwater management (d) Policy 9.3.3.4 - Stock exclusion (e) Policy 9.3.3.5 - Environmental improvement (f) Policy 9.3.3.6 - Landscape values (g) Policy 9.3.3.7 - Ecological and habitat values (h) Rule 28.2.4.3 (i) Rule 28.2.8 (j) Rule 28.4.5 (k) Rangitahi Structure Plan	<p>Environmental: The provisions require a range of responses to maintain and enhance the natural features of the Rangitahi peninsula. A range of green buffers between urban development and the coast are required, and coastal margins, gully and stream margins are to be planted to maintain and enhance natural ecosystems and the values of the coastal area. Stormwater is to be managed in such a way that erosion potential and run-off into the coastal marine area is addressed.</p> <p>The rule framework ensures that developments are consistent with the Structure Plan, thereby ensuring that these environmental matters are addressed. If applications do not address these, the activity is assessed as a Discretionary Activity and the assessment will need to address the objectives and policy framework.</p>	<p>Environmental: There are no environmental costs identified.</p>
	<p>Economic: A high-quality, environmentally sensitive</p>	<p>Economic: There will be additional costs associated with</p>

	<p>development will complement the existing Raglan township and continue to grow the local economy.</p>	<p>developing the site as a result of the additional requirements around environmental outcomes. However, there are no additional costs associated with this option when compared with the Operative provisions because the environmental enhancements and requirements are already required under the Operative provisions.</p>
	<p>Social: A network of green spaces and environmental enhancements will assist in ensuring that the development is compatible with the harbour setting and with the character of the village.</p> <p>The provisions that were adopted in Plan Change 12 took into account the views of the public as part of the Schedule 1 process. The current provisions seek to retain provisions which will ensure the important environmental outcomes sought as part of the development of the peninsula are realised.</p>	<p>Social: There are no social costs identified.</p>
	<p>Cultural: The provisions seek to ensure that the development is in accordance with the Structure Plan. The area is rich in cultural and archaeological sites. Some of these will be protected as part of the open space or reserves network. This is further addressed in the analysis under Objective 9.3.4 below.</p>	<p>Cultural: There are no cultural costs identified.</p>

Opportunities for economic growth and employment		
Not applicable.		
Options less or not as appropriate to achieve the objective		
<p>Option 1: Do nothing This option would involve utilising the Residential and Rural zone provisions with no specific provisions for the Rangitahi peninsula.</p> <p>Appropriateness: This option was discarded because it would not achieve the environmental, economic, social and cultural outcomes sought for the development of the peninsula. It would not meet the expectations that the community have based on the Operative Plan provisions, and would not give effect to the relevant Regional Policy Statement.</p>		
<p>Option 2: Status Quo This option would adopt the existing Operative provisions with no change.</p> <p>Appropriateness: This option is based on a three-tier regulatory approach which includes a Comprehensive Development Plan requirement which is <i>ultra vires</i> the Act. As such, this option is not considered to be appropriate.</p>		
Risk of acting or not acting		
<p>Uncertainty or insufficiency of information: There is sufficient information to develop provisions that will address the Objective. The evidence provided during the development of Plan Change 12, and subsequently through resource consents processed to date, has informed the development of the provisions.</p> <p>Risk of acting or not acting: Plan Change 12 was developed following a detailed analysis of the existing Raglan seaside village character and the environmental characteristics and sensitivities of the Rangitahi peninsula. That analysis has produced adequate information that the policy topics can be determined with certainty. Consequently, there is a sound foundation and little risk in adopting the policies set out in this alternative. The risk of not acting and keeping the Operative provisions would be to promulgate a set of Plan provisions which was <i>ultra vires</i> the RMA.</p>		
Efficiency and effectiveness		

The preferred option is considered to be more efficient than the other Options in achieving the Objective as it will:

- Utilise the Structure Plan provisions to ensure the natural values of the area are maintained and enhanced;
- Simplify the regulatory process by removing the Comprehensive Development Plan step;

The preferred option is considered to be more effective than the other Options in achieving the Objective as it will:

- Enhance the provision of open space, and maintain and enhance natural ecosystems and restore habitat for indigenous flora and fauna;
- Manage stormwater to minimise erosion potential and rate of run-off into the coastal marine area and to exclude stock from steep slopes and gully systems.

