

## **Settlement Zone and Mokau Commercial Precinct (Precinct 4)**

### **Section 32 Report for the Proposed Waitomo District Plan**

Section 32 Report – Settlement Zone and Mokau Commercial Precinct (Precinct 4)

SUMMARY OF ISSUES	RESOURCE MANAGEMENT ACT 1991	NATIONAL DIRECTION	REGIONAL POLICY STATEMENTS	IWI MANAGEMENT PLANS CONT...
<p>The settlement zone applies to 10 existing settlements in the District as follows:</p> <ul style="list-style-type: none"> <li>Te Waitere, Kinohaku, Marokopa, Awakino, Mokau, Te Maika and Taharoa are coastal settlements and are located within the coastal environment line. Te Maika is zoned both Settlement and Natural Open Space for this reason it has been identified as a multi-zone precinct and has a separate section 32.</li> <li>Maniaiti/Benneydale, Hangatiki and Aria are located inland.</li> </ul> <p>The population of the settlements range from 50 to 500 people. A number of the settlements are relatively isolated and have a limited range of services. Most of the settlements are popular with visitors and have existing campgrounds and other types of visitor accommodation. Some settlements are un-serviced whilst others have some servicing. Maniaiti/Benneydale is the only settlement that has public reticulated water and wastewater. Taharoa is serviced with a private system. Because the coastal settlements are all located within the coastal environment line different considerations apply to them.</p> <p>Over time it is envisaged the settlements will develop into mixed use environments. The two settlements with the most growth are Mokau and Maniaiti/Benneydale for this reason the Council has undertaken a Town Concept Plan for these settlements. Mokau is the settlement with the most defined commercial centre for this reason a PREC has been applied to this area. The precinct provisions apply a similar range of activities as the Commercial Zone.</p> <p>The settlement zone and Precinct 4 address the following issues</p> <ul style="list-style-type: none"> <li>How to support the continuation of existing services such as the school in Mokau and the kura at Taharoa which are vital for the future of these communities.</li> <li>How to provide for a range of activities whilst not unduly affecting the character and amenity of the settlements.</li> <li>Ensuring the values of the coastal environment are provided for.</li> <li>There is demand for visitor accommodation in the settlement zone. The most appropriate way to provide for visitor accommodation needs to be considered.</li> <li>There is potential for increased growth: land and houses are affordable compared to other settlements in other Districts.</li> <li>Natural hazards including coastal erosion are an issue in these locations and need to be managed. Some areas are not appropriate for any further development.</li> </ul>	<p><b>Section 5 RMA</b> The primary purpose of the settlement zone is to provide mixed use opportunities for housing, community activities and employment. Flexible work – living options will assist people and communities to provide for their economic and social wellbeing and for their health and safety.</p> <p><b>Section 6 RMA</b> The following matters are relevant to this topic.</p> <p>Section 6(a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and protection of them from inappropriate subdivision use and development.</p> <p>Te Waitere, Kinohaku, Marokopa, Awakino, Mokau and Taharoa are all settlements located within the coastal environment. A couple of sites in Te Waitere are also identified as being within the outstanding natural character overlay. These areas are steep sections of existing properties that are not likely to be developed. Appropriate/inappropriate subdivision, use and development has been considered as part of the plan through provisions such as setbacks from coastal margins, reduced height limits, encouraging the provision of esplanade reserves, and identifying areas subject to coastal hazards.</p> <p>Section 6(b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development</p> <p>In Marokopa small areas of the western coast outstanding natural landscapes (ONL) is located within the settlement zone. The ONL provisions apply and provide an appropriate way of managing development in this location.</p> <p>Section 6(c) The protection of areas of significant indigenous vegetation and significant areas of indigenous fauna</p> <p>Areas in Kinohaku, Te Waitere and Mokau have SNAs identified on them. The SNAs in Kinohaku and Mokau are identified as being of national significance whilst the area of SNA in Te Waitere is identified as being of regional significance. These areas are subject to the provisions of the Ecosystems and Indigenous Biodiversity chapter. The effects on the SNA will be able to be assessed at the time of a proposal (if any) to remove the SNA. Also, a full discretionary consent is required for any application to subdivide a site that has a scheduled site or feature located on it.</p> <p>Section 6(e) The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga</p> <p>The settlement zone at Benneydale, Kinohaku and Te Waitere have small areas of identified SASMs located on them. Through the resource consent process there is the opportunity to assess the effects on these areas. To date, there has been no advice from mana whenua that these areas are inappropriate for rural lifestyle development because of these features. The requirement for a full discretionary consent where subdivision occurs on a site with an identified feature</p>	<p>There are six National Policy Statements (NPSs) currently in place:</p> <ul style="list-style-type: none"> <li>New Zealand Coastal Policy Statement 2010</li> <li>NPS for Electricity Transmission 2008</li> <li>NPS for Renewable Electricity Generation 2011</li> <li>NPS for Freshwater Management 2020</li> <li>NPS on Urban Development 2020</li> <li>NPS for Highly Productive Land 2022</li> </ul> <p>There are also 8 National Environmental Standards (NESs) currently in place:</p> <ul style="list-style-type: none"> <li>NES for Air Quality 2004</li> <li>NES for Sources of Human Drinking Water 2007</li> <li>NES for Telecommunication Facilities 2016</li> <li>NES for Electricity Transmission Activities 2009</li> <li>NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011</li> <li>NES for Plantation Forestry 2017</li> <li>NES for Freshwater 2020</li> <li>NES for Storing Tyres Outdoors 2021</li> </ul> <p>The New Zealand Coastal Policy Statement (NZCPS) is relevant given the location of the Settlement Zone. The parts of the NZCPS that are of relevance are Objective 6 and Policy 6:</p> <p>Key directions in Objective 6 are:</p> <ul style="list-style-type: none"> <li>The protection of the values of the coastal environment does not preclude use and development in appropriate places and within appropriate limits</li> </ul> <p>Key directions in Policy 6 are:</p> <ul style="list-style-type: none"> <li>Consider the rate at which the built environment and the associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising other values of the coastal environment.</li> <li>Encourage 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</li> <li>Recognise tangata whenua needs for papakāinga, marae and associated developments and make appropriate provision for them</li> <li>Consider how adverse visual impacts of development can be avoided in areas sensitive to such effects, such as headlands and prominent ridgelines and as far as practicable and reasonably apply appropriate controls</li> <li>Where appropriate buffer areas and sites of significant indigenous biodiversity, or historic heritage value.</li> </ul> <p><b>Relevant case law considered</b> There is no relevant case law in relation to this Chapter.</p>	<p><b>Waikato Regional Policy Statement</b> Objectives 3.10 and 3.12 and Section 6 is relevant. Objective 3.10 focuses on the efficient use of natural and physical resources to ensure resource use is efficient and the generation of waste is minimised. Objective 3.12 seeks for the built environment to be developed in an integrated, sustainable and planned manner. Section 6 and Policy 6.1 in particular refers to subdivision, use and development occurring in a planned and co-ordinated manner. Implementation method 6.1.1 refers local authorities to the principles in Section 6A and states regard is to be had to the principles when preparing district plans. A number of the development principles are relevant to the settlement zone including:</p> <ol style="list-style-type: none"> <li>Supporting existing urban areas in preference to creating new ones</li> <li>Occurs in a manner that provides clear delineation between urban areas and rural areas</li> <li>Make use of opportunities for urban intensification and redevelopment to minimise the need for urban redevelopment in greenfield areas.</li> <li>Connect well with existing and planned development and infrastructure</li> <li>Be directed away from significant mineral resources and their access routes, natural hazards areas, energy and transmission corridors and locations identified as likely renewable energy generation sites...</li> <li>Promote compact urban form design and location</li> </ol> <p>Also of relevance is Method 6.1.2 which states local authorities should have particular regard to the potential for reverse sensitivity.</p> <p>For Te Waitere, Kinohaku, Marokopa, Awakino, Mokau, and Taharoa the objectives, policies and directions that relate to the coastal environment are also relevant. The key direction in Objective 3.7 is to preserve the natural character and protect natural features and landscape values of the coastal environment. Implementation methods attached to Policy 4.1 Integrated approach are also directly relevant particularly 4.1.7 and 4.1.8. The methods require the identification of the coastal environment and the management of the coastal environment in an integrated way.</p> <p><b>Manawatu-Whanganui One Plan</b> The settlement zone is not located within the Manawatu-Whanganui area of the District it is therefore not relevant to this topic.</p>	<p><b>Waikato Tainui Environment Management</b> A summary of the provisions in the Waikato Tainui Environment Management (WTEP) Plan 2018 relevant to the Settlement Zone are: Section 13 focuses on papakāinga development in rural and urban areas the associated objectives and policies seek for papakāinga development to be sustainable and supported. WTEP puts context on where papakāinga maybe anticipated in the future which includes papakāinga not necessarily being limited to multiple owned marae lands around a marae complex. Methods linked to the policies and objectives seek for papakāinga to have a papakāinga development plan and for development to be staged. The methods also seek for surrounding land uses to be sensitive to existing or impending papakāinga development. Section 24 is also relevant and relates to maintaining access to coastal areas for customary activities (Objective 24.3.3). Management of adverse effects on environment, community and customary activity within the Waikato-Tainui coast area must occur in consultation with Waikato Tainui (Objective 24.3.4). Section 25 Land Use Planning is relevant Objective 25.3.1 seeks to apply development principles to land use and development and Objective 25.3.2 seeks for developed to be well planned and the environmental, cultural, spiritual and social outcomes are positive.</p> <p>The proposed settlement provisions take account of the directions in the WTEP. A key means for achieving this outcome is the provision of papakāinga housing developments as a permitted activity. The associated definition states the developments are to be between 2 and 6 units and they support traditional Māori cultural living for a recognised mana whenua group living in the Waitomo District. Developments exceeding six units require resource consent. The rule enables development on general title land as well as Māori owned land and there is no rule requiring proximity to Marae. The plan also provides for a range of other housing options including tiny housing developments and co-housing. The provisions provide for papakāinga on sites that are not serviced by wastewater as long as the site is of a sufficient size to contain the treatment and disposal of waste. Additionally, existing marae are zoned Māori Purpose Zone which provides for a broader range of opportunities.</p> <p>Some areas of settlement zone also have SASMS located within them. The sections of the WTEP relevant to historic heritage are also relevant and can be found in the relevant section 32. Other section 32's are also relevant to the Settlement Zone including that relating to the coastal environment.</p>

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OPERATIVE WAITOMO DISTRICT PLAN			IWI MANAGEMENT PLANS	OTHER RELEVANT PLANS OR LEGISLATION
<ul style="list-style-type: none"> <li>Under the provisions of the Operative District Plan (ODP): Te Waitere, Marokopa, Mokau, Taharoa, Maniaiti/Benneydale, and Aria were zoned residential. Kinohaku, Awakino and Hangatiki were zoned rural.</li> <li>Under the ODP the Mokau commercial area was also zoned residential. This restricted the ability of commercial development in the Mokau town centre, as the rules were restrictive for commercial development in the residential zone.</li> <li>Under the provisions of the Residential Zone the minimum subdivision standard to create a new site is 300m<sup>2</sup> for infill and 600m<sup>2</sup> for greenfield. If the site is unsewered the minimum standard is 2,500m<sup>2</sup>. There is no limitation on the number of dwellings you can build on a site.</li> <li>Under the provisions of the rural zone the minimum lot size is 700m<sup>2</sup> if the sites is sewerred and 2,500m<sup>2</sup> if the site is unsewered.</li> <li>The ODP has an effects-based approach which means if you comply with the standards you are permitted. The standards include matters such as height, setback from boundaries, site coverage, maximum building area for non-residential activities, and maximum number of people employed in a business or commercial activity.</li> </ul>	<p>on it will ensure cultural values are considered as part of the process.</p> <p>Section 6(h) The management of significant risks from natural hazards</p> <p>Areas of the settlement zone in Awakino, Marokopa, Mokau and Te Waitere have coastal hazard overlays identified on them. For those places that are located within these areas the level of permitted development is reduced, and in respect of Coastal Erosion Hazard Area 1 (CEHA 1) significantly reduced. Where the District Plan enables a resource consent to be applied for ways of avoiding or mitigating the risk will be required through the consent process. Refer to the section 32 for the coastal environment.</p> <p><b>Section 7 RMA</b> Section 7 lists a range of other matters that particular regard is required to be given to.</p> <p>Section 7(b) the efficient use and development of natural and physical resources.</p> <p>This matter includes the efficient use and development of land and buildings. In order to assess this matter particular regard needs to be had to how plan provisions affect the efficient use of land and how land zoned for settlement is best utilised. Given the small populations, relative isolation, and absence of existing services a mixed-use environment is one that will facilitate the most efficient use of land.</p> <p>Section 7(c) the maintenance and enhancement of amenity values.</p> <p>The RMA defines amenity values as “those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes”. What makes a settlement zone pleasant to live in includes factors such as acceptable levels of noise, good access to sunlight and access to open space to plant trees and gardens, outdoor living, and fresh air. The separation of buildings from one another, the overall scale of buildings, and the density of dwellings on the site also affects people’s appreciation of the pleasantness of the place where they live. Other aspects of amenity in the settlement zone relate to self-sufficiency, supporting local services and community activities. These aspects of amenity are also what attracts people to visit. For this reason, this plan seeks to create a mixed-use environment within this zone. Most of the existing housing in the settlement zone is one house on a lot. More intensive development of sites is often restricted by servicing. The ODP provides for a range of housing densities as long as site standards such as open space and standards for servicing are met. The Proposed District Plan has a similar approach and only provides for intensive developments where on site standards including servicing are met. The Proposed District Plan has a different approach for commercial and community activities. The Proposed District Plan identifies specific locations within each settlement where commercial and community activities are anticipated. This will provide increased certainty over and above the provisions in the ODP. Additionally, the District Plan</p>		<p>The Council is required to take into account planning documents recognised by an iwi authority and lodged with the territorial authority (section 74(2A)).</p> <p><b>Maniapoto Environment Management Plan</b></p> <p>A summary of the provisions in the Maniapoto Environment Management Plan (MEMP) 2018 relevant to this chapter are as follows: Chapter 8 is relevant to this topic and relates to Marae and Papakāinga. Objective 8.3.1 and Policy 8.3.1.1 seek for regional and district plans to have policies and methods that enable the development and upgrade of papakāinga and marae. Objective 8.3.2 and Policy 8.3.2.1 seek to strengthen Maniapoto identity and culture in the design of buildings and structures for community development and public spaces. Chapter 17 is relevant to the settlements located in the coastal environment. In particular, Objective 17.3.6 and related policies seek to protect and enhance Maniapoto access to coastal and marine areas.</p> <p>The proposed settlement provisions do take account of the directions in the MIEMP. A key means for achieving this outcome is the provision of marae complexes and papakāinga housing developments as a permitted activity. The associated definition states the developments are to be between 2 and 6 units and they support traditional Māori cultural living for a recognised mana whenua group living in the Waitomo District. Developments exceeding six units require resource consent. The provisions provide for papakāinga on sites that are not serviced by wastewater as long as the site is of a sufficient size to contain the treatment and disposal of waste. The rules enable development on general title land as well as Māori owned land and for papakāinga developments there is no rule requiring proximity to Marae. The plan also provides for a range of other housing options. In addition to the provisions of the settlement zone existing marae are zoned Māori purpose zone which provides for a broader range of opportunities. In addition, SD-024 recognises the importance of incorporating matauranga Māori principles in design and construction.</p> <p>The chapter also contains an objective and related policy that seek to preserve the natural character of the coastal environment and maintain public access.</p> <p>Some areas of settlement zone also have SASMS located within them (. The sections of the EMP relevant to historic heritage are also relevant and can be found in the relevant section 32. Other section 32’s are also relevant to the settlement zone including that relating to the coastal environment.</p> <p>The MEMP also seeks for appropriate protocols to be in place in respect of accidental discovery (Objective 10.3.3 and Policy 10.3.3.1). The accidental discovery protocol has been added to all zone chapters to make it more visible with the plan. The purpose of the protocol is to make people aware of responsibilities under the HNZPT Act 2014. It contains the steps to be followed in the event of an accidental discovery. The steps include notifying the appropriate iwi groups or kaitiaki who have authority over the process. No amendments to the</p>	<p>There are no other relevant plans or legislation relevant to this Chapter.</p> <p><b>STRATEGIC DIRECTION</b></p> <p>The following objective from the Strategic Directions Chapter of the plan is relevant to this topic:</p> <p><b>SD-04:</b> 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> <p><b>SD-05:</b> 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:</p> <ol style="list-style-type: none"> <li>Are consistent with the anticipated character and amenity values of the areas where they are located; and</li> <li>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</li> <li>Recognise existing lawful activities and protect their ongoing operation from incompatible activities.</li> </ol> <p>1.</p> <p><b>SD-08:</b> Provide for flexible and innovative approaches to development and infrastructure provision in the district’s more remote settlements.</p>
<p><b>SCALE &amp; SIGNIFICANCE</b> 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: 2 Problem / Issue: 2 Degree of Shift from Status Quo: 1 Who and How Many Affected, Geographic Scale of Effects: 2 Degree of Impact on or Interest from Māori: 2 Timing and Duration of Effects: 1 Type of Effect: 2 Degree of Risk or Uncertainty:1</p> <p><b>Total (out of 40): 13</b></p>				

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	<p>provides for increased flexibility for activities within Precinct 4 in Mokau. Standards such as screening and hours of operation will assist in managing effects.</p> <p>Section 7(f) maintenance and enhancement of the quality of the environment.</p> <p>Refer to the discussion under section 7(c).</p> <p>Section 7(g) Any finite characteristics of natural and physical resources</p> <p>In respect of this topic the land zoned settlement and available for development at any one time is limited. In the settlement zone there are benefits of having a wider range of activities in order to increase the range of activities and services that are provided and increase employment opportunities. Careful consideration needs to be given through the resource consent process of large-scale activities, in particular, as to whether they may be best located elsewhere. For future generations it is important that capacity is retained in the settlement zone for residential purposes.</p> <p><b>Section 8 RMA</b></p> <p>In considering the principles of the Treaty of Waitangi it is important in the settlement zone to consider how the principles of partnership, participation and active protection have been considered. In respect of partnership and participation a range of housing and living options are permitted subject to compliance with the standards in the Plan. Marae complexes are also permitted subject to meeting the standards. In respect of active protection in Benneydale, Te Waitere and Kinohaku Sites and Areas of Significance to Māori (SASM) have been identified. The rules for SASMs will ensure the values associated with these sites are maintained.</p>		<p>accidental discovery protocol were requested during the pre-notification process.</p>	<p><b>SD-09:</b> Subdivision, land use and development must not contribute to any further degradation of Kawhia Harbour.</p> <p><b>SD-010:</b> 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.</p> <p><b>SD-011:</b> 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.</p> <p><b>SD-014:</b> 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.</p> <p><b>SD-015:</b> The community is prepared to adapt to the effects of climate change and recognises the opportunities and risks associated with those effects.</p> <p><b>SD-022:</b> Where the area is appropriately serviced by existing or planned infrastructure, encourage development and intensification that enables more people to live in, and more businesses and community services to be located in the district's existing townships.</p> <p><b>SD-024:</b> Promote liveable, sustainable, well-functioning urban environments by incorporating low impact design solutions and matauranga Māori principles in the planning and construction of developments.</p> <p><b>SD-025:</b> Enable a variety of residential housing types for a diverse range of households across the district to meet the community's diverse social and economic housing needs.</p> <p><b>SD-026:</b> Ensure that development in coastal settlements is appropriate in relation to its level of natural character, avoids ribbon development along coastal margins and ensures planned, cohesive, compact growth.</p> <p><b>UNCERTAINTIES AND RISKS s32(2)(c)</b></p> <p>The degree of risk and uncertainty is low. The activities and approaches are well understood.</p>
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<b>OBJECTIVE(S)</b> s32(1)(a)	
<p><b>Relevance –</b> The objectives address the relevant resource management issues by providing for a range of activities within the settlement zone, and in particular a wide range of services and activities are enabled through Precinct 4. The objectives relate directly to the purpose of the zone and reflect the appropriate land uses and activities for the zone and Precinct 4.</p> <ul style="list-style-type: none"> <li>• SETZ-O1 is directly relevant to the main purpose of the settlement zone being to enable a mixed-use environment (residential, community, educational and commercial activities) in the settlement zone. SETZ-O1 is directly relevant to section 5 and section 7(b). It also is relevant to PREC4 and provides for the ongoing use of the physical resources in this precinct.</li> <li>• SETZ-O2 provides key direction on the type of industrial development that might be appropriate to occur within the settlement zone. Light industrial development is less likely to result in reverse sensitivity effects, recognising the mixed use/range of activities anticipated in the zone.</li> <li>• SETZ-O3 is directly relevant in recognising the importance of amenity values and how the expectations of amenity must be different given the mixed-use purpose of the zone.</li> <li>• SETZ-O4 is directly relevant it recognises the importance of visitor accommodation to the settlements and existing demand for this activity.</li> <li>• SETZ-O5 recognises the importance of providing for the integrated management of development and infrastructure and in doing so is directly relevant to section 31 and the Waikato Regional Policy Statement.</li> <li>• SETZ-O6 is directly relevant to the coastal settlements and assists in achieving S6(a) and the New Zealand Coastal Policy Statement.</li> <li>• SETZ-O7 and SETZ-O8 are directly relevant to Section 6(e) and Section 8. SETZ-O7 puts in place an enabling direction for papakāinga housing developments. SETZ-O8 is directly relevant to section 6(e) and appropriately references the importance of the coastal environment.</li> <li>• SETZ-O9 directly relates to the town concept plan that has been prepared for Mokau. The plan identifies key community opportunities, constraints and aspirations and also contains a list of prioritised projects. The objective is directly relevant to section 5 and enabling community economic and social wellbeing. PREC4 is a key outcome from the Mokau Town Concept Plan and will provide for the future foreseeable needs of Mokau.</li> <li>• SETZ-10 is relevant as some settlements are at known risk from natural hazards. The objective highlights the issue and provides a link to the chapter on natural hazards.</li> </ul> <p><b>Usefulness –</b></p> <ul style="list-style-type: none"> <li>• The objectives usefully distinguish the outcomes sought relating to its inclusionary focus enabling a range of activities and services. This can be distinguished from other zones i.e. residential zone or the general rural zone.</li> <li>• The objectives outline what the purpose of the zone is which will guide decision making when considering a resource consent application under s104.</li> <li>• The objectives address the key resource management issues for the zone.</li> </ul> <p><b>Reasonableness –</b></p> <ul style="list-style-type: none"> <li>• The objectives will not impose unjustifiably high costs on the community / parts of the community.</li> <li>• The objectives enable the range of developments and activities typically anticipated within the settlements. The objectives also provide direction for those activities that are not anticipated within the zone.</li> </ul> <p><b>Achievability –</b></p> <ul style="list-style-type: none"> <li>• The objectives are within Council’s functions and powers.</li> <li>• The objectives are consistent with those in the EMPs</li> <li>• The objectives can be achieved.</li> </ul> <p><b>Are the objectives the most appropriate way to achieve the Purpose of the Act?</b> 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:</p> <ul style="list-style-type: none"> <li>• Will provide for the health and social wellbeing of people and communities by enabling a range of residential, community, educational and commercial activities (section 5); and</li> <li>• They give effect to the strategic objectives of the Proposed District Plan ; and</li> <li>• The proposed objectives also provide greater certainty to decision makers and plan users as to what is the expected end state; and</li> <li>• Is within the jurisdiction of the Council and can be achieved within the exercise of its functions; and</li> <li>• The objective will address the key resource management issues identified above; and</li> <li>• The proposed objectives are in line with national best practice and implement national and regional guidance and direction including relevant EMPs; and</li> <li>• They give effect to the strategic objectives of the Proposed District Plan particularly SD-O5, SD-O8 and SD10. SD-O8 is of particular relevance and seeks a more flexible approach in the more remote settlements of the District.</li> </ul>	
<b>PROVISIONS</b> s32(1)(b)	
<b>EFFICIENCY &amp; EFFECTIVENESS</b> s32(1)(b)(ii), 32(2)(a)(i), s32(2)(a)(ii)	<b>ALTERNATIVES</b> s32(1)(b)(i)
<p><b>Benefits Anticipated</b></p> <p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• For those settlements located in the coastal environment, there are benefits for the naturalness of the coastal environment, in recognising the existing settlements and providing opportunities for development where existing physical resources are located.</li> <li>• The provisions directing community and commercial activities to front sites and in some settlements on specific streets will help to reduce reverse sensitivity effects and ensure the adjoining roading network is appropriate. Rules for landscaping and screening between sites will also assist in reducing reverse sensitivity effects.</li> <li>• The setback, coverage, height, height in relation to boundary standards, and maximum floor area standards and hours of operations for some activities, will ensure that buildings are of an appropriate scale and intensity. Some standards such as internal setbacks have been increased from the residential zone in the ODP. This change is important as it distinguishes the amenity and character of the settlement zone from the residential zone.</li> <li>• The height standards have been amended to reflect the local environment with lower height standards being applied where the settlement is within the coastal environment overlay or a landscape overlay, such as in Aria.</li> <li>• A range of different housing types are specially recognised. These housing types such as minor residential units, duplex housing and tiny house developments may mean that land is used more efficiently and effectively than would otherwise be the case. The approach taken in the ODP is to not to restrict the number of units per site, but that approach is inferred (as there is no rule restricting the number of units per site) as opposed to being clearly provided for. The lack of clear provision for activities was an issue raised early on in the District Plan review process.</li> <li>• There are some sites within the settlement zone that are not connected to reticulated services the continuation of the approach in the ODP that relates site size to the servicing of the site means that adverse effects from overdevelopment of sites that do not have reticulated servicing will be avoided. In addition, there is a specific requirement where multiple units are sort to be located on a site that the site is of a sufficient size to ensure on-site treatment and disposal of wastewater. Where the settlement zone adjoins State Highways the new requirement for noise insulation will assist in making sure the internal areas of residential units and other noise sensitive activities are consistent with the amenity expectations of the zone and will assist in reducing sleep disturbance. The need for noise insulation has not been applied to any item of historic heritage listed in SCHED 1 in recognition of the community values associated with these buildings.</li> <li>• Areas of the settlement zone are located within the site suitability layer. The level of development anticipated in these locations is reduced. Refer to the section 32 report on natural hazards.</li> </ul>	<p>For the purpose of this evaluation, the Council has considered the following potential options: 1. The proposed provisions; and 2. The status quo.</p> <p>The ODP provisions are not considered to be efficient or effective in achieving the objectives.</p> <p>In order to identify other reasonably practicable options, the Council has undertaken the following:</p> <ul style="list-style-type: none"> <li>- Reviewed the provisions of other recently notified plans; and</li> <li>- Undertaken community consultation through the Town Concept Plan process.</li> </ul>

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- Some areas of the settlement zone are also located within scheduled sites and overlays. The provisions of the relevant chapters also apply. The 'How to Use the Plan' section of the District Plan makes it clear that the most restrictive provisions apply and if there is any doubt then the provisions of the overlay prevail. In that way the values of the scheduled sites and overlays, including the coastal environment will be recognise and maintained.

### Economic

- The zone supports the economic sustainability of existing physical resources including infrastructure. (Refer also to the Energy Chapter in terms of the opportunities available for local electricity generation). In particular the Precinct 4 enables a wide range of activities and services within Mokau.
- In support of a mixed-use planning framework a range of activities have been recognised and listed, in that way, it is clear what activities are anticipated and what may be appropriate but require resource consent. These activities recognise the tourism focus of these locations with the listing of visitor accommodation, tourism facilities, and the hire of motorised and non-motorised vehicles and recreational equipment. The specific recognition of camping grounds as a restricted discretionary activity also reflects the tourism focus. The activity list also includes activities that provide important local services such as motor vehicle repair garages. Motor vehicle repair garages are listed as a restricted discretionary activity recognising that not all sites within the zone will be appropriate for this activity. Industrial activities are also listed as a discretionary activity signalling some industrial activities may be appropriate in some locations. The policy framework supports this outcome by providing direction that light industrial activities of an appropriate scale may be appropriate. The proposed mixed use planning framework provides for a diverse range of economic and employment opportunities which, if taken up, will support the ongoing sustainability of the settlements. This is appropriate given the remote nature of the settlements, their tourism focus, and distance from services in other towns in the District.
- The use of a precinct approach to provide for the existing group of commercial activities adjoining State Highway 3 in Mokau recognises the existing uses and the benefits this location has for residents/ visitors to town and / or the travelling public. The precinct generally provides for activities that are anticipated in the Commercial Zone and are appropriate to the location of the precinct and the function it serves.
- The range of housing types provided have the potential to offer more affordable options for people. This is particularly important in Waitomo District because of the high relative rates of socio-economic deprivation and the projected increase in demand for single occupier dwellings.
- Making clear provision for home businesses and activities such as residential based visitor accommodation differs from the effects-based framework in the ODP where activities were inferred rather than directly provided for. Clear provision gives confidence to proceed with business ideas.
- For community and commercial activities, the restriction limiting activities to 3 employees has not been carried over to the proposed plan. This will provide increased flexibility for businesses.

### Social and Cultural

- The zone supports existing communities, facilities and community resources
- A range of housing types are clearly provided for. The housing types provide a wide range of choice. The social benefits include for example the ability for multigenerational families to live on the same site and use shared facilities (co-housing), the ability to add a smaller residential unit on the site to meet a wide range of needs, clear recognition and provision for tiny houses.
- Significant cultural benefits over and above the ODP, clear provision for marae and papakāinga housing and policy recognition of matauranga housing design principles. In addition, the clear provision for co-housing and other housing types may also have cultural benefits.
- There are social benefits from clearly listing those activities that provide for the health and wellbeing of communities such as emergency service facilities, education, and health facilities.

### **Costs Anticipated**

#### Environmental

- In respect of housing no additional environmental costs are anticipated over and above the provisions of the ODP. The key reason for this is the proposed plan continues the approach in the ODP which relates site size to the type of servicing that is proposed. Furthermore, for those settlements that were zoned residential in the ODP there was no restriction on the number of residents units that could develop on a site.

#### Economic

- For some settlements the locations where community activities and commercial activities can establish as of right are directed to specific roads that are more appropriate to absorb the level of anticipated effect. This reduces the potential locations for such activities as of right and may pose an additional economic cost over and above the operative plan for some people.
- Additional standards for home-based businesses such as traffic generation, these standards were not included in the ODP. This standard will mean that activities that have customers which exceed the standard will need resource consent.
- Additional costs of acoustically insulating houses near the state highway
- There may be perceived economic loss for those communities (Mokau, Benneydale, Aria, Marokopa and Waitomo Caves) who in the Proposed District Plan are now not zoned residential that were under the ODP. Under the PDP these communities have been zoned either Settlement Zone or Tourism Zone. These zones provide for a wider range of activities and more clearly reflect the opportunities and constraints within these locations. The residential zone in the Proposed District Plan does not provide this degree of flexibility. Refer to the section 32 report for the settlement zone and tourism zone.
- There may be restrictions on development within some sites zoned settlement, because of either the site suitability layer and or due to a scheduled site of feature being located on the property.

#### Social and cultural

- It is unlikely there will be social and cultural costs from these provisions there is likely to benefits.

### **Economic growth and employment opportunities**

The provisions do enable economic growth and employment. The recognition of the existing commercial centre at Mokau through a Precinct 4 will provide for greater opportunities for economic growth and employment. The range of activities provided as of right, or listed through the resource consent process, provides certainty and if the opportunities are taken up will increase local economic activity.

### **QUANTIFICATION OF BENEFITS & COSTS s32(2)(b)**

Section 32(2)(b) requires that, where practicable, the benefits and costs of a proposal are to be quantified. Given the assessment of the scale and significance of the proposed provisions, specific quantification of the benefits and costs in this report is considered neither necessary, beneficial nor practicable in relation to this topic.

**Section 32 Report – Settlement Zone and Mokau Commercial Precinct (Precinct 4)**

<b>EFFICIENCY &amp; EFFECTIVENESS</b> s32(1)(b)(ii)	<b>REASONS FOR PROVISIONS</b> s32(1)(b)(iii)
<p>Section 32(1)(b)(ii) requires assessing the efficiency and effectiveness of the provisions in achieving the objectives:</p> <p><u>Efficiency</u> The proposed provisions are the most efficient method of meeting the objectives as the benefits outweigh the costs and the provisions will not impose significant additional costs onto landowners. The policies and rules set out clearly how the objectives will be achieved. The benefits from the provisions are wide ranging. Of particular importance are the economic and social benefits which recognise the isolated nature of the settlements and the benefits obtained from providing for mixed land uses. Furthermore, the provisions encourage the use of existing physical resources and infrastructure and future proof development in the event some settlements become fully serviced. The provisions have considerably more benefits than the ODP. The package of provisions will be efficient in achieving the objectives.</p> <p><u>Effectiveness</u> The proposed provisions are the most effective in achieving the objectives as they directly address the resource management issues and the outcomes sought through the objectives. The provisions are consistent with the purpose and principles of the RMA. The proposed provisions are considered to be the most effective means of achieving the objective as together they will:</p> <ul style="list-style-type: none"> <li>• give effect to the Waikato RPS objectives and policies; and</li> <li>• take into account direction in iwi management plans particularly as they relate to papakāinga developments and providing for matauranga Māori principles in building design; and</li> <li>• assist in implementing Strategic Direction SD-O4, SD-O5, SD-O8, SD-O9, SD-O10, SD-O11, SD-O14, SD-O15, SD-O22, SD-O24, SD-O25, and SD-O26 in the Proposed Plan; and</li> <li>• enable the Council to fulfil its statutory obligations, including section 6(a), 6(b), 6(c), 6(d) and 6(f) as well as 7(b), 7(c), 7(f) and 7(g) and is consistent with its functions under section 31 of the RMA; and</li> <li>• provide for a mixed-use planning framework in locations where there are existing communities, visitor demand, and existing physical resources that are physically distanced from activities and services in other towns of the District; and</li> <li>• ensure adverse effects on the function and character of the zone are managed appropriately by requiring consent for activities that could cause adverse effects; and</li> <li>• enable the Council to effectively administer its District Plan and to monitor the outcomes of the proposed provisions in a clear and consistent manner.</li> </ul>	<p>Section 32(1)(b)(iii) requires a summary of the reasons for deciding on the provisions:</p> <p>The proposed provisions are the most appropriate way to achieve the objectives as they:</p> <ul style="list-style-type: none"> <li>• provide for a mixed use planning framework recognising the isolated nature of the settlements and the benefits of providing for a diverse range of activities; and</li> <li>• contain standards that maintain a level of amenity; and</li> <li>• address potential reverse sensitivity effects; and</li> <li>• support the existing retail and business function and physical resources of the businesses located in Precinct 4 in Mokau.</li> </ul>