

**IN THE ENVIRONMENT COURT
AT AUCKLAND**

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

Decision [2026] NZEnvC 125

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

BETWEEN WAIKATO REGIONAL COUNCIL
(ENV-2025-AKL-000158)

Appellant

AND WAITOMO DISTRICT COUNCIL

Respondent

AND TOFF TRADING TRUST

Section 274 Party

Court: Environment Judge M J L Dickey sitting alone under s 279 of the
Act

Last case event: 29 May 2026

Date of Order: 2 June 2026

Date of Issue: 2 June 2026

CONSENT ORDER

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

WAIKATO REGIONAL COUNCIL v WAITOMO DISTRICT COUNCIL



- (1) the appeal is allowed subject to amendment of the National Policy Statement and New Zealand Coastal Policy Statement section, the Future Urban Zone chapter and Appendix 5 of the proposed Waitomo District Plan as set out in **Annexure A** to this order (additions marked as underlined and deletions as strikethrough); and
- (2) the appeal is otherwise dismissed.

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

REASONS

Introduction

[1] This consent determination relates to an appeal against the decisions of Waitomo District Council (**WDC**) on the proposed Waitomo District Plan (**PDP**) in relation to submissions by Waikato Regional Council (**WRC**) seeking amendments to the Future Urban Zone (**FUZ**).

Background

[2] WRC made a submission, and further submission, on the PDP. Of relevance to these proceedings, WRC's submission opposed the zoning of land subject to natural hazards to FUZ in the PDP. It explained that the basis for its opposition was that almost all of the areas around Te Kuiti proposed to be rezoned are subject to heightened landslide risk and the sites in Mokau, Awakino and Marakopa are subject to coastal hazard risk.¹

[3] At the WDC hearing of submissions on the FUZ topic, evidence filed on behalf of WRC, from Alejandro Cifuentes² and Sarah Knott,³ expressed concerns around the location of the FUZ in the Waitomo District.

¹ Waikato Regional Council submission dated 23 December 2022 at pages 37-38.

² Team Leader for the Waikato Regional Council's Policy Implementation Team.

³ Member of Waikato Regional Council's Policy Implementation Team.

[4] In WDC’s decision (Decision Report for Chapter 50: FUZ and Appendix 5 – Structure Plan Requirements) the Hearing Panel considered there was no need to remove the FUZ zoning from the land.⁴

[5] While the Panel agreed with WRC’s witnesses that it is vital that the risk level is identified and understood prior to the rezoning of areas so informed decisions can be made concerning the suitability of the sites for future development, the Panel considered that (in the particular circumstances) the subsequent structure planning process, a requirement for any Schedule 1 process to change to a live zone, is the most appropriate process for this risk assessment to occur.⁵ It was noted that Appendix 5 of the PDP explicitly requires consideration of natural hazards in the development of structure plans.⁶

Appeal

[6] On 31 July 2025, WRC filed an appeal against WDC’s decision on its submissions. Consistent with the relief sought in its submission, the appeal sought:

- (a) removal of the FUZ as notified in the PDP, from land on the basis of the presence of a natural hazard, until a complete assessment of natural hazard risk is undertaken to support the rezoning; and
- (b) such further or other relief or consequential amendments that the Court considers appropriate.

[7] Toff Trading Trust (**Trust**), who owns land at 5413 State Highway 3, Mokau which is zoned FUZ under the PDP, has given notice of an intention to join the appeal under s 274 of the RMA.

[8] The appeal was allocated to Topic 1 – Future Urban Zone. This consent order resolves the appeal and Topic 1 in their entirety.

⁴ Decision Report for Chapter 50: FUZ and Appendix 5 – Structure Plan Requirements dated 19 June 2025 at [26].

⁵ At [25].

⁶ At [22].

Agreement reached

[9] The parties have agreed to resolve the appeal through amendments to the text of the PDP in accordance with **Annexure A**. These amendments address the concerns raised in the appeal regarding the recognition and management of natural hazard risk within the FUZ framework, while also addressing the Trust's concern that land which has already been assessed as not at risk from natural hazards should retain its FUZ zoning.

[10] The agreed amendments are summarised as follows:

- (a) FUZ chapter:
 - (i) amend the Overview to clarify the requirements before future subdivision and development can proceed and make it clear that where the risks and constraints are significant (such as areas of very high natural hazard risk),⁷ some areas of the FUZ may not be appropriate to subsequently live zone;
 - (ii) amend Objective FUZ-O3 to require comprehensive and integrated structure planning to confirm the suitability of an area for its intended final zoning and achieve appropriate urban form and coordinated infrastructure provision; and
 - (iii) amend Policy FUZ-P5 to require the avoidance of rezoning from FUZ to a live zone where very high natural hazard risks cannot be avoided, or where significant natural hazard risks cannot be avoided or mitigated proportionately.
- (b) Appendix 5 – Structure Plan Requirements:
 - (i) amend the introduction section to include additional wording regarding the identification of FUZ in the PDP and clarify that any new constraints identified, either through assessments required for a plan change or through additional natural hazard assessments,

⁷ In accordance with the National Policy Statement for Natural Hazards 2025.

may result in the spatial extent of the live zone being reduced or not applied;

- (ii) amend clause 23 of APP5.1 to expand the scope of investigations required in Mokau and Awakino by allowing for “other investigation deemed necessary by the council in consultation with Waikato Regional Council”; and
 - (iii) insert three new clauses to APP5.1 which:
 - (1) requires a natural hazard risk assessment over the development’s anticipated life which is suitable to enable risk levels to be determined in accordance with the National Policy Statement for Natural Hazards (**NPS-NH**);
 - (2) requires demonstration that the development layout and design avoids or otherwise mitigates significant natural hazard risks, giving effect to the NPS-NH; and
 - (3) requires evidence of engagement with WRC on natural hazard information, hazard mapping and regional hazard management strategies and how it informed the structure plan.
- (c) Part 1 – Introduction and General:
- (i) amend the National Policy Statements and New Zealand Coastal Policy Statement section of the PDP, which provides an overview of whether any relevant reviews have been undertaken in relation to any national policy statement. The agreed amendment records that the FUZ chapter and Appendix 5 give effect to the NPS-NH as a result of the appeal, but otherwise the plan has not been reviewed to give effect to the provisions of the NPS-NH (due to the subsequent date of commencement of the NPS-NH).

Planning assessment

[11] The parties have considered the statutory framework applicable to plan changes under the Act and are of the view that the agreed amendments satisfy the relevant statutory requirements.

Section 32AA evaluation

[12] Section 32AA of the Act requires a further evaluation of any changes to the PDP since the initial s 32 evaluation report and decision. A s 32AA evaluation report has been provided in the affidavit of Alexander Michael Bell.⁸

[13] In his s 32AA evaluation, Mr Bell concludes:

65. Overall the proposed amendments and additions to the PDP's FUZ and APP5 provisions outlined in my affidavit are considered to be minor to moderate in scale but important in improving the clarity, coherence and effectiveness of the overall planning framework.

66. In particular, the amendments and additions:

(a) Clarify the transitional role of the FUZ and reinforce that rezoning is contingent on detailed investigation and structure planning;

(b) Strengthen the role of structure planning by requiring confirmation of land suitability prior to rezoning;

(c) Introduce clearer policy direction that rezoning is to be avoided where risks and constraints are significant; and

(d) Embed a risk-based approach to natural hazard management within Appendix APP5, including requiring assessment of hazard risk (likelihood and consequence), consideration of residual risk, and alignment with the NPS-NH.

67. Collectively, the amendments and additions improve the integration between land use planning and natural hazard management and ensure

⁸ Sworn 15 May 2026.

that decisions are informed by the best available information, including consideration of long-term climate change effects. While some amendments and additions may result in additional upfront investigation and engagement costs, these are proportionate and are outweighed by the benefits of avoiding inappropriate development and supporting resilient and well-functioning urban environments.

68. Having regard to section 32AA of the RMA, the further evaluation demonstrates that the amendments and additions are the most appropriate way to achieve the relevant objectives of the PDP. They are efficient, effective, proportionate to the scale of the change, and carry no identified risk of adverse effects. The amendments and additions therefore, in my opinion, satisfy the requirements of section 32AA and achieve the purpose of the RMA.

Consideration

[14] The Court has read and considered:

- (a) WRC’s notice of appeal dated 31 July 2025;
- (b) the joint consent memorandum dated 18 May 2026; and
- (c) the s 32AA evaluation prepared by and recorded in the affidavit of Mr Bell dated 15 May 2026.

[15] The original proposal by the parties included an amendment to the table in Chapter 12 of the PDP which stated:

... The plan has not been fully reviewed to ensure that its provisions are given effect to across the plan, but it has been reflected in amendments made to Chapter 50 Future urban zone – FUZ and APP5 – Structure Plan Requirements...

[16] Noting that Mr Bell stated in his affidavit that the amendments to the table “add reference to the NPS-NH and explains how and where it has been given effect to”,⁹ the Court queried whether the amendment could be re-worded to state that the

⁹ At [12].

Chapter 50 and APP5 amendments give effect to the NPS-NH rather than being “reflected in” those amendments.

[17] Mr Bell responded that the amendment could be re-worded as follows:

... Chapter 50 Future urban zone – FUZ and APP5 – Structure Plan Requirements give effect to the NPS-NH. Otherwise, the plan has not been reviewed to give effect to the provisions of the NPS-NH.

[18] Accordingly, this further amendment has been adopted as set out in **Annexure A** attached to and forming part of this order.

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

- (a) all parties to the proceedings have executed the memorandum requesting this order;
- (b) all parties are satisfied that all matters proposed for the Court’s endorsement fall within the Court’s jurisdiction, and conform to the relevant requirements and objectives of the Act including, in particular, Part 2.

[20] The Court is satisfied that the agreement reached is one that represents the various interests of the parties. It is clear the parties have considered other reasonably practicable options and assessed costs and benefits. Overall, I consider the sustainable management purpose and the other relevant requirements of the Act are broadly met.

Orders

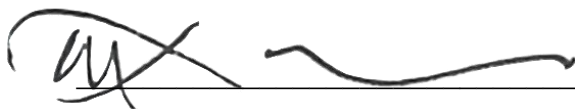
[21] Under s 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that:

- (a) the appeal is allowed subject to amendment of the National Policy Statement and New Zealand Coastal Policy Statement section, the Future Urban Zone chapter and Appendix 5 of the proposed Waitomo

District Plan as set out in **Annexure A** to this order (additions marked as underlined and deletions as strikethrough); and

(b) the appeal is otherwise dismissed.

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



M J L Dickey

Environment Judge | Kaiwhakawā i te Kōti Taiao



Annexure A – Tracked change version of agreed amendments to the PDP

National Policy Statements and New Zealand Coastal Policy Statement | Ngā Tauāki Kaupapahere ā-motu me Te Tauāki Kaupapahere mō te Takutai whānui o Aotearoa

National Policy Statements and New Zealand Coastal Policy Statement

The National Policy Statements (NPS) and the New Zealand Coastal Policy Statement (NZCPS) form part of the RMA's policy framework and are prepared by central government. NPS and the NZCPS contain objectives, policies and methods that must be given effect to by policy statements and plans. NPS and the NZCPS must also be given regard to by consent authorities when making decisions on resource consent applications, alongside other considerations.

The following table provides an overview of whether any relevant review(s) have been undertaken in relation to NPS and the NZCPS:

National Policy Statement for Natural Hazards 2025	This policy statement commenced after the decisions version of the district plan was released. Chapter 50 Future urban zone - FUZ and APP5 - Structure Plan Requirements give effect to the NPS-NH. Otherwise, the plan has not been reviewed to give effect to the provisions of the NPS-NH.
National Policy Statement for Highly Productive Land 2022	This policy statement has been reviewed in October 2024. Its provisions are given effect to across the plan but specifically within the following chapters: Strategic direction, general rural zone, future urban zone.
National Policy Statement for Indigenous Biodiversity 2023	This policy statement has been reviewed in October 2024. Its provisions are given effect to across the plan but specifically within the following chapters: Ecosystems and indigenous biodiversity, natural features and landscapes, coastal environment, natural character, general rural zone, strategic direction.
National Policy Statement for Freshwater Management 2020	The policy statement has been reviewed in March 2022. Its provisions are given effect to across the plan but specifically within the following chapters: General rural zone, activities on the surface of water, natural character.
National Policy Statement on Urban Development 2020	The policy statement has been reviewed in March 2022. This policy statement does not apply to Waitomo district however, its provisions are considered across the plan but specifically within the following chapters: Urban form and development, strategic direction, future urban zone.

National Policy Statement for Renewable Electricity Generation 2011	<p>The policy statement has been reviewed in March 2022. Its provisions are given effect to across the plan but specifically within the following chapters: Network utilities, energy, rural production zone.</p>
New Zealand Coastal Policy Statement 2010	<p>The policy statement has been reviewed in March 2022. Its provisions are given effect to across the plan but specifically within the following chapters: Strategic direction, natural features and landscapes, coastal environment, settlement zone, Te Maika precinct (PREC7).</p>
National Policy Statement on Electricity Transmission 2008	<p>The policy statement has been reviewed in March 2022. Its provisions are given effect to across the plan but specifically within the following chapters: National Electricity and Gas Transmission, network utilities, energy.</p>

Future Urban Zone | He Rohe Kāinga ā te Wāheke

Overview

The future urban zone is a special purpose zone that applies to greenfield land identified as potentially suitable for urbanisation. It is a transitional zone where land may be used for a range of rural activities that would not compromise the future use of the land for residential or rural lifestyle use. This ensures the land is appropriately managed until a plan change is prepared which identifies the final spatial extent and form of development.

Nine individual future urban zones are provided for in four townships – Te Kūiti, Awakino, Mokau and Waitomo Caves Village. Te Kūiti and Mokau have several future urban zones set aside. In Te Kūiti, land on Mangarino Road South, Mangarino Road North, Pukenui Road and William Street are zoned future urban in order to provide for additional residential and rural lifestyle expansion. In Mokau, land on State Highway 3 and Te Mahoe Road is set aside, in part, to provide for rural lifestyle expansion and in part, to assist with the provision of land for dwellings which might require relocation as a result of coastal erosion. For similar reasons, land for future rural lifestyle development is also identified in Awakino.

In Mokau, an area of land on North Street is identified as future urban zone. This land requires further detailed geotechnical or other investigation deemed necessary by the Waitomo District Council in consultation with the Waikato Regional Council before the land is rezoned any type of development can occur. Land zoned as future urban is also provided at Waitomo Caves Village to allow the expansion of mixed use activities envisaged in the tourism zone. The majority of land in the future urban zone has some kind of constraint which precludes live zoning.

For all future urban zones, However, it is considered that the detailed investigations and structure planning process required as part of the plan change process before future subdivision and development can proceed, will fully identify the nature of these risks and constraints and the spatial extent of the live zoning. This may result in some areas of the future urban zone not being live zoned where the risks and constraints are significant, such as areas of very high natural hazard risk in accordance with the National Policy Statement for Natural Hazards (NPS-NH).

In the interim, land use and development for non-farming related industry and commercial activities are discouraged in the future urban zone because it is critical that current land use practices do not conflict with the intended future land use. Development is restricted to limit fragmentation of land before urbanisation and to maintain the land's productive capability in the short term. Structure planning will determine if alternative uses can be accommodated in the future, but farming is expected to remain the dominant activity until rezoning is appropriate.

In the future urban zone, the rules require that development occurs in a planned and integrated manner through a plan change and structure plan process. The structure plan must be comprehensively designed and coordinate with infrastructure where this is available. Appendix 5 sets out the expectation envisages that the structure plan and plan

change process can be undertaken together and outlines the information required for a structure plan to proceed. This plan specifies the intended final zoning of each area, and where this zoning is not proposed to be amended following detailed investigations, there is a further expectation that a limited notified plan change process will be sufficient.

FUTURE URBAN

Objectives

Refer also to the relevant objectives in Part 2 District - Wide Matters

- FUZ-O1.** The potential of land in this zone to accommodate future development is not compromised by subdivision, inappropriate land use, activities or development.
- FUZ-O2.** Continue to support appropriate rural activities until such time as the zone is rezoned for its new purpose.
- FUZ-O3.** Ensure comprehensive and integrated structure planning is undertaken in response to growth demands to ~~achieve high quality, compact urban form and coordinated infrastructure provision.:~~
 - 1. Confirm the suitability of the area for the intended final zoning; and
 - 2. Achieve high quality, compact urban form and coordinated infrastructure provision.

Policies

Refer also to the relevant policies in Part 2 District - Wide Matters

- FUZ-P1.** Activities which are potentially incompatible and might compromise the ability to comprehensively develop the future urban zone are avoided where:
 - 3. The activity will restrict or constrain permitted or existing lawfully established activities; or
 - 4. The activity will inhibit the ability to develop and use the future urban zone for the planned growth purposes; or
 - 5. The activity will compromise the provision of connected transport networks or adversely affect the efficient provision of integrated infrastructure required to meet the immediate and future needs of the future urban zone; or
 - 6. The activity will be incompatible with residential, tourism, settlement or rural lifestyle use once planned development occurs; or
 - 7. The activity will result in adverse effects on the character and amenity of the surrounding area which cannot be avoided, or appropriately remedied or mitigated.
- FUZ-P2.** Prior to undertaking a plan change and structure plan, only provide for new development and activities in the future urban zone where:
 - 1. The purpose of the activity is compatible with and/or will support existing activities and future activities anticipated in the new zone; and
 - 2. Any potential conflict between existing activities and anticipated future activities can be appropriately managed as the area transitions and develops for the planned growth purposes.
- FUZ-P3.** Avoid subdivision that will result in fragmentation of land to a size that would compromise the integrated development of intended lot sizes in the future urban zone.
- FUZ-P4.** Ensure land in the future urban zone responds to growth demands and is rezoned in accordance with its intended future use as identified below:

- (i) Mangarino Road South, Te Kūiti – rural lifestyle zone
- (ii) Mangarino Road North, Te Kūiti – rural lifestyle zone
- (iii) Pukenui Road, Te Kūiti – residential zone
- (iv) William Street, Te Kūiti – residential zone
- (v) State Highway 3, Mokau – rural lifestyle zone
- (vi) Te Mahoe Road, Mokau – rural lifestyle zone
- (vii) North Street, Mokau - settlement zone
- (viii) Awakino - settlement zone
- (ix) Waitomo Caves Village – tourism zone

FUZ-P5. Avoid zoning land from a future urban zone to a live zone where very high natural hazard risks cannot be avoided or where significant natural hazard risks cannot be avoided or mitigated using an approach that is proportionate to the level of risk. ~~and constraints are significant and incompatible with the identified future use in FUZ-P4.~~

Rules

The rules that apply to the future urban zone are contained in the tables listed below. To undertake any activity, it must comply with the rules listed in:

- FUZ - Table 1 - Activities Rules; and
- Any relevant provision in Part 2 District-Wide Matters;

Where an activity breaches more than one rule, the most restrictive status shall apply to the activity.

[Refer to Part 1 – How the Plan Works](#) for an explanation of how to use this plan, including activity status abbreviations.

FUZ - Table 1 - Activities Rules

FUZ-R1.	Permitted activities	
Activity status: PER		Activity status where compliance is not achieved: N/A
Where:		
	<ol style="list-style-type: none"> 1. The activity is assessed as a permitted activity in the general rural zone; and 2. The relevant provisions will apply as if the land was zoned general rural zone. 	
FUZ-R2.	Controlled activities	
Activity status: CON		Activity status where compliance is not achieved: N/A
Where:		
	<ol style="list-style-type: none"> 1. The activity is assessed as a controlled activity in the general rural zone; and 2. The relevant provisions will apply as if the land was zoned general rural zone. 	
FUZ-R3.	Restricted discretionary activities	

<p>Activity status: RDIS</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity is assessed as a restricted discretionary activity in the general rural zone; and 2. The relevant provisions will apply as if the land was zoned general rural zone. 	<p>Activity status where compliance is not achieved: N/A</p>
FUZ-R4.	Discretionary activities
<p>Activity status: DIS</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity is assessed as a discretionary activity in the general rural zone; and 2. The relevant provisions will apply as if the land was zoned general rural zone. 	<p>Activity status where compliance is not achieved: N/A</p>
FUZ-R5.	Non-complying activities
<p>Activity status: NC</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity is assessed as a non-complying activity in the general rural zone; and 2. The relevant provisions will apply as if the land was zoned general rural zone. 	<p>Activity status where compliance is not achieved: N/A</p>
FUZ-R6.	Prohibited activities
<p>Activity status: PR</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity is assessed as a prohibited activity in the general rural zone; and 2. The relevant provisions will apply as if the land was zoned general rural zone. 	<p>Activity status where compliance is not achieved: N/A</p>

Note: There are provisions in the [signs](#) and [transport chapters](#) which specifically relate to indicative roads. Also see the information requirements in [Appendix 1](#) and [Appendix 5](#) and the [financial contributions chapter](#).

Appendix 5 – Structure Plan Requirements

In the future urban zone, the rules require that development occurs in a planned and integrated manner through a plan change and structure plan process. The structure plan must be comprehensively designed and coordinate with infrastructure where this is available.

This plan specifies the final zoning of each future urban area, and where this zoning is not proposed to be amended, there is a further expectation that a limited notified plan change process will be sufficient.

The future urban zones have been identified using information available (as of 20 October 2022) to determine any known constraints, such as current and future natural hazard risks. Any new constraints identified, either through assessments required for a plan change application, or through additional natural hazard assessments, may result in the spatial extent of the live zone being reduced or not applied. An example is where land is assessed as being very high natural hazard risk in accordance with the NPS-NH, it will not be live zoned.

APP-5.1. To enable all or part of a future urban zone to transition into re-zoned land, a comprehensive and integrated structure plan must be developed which addresses, as appropriate, the following matters:

1. The intended future use, type, location and density of development including proposed lot yields, to ensure it is suitable for the area and appropriately responds to growth demands; and
2. How consolidation/intensification will be achieved to support a quality compact urban form; and
3. The topography and natural and physical constraints of the site, including natural hazards and areas of contamination; and
4. The future servicing needs of the area and the provision of adequate, coordinated and integrated infrastructure to serve those needs; and
5. The nature and timing of any necessary infrastructure, how this infrastructure is to be developed and funded and whether the infrastructure will be implemented prior to development or as part of the development process; and
6. Whether staging is appropriate to ensure development occurs logically and achieves good urban form; and
7. The relationship of the structure plan area with surrounding areas and existing activities, and the way potential conflict will be managed as the area transitions to its new zoning and management of potential reverse sensitivity; and

8. The provision of an integrated transport network (including pedestrian and cycle links) and an Integrated Transport Assessment; and
9. The provision of open space networks, esplanade strips, parks and reserves; and
10. Consideration of the potential impact of development on any cultural, spiritual and/or historic heritage values of importance, and the outcomes of any consultation with and/or cultural advice provided by mana whenua; and
11. The protection, maintenance or enhancement of scheduled sites or features, landscapes, overlays, natural waterbodies, indigenous vegetation and significant habitats of indigenous fauna;
12. How development will retain the safe, efficient and effective operation and use of existing and planned infrastructure; and
13. How development avoids adverse effects on natural hydrological characteristics and processes, soil stability, water quality and aquatic ecosystems and supports Te Ture Whaimana – the Vision and Strategy for the Waikato River; and
14. How the development responds to climate change; and
15. The pattern of development and whether ribbon development is avoided, including limiting the need for additional access points and upgrades along significant transport corridors; and
16. How development shows delineation between urban and rural areas.
17. The outcome of consultation with affected parties, infrastructure providers, ~~and~~ mana whenua and the Waikato Regional Council.

AND

18. In Te Kūiti, the provision of coordinated development that provides for integrated and efficient expansion of the residential and rural lifestyle zones; and
19. In Te Kūiti the provision of detailed geotechnical investigations which fully identify the nature of natural hazards, particularly landslide susceptibility and liquefaction; and
20. In Waitomo Caves Village, whether there will be opportunities for the provision of residential, business and tourism activities which are complementary to the proposed new tourism zoning; and
21. In Waitomo Caves Village, the provision of detailed investigations which fully identify the nature of natural hazards, particularly site suitability and the potential for river generated flooding and surface ponding; and
22. In Mokau and Awakino an understanding of how development of the area might assist with the provision of land for dwellings requiring relocation as a result of coastal erosion hazards; ~~and~~

23. In Mokau and Awakino the provision of detailed geotechnical investigations, or other investigation deemed necessary by the council in consultation with Waikato Regional Council, which fully identify the risks and associated constraints;
24. An assessment of the nature, scale, probability and potential consequences of the identified natural hazards over the anticipated life of the development that is suitable to enable the risk levels to be determined in accordance with the NPS-NH;
25. Demonstrate that the layout and design of development avoids where practicable, or otherwise mitigates significant risks from natural hazards and gives effect to the NPS-NH; and
26. Evidence of engagement with the Waikato Regional Council in relation to natural hazard information, hazard mapping and regional hazard management strategies and how that engagement has informed the structure plan.

AND

- ~~24~~27. The structure plan may stage development, but it must apply to the entire individual future urban zone (each individual future urban zone is listed in (i) to (ix) below); and
- ~~25~~28. The entire individual future urban zone area identified on the planning maps must comply with the following assigned new zoning:
 - (i) Mangarino Road South, Te Kūiti – rural lifestyle zone
 - (ii) Mangarino Road North, Te Kūiti – rural lifestