



Strategic Direction, urban form and development

Section 32 Report for the Proposed Waitomo District Plan

There are two parts of this S32 report:

- Part 1 relates to objectives on partnership and district wide matters: SD-O1 to SD-O18
- Part 2 relates to objectives on urban form and development: SD-O19 to SD-O32

Section 32 Report – Strategic Direction, Urban Form and Development

| SUMMARY OF ISSUES | RESOURCE MANAGEMENT ACT 1991 | NATIONAL DIRECTION | REGIONAL POLICY STATEMENTS | IWI MANAGEMENT PLANS CONT... |
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| <p>The strategic direction, urban form and development chapter addresses the following issues:</p> <ul style="list-style-type: none"> • Council’s responsibilities under the Treaty of Waitangi – Ti Tiriti o Waitangi. • The Operative District Plan (ODP) does not specifically achieve Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy) and its significance to the upper Waipa catchment. • Ability for mana whenua to connect with their traditional sites and carry out their customary practices. • Enabling marae and papakāinga and recognising the challenges associated with the development of Māori land • Incompatible development locating in close proximity to existing activities can undermine their ability to operate, or to operate to the most effective degree. An efficient framework, and usage of resources can lead to reduced economic potential for the District and wasted resources. • Insufficient employment land will lead to businesses establishing elsewhere outside the District. • Unfettered development can result in disjointed and out of character outcomes, resulting in an unattractive and poorly functioning environment. • Urban sprawl into rural land undermines the urban core and reduces the amount of land available for productive rural land uses. • Some of the District’s settlements are isolated and a flexible approach to land use and infrastructure are required. • Development near Kawhia Harbour can contribute to poor marine water quality. • The places which hold significance to us can be forever altered and lost to future generations, if not identified and protected. • Poor provision, or a less than enabling approach to infrastructure development can mean that the service needs of a community are not met. However, an enabling approach may result in unacceptable adverse effects. Additionally, the lack of protection for the ongoing operation infrastructure can increase the vulnerability of a community. • There is a wide network of open spaces in the District that offers a wide range of above and below ground recreational experiences it is important these environments are made available to people whilst protecting the special features they have. • If development does not take natural hazards into consideration, it can affect people and their property | <p>Section 5 RMA The Strategic Direction objectives are reflective of the Purpose of the RMA in that they sustainably manage the resources of the District by enabling Waitomo District to provide for their social economic and wellbeing of the community.</p> <p>The objectives set the framework for lower order provisions to facilitate development within existing or identified areas. They appropriately recognise the natural and physical resources and identify key issues about effective management over the lifetime of the district plan. They set the framework for the protection of important natural resources (including the coastal environment) and heritage values. They also recognise the challenge of adapting to a world where the climate is changing and the need to proactively plan for today and future generations. They also ensure an appropriate scale and distribution of rural, retail, and industrial activities, and provide for living and business environments.</p> <p>The objectives also strive to meet the needs and aspirations of each community by creating accessible and functional townships and by providing efficient and effective infrastructure. This will have the outcome of strengthening the community’s economic and social wellbeing, and encouraging appropriate levels of health, community and social services, opportunities for employment, and the provision of quality public spaces and community facilities within townships.</p> <p>The objectives will mean that Waitomo will achieve a safe, functional and attractive physical environment. The guiding principle is that urban growth should occur in a way that integrates with the character of the existing environment whilst recognising the planned urban form and aligns with current infrastructure capabilities, and future infrastructure projects. This also means promoting consolidation and intensification within existing townships to maintain a clear urban/rural interface, retain rural outlooks, and minimise the loss of productive farmland.</p> <p>Objectives will ensure adequate and appropriate land is available for business activities. Furthermore, sufficient land should be provided to enable residential growth. Essentially, ensuring there is enough space for people who wish to live and work in Waitomo. This will allow Waitomo to become more self-sufficient at a local and district wide level, which will benefit the wellbeing of both urban and rural communities.</p> <p>Additionally, the objectives protect this economic capacity through seeking to remove potential reverse sensitivity triggers from the establishment of incompatible development.</p> <p>Strategic objectives will strengthen the partnership between the Council and iwi authorities and enhance the cultural connection between tāngata whenua and the land and recognise their role as kaitiaki.</p> <p>Section 6 RMA</p> | <p>There are six National Policy Statements (NPSs) currently in place:</p> <ul style="list-style-type: none"> • New Zealand Coastal Policy Statement 2010 • NPS for Electricity Transmission 2008 • NPS for Renewable Electricity Generation 2011 • NPS for Freshwater Management 2020 • NPS on Urban Development 2020 • NPS for Highly Productive Land 2022 <p>The strategic directions address development in the coastal environment and in this regard the NZCPS is relevant.</p> <p>Although, Waitomo is not an urban environment as defined in the NPS-UD, the NPS-UD is relevant to the Strategic Directions as they direct the development of urban areas including residential and business activities.</p> <p>The NPS for Renewable Electricity Generation is also relevant as the strategic directions address renewable energy sources.</p> <p>The NPS for Freshwater Management is represented by the strategic direction that addresses the care and protection of the mana tuku iho o Waiwai.</p> <p>There are also 8 National Environmental Standards (NESs) currently in place:</p> <ul style="list-style-type: none"> • NES for Air Quality 2004 • NES for Sources of Human Drinking Water 2007 • NES for Telecommunication Facilities 2016 • NES for Electricity Transmission Activities 2009 • NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 • NES for Plantation Forestry 2017 • NES for Freshwater 2020 • NES for Storing Tyres Outdoors 2021 <p>None of the above NESs are relevant to the strategic directions.</p> <p>Relevant case law considered</p> <p>There is case law relating to the interpretation and role of strategic directions in decision making.</p> <p>Environmental Defence Soc Inc v The New Zealand King Salmon Co Ltd [2014] NZSC 38, [2014] 1 NZLR 593.</p> <p>R J Davidson Family Trust v Marlborough District Council [2019] NZCA 57.</p> <p>New Zealand Association of Radio Transmitters Inc v Kapiti Coast District Council [2019] NZEnvC 39</p> <p>Gallagher v Tasman District Council [2014] NZEnvC 245</p> <p>Tainui Hapu v Waikato DC A075/96 (PT)</p> <p>Independent Māori Statutory Board v Auckland Council [2017] NZHC 356</p> <p>Man O’War Station Ltd v Auckland Council [2017] NZCA 24</p> | <p>The Waikato Regional Policy Statement Because the strategic directions are so broad, they achieve a wide range of objectives and policies in the Waikato Regional Policy Statement, including:</p> <ul style="list-style-type: none"> • Objective 3.3 Decision making (SD-O18) • Objective 3.4 Health and wellbeing of the Waikato River (SD-O2) • Objective 3.5 Energy (SD-O16) • Objective 3.6 Adapting to climate change (SD-O14, SD-O15) • Objective 3.7 Coastal environment (SD-O11, SD-O26) • Objective 3.8 Ecosystem services (SD-O10, SD-O11) • Objective 3.9 Relationship of tāngata whenua with the environment (SD-O1, SD-O3, SD-O4) • Objective 3.12 Built environment (SD-O5, SD-O6, SD-O7, SD-O8, SD-O13) • Objective 3.13 Mauri and health of marine waters (SD-O9) • Objective 3.14 Mauri and values of freshwater bodies (SD-O17) • Objective 3.18 Historic and cultural heritage (SD-O10) • Objective 3.19 Ecological integrity and indigenous biodiversity (SD-O10, SD-O11) • Objective 3.20 Outstanding natural features and landscapes (SD-O10) • Objective 3.21 Amenity (SD-O5) • Objective 3.22 Natural character (SD-O11)_ • Objective 3.23 Public access (SD-O13) • Objective 3.24 Natural hazards (SD-O14, SD-O15) <p>The strategic direction objectives give effect to the RPS.</p> <p>The Manawatū-Whanganui One Plan Because the strategic directions are so broad, they achieve a wide range of objectives and policies in the Manawatu-Whanganui One Plan, including:</p> <ul style="list-style-type: none"> • Objective 2-1: Resource management • Objective 3-2: Energy (SD-O16) • Objective 3-3: The strategic integration of infrastructure with land use • Objective 5-2: Water quality (SD-O17) • Objective 6-1: Indigenous biological diversity (SD-O11) • Objective 6-2: Outstanding natural features and landscapes, and natural character (SD-O10, SD-O11) • Objective 6-3: Historic heritage (SD-O10) • Objective 8-1: Integrated management of the coastal environment (SD-O11, SD-O26) • Objective 8-3: Water quality (SD-O9) • Objective 9-1: Effects of natural hazard events (SD-O15) <p>The strategic direction objectives give effect to the RPS.</p> | <p>The Waikato Tainui Environment Management (WTEP) Plan 2018</p> <p>The Waikato Tainui Environment Management (WTEP) Plan 2018 provisions relevant to District Wide Matters are:</p> <ul style="list-style-type: none"> Part 11 Te Turu Whaimana O Te Awa Waikato Part 13 Ngaa Papakainga Me Ngaa Marae Part 14 Customary activities Part 15 Natural heritage and biodiversity Part 16 Valuable historical items Part 17 Natural Hazards Part 19 Fresh water Part 21 Land Part 24 Coastal environment Part 25 Land Use Planning Part 26 Infrastructure Part 27 Electricity generation Part 29 Recreation and tourism <p>The strategic direction objectives have appropriately taken into account the provisions in the WTEP.</p> |

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| <ul style="list-style-type: none"> Climate change will mean increased rainfall with higher intensity. Also understanding the impact of sea level rise on our coastal communities will be important in order to reduce inter-generational effects and increase community resilience The District's water resources are precious and in places need restoration. It is important to provide for activities that support restoration. | <p>A number of section 6 matters are addressed in the Strategic Direction objectives, including: Section 6(a) Coast and waterbodies; Section 6(b) protection of outstanding natural features and landscapes; Section 6(c) protection of significant indigenous vegetation; Section 6(e) the relationship of Māori and their culture and traditions; Section 6(f) protection of historic heritage; Section 6(g) the protection of protected customary rights; and Section 6(h) management of risks from natural hazards.</p> <p>Section 7 RMA The following clauses are relevant to the Strategic Objectives: Section 7(a) kaitiakitanga; Section 7(aa) stewardship; Section 7(ba) the efficient use of natural resources; Section 7(ba) efficiency of the end use of energy; Section 7(c) maintenance and enhancement of amenity values; Section 7(i) the effects of climate change; benefits from renewable energy.</p> <p>The objectives give effect to section 7 Other Matters.</p> <p>Section 8 RMA Section 8 is highly relevant in respect to the principle of partnership with iwi.</p> <p>One way the strategic objectives seek to implement section 8 is by recognising the treaty settlements may drive change in parts of the District that have not yet been developed. This direction is carried through in different chapters of the PDP, which contain specific policies which seek to balance the protection of areas whilst acknowledging the effect of settlements on land that until now has not been developed.</p> | <p>Friends of Nelson Haven and Tasman Bay Inc v Tasman District Council [2018] NZEnvC 46</p> | | |
| <p>OPERATIVE WAITOMO DISTRICT PLAN</p> | | | <p>IWI MANAGEMENT PLANS</p> | <p>OTHER RELEVANT PLANS OR LEGISLATION</p> |
| <p>The ODP does not contain strategic directions. Instead, each chapter contains objectives, policies and rules which address each particular zone or matter.</p> | | | <p>We are required to take into account planning documents recognised by an iwi authority and lodged with the territorial authority, and there are many provisions in these documents relevant to the strategic directions</p> <p>A summary of the provisions in the Maniapoto Environment Management Plan 2018 (MEMP) relevant to district wide matters are:</p> <p>Part 7 Kaitiakitanga and Rangitratanga Part 8 Papakainga and Marae Part 9 Customary activities Part 10 Maniapoto Cultural Heritage Part 13 Climate Change Part 14 Fresh Water Part 17 Coastal and Marine Environment Part 18 Land Part 19 Natural heritage and biodiversity Part 20 Natural hazards Part 22 Infrastructure</p> <p>The strategic direction objectives have appropriately taken into account to the provisions in the MEMP.</p> | <p>The relevant legislation for each topic is discussed in the relevant section 32 for each chapter.</p> |
| <p>SCALE & SIGNIFICANCE s32(1)(c)</p> | | | | |
| <p>The assessment is based on eight factors outlined in Ministry for the Environment's guidance on Section 32 reports. Each factor is scored in terms of its scale and significance (where 1 is low and 5 is high).</p> <p>Reason for Change: Problem / Issue: 2 Degree of Shift from Status Quo: 3 Who and How Many Affected, Geographic Scale of Effects: 5 Degree of Impact on or Interest from Māori: 5 Timing and Duration of Effects: 3 Type of Effect: 2 Degree of Risk or Uncertainty: 2</p> <p>Total (out of 40): 22</p> | | | | <p>UNCERTAINTIES AND RISKS s32(2)(c)</p> <p>The degree of risk and uncertainty is low as the strategic objectives regarding the district wide matters:</p> <ul style="list-style-type: none"> take into account the principles of the Treaty of Waitangi; enabling mana whenua to exercise customary activities and develop and use Māori land to ensure sustainability for their people; ensuring activities with similar effects are located together while directing new development to appropriately zoned areas; recognise existing activities and protect these for ongoing operation; promote development to increase employment opportunities; encourage innovative and adaptive ways of working; minimise the use of rural productive land for urban development; |

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| | | | | <ul style="list-style-type: none"> • protect the sensitive environment of the Kawhia Harbour; • protect items which contribute to the district's sense of place and identity; • encouraging development which reflects the intended urban form ; • considering effects of climate change; • recognise and protect the holistic nature of the coastal environment; • provide community open space; • minimise the risk of natural hazards; • recognise climate change; • encourage renewable energy and healthy water resources for future generations; • consider the transfer of powers for improved efficiency. <p>In addition:</p> <ul style="list-style-type: none"> • Effect has been given to the WRPS, Horizons One Plan and the relevant NPSs and NESs and iwi environmental management plans. |
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PARTNERSHIP

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| OBJECTIVE(S) s32(1)(a) | |
| SD-01. | Uphold the partnership principles inherent within Te Tiriti o Waitangi by ensuring mana whenua are enabled to maintain and enhance the well-being (mauri) and health (hauora) of both people and the environment and empowered in the expression and application of kaitiakitanga. |
| <p>Relevance – This strategic objective enforces the partnership of working together with Māori and encourages involvement at all levels of planning and decision making consistent with section 8. This objective will strengthen the partnership between the Council and Ngati Maniapoto and Waikato Tainui and enhance the cultural connection between tāngata whenua and the land and fostering kaitiakitanga. This is sought to be achieved by identifying where tāngata whenua can and should be involved. Essentially this objective seeks to ensure that Māori have a voice in decision making, in deciding what is important to them, it allows for kaitiakitanga to be practiced. The objective also recognises that the connection to the land including the spiritual values held by Māori are legitimate considerations within the PDP and other RMA processes and facilitates the development of Māori land. Objectives under District Wide Matters are consistent with the overarching principle of this objective and section 8.</p> <p>Usefulness – This objective recognises mana whenua and the role that they have as kaitiaki.</p> <p>Reasonableness – This objective is reasonable as it is implementing the spirit of partnership as provided for in the RMA and ensuring that Māori are able to maintain and enhance the wellbeing of both their people and the environment.</p> <p>Achievability – This objective is achievable</p> <p>Are the objectives the most appropriate way to achieve the Purpose of the Act? The proposed objective is considered to meet the tests of relevance, usefulness, reasonableness and achievability. The objective is the most appropriate way to achieve the purpose of the RMA because it recognises and provide for Māori as mana whenua and provides Māori with the ability to maintain the wellbeing of their people and the environment.</p> | |

DISTRICT WIDE MATTERS

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| OBJECTIVE(S) s32(1)(a) | |
| SD-02. | Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River) is achieved through active measures to protect and restore the health and well-being of the Upper Waipa Catchment. |
| SD-03. | Mana whenua are able to exercise customary activities, protect, develop and use Māori land in a way that is consistent with their culture and traditions and provides for their social and economic aspirations. |
| SD-04. | Marae and papakāinga are recognised as an essential cultural and spiritual component of Māori traditions, society and economy and are enabled to provide a range of activities that meet the needs of mana whenua. |
| <p>Relevance –</p> <p>SD-02: ensures that Te Ture Whaimana o Te Awa o Waikato is considered prior to development occurring and that potential effects are identified and mitigated. Other strategic objectives are complimentary to these to ensure development is taken into account the objectives of Te Ture Whaimana O Te Awa Waikato at any time during development.</p> <p>SD-03: The inability for Tangata Whenua to access, utilise, manage and enjoy their traditional resources diminishes their relationship with their ancestral lands, water, sites, wāhi tapu and other taonga. Enabling Māori to establish and maintain their relationship, cultures and traditions with their ancestral lands is a matter of national importance. This objective is protecting the customary right of Ngati Maniapoto and Waikato Tainui to undertake customary activities and access resources on land and waterways throughout the rohe to meet the needs and future needs of all Māori, providing that such activity is consistent with the environmental capacity of the area to sustainably use ancestral land for such purposes that will promote the economic, cultural and social health and wellbeing of the Māori community.</p> <p>SD-04: Maraе are integral to Māori culture and traditions, as are papakāinga and other associated facilities. As people increasingly look to return to their whenua it would be expected that demand on marae and papakāinga will increase. Maraе can also provide services to the wider community, for example as meeting places or civil defence bases. Maraе are key characteristic of the Waitomo District, which is a reflection of historic settlement patterns and the significance of the region to Māori. It is important to the wellbeing of tāngata whenua to ensure the long-term sustainability of their marae. This objective is supportive of Māori desire to utilise their land for the wellbeing of their community.</p> <p>Usefulness – These objectives seek to ensure that Māori have a voice in decision making, in deciding what is important to them, allows for kaitiakitanga to be practiced, recognises that the connection to the land including the spiritual values held by Māori are seen as legitimate considerations within the PDP and other RMA processes. They also facilitate Māori to develop their land how they see fit by recognising the essential part marae and papakāinga play in the Māori community.</p> <p>Reasonableness – The relationship of Māori with the land is fundamental to the RMA as stated in section 8. Māori have a holistic relationship with the land and these strategic objectives ensure this relationship with the land is recognised as part of the decision making process. The objectives also allow Māori to better utilise their land and realise their cultural, spiritual and social wellbeing.</p> <p>Achievability – The objectives are considered to be achievable.</p> <p>Are the objectives the most appropriate way to achieve the Purpose of the Act? The proposed objectives are considered to meet the tests of relevance, usefulness, reasonableness and achievability. The objectives are the most appropriate way to achieve the purpose of the RMA because they recognise Ngati Maniapoto and Waikato Tainui as mana whenua and the unique relationship that Māori have with the ancestral lands. These objectives recognise Tangata Whenua as mana whenua and kaitiaki and the relationship that Māori have with the land. These objectives bring together the matters that are identified as important to tangata whenua and implement the Kaupapa Māori framework of Rangiratanga, Kaitiakitanga, Ūkaipōtanga, and Kotahitanga. These objectives provide for the relevant section 6 matters. These objectives give effect to the relevant higher order policy documents contained within the relevant RPSs.</p> | |

OBJECTIVE(S) s32(1)(a)

SD-05. Compatible activities with similar effects and functions are zoned together and new development is directed towards the appropriate zones to ensure that land use and subdivision:

1. Are consistent with the anticipated character and amenity values of the areas where they are located; and
2. Efficiently use natural and physical resources in order to meet the community's and the environment's needs both now and in the future; and
3. Recognise existing lawful activities and protect their ongoing operation from incompatible activities.

SD-06. Promote development within the commercial, industrial and rural production zones that increases the type and range of employment opportunities within the district.

Relevance –

SD-05: This objective recognises the need to provide communities with the variety of activities necessary to create sustainable development. In providing for activities there is a need to ensure that incompatible activities are consistent with character and amenity to ensure that the type of activity is appropriate for the area, and that resources such as network resources are used efficiently to enable activities, recognises existing activities may not be compatible with surrounding activities while ensuring that they can continue to operate and provide opportunities for employment within the District. The objective is to ensure that when considering development that the effects as stated in this objective are taken into account to lessen the risk of development occurring inappropriately.

SD-06: Part of sustainable development is ensuring economic wellbeing for the community. This objective recognises the contribution that commercial, industrial and rural activities make to the community and encourages continuing development to enable the Waitomo District community to provide for its economic wellbeing.

Usefulness – These objectives encourage and enable communities to provide for their social, economic and cultural well-being by encouraging a variety of commercial, industrial and rural activities to establish. They are also ensuring activities are directed into locations that are appropriate which will reduce conflict between activities. They also recognise the rights of existing lawful activities and the need to enable these activities to continue in a constantly changing environment.

Reasonableness – Activities which do not meet the predominant characteristics of the zone, may compromise the ability of the intended uses for that zone to operate. This can lead to reserve sensitivity effects. There are also on-going impacts as inappropriate activities can occur in close proximity to appropriately zoned activities, thereby impacting on character and amenity. Encouraging commercial, industrial and rural activities within the appropriate zones, and at an appropriate scale will contribute to making the Waitomo District a sustainable community and will avoid the necessity for the local community to go elsewhere to meet their social, economic or cultural needs.

Achievability –

The objectives are considered to be achievable.

Are the objectives the most appropriate way to achieve the Purpose of the Act?

The proposed objectives are considered to meet the tests of relevance, usefulness, reasonableness and achievability. The objectives are the most appropriate way to achieve the purpose of the RMA as they will ensure that a strategic and planned approach is taken where activities are appropriately located and encouraged. The proposed objectives provide for a more efficient use of resources/infrastructure and achievement of long term economic, social and environmental outcomes by locating activities with complementary needs together and in the most appropriate locations.

There is a need to recognise that not all activities have the same effects and look to ensure that new development takes the function and the effect of the activity into account when establishing by locating in the appropriate zones. The efficient use of natural and physical resources is important to ensure that development is sustainable for future generations. These objectives recognise the importance of promoting activities that increase employment opportunities within the District. These objectives give effect to the relevant higher order policy documents contained within the relevant RPSs.

OBJECTIVE(S) s32(1)(a)

SD-07. Urban development is directed to appropriately zoned areas in and around the existing settlements and townships, and rural residential development is directed to the rural lifestyle zones.

SD-08. Provide for flexible and innovative approaches to development and infrastructure provision in the district's more remote settlements.

SD-09. Subdivision, land use and development must not contribute to any further degradation of Kawhia Harbour.

Relevance –

SD-07: Fragmentation as a result of subdivision, use or development can limit the versatility of rural land by restricting the range of opportunities for land use, constraining access to minerals and other resources, and increasing conflicts between land users. As the size of rural land parcels decrease, they are less likely to be used for rural production. Out of zone activities in the rural areas make it more difficult to plan appropriate land supply and maintain the long sustainability of these activities. Focusing urban development around existing settlements and townships results in efficient use of the land resource but also infrastructure. It is more likely to result in well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety.

SD-08: There are likely to be areas within the Waitomo District that are not able to be provided with infrastructure and services due to their location. Infrastructure may take the form of network supplies; i.e. water, wastewater, power but it also includes the social infrastructure such as health, libraries etc to enable communities to be sustainable. This lack of infrastructure resources, such as continued water supply being available for fire for emergencies; basic health or community provisions; or lack of telecommunications, may impact on a community's ability to provide for their economic and social wellbeing. In these circumstances it is necessary that alternative methods of provision of infrastructure or services are able to be utilised. This may, for example, be by promoting renewable energy in the form of individual wind turbines, the use of solar or investigating additional ways of delivering telecommunication services or mobile health or community facilities. The purpose of this strategic objective is to enable communities to consider other forms of infrastructure development and empower remote settlements to better provide for their social and economic wellbeing and their health and safety.

SD-09: The purpose of this strategic objective is to ensure that land-use activities do not further impact on the coastal environment and in particular Kawhia Harbour. The life supporting capacity of land and water is fundamental to communities and is the mainstay of Māori beliefs. The Kawhia coastal environment is sensitive, and any development undertaken needs to recognise the unique factors that make up this environment. This is becoming increasingly important with the advent of climate change and the result of these changes in weather patterns. The one size fits all approach to development and infrastructure provisions will generally not be suitable for this environment. It is imperative that alternative methods of undertaking development around the Kawhia Harbour are considered as the first option and not as an alternative in order to enable this sensitive environment to be sustained. This objective recognises and provides for the matters of national importance in section 6 of the RMA. The objective recognises the need to protect this sensitive environment from impacts of further development.

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Usefulness – These objectives ensure that rural land is protected for productive rural activities and that residential development and incompatible land use activities are established in locations where they do not clash. In some case activities will establish in the rural sector which enhance and contribute to the social and economic activity of that area. Ways of working and living are changing, and these objectives recognise the need to allow for innovation and promote alternatives to current ways and this is increasing important for the remote areas of the district. These areas require encouragement to consider alternatives and better support their communities. This is especially relevant to the Kawhia Harbour which is facing challenges from, the effects of climate change.

Reasonableness –

These objectives provide certainty as to the need to ensure that productive land is retained to provide for sustainable management for future generations. These objectives achieve outcomes sought in higher level documents.

Achievability –

The objectives are considered to be achievable.

Are the objectives the most appropriate way to achieve the Purpose of the Act?

The proposed objectives are considered to meet the tests of relevance, usefulness, reasonableness and achievability. The proposed objectives give effect to the relevant higher order policy document by seeking to consolidate growth and development around existing towns and settlements. Furthermore, the proposed objectives give effect to the specific policies included in the RPSs relating to resource use and development and the built environment.

These objectives recognise the need to protect highly productive land to enable activities that are pertinent in the general rural zone, encourage alternatives to the current way of undertaking use and development and protecting the sensitive coastal environment. They can be achieved when considering subdivision, land use activities or development that is not rural based or activities that will impact on the Kawhia Harbour. These objectives give effect to the relevant higher order policy documents.

OBJECTIVE(S) s32(1)(a)

SD-O10. The buildings, structures, sites, areas, ecosystems, natural landscapes and features identified as having special qualities and values and which contribute to the district’s sense of place and identity, are protected.

SD-O11. The components of the coastal environment including outstanding landscapes and features, natural character and ecosystems, together with the cultural and spiritual values accorded by mana whenua, are recognised and protected.

SD-O12. Acknowledge that Te Tiriti o Waitangi settlements may drive change and development in parts of the district that have until now, been undeveloped.

SD-O13. The district’s communities have access to a diverse and connected network of open spaces which offer a range of recreational experiences while protecting the values of scheduled sites, features and overlays.

Relevance –

SD-O10: The purpose of this strategic objective is to identify particular areas or items which are of importance to the people of the Waitomo District and for these to be recognised within the PDP. This could include heritage buildings or trees, sites and cultural areas significant to Māori, significant landscapes, important natural character areas or ecosystems. The recognition of these important items ensures that any proposed subdivision, use or development or potential areas being considered for rezoning will need to take into account the individual values of each of these items. This may not impede development going ahead however it may mean that alternatives need to be considered to take into account the values and the item itself which is protected. Provisions will ensure that the effects of an activity in these special areas does not degenerate the values for which the item was originally recognised.

SD-O11: The proposed objective takes an integrated approach to the protection of the coastal environment. Coastal landscapes are often undeveloped and highly valued by communities. Ngati Maniapoto and Waikato Tainui have a traditional and continuing relationship with the coast, and it is important that key values of of the area are recognised and protected in the plan. Māori see the environment in a holistic manner, and it is important that each of the components of the coastal environment are identified and protected as a whole. Protection and management of the coast will not only ensure Ngati Maniapoto and Waikato-Tainui the ability to maintain their customary rights throughout the area, but it will also ensure that the community and wider public are able to continue to enjoy the benefits of the unique coastal environment.

SD-O12: This objective provides for the relevant section 6 matters. These objectives acknowledge tangata whenua as mana whenua and kaitiaki of the land and the special relationship that they have with the environment. The objective encourages the community to develop their understanding of the relationship that Iwi have with the land and their desire to utilise land wherever it may be to provide for their economic and social wellbeing. Some of these areas will not previously have been considered for development for such reasons as location, lack of servicing, and access to finance. Inherent in this objective is the need to recognise these challenges and to investigate and accommodate new developments in areas previously considered inappropriate.

SD-O13: Open space is essential for the social wellbeing of individuals, families and the wider community. This could be in the form of formalised parks, children’s playgrounds, river, gully or coastal walkways or pocket parks. There needs to be a level of interconnection with the open spaces and the immediate and neighbouring community so that none exist in isolation. The purpose of this strategic objective is to ensure that the community is provided with a wide range of connected open spaces to meet the needs of their social wellbeing. Where these open spaces interact with scheduled sites or features, they need to coexist while still ensuring the protection and the values of these important areas.

Usefulness – These objectives ensure that the important qualities and values which contribute to the sense of place and identity for Waitomo District are protected. This includes ensuring the ecosystem of the coastal environment is fully considered when undertaking development. These objectives will encourage Māori to consider development in areas which have previously left devoid of development. It is essential when new development is being considered that open space is provided for the community and contribute to the identity of the Waitomo District.

Reasonableness – These objectives provide for the cultural and social wellbeing of communities , particularly Māori, and protects the special qualities and values of places.

Achievability – The objectives are considered to be achievable.

Are the objectives the most appropriate way to achieve the Purpose of the Act?

The proposed objectives are considered to meet the tests of relevance, usefulness, reasonableness and achievability. The objectives are the most appropriate way to achieve the purpose of the RMA because they identify and protect the important characteristics and values of the Waitomo District. They ensure that the coastal environment is protected, and that social and cultural wellbeing is promoted by the provision of appropriate open space. The relationship of Māori with their ancestral lands is provided for by encouraging development outside normal development areas.

These objectives are achieved when the special qualities and values of buildings, sites, ecosystems, outstanding landscapes and features are identified and protected for future generations. Development in areas otherwise not previously considered will be in accordance with the Treaty of Waitangi and enable tangata whenua the ability to develop land according to their customs. By providing a network of open space the community has the capability to recognise their cultural and social wellbeing. These objectives provide for the relevant matters of national importance in section 6 and take into consideration the relevant higher order policy documents.

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OBJECTIVE(S) s32(1)(a)

- SD-014.** There is no significant increase in the risk from known natural hazards, including the effects of climate change, to people, property and infrastructure as a result of subdivision, land use and development.
- SD-015.** The community is prepared to adapt to the effects of climate change and recognises the opportunities and risks associated with those effects.
- SD-016.** The district’s communities work towards reduced reliance on non-renewable sources of energy, increased use of renewable energy sources and greater energy conservation.

Relevance –
SD-014 – SD-015 - As a result of climate change, the Waitomo District is at risk from increasing sea levels and greater climate variability. This can result in an increase in weather related natural hazards such as floods, slips and drought. These occurrences can pose significant risks to life and property. The purpose of these strategic objectives is to provide direction that development should not occur in a way that would result in an increased risk on the community from a natural hazards and climate change. Communities need to be aware of the need to adapt to the effects of climate change and take these effects into consideration when undertaking development. For instance, the consideration of sea level rise and the potential inundation of coastal areas may mean that some locations would be inappropriate for development, unless appropriate mitigation to respond to the effect was feasible.

SD-016 The government has developed energy strategies and made changes to the RMA to encourage energy efficiency and greater uptake of renewable energy over use of non-renewable resources. There is a commitment by the government to nationally reduce greenhouse gas emissions and to achieve increasingly sustainable energy use. The development and use of renewable electricity generation facilities face a number of barriers that include the difficulty in securing access to natural resources as well as functional, operational and technical factors that constrain the location, layout, design and generation potential of renewable energy facilities. The adverse environmental effects of renewable electricity generation facilities can also be a barrier, if they are not appropriately avoided, remedied or mitigated. This objective is to encourage the community to work towards increased renewable energy resources while at the same time acknowledging that these new resources may impact on their social and cultural wellbeing.

Usefulness –
 These objectives are to ensure that the community is aware of the risks from natural hazards and climate change while allowing development to occur in a manner that will take these risks into account. There is a need to recognise the role that existing network infrastructure and proposed infrastructure play in ensuring communities are resilient and able to achieve the outcomes that meet their economic and social wellbeing. The need to provide and adapt to sources of renewable energy needs to be understood and accepted by the community.

Reasonableness –
 These objectives are reasonable in that they consider the importance of climate change and natural hazards along with the provision of electricity infrastructure are taken into account when considering development. These are important aspects which could have long term far reaching impacts on communities if not considered at the time of development.

Achievability –
 These objectives are achievable.

Are the objectives the most appropriate way to achieve the Purpose of the Act?
 The proposed objectives are considered to meet the tests of relevance, usefulness, reasonableness and achievability. The objectives are the most appropriate way to achieve the purpose of the RMA because they consider and give effect to the relevant higher order policy documents that relate to natural hazards and electricity generation and renewable energy generation.

These objectives provide for the matters of national importance in section 6 and the relevant higher order policy documents.

OBJECTIVE(S) s32(1)(a)

- SD-017** Support mechanisms which extend the restoration the district’s water resources, improve their quality and intrinsic integrity for present and future generations and the care and protection of the mana tuku iho o Waiwai.
- SD-018** Consider the transfer of functions, powers or duties to Iwi Authorities under section 33 of the RMA where this provides for improved efficiencies, environmental and social benefits.

Relevance –
SD-017 – Clean, safe water is critical for growth and development in the District. Ready access to water, however, means that water has not always been valued highly. The health of the water resource has in general, been steadily declining. Despite this decline, there has been a change in mind set around water in the past few decades. In response to public concerns significant improvements have been made to the quality of discharges from towns and industrial sites. Many former discharges to water, particularly discharges of dairy shed effluent, are now discharged to land. Although, there have been substantial improvements in the quality of point source discharges to water, improvement is still possible and necessary. This objective is to ensure that when development involving the use of the water resource or discharges, consideration is given to ways that could help improve, restore and protect the quality of this valuable resource.

SD-018 - The status of Iwi as rangatira and kaitiaki is recognised within resource management and the decision making processes. Māori see the natural world holistically – being wholly inter-connected and complementary and recognition of the unique status of Māori as tangata whenua at the decision making level is inherent in this objective. An inability to influence decision making has been a long-standing and common concern of tāngata whenua. One of the impacts of this is on the ability of tāngata whenua to effectively carry out their kaitiaki duties. While there has been improvement this remains an issue for tāngata whenua. A lack of understanding, awareness and recognition of the nature and existence of Māori values and its importance to tāngata whenua has frequently led to the destruction of areas, sites, places, landscapes or resources of significance, or the destruction of their values and/or of the relationship of tāngata whenua with resources. This objective provides tangata whenua with the opportunity to take a lead role in decision making.

Usefulness –
 These objectives will encourage the community to look at ways to improve the quality of water resources to provide for future generations. The recognition of tangata whenua as the decision maker will enable resources to be managed holistically.

Reasonableness –
 These objectives identify the importance of the water resource and how this can be protected for future generations. The status of Iwi as the decision maker will enable some developments to be considered on a holistic level.

Achievability –
 The objectives are achieved with an increase of awareness in the community of how water is managed to be a sustainable commodity and a wider recognition of Iwi as decision makers.

Are the objectives the most appropriate way to achieve the Purpose of the Act?

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The proposed objectives are considered to meet the tests of relevance, usefulness, reasonableness and achievability. The objectives are the most appropriate way to achieve the purpose of the RMA because they are in accordance with the relevant sections of the RMA (section 8) in that they recognise tangata whenua as mana whenua and the unique relationship that Māori have with the land and their ability to effectively carry out their duty of kaitiaki. This objective recognises the importance of water as a natural resource and the need to improve the quality of the resource and continue to manage this as a sustainable resource.

The proposed objectives give effect to the RMA and relevant higher order policy documents.

Section 32 Report – Part 2 Urban form and development

| SUMMARY OF ISSUES | RESOURCE MANAGEMENT ACT 1991 | NATIONAL DIRECTION | REGIONAL POLICY STATEMENTS | IWI MANAGEMENT PLANS CONT... |
|--|--|---|--|---|
| <p>The urban form and development section of the strategic objectives has been developed to establish the desired outcomes for the urban environments of the District. The key issues are:</p> <ul style="list-style-type: none"> • Most of the District’s population lives in Te Kūiti. Te Kūiti is also the main commercial centre for the District. For these reasons it is important that Te Kūiti functions well and provides a range of social and economic services for the communities in the District. • There is a significant number of vacant shops in Te Kūiti because the existing commercial area is too large for the catchment it serves. This sprawl of commercial activities affects character and amenity of the receiving environment. A different approach is required to enhance vitality and maintain the viability of Te Kūiti’s commercial centre. • Unplanned urban growth can lead to poor urban form, disjointed communities, and adverse outcomes on the existing character of towns and settlements. • Where there is infrastructure capacity it’s important to provide opportunities for more people to live and for businesses to establish. • Housing affordability is an issue in the District. It’s important the PDP provides for a range of housing options. • Ribbon development along the coast detracts from natural character of the coast, providing for development within these settlements will help to avoid ribbon development along the coast. • Urban environments that encourage or foster low greenhouse gas emissions through waste minimisation, reduction of transport demand and other methods have significant benefits. The district’s existing urban environments have not been established with this focus. • Urban development onto high quality rural land can affect the primary productivity of the District. • Unplanned urban growth can lead to poor urban form, disjointed communities, and adverse outcomes on the existing character of towns and settlements. • Insufficient land available for housing, businesses and industry can stifle growth, decrease housing affordability, and prevent people from living and working in their own community. • Growth that does not align with infrastructure can lead to inefficient outcomes. • Its inefficient for future urban areas to be unplanned and not infrastructure ready. For this reason, | <p>Section 5 RMA These objectives are reflective of the purpose of the RMA in that they are sustainably managing the natural and physical resources of the district to enable the communities of the Waitomo District to provide for their social and economic wellbeing.</p> <p>The urban form and development objectives ensure well-functioning urban environments. This will achieve section 5(2) of the RMA and provide for the social and economic well-being of the community. The objectives position Te Kūiti as the commercial centre of the District. If Te Kūiti is well-functioning, it can support a range of business, retail and entertainment activities, community facilities and visitor accommodation.</p> <p>The objectives encourage future development to have high quality urban design outcomes to create attractive living environments.</p> <p>The objectives also strive to meet the needs and aspirations of each community by creating accessible and functional townships and by providing efficient and effective infrastructure. This will have the outcome of strengthening the community’s economic and social wellbeing, and encourage appropriate levels of health, community and social services, opportunities for employment, and the provision of quality public spaces and community facilities within townships.</p> <p>The guiding principle is that urban growth should occur in a way that integrates with the existing environment, reflects the planned urban form and aligns with current infrastructure capabilities, and future infrastructure projects. This also means promoting consolidation and intensification within existing townships to maintain a clear urban/rural interface, retain rural outlooks, and minimise the loss of productive farmland.</p> <p>By focusing housing and businesses into the areas serviced by infrastructure, the objectives encourage the District to become more self-sufficient at a local and district wide level, which will benefit the wellbeing of both urban and rural communities.</p> <p>Section 6 RMA SD-O26 seeks to ensure that development in coastal settlements is appropriate in relation to the level of natural character, and therefore will assist in achieving section 6(a).</p> <p>Section 7 RMA Many of the objectives have an element of the theme of amenity within them. They strive to maintain the District’s identity and character that stems from its productive rural economy, iconic landscapes, and importantly maintain the viability of Te Kūiti as the primary commercial centre for the District. SD-O23 seeks to encourage high quality urban design and placemaking to enhance the amenity values of townships.</p> <p>The objectives also seek to achieve s7(b) being the efficient use of natural and physical resources. Most of the objectives in this section address the efficient</p> | <p>There are six National Policy Statements (NPSs) currently in place:</p> <ul style="list-style-type: none"> • New Zealand Coastal Policy Statement 2010 • NPS for Electricity Transmission 2008 • NPS for Renewable Electricity Generation 2011 • NPS for Freshwater Management 2020 • NPS on Urban Development 2020 • NPS for Highly Productive Land 2022 <p>Although, Waitomo is not an urban environment as defined in the NPS-UD, the NPS-UD is relevant to the Strategic Directions as they direct the development of urban areas including residential and business activities.</p> <p>The NZCPS is relevant for SD-O26 which ensures development in the coastal settlements is appropriate. The relevant NZCPS provisions include Policy 6 relating to activities in the coastal environment. Policy 6(1)(c) encourages the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth. Policy 6 states specific principles about the location and scale of activities in the coastal environment. Priority is given to activities with a functional need to locate and operate in the coastal marine area and providing for those activities in appropriate places. Policy 6 also seeks consideration of the ‘reasonably foreseeable needs of population growth’ for built development, public infrastructure and energy generation. Ribbon development in the coastal environment can be an inefficient use of coastal land and/or waters compared to alternatives. Consolidation of activities is usually associated with better management of adverse environmental effects and can also assist with the provision of infrastructure and other facilities related to the activity.</p> <p>In addition, Policy 13 of the NZCPS establishes a management hierarchy for the preservation of natural character.</p> <p>There are also 8 National Environmental Standards (NESs) currently in place:</p> <ul style="list-style-type: none"> • NES for Air Quality 2004 • NES for Sources of Human Drinking Water 2007 • NES for Telecommunication Facilities 2016 • NES for Electricity Transmission Activities 2009 • NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 • NES for Plantation Forestry 2017 • NES for Freshwater 2020 • NES for Storing Tyres Outdoors 2021 <p>None of the National Environmental Standards are particularly relevant to the Urban Form and Development objectives.</p> <p>Relevant case law considered There are no specific decisions which relate to the Urban Form and Development objectives, particularly since the subject matter of the strategic objectives is so broad.</p> | <p>The Waikato Regional Policy Statement Objective 3.7 Coastal environment seeks to manage the coastal environment in an integrated way that: a) preserves natural character and protects natural features and landscape values of the coastal environment. In addition, RPS Objective 3.22 address natural character of the coastal environment.</p> <p>These RPS objectives are relevant to SD-O26 in that it seeks to ensure that development in the coastal settlements is appropriate in relation in its level of natural character.</p> <p>RPS objective 3.12 Built environment ensures 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. The relevant clauses are:</p> <p><i>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;</i> <i>d) integrating land use and water planning, including to ensure that sufficient water is available to support future planned growth;</i> <i>k) providing for a range of commercial development to support the social and economic wellbeing of the region.</i></p> <p>These objectives are mainly delivered by the policies in Chapter 6 Built Environment. This suite of provisions is given effect to by SD-O21, SD-O22, SD-O30.</p> <p>RPS Objective 3.21 Amenity seeks to maintain or enhance the qualities and characteristics of areas and features. This is achieved by SD-O23 and SD-O24.</p> <p>RPS Objectives 3.25 and 3.26 relate to the value of soils. SD-028 will give effect to these objectives by minimising urban expansion onto highly productive soil.</p> <p>The objectives in the Urban Form and Development chapter are considered to give effect to the Waikato RPS.</p> <p>The Manawatū-Whanganui One Plan Chapter 3, specifically objectives 3.3 and 3.4 are relevant to the objectives of Urban Form and Development.</p> <p>Objective 3-3 and Policy 3-4 addresses strategic integration of infrastructure with land use. These provisions will be given effect to by SD-O21, SD-O22, SD-O30 as they seek that development be appropriately serviced by existing or planned infrastructure.</p> <p>Objective 3-4 and Policy 3-5 recognise the benefits of versatile soils and that they are retained for use as production land when providing for urban growth and rural residential subdivision. These RPS provisions will be given effect to by SD-O28.</p> <p>The objectives in the Urban Form and Development chapter are considered to give effect to the RPS section of the Manawatū-Whanganui One Plan.</p> | <p>The Waikato Tainui Environment Management Plan 2018 (WTEP)</p> <p>The provisions relevant to Urban Form and Development are located in Part 25 Land Use Planning (objectives 25.3.1, 25.3.2, 25.3.3). The urban form and development objectives have regard to these provisions in a number of ways (particularly 25.3.2.1):</p> <ul style="list-style-type: none"> • Avoid development or subdivision of land where there are high quality and versatile soils. • Encourage the development and use of structure plans or similar tools for significant land use or development initiatives. • Manage the adverse effects of urban and rural residential subdivision and development through the use of Low Impact Development principles in all new subdivisions and developments <p>Objective SD-O24 requires the incorporation of matauranga Māori principles in the planning and construction of developments. This aligns with Objective 25.3.1 and 25.3.2.</p> <p>It is considered that the proposed provisions have appropriately taken into account the WTEP.</p> |

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| <p>it is a requirement for future urban areas to have a structure plan has been included (see Appendix 5).</p> <ul style="list-style-type: none"> • Located within the District there is nationally and regionally significant infrastructure and industry. It's important that the benefits of these industries and infrastructure are recognised and provided for. • The community have told us what's important in our towns, provided a list of future projects and priorities – MAP (key Moves, Actions, Priorities). Encouraging the MAP for each town to be implemented will assist with placemaking and achieving improve levels of urban design. | <p>use of resources such as infrastructure (SD-O21 and SD-O22), the existing urban environment (SD-O22 and SD-O23) and highly productive land (SD-O28).</p> <p>SD-O27 supports section 7(i) and the effects of climate change.</p> <p>Section 8 RMA The objectives in this section are not particularly relevant to section 8 but do recognise matauranga Māori principles in the planning and construction of developments.</p> | | | |
| <p>OPERATIVE WAITOMO DISTRICT PLAN</p> | | | <p>IWI MANAGEMENT PLANS</p> | <p>OTHER RELEVANT PLANS OR LEGISLATION</p> |
| <p>The ODP does not have a strategic objective that address urban form and development. Instead, there are objectives in each of the zones which collectively establish the direction for the District.</p> | | | <p>Maniapoto Environment Management Plan 2018 (MEMP) We are required to take into account planning documents recognised by an iwi authority and lodged with the territorial authority, and there are many provisions in these documents relevant to the management of Urban Form and Development.</p> <p>A summary of the provisions in the Maniapoto Iwi Environment Management Plan (MIEMP) 2018 relevant to urban form and development are:</p> <p>Part 13 Climate Change (objectives 13.3.2 and 13.3.3) – SD-O27 seeks to encourage urban development that is resilient to the current and future effects of climate change.</p> <p>Part 18 Land (objective 18.3.1 and Policy 18.3.1.3) – this suite of provisions seeks to urban planning and development is conducted in accordance with best practice principles, and infrastructure services provide for the environmental, social, economic, and cultural needs of Maniapoto within the financial capacity of the community. This concept is supported by many of the SD objectives.</p> <p>Part 22 Infrastructure (objectives 22.3.4, 22.3.6 and 22.3.8) – these provisions are supported by SD-O21, and SD-O22). Policy 22.3.8.1 seeks to incorporate low impact urban design and promote consideration of low impact and self-sufficient, and this aligns with SD-O24.</p> <p>It is considered that the proposed have appropriate regard to the provisions in the MEMP.</p> | <p>Waitomo Economic Development Strategy This document identifies where Council can best influence economic growth. The key economic goals for our District that will support our community outcomes and economic vision are:</p> <ul style="list-style-type: none"> • To fly the Waitomo flag; promoting living, working and visiting our District • To work towards providing a business friendly environment for existing and new business • To retain and attract new residents to the Waitomo District • To support business access to recruitment assistance and employer readiness programmes • To support youth development opportunities in particular workforce related • To ensure Council assets and provisions of services are appropriate for all ages of the community • To maximise the benefit that visitors bring to our District <p>Infrastructure Strategy The purpose of this Strategy is:</p> <ul style="list-style-type: none"> • To identify significant infrastructure issues for Waitomo District Council over a period covered by the strategy, and • To identify the principal options for managing those issues and the implications of those options. <p>The Strategy outlines how WDC intends to manage its assets for the 30 year period 2018-2048.</p> |

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| <p>SCALE & SIGNIFICANCE s32(1)(c)</p> | | | | <p>STRATEGIC DIRECTION</p> |
| <p>The assessment is based on eight factors outlined in Ministry for the Environment’s guidance on Section 32 reports. Each factor is scored in terms of its scale and significance (where 1 is low and 5 is high).</p> <p>Reason for Change: 2 Problem / Issue: 2 Degree of Shift from Status Quo: 3 Who and How Many Affected, Geographic Scale of Effects: 4 Degree of Impact on or Interest from Māori: 1 Timing and Duration of Effects: 1 Type of Effect: 1 Degree of Risk or Uncertainty:1</p> <p>Total (out of 40): 15</p> | | | | <p>Not applicable.</p> <hr/> <p>UNCERTAINTIES AND RISKS s32(2)(c)</p> <p>The degree of risk and uncertainty is low as the strategic objectives are taking a holistic approach to future development by:</p> <ul style="list-style-type: none"> • co-ordinating growth and integrating with infrastructure; • maintaining the overall character of areas whilst recognising their will be change; • considering ways to address effects of climate change; • involving community and developers in the process of future development; • certainty of locations for future development; • sustaining the viability and vitality of Te Kūiti as a business and social hub; • minimising the reduction of primary productive land for urban purposes; • zoning land in appropriate locations for future industry; • ensuring good urban design practices have been followed. |

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| <p>OBJECTIVE(S) s32(1)(a)</p> |
| <p>Relevance – SD-O19 and SD-O20 - Te Kūiti is the preferred location for shopping, leisure, cultural, entertainment and social interaction experiences within the District. Its continued viability, vibrancy and accessibility has district-wide significance. Dispersal of retail and office development elsewhere outside of Te Kūiti will contribute to the underperformance of some elements of Te Kūiti business area with consequential effects on its function, viability, amenity and vitality. The purpose of these strategic objectives is to provide direction as to the anticipated and desired location for commercial activity. This is primarily to reinforce and support the commercial area, protecting its function; preventing incompatible activities establishing in other areas; and to enable or facilitate development that ensures Te Kūiti remains a viable and sustainable urban environment.</p> <p>SD-O21 and SD-O22 Land-use planning, infrastructure provision and services have a key role to play in helping to promote increased wellbeing in the District. Development should occur when the required infrastructure is in place, rather than pre-empting it. The nature, timing and sequencing of new development should be co-ordinated with the funding, implementation and operation of transport and other infrastructure, in order to: ensure new development does not occur until provision for appropriate infrastructure to service the development is in place along with maintaining or enhancing the operational effectiveness, viability and safety of existing and planned infrastructure. This approach ensures co-ordination between land use and infrastructure planning and development so that development can be appropriately serviced in a cost-effective manner, and that land use change does not result in unplanned effects on the functioning of existing infrastructure. Urban development will become more compact and will result in a need to improve viability of public transport and walking and cycling, thereby reducing energy demand and reducing the need for future transport infrastructure development. The purpose of these strategic objectives is to ensure growth aligns with existing or planned infrastructure so that any potential efficiencies in infrastructure provision are fully realised.</p> <p>SD-O23 and SD-O24 The concept of design goes beyond issues of aesthetics and appearances. Design has economic, environmental, social and cultural dimensions. Quality design creates places that the community use and value at various scales including centres, neighbourhood and individual building or space. A great neighbourhood is one where people enjoy connecting and interacting with one another. The physical form of our area has a strong influence on our lives. It is important to design urban environments well to create good neighbourhoods and support communities, ensuring a quality urban environment that is sustainable, enduring and resilient. Including the experience afforded by matauranga Māori will ensure a holistic approach to environmental management and contribute towards a safe and liveable place for future generations in. The purpose of these objectives is to encourage the creation of functional spaces that enable development of an integrated and coordinated urban environment and enable communities to provide for their social, economic and cultural well-being by having better quality, connected living environments and creating community sustainability by strengthening our communities.</p> <p>SD-O25 - The way we are living is changing, we work differently, have new options for leisure and recreation, and we get around in different ways. We also have a changing population - we are living longer, with an increasing population of older people, and many families are smaller than in the past. Also, the diversity of our households is changing, with more multi-generational families living together, and some people requiring more support to live in residential areas. While many people may still prefer the idea of large, detached homes, these homes do not suit everyone. People’s preferences are changing, and this is reflected with more demand for smaller or different types of homes which are convenient to local services and community facilities. Because we are all different, a ‘one size fits all’ approach to housing does not work. Nobody wants to be forced into living somewhere they do not like, and homes and neighbourhoods should provide choice and options to enable people to live life fully. This means there needs to be a greater choice of more suitable accommodation for people. The purpose of this objective is to enable development to consider a variety of choices in where and how people choose to live.</p> |

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SD-026 - Just as structure planning is needed for intensive development on land, there is a growing need for better planning and management of infrastructure in the coastal marine areas. The supply of land on the coast is often limited by natural topography and coastal development is often accompanied by increasing competition between different users for space for their activities within the coastal environment. Natural character always exists to some degree in coastal areas and can vary on a spectrum from pristine and natural to highly modified environments. Coastal development may modify coastal landscapes through the construction of roads, tracks, buildings and structures and associated earthworks and vegetation clearance.

Where coastal development uses and activities are not compatible or are not managed proactively and effectively, there can be loss of property, loss of public values, and damage to important infrastructure. This may impact, natural character and coastal landscapes, increasing the risks from natural hazards, affect coastal historic heritage, impact on coastal biodiversity, impact on the special relationship of tangata whenua with the coastal environment and on the local community should there be a loss of their services. Coastal development is a significant issue for the sustainable management of New Zealand's coastal environment and this objective is to ensure that any development is planned, co-ordinated at a scale appropriate for the area and takes into account any effects on this sensitive environment and the potential effects of climate change.

SD-027 - Communities are facing social and global challenges which have a direct effect on the homes that we choose to live in. Energy for travel and heating is becoming more expensive, and the cost of supplying infrastructure such as drainage systems, schools and community facilities are increasing as the urban environments expands outwards. The realities of looking after our environment are becoming increasingly important. There is a need to 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; iv) encourage employment activities in locations that are or can in the future be served efficiently by public transport; v) encourage walking, cycling and multi-modal transport connections; and vi) maximise opportunities for people to live, work and play within their local area.

Our climate is changing, and we are experiencing more frequent adverse weather events which pose a hazard to communities, property and council infrastructure in the district. It is critical that we take steps to ensure that our people, property and infrastructure are more resilient to the effects of a changing climate, and that we adapt how we live to help reduce the effects of climate change. This means using our natural and physical resources more sustainably, protecting what we have and considering our impact on the environment as we grow and develop.

New housing developments need to minimise the impact on the environment and this objective encourages that approach.

SD-028 - Primary production plays an important role in providing for the economic wellbeing of people and communities. The sustainable management of natural and physical resources needs to consider the ability and need for regionally significant industry and primary production to have appropriate access to resources in order for them to continue to successfully operate and develop.

Highly productive land is a significant resource, as for most primary sectors this land results in higher productivity and more efficient land use. Fragmentation as a result of subdivision, use or development can limit the versatility of this highly productive land and resources by restricting the range of opportunities for land use, constraining access to minerals and other resources, and increasing conflicts between land users. The District supports a range of primary production activities, which require a range of attributes, such as soil, climate, water, access to transportation and labour. Inappropriate subdivision, use and development may limit access to such resources and hence the ability for primary production activities to be undertaken such as mineral extraction or productive farming are sometimes made inaccessible by urban and rural-residential development. Development, especially of a sensitive nature such as residential and rural-residential, in proximity to mineral resources and haulage routes, has the potential to constrain extraction of those resources as residential activities are potentially incompatible with effects of mineral extraction. As this finite resource becomes depleted, and mineral resources become too far away from where they are used and transports costs and associated environmental effects increase.

As the size of rural land parcels decrease, there is a more restrictive range of rural uses and highly productive land is generally lost. Once land is subdivided and a house built on it, the property value increases and the increase in value as a lifestyle block means that it is unlikely to revert back to productive use. Rural subdivision use can create a conflict between those seeking to live in the rural area for lifestyle reasons and the effects of activities using the rural resource base for productive purposes. As a result of these conflicts, there can be demands to restrict legitimate primary productive activities in order to reduce what, in the circumstances, are normally regarded as acceptable effects resulting in reverse sensitivity. The purpose of this objective is to minimise the amount of rural land used for urban activities thereby enabling the rural area to function for its primary productive purpose.

SD-029 - Industry creates economic growth and employment and generally industrial areas are located adjacent to, or within, existing settlements. To accommodate growth in the industrial sector and to provide a range of employment opportunities in the Waitomo District, there is a need to provide for a range of industrial activities. Some of the factors that influence where industry locates are: i) Suitable land use zoning with certainty of operation; ii) Market, including suppliers and customers; iii) Transport infrastructure especially road; iv) Access to a skilled workforce; and v) Telecommunications provision. Heavy industries also often require large sites and may require access to rail.

While industrial activities need to be provided for, some of these uses have the potential to adversely affect the quality of the environment and amenity values and can give rise to a range of adverse effects, particularly on sensitive environments such as the residential areas. This is particularly relevant where the industrial zone interfaces with other zones. For this reason, it is necessary to provide specific locations for industries which require separation from other activities to ensure that they do not impact on the provision of more sensitive areas such as residential development and the natural environment. This will ensure conflicting land uses are separated and the operational requirements of industrial land uses are not unduly compromised by issues of reverse sensitivity. To accommodate the specific requirements of industrial activities and meet the future long term supply of land for these activities, it is necessary that areas are identified and zoned in the plan to safeguard continued viability for industrial activities.

This objective is to ensure that there is sufficient supply of land to meet demand for industrial activities in the future.

SD-030 – Within the District there are sections of the national grid, national gas network, important State Highway connections, and other infrastructure of national and regional importance. The benefits of this infrastructure go beyond the boundaries of the District and are part of a national network. It's important that the PDP recognises the significance of this network to the country as a whole. Sometimes people can build and develop close to these activities which can compromise their operation and development. The PDP seeks to manage these effects, where possible, through rules which trigger the consideration of these effects through the resource consent process. In some cases, these rules are also required to protect the health and safety of people and communities. Also located within the District are significant mineral resources. These mineral resources are important for construction and development of amongst other things buildings, roads, and tracks. The purpose of this objective is to recognise activities that are of a regional and national importance that are located within our District.

SD- 031- The NPS-UD requires the strategic integration of infrastructure with land use. Efficient and effective infrastructure is crucial for economic progress and social and physical wellbeing. A long-term strategic approach recognises that council needs to think ahead and plan proactively for future land use change and infrastructure requirements. A way of achieving this is with the use of structure plans.

A structure plan is a framework to guide the development or redevelopment of an area by defining the future development and land use patterns and how the effects of development are to be managed.

Structure plans are useful to:

- provide integrated management of complex environmental issues within a defined geographical area (eg, urban growth, open space planning, natural hazards management, improved water quality and quantity management, and protection of natural and cultural heritage values);
- coordinate the staging of development over time, particularly where large areas are to be developed or redeveloped;
- ensure co-ordinated and compatible patterns and intensities of development across parcels of land in different ownership, and between existing and proposed areas of development and redevelopment;
- co-ordinate infrastructure (network and social) provisions and other services across land parcels in different ownership, or over different council boundaries; and
- provide certainty to developers, the council, key stakeholders and the wider public regarding the layout, timing, character and costs of development in an area earmarked for growth or redevelopment.

A structure plan also promotes a better understanding of related issues and management approaches, shows how economic, social and cultural matters are being managed alongside environmental issues, and promotes good urban design outcomes for areas. The development of a structure plan must be informed by consultation, particularly with tangata whenua and accompanied by appropriate technical assessments. The development of a structure plan is required prior to the re-zoning of a future urban zone in the PDP. The purpose of this objective is to ensure that prior to any proposal for an area to be rezoned, a structure plan is developed that will provide a clear direction and plan for the future of the proposed area.

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SD-032 – As part of the development of the PDP, town concept plans were developed for Te Kūiti, Piopio, Mokau, Waitomo Caves Village and Benneydale. The town concept plans were developed with local community's and identify key directions, opportunities and constraints, and provide a list of prioritised future projects. The work undertaken for the town concept plans has been summarised into a MAP for each town (moves, actions and priorities). The purpose of this objective is to support the implementation of the MAP for each town.

Summary

The objectives are relevant because they:

- Address the issues identified above.
- The proposed objectives enable Council to undertake its functions under section 31, in particular section 31(1)(a) 'the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district'.
- The proposed objective achieves the purpose and principles of the RMA, particularly s6(a), s7(b) and s7(c).
- The proposed objectives give effect to higher order policy documents.
- Help achieve Council's Economic Strategy.

Usefulness –

Urban form and development is attained in a number of ways and these strategic objectives are focussed on achieving the most desirable outcomes for the Waitomo District. Te Kūiti is the key centre for commercial, cultural, leisure and social interaction. The objectives seek to continue to make the town viable in order to achieve this there is a need to keep the community engaged to create an environment that provides for current and future social, cultural and cultural wellbeing. Objectives SD-O19 and SD-O20 will provide guidance to developers as to what the District is anticipating in the town centre and how that can contribute towards making Te Kūiti a sustainable and viable environment.

Ad-hoc development can have a detrimental effect on an area, especially where infrastructure is not planned or co-ordinated with surrounding areas. For future developments objectives SD-024-SD-025 will be important to ensure integration of services of infrastructure to avoid developments that are seen as one off and that have no connection with their neighbours.

Urban design considers the economic, environmental, social and cultural dimensions within an area. Thinking wider than an individual site or subdivision is imperative to provide sustainable neighbourhoods for the future. Objectives SD-O23, SD-027 – SH-029 will encourage developers to utilise urban design to achieve the best outcome of resources for the future.

The sensitive coastal environment is prone to not only development pressures development but also from climatic changes. This area needs to be managed carefully to avoid loss of character for the surrounding area. Unfettered development is not beneficial to this environment and objective SD-030 is a means of guiding development to ensure that it is appropriate and sustainable for the area.

Communities are facing huge challenges in how we live and how areas develop. Developments should be considering Objective SD-O27 and ways of creating urban development that look at a more compact urban form.

The rural environment has a huge significance to the District. This area is often put under pressure when incompatible development such as residential encroach within the area and it is therefore necessary that these areas of valuable resource are protected. Objective SD-O28 will help provide direction when considering development within the rural area which is not generally compatible with a rural activity. This is especially true when considering locating residential activities and thus undermining the role of the area for primary production.

Insufficient industrial land is detrimental to the ongoing economic viability of the district. To ensure industrial activities have a long term future additional land needs to be considered for zoning which is in appropriate locations and has or will have the necessary infrastructure available. Objective SD-O29 will be fundamental in utilising the RMA requirements to ensure resource is available for these activities in the future.

Objective SD-O31 requires Council or a developer to undertake structure plans when areas are to be rezoned for future urban development. Structure plans will provide certainty to a developer and the community as to what the outcome will be of any plan change and thus avoid ad-hoc development which generally leads to infrastructure not being integrated and a lower level of community wellbeing.

Summary: the objectives are useful because they provide clear statements of the outcomes to be achieved.

Reasonableness –

SD-O19 and SD-O20: These objectives encourage development to enhance Te Kūiti as the main centre for the district and to ensure its viability and vitality for the future.

SD-O21 and O22: These objectives direct developers to ensure that development and infrastructure are coordinated to make the best use of resources and be cost effective.

SD-O23 and SD-O24: Future developments need to draw on urban design to achieve the quality and style of spaces that the communities are requiring.

SD-O26: It is reasonable to expect an understanding of, and take into account any effects on the sensitive and highly changeable coastal environment when considering development

SD-O25 and O27: Individuals are expecting more when deciding where to live and development needs to consider compact urban design to provide people with choices in their community.

SD-O28: The productive soil in the rural area is a finite resource and urban development on productive soil needs to be minimised.

SD-O29: Unless appropriately zoned land is provided for in the future, there will be nowhere for industrial activities to establish which could be detrimental to the economic wellbeing of the Waitomo District.

SD-O30: This objective appropriately recognises the significance of regionally and nationally significant infrastructure and mineral resources this objective is important to highlight their significance and their wider benefit.

SD- O31: Structure plans are a strategic approach to the planning of integration of resources and generally will provide a mutual vision for the community.

SD-O32: This objective links the town plans to the district plan. The town concept plans identify a number of important community projects, and the objectives seek that these projects are implemented.

Summary: The objectives are reasonable because they:

- Will not impose unjustifiably high costs on the community / parts of the community.
- Clearly describes the anticipated outcomes.
- Provide greater certainty and reduce the risk compared to the lack of guidance in relation to the overall vision for the PDP.
- Through community engagement there is confidence that the objectives reflect desired community outcomes.

Achievability –

The objectives are realistically able to be achieved within the Council's powers, skills and resources. Development within the District will need to integrate with infrastructure, both network and social.

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Are the objectives the most appropriate way to achieve the Purpose of the Act?

The proposed objectives are considered to meet the tests of relevance, usefulness, reasonableness and achievability. The objectives are the most appropriate way to achieve the purpose of the RMA because they:

- provide for matters of national importance in section 6, other matters in section 7 and the Treaty of Waitangi in section 8.
- give effect to higher order policy documents.

The Urban Form and Development objectives provides an overview of the significant land use issues and the key outcomes for future land use in the Waitomo District. These strategic directions reflect those factors which are considered to be key to achieving the overall vision for the pattern and integration of land use within the Waitomo District. They provide an overarching direction for other chapters through high level objectives for the district as a whole. For a matter to qualify as a strategic objective, the matter must be strategically important for achieving integrated management and the purpose of the RMA, or to give effect to matters listed in higher order policy documents.

In conclusion, the proposed Urban Form and Development objectives are considered to be the most appropriate way to achieve the purpose of the RMA as they will provide for the social, economic, cultural, and environmental wellbeing of the Waitomo District.