5.6 Objective 9.3.4 - Heritage

This Objective seeks to ensure that cultural and historic heritage on the Rangitahi peninsula is retained.

The analysis of the options for implementing Objective 9.3.4 addresses the following policies and methods as a 'bundle':

- (a) Policy 9.3.4.1- Cultural and historic sites of significance
- (b) Policy 9.3.4.2 - Heritage protection
- (c) Rangitahi Structure Plan and Neighbourhood Outcome Plans
- (d) Rule 28.2.4.2 and 28.2.4.3 (addressed in a separate section 32 report).
- (e) Rule 28.2.6.3 Signs – Heritage items and Maaori Sites of Significance – addressed in separate section 32 report.
- (f) Rule 28.4
- (g) Rangitahi Structure Plan

5.6.1 Identification of Options

In considering options for managing and enabling development of the Rangitahi peninsula, a number of factors were taken into account including:

- The provisions of the WRPS
- The effectiveness of the existing Operative District Plan provisions
- Latest case law relating to the use of two-stage Comprehensive Development Plans
- The fact that there have been two cultural assessments and an archaeological assessment undertaken for the site

Specific consideration has been given as to what level of regulatory control is appropriate and whether the existing Rangitahi provisions are able to adequately address the provisions.

Overview of approach:

- There were two cultural impact assessments and an archaeological report prepared for the peninsula as part of the preparation of Plan Change 12. This work showed that there are 83 archaeological sites along with a pa site. The layout of the Structure Plan and Neighbourhood Plans was amended during the Plan Change 12 process to accommodate the identified archaeological sites. All sites of significance are either to be located within reserves or to be protected by covenants.
- The proposed approach is broadly similar to the Operative approach except insofar as the two-stage CDP approach is no longer proposed. The policies have been strengthened to require development to be in accordance with the Structure Plan, in absence of a two-stage CDP approach.
- The rule framework requires applications to be in accordance with the Structure Plan (including the Neighbourhood Outcome Plans) (Rule 28.4.1). The Neighbourhood Plans show the location of the sites to be protected by covenants and for management plans to be prepared in some cases. The rules also require consultation with Tainui. A matter of discretion will be to ensure consistency with the Neighbourhood Plans. There is also a Maaori site of significance identified on the Planning Maps (covered by separate section 32 report).

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.

Table 12 Evaluation of provisions

Provisions most appropriate	Effectiveness and Efficiency	
	Benefits	Costs
(a) Policy 9.3.4.1- Cultural and historic sites of significance (b) Policy 9.3.4.2 - Heritage protection (c) Rangitahi Structure Plan and Neighbourhood Outcome Plans (d) Rule 28.2.4.2 and 28.2.4.3 (addressed in a separate section 32 report). (e) Rule 28.2.6.3 Signs – Heritage items and Maaori Sites of Significance – addressed in separate section 32 report. (f) Rule 28.4 (g) Rangitahi Structure Plan	<p>Environmental: The rule framework will ensure that sites of historic or cultural significance are protected at the time of subdivision. The sites of significance are shown on the Precinct plans which form part of the Structure Plan, and will either be protected by covenants or be within reserve areas. There is a pa site which is identified as a Maaori site of significance identified on the Planning Maps (covered by separate section 32 report). It is proposed that a management plan is prepared for this pa site. Management plans for other sites are to be prepared where noted on the Neighbourhood Plans, which are a matter for discretion at the time of subdivision.</p> <p>Earthworks, where a resource consent is required, will require consistency with the Structure Plan.</p>	<p>Environmental: There are no environmental costs identified.</p>

	<p>Economic: The proposal will be more efficient than the Operative approach because there is no separate requirement for further cultural or heritage assessment reports to be undertaken, acknowledging that this work has already been done. Management plans are still required where identified on the Neighbourhood Plans.</p>	<p>Economic: There will be no additional costs associated with this Option when compared with the Operative provisions. The compliance costs may be less due to many activities now being permitted activities.</p>
	<p>Social: There will be a net social gain as a result of protecting the identified sites. Public access will be available to sites located in recreation reserves.</p>	<p>Social: There are no identified social costs associated with this Option.</p>
	<p>Cultural: Sites of historical and cultural importance have been identified and mechanisms in the rule framework provide for their protection. There are rules covered by another section 32 report which seek to ensure that Maori sites of significance are protected from adverse effects associated with earthworks and that signs for the purpose of identification and interpretation of Maori sites of significance are a permitted activity.</p>	<p>Cultural: There may be costs associated with the protection of sites through covenants and via specific conditions of consent. There are no additional costs when compared with the existing Operative Plan provisions.</p>
<p>Opportunities for economic growth and employment</p>		
<p>Not applicable.</p>		
<p>Options less or not as appropriate to achieve the objective</p>		
<p>Option 1: Status quo Rely on provisions in the Residential and Rural Zones.</p>		
<p>Appropriateness:</p>		

<p>This option would not address the need for any additional protection of the identified historic and cultural heritage sites.</p>
<p>Option 2: Adopt Operative District Plan provisions. Incorporate the existing Plan Change 12 provisions into the Proposed District Plan.</p>
<p>Appropriateness: This option is not considered appropriate as it would rely on a two-stage CDP approach now deemed <i>ultra vires</i> by the Environment Court.</p>
<p>Risk of acting or not acting</p>
<p>Uncertainty or insufficiency of information: There is sufficient information to develop provisions that will address the Objective. The evidence provided during the development of Plan Change 12 has informed the development of the provisions.</p>
<p>Risk of acting or not acting: Plan Change 12 was developed following a detailed analysis of the historic and cultural heritage of the Rangitahi peninsula. That analysis has produced adequate information that the policy topics can be determined with certainty. Consequently, there is a sound foundation and little risk in adopting the policies set out in this alternative. The risk of not acting and keeping the Operative provisions would be to promulgate a set of Plan provisions which was <i>ultra vires</i> the RMA.</p>
<p>Efficiency and effectiveness</p>
<p>The preferred option is considered to be more efficient than the other Options in achieving the Objective as it will:</p> <ul style="list-style-type: none"> - Utilise the Structure Plan provisions to ensure the historic and cultural values of the area are maintained and enhanced; - Simplify the regulatory process by removing the Comprehensive Development Plan step; <p>The preferred option is considered to be more effective than the other Options in achieving the Objective as it will:</p> <ul style="list-style-type: none"> - Utilise the subdivision process to ensure the outcomes in the Neighbourhood Plans are achieved, including covenanting sites where required and establishing management plans where necessary.

5.7 Objective 9.3.5 Transport Network

This Objective seeks to ensure that an integrated transport network provides access to and within the Rangitahi peninsula for vehicles, walking and cycling.

The analysis of the options for implementing Objective 9.3.9 addresses the following policies and methods as a 'bundle':

- (a) Policy 9.3.5.1 - Integrated transport network
- (b) Policy 9.3.5.2 - Transport network design
- (c) Policy 9.3.5.3 - Primary access
- (d) Policy 9.3.5.4 - Secondary access
- (e) Policy 9.3.5.5 – Open space and coastal access
- (f) Rule 28.4
- (g) Structure Plan (including Indicative Movement Network Plan, the Neighbourhood Outcome Plans and Road Details)
- (h) Engineering Standards (addressed in a separate section 32 report)
- (i) Infrastructure and Energy Rules:
 - 14.12.1 P1, P4, P6
 - 14.12.5.7 – Required parking spaces and loading bays

The proposed provisions make it a condition of Restricted Discretionary subdivision consent that the application is in accordance with the Structure Plan (which includes the Indicative Movement Plan). This sets out the primary routes, secondary routes, local roads and other movement networks including the provision of walkways and cycleways. These must be implemented to the extent required for each subdivision. The rule framework also includes two specific rules (28.4.1 (a)(iv) and (v)) which require the primary and secondary access routes to be formed. Applications that do not comply with this are considered as a Discretionary Activity.

The provisions strengthen requirements to ensure secondary access is provided to the peninsula. At present, the objectives and policies seek to ensure that a secondary public access is constructed, but the provisions in the existing rule framework are unclear. The proposed rule would ensure that a secondary legal access for all road users is available when the Oporu Road connection is not available for any reason.

5.7.1 Identification of Options

In considering options for managing and enabling development of the Rangitahi peninsula, a number of factors were taken into account including:

- The provisions of the WRPS
- The effectiveness of the existing Operative District Plan provisions including via monitoring of the consent processes to date
- Latest case law relating to the use of two-stage Comprehensive Development Plans

- Feedback from consenting staff as to the effectiveness of the current framework relating to the provision of a secondary access.

Specific consideration has been given as to what level of regulatory control is appropriate and whether the existing Rangitahi provisions are able to adequately address the provisions.

5.7.2 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 13 Evaluation of provisions

Provisions most appropriate	Effectiveness and Efficiency	
	Benefits	Costs
<ul style="list-style-type: none"> (a) Policy 9.3.5.1 - Integrated transport network (b) Policy 9.3.5.2 - Transport network design (c) Policy 9.3.5.3 - Primary access (d) Policy 9.3.5.4 - Secondary access (e) Policy 9.3.5.5 – Open space and coastal access (f) Rule 28.4 (g) Structure Plan (including Indicative Movement Network Plan, the Neighbourhood Outcome Plans and Road Details) (h) Engineering Standards (addressed in a separate section 32 report) (i) Infrastructure and Energy Rules: 14.12.1 PI, P4, P6 14.12.5.7 – Required parking spaces and loading bays 	<p>Environmental: The provision of an integrated transport network will ensure that environmental effects of traffic movement can be addressed.</p> <p>Providing a high degree of connectivity within the development will encourage sustainable modes of transport such as walking and cycling. The transportation network was designed to encourage integrated connections and permeability.</p> <p>The Roding Details (part of the Structure Plan) take into account the topography of the area and the proposed village amenity and include Primary and Secondary Roads, Edge Lanes, Living Streets and Access Lane/court typologies. These proposals are the same as the Operative provisions, the benefits and costs of which were examined as part of Plan Change 12. The typologies are designed to encourage low-speed travel through the peninsula.</p>	<p>Environmental: There are no environmental costs identified.</p>

	<p>The engineering standards relating to roading on the Rangitahi peninsula have been amended in the Operative Plan to ensure that the Roding Details set out in the Rangitahi Structure Plan are addressed in any consent. These provisions are proposed to be brought forward into the Proposed District Plan.</p> <p>The proposed provisions will ensure that the secondary access is provided to a sufficient standard to reflect the secondary nature of the access. The proposed provisions give certainty as to when this access is required. The current provisions do not make it clear when the access is required, and as such, to date when processing resource consents, there has been no trigger to ensure the access is provided. The new provisions will give this certainty and ensure that the environmental impacts of the development can be satisfactorily addressed.</p>	
	<p>Economic: The proposed network will provide a well-connected and permeable road network which will facilitate access to and from the peninsula. This will assist in the ease with which people can undertake their business and everyday activities. There is also the potential that tourism activities could occur on the peninsula, and the provision of a good</p>	<p>Economic: There are no additional costs associated with the provision of the secondary access because under the Operative provisions it was already a requirement. However, it was not clear when and to what standard the access needed to be provided. The proposed provisions will ensure there is more certainty as to when it will be provided and to what standard.</p>

	quality, safe and well-connected transport network will assist in these activities being able to occur.	There will be a cost to the developer to provide access.
	<p>Social: The proposed provisions will ensure that the transportation network envisaged under Plan Change 12 will be implemented effectively without the need for a two-stage CDP approach. The transport hierarchy provides for a range of transportation options, including walking and cycling, designed to ensure there are opportunities for the community to choose non-car based transportation options. Ensuring there is a secondary access to and from the peninsula will ensure people are able to provide for their wellbeing by enabling alternative access.</p>	<p>Social: There are no social costs identified.</p>
	<p>Cultural: There are no cultural benefits identified.</p>	<p>Cultural: There are no cultural costs identified.</p>
Opportunities for economic growth and employment		
Assessed above under Section 5.3.		
Options less or not as appropriate to achieve the objective		
<p>Option 1: Status quo Rely on Residential and Rural zone provisions, and the general engineering standards in the Plan.</p> <p>Appropriateness: These provisions would not take into account the specific transportation network which has been designed for the peninsula and which has been subject to public consultation.</p>		
Option 2: Adopt Operative Plan provisions from Plan Change 12.		

Utilise Plan Change 12 provisions.

Appropriateness:

The CDP process has been found to be *ultra vires*.

It is insufficient to rely upon the condition in the resource consent to ensure secondary access is undertaken for the purposes of reliable access for around 500 new dwellings plus other commercial and mixed uses. A secondary access needs to be built to a suitable standard to ensure it is able to provide reliable access that is available in all weathers and conditions. The current provisions do not adequately state when the secondary access needs to be built and are therefore not appropriate.

Risk of acting or not acting

Uncertainty or insufficiency of information:

There is sufficient information to develop provisions that will address the Objective. The evidence provided during the development of Plan Change 12, and subsequently through resource consents processed to date, has informed the development of the provisions.

Risk of acting or not acting:

Plan Change 12 was developed following a detailed analysis of the existing Raglan seaside village character and the environmental characteristics and sensitivities of the Rangitahi peninsula. That analysis developed a set of provisions to ensure adequate transportation networks would be provided. That analysis has produced adequate information that the policy topics can be determined with certainty. Consequently, there is a sound foundation and little risk in adopting the policies set out in this alternative. The risk of not acting and keeping the Operative provisions would be to promulgate a set of Plan provisions which was *ultra vires* the RMA.

Efficiency and effectiveness

The preferred option is considered to be more efficient than the other Options in achieving the Objective as it will:

- Utilise the Structure Plan provisions to ensure the movement network is implemented as proposed;
- Simplify the regulatory process by removing the Comprehensive Development Plan step;

The preferred option is considered to be more effective than the other Options in achieving the Objective as it will:

- Ensure that there is more certainty that the secondary access will be provided, and at what stage it must be provided.

6 CONCLUSION

After undertaking an evaluation as required by Section 32 of the RMA, The Objective is considered the most appropriate way to achieve the Purpose of the RMA (Section 5) for managing the development of Rangitahi Peninsula.

It is considered that the recommended policies and methods outlined above are the most appropriate way for achieving the objectives, having considered:

- (i) other reasonably practicable options for achieving the objective; and
- (ii) assessing the efficiency and effectiveness of the provisions in achieving the objective.

APPENDIX I PROVISION CASCADE

Issue to be addressed	Objective	Policies	Rules
15B.2 Issue – Effects of Rangitahi Peninsula Development	Objective 9.3.1 – Development	Policy 9.3.1.1 – Development Policy 9.3.1.2 – Residential Development Policy 9.3.1.3 – Staged, Integrated Infrastructure Policy 9.3.1.4 – Activities	Rules: Rangitahi Peninsula Zone 28.1.2 Permitted Activities not specifically listed; 28.1.3 Specific activities – Permitted activities; 28.1.4 Specific Activities – Restricted Discretionary Activities; 28.1.5 Specific Activities- Discretionary Activities 28.2 Land Use – Effects (all); 28.3 Land Use – Buildings (all) 28.4 Subdivision (all) Rangitahi Peninsula Structure Plan

	Objective 9.3.2 – Non-Residential Activities	Policy 9.3.2.1 – Commercial activities Policy 9.3.2.2 – Community facilities	Rule 28.1.1 Rule 28.1.2 Rule 28.1.3 Rule 28.1.4 Rangitahi Peninsula Structure Plan
	Objective 9.3.3 – Natural Features	Policy 9.3.3.1 – Green spaces Policy 9.3.3.2 – Coastal margins Policy 9.3.3.3 - Stormwater management Policy 9.3.3.4 - Stock exclusion Policy 9.3.3.5 - Environmental improvement Policy 9.3.3.6 - Landscape values Policy 9.3.3.7 - Ecological and habitat values	Rule 28.2.4.3 Rule 28.2.8 Rule 28.4.5 Rangitahi Structure Plan
	Objective 9.3.4 - Heritage	Policy 9.3.4.1- Cultural and historic sites of significance Policy 9.3.4.2 - Heritage protection	Rangitahi Structure Plan and Neighbourhood Outcome Plans Rule 28.2.4.2 and 28.2.4.3 (addressed in a separate section 32 report).

			<p>Rule 28.2.6.3 Signs – Heritage items and Maaori Sites of Significance – addressed in separate section 32 report.</p> <p>Rule 28.4</p> <p>Rangitahi Structure Plan</p>
	Objective 9.3.5 – Transport Network	<p>Policy 9.3.5.1 - Integrated transport network</p> <p>Policy 9.3.5.2 - Transport network design</p> <p>Policy 9.3.5.3 - Primary access</p> <p>Policy 9.3.5.4 - Secondary access</p> <p>Policy 9.3.5.5 – Open space and coastal access</p>	<p>Rule 28.4</p> <p>Structure Plan (including Indicative Movement Network Plan, the Neighbourhood Outcome Plans and Road Details)</p> <p>Engineering Standards (addressed in a separate section 32 report)</p> <p>Infrastructure and Energy Rules:</p> <ul style="list-style-type: none"> • 14.12.1 P1, P4, P6 • 14.12.5.7 – Required parking spaces and loading bays

APPENDIX 2 HIGHER ORDER PLANNING DOCUMENTS – PROVISIONS

NEW ZEALAND COASTAL POLICY STATEMENT 2010

Policy 7 Strategic planning

(1) In preparing regional policy statements, and plans: (a) consider where, how and when to provide for future residential, rural residential, settlement, urban development and other activities in the coastal environment at a regional and district level, and: (b) identify areas of the coastal environment where particular activities and forms of subdivision, use and development: (i) are inappropriate; and (ii) may be inappropriate without the consideration of effects through a resource consent application, notice of requirement for designation or Schedule 1 of the Act process; and provide protection from inappropriate subdivision, use, and development in these areas through objectives, policies and rules.

(2) Identify in regional policy statements, and plans, coastal processes, resources or values that are under threat or at significant risk from adverse cumulative effects. Include provisions in plans to manage these effects. Where practicable, in plans, set thresholds (including zones, standards or targets), or specify acceptable limits to change, to assist in determining when activities causing adverse cumulative effects are to be avoided.

Policy 13 Preservation of natural character

(1) To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:

(a) avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and

(b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment; including by:

(c) assessing the natural character of the coastal environment of the region or district, by mapping or otherwise identifying at least areas of high natural character; and

(d) ensuring that regional policy statements, and plans, identify areas where preserving natural character requires objectives, policies and rules, and include those provisions.

(2) Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:

(a) natural elements, processes and patterns;

(b) biophysical, ecological, geological and geomorphological aspects;

(c) natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;

(d) the natural movement of water and sediment;

(e) the natural darkness of the night sky;

(f) places or areas that are wild or scenic;

(g) a range of natural character from pristine to modified; and

(h) experiential attributes, including the sounds and smell of the sea; and their context or setting.

Policy 17 Historic heritage identification and protection

Protect historic heritage in the coastal environment from inappropriate subdivision, use, and development by:

(a) identification, assessment and recording of historic heritage, including archaeological sites;

(b) providing for the integrated management of such sites in collaboration with relevant councils, heritage agencies, iwi authorities and kaitiaki;

(c) initiating assessment and management of historic heritage in the context of historic landscapes;

(d) recognising that heritage to be protected may need conservation;

- (e) facilitating and integrating management of historic heritage that spans the line of mean high water springs;
- (f) including policies, rules and other methods relating to (a) to (e) above in regional policy statements, and plans;
- (g) imposing or reviewing conditions on resource consents and designations, including for the continuation of activities;
- (h) requiring, where practicable, conservation conditions; and
- (i) considering provision for methods that would enhance owners' opportunities for conservation of listed heritage structures, such as relief grants or rates relief.

Policy 18 Public open space

Recognise the need for public open space within and adjacent to the coastal marine area, for public use and appreciation including active and passive recreation, and provide for such public open space, including by:

- (a) ensuring that the location and treatment of public open space is compatible with the natural character, natural features and landscapes, and amenity values of the coastal environment;
- (b) taking account of future need for public open space within and adjacent to the coastal marine area, including in and close to cities, towns and other settlements;
- (c) maintaining and enhancing walking access linkages between public open space areas in the coastal environment;
- (d) considering the likely impact of coastal processes and climate change so as not to compromise the ability of future generations to have access to public open space; and
- (e) recognising the important role that esplanade reserves and strips can have in contributing to meeting public open space needs.

Policy 25 Subdivision, use, and development in areas of coastal hazard risk In areas potentially affected by coastal hazards over at least the next 100 years:

- (a) avoid increasing the risk of social, environmental and economic harm from coastal hazards;
- (b) avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards;
- (c) encourage redevelopment, or change in land use, where that would reduce the risk of adverse effects from coastal hazards, including managed retreat by relocation or removal of existing structures or their abandonment in extreme circumstances, and designing for relocatability or recoverability from hazard events;
- (d) encourage the location of infrastructure away from areas of hazard risk where practicable;
- (e) discourage hard protection structures and promote the use of alternatives to them, including natural defences; and
- (f) consider the potential effects of tsunamis and how to avoid or mitigate them.

WAIKATO REGIONAL POLICY STATEMENT 2016

3.7 Coastal environment

The coastal environment is managed in an integrated way that:

- a) preserves natural character and protects natural features and landscape values of the coastal environment;*
- b) avoids conflicts between uses and values;*
- c) recognises the interconnections between marine-based and land-based activities; and*
- d) recognises the dynamic, complex and interdependent nature of natural biological and physical processes in the coastal environment.*

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.

Policy 6.1 Planned and co-ordinated 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.

6.1.1 Regional plans, district plans and development planning mechanisms

Local authorities shall have regard to the principles in section 6A when preparing, reviewing or changing regional plans, district plans and development planning mechanisms such as structure plans, town plans and growth strategies.

Policy 6.2 Planning for development in the coastal environment

Development of the built environment in the coastal environment occurs in a way that:

- a) ensures sufficient development setbacks to protect coastal natural character, public access, indigenous biodiversity, natural physical processes, amenity and natural hazard mitigation functions of the coast;
- b) protects hydrological processes and natural functions of back dune areas;
- c) avoids the adverse effects of activities on areas with outstanding natural character, and outstanding natural features and landscapes;
- d) ensures that in areas other than those identified in (c) above, activities are appropriate in relation to the level of natural character or natural feature and landscape;
- e) has regard to local coastal character;
- f) allows for the potential effects of sea level rise, including allowing for sufficient coastal habitat inland migration opportunities;
- g) protects the valued characteristics of remaining undeveloped, or largely undeveloped coastal environments;
- h) ensures adequate water, stormwater and wastewater services will be provided for the development;

- i) avoids increasing natural hazard risk associated with coastal erosion and inundation;
- j) has regard to the potential effects of a tsunami event, and takes appropriate steps to avoid, remedy or mitigate that risk;
- k) avoids ribbon development along coastal margins;
- l) does not compromise the function or operation of existing or planned coastal infrastructure;
- m) provides for safe and efficient connectivity between activities occurring in the coastal marine area and associated land-based infrastructure;
- n) manages adverse effects to maintain or enhance water quality; and
- o) maintains and enhances public access.

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 6.14 Adopting Future Proof land use pattern

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 6.15 Density targets for Future Proof area

Hamilton City Council, Waipa District Council and Waikato District Council shall seek to achieve compact urban environments that support existing commercial centres, multi-modal transport options, and allow people to live, work and play within their local area. In doing so, development provisions shall seek to achieve over time the following average gross density targets...Greenfield development in... Raglan/Whaingaroa ... – 15 households per hectare...

Policy 6.16 Commercial development in the Future Proof area

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.

6A Development principles

General development principles

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.

Policy 6.2 Planning for development in the coastal environment

Development of the built environment in the coastal environment occurs in a way that:

- a) ensures sufficient development setbacks to protect coastal natural character, public access, indigenous biodiversity, natural physical processes, amenity and natural hazard mitigation functions of the coast;
- b) protects hydrological processes and natural functions of back dune areas;
- c) avoids the adverse effects of activities on areas with outstanding natural character, and outstanding natural features and landscapes;

- d) ensures that in areas other than those identified in (c) above, activities are appropriate in relation to the level of natural character or natural feature and landscape;
- e) has regard to local coastal character;
- f) allows for the potential effects of sea level rise, including allowing for sufficient coastal habitat inland migration opportunities;
- g) protects the valued characteristics of remaining undeveloped, or largely undeveloped coastal environments;
- h) ensures adequate water, stormwater and wastewater services will be provided for the development;
- i) avoids increasing natural hazard risk associated with coastal erosion and inundation;
- j) has regard to the potential effects of a tsunami event, and takes appropriate steps to avoid, remedy or mitigate that risk;
- k) avoids ribbon development along coastal margins;
- l) does not compromise the function or operation of existing or planned coastal infrastructure;
- m) provides for safe and efficient connectivity between activities occurring in the coastal marine area and associated land-based infrastructure;
- n) manages adverse effects to maintain or enhance water quality; and
- o) maintains and enhances public access.

FUTURE PROOF GROWTH STRATEGY 2017

1.3 Guiding Principles

Future Proof is about how the area should develop into the future. Underlying this are fundamental principles which apply in respect of the Strategy and its implementation. The ongoing application of these principles is key to effective implementation and should be used in assessing and measuring proposals against the Strategy and any subsequent changes that are made to it.

The following guiding principles originate from the 2009 Strategy. Future Proof commissioned an evaluation of the principles from an economic perspective to test their validity for the Strategy Update. The evaluation concluded that the Future Proof principles remain valid, and possibly more relevant today than when originally drafted.

- Effective Governance, Leadership, Integration, Implementation and Productive Partnerships...
- Diverse and Vibrant Metropolitan Centre linked to Thriving Town and Rural Communities and Place...
- Protection of Natural Environments, Landscapes and Heritage and Healthy Waikato River as Heart of Region's Identity...
- Affordable and Sustainable Infrastructure...
- Sustainable Resource Use...
- Tāngata Whenua...

6.2 Growth Management Areas

The settlement pattern is made up of key growth management areas that have been identified within Hamilton City, Waipa District and Waikato District. The key features of the settlement pattern for each growth management area are as follows:...

Raglan

Seaside settlement that maintains the established desirable character of the Raglan coastal environment.

Destination town.

High number of holiday houses.

Residential growth is expected to occur due to coastal lifestyle, proximity to Hamilton and technological and transport improvements.
Better public transport and improved opportunities for walking and cycling.

6.3 Key Targets for the Settlement Pattern

Growth Targets

There is a clear strategic direction to ensure that a greater percentage of growth over time is located in existing areas of Hamilton City and the existing towns in both districts. Therefore the below targets are to be achieved over the planning period for the Strategy:
...For the Waikato District, approximately 80% of growth will be in the identified areas of Te Kauwhata, Huntly, Pokeno, Tuakau, Ngaruawahia, Raglan and various villages...

Density Targets

The Future Proof Strategy acknowledges that higher densities can help to support modal shift from the private car to more sustainable modes of transport. They also provide for a more effective use of land and allow people to live closer to key urban areas. Over time settlements will become more discrete with defined urban limits and greenbelts around them.

This Strategy has set the following general residential density targets which are to be achieved over time and not necessarily immediately. Density targets for the Future Proof area are contained in Policy 6.15 of the RPS.

Table 2: Future Proof and RPS density targets

...Greenfield development in Cambridge, Te Awamutu/Kihikihi, Huntly, Ngaruawahia, Raglan, Te Kauwhata, Pokeno and Tuakau
12-15 households per hectare...

7.1 Residential Growth Projections

Population and household projections for the sub-region are provided in Appendix I (detailed tables) and Table 3 (summary table). The projections were developed by the University of Waikato and are part of a wider dataset developed for the Waikato region. Two scenarios, low and medium, were developed to give a lower and an upper band ('banded approach'). The reasons for taking a banded approach include:

Allows for the differences between the councils.

Recognises that projections are not a forecast – they represent one possible scenario for the future.

Provides greater flexibility to manage the inevitable changes in the rate of growth over time. Future Proof commissioned a peer review to validate the approach and projections used.

The peer review concluded that the projections are generally sound and reflect a very careful consideration of the population dynamics that the Future Proof sub-region faces.

The projections will be revisited as part of Phase 2 of the Strategy Update. They will also be actively monitored as part of Future Proof Strategy implementation and the requirements of the NPS-UDC.

WAIKATO DISTRICT DEVELOPMENT STRATEGY 2015

4.4 Key Urban Outcomes

- To focus future urban development in and around the district's existing towns as per structure plans and in line with the Regional Policy Statement.
- To use structure plans to guide the staged provision of additional urban land and infrastructure to support areas experiencing sustained population and business growth pressures.
- To look to share the provision of core services with neighbouring council service providers, particularly in the north and south.
- To maintain and re-develop existing urban infrastructure and services to meet the council and community agreed levels of service and ensure compliance with the Building Act, District Plan and earthquake standards.

- To improve biodiversity in urban areas through the restoration of green corridors of indigenous vegetation along river and stream margins. Such areas should double as recreational walking and cycling routes.
- To improve access to public transport and for walking, cycling, horse and mobility scooter riding at both a sub-regional and local neighbourhood level through good planning and development and service provision.

APPENDIX 3 MINUTES FROM 8 JUNE 2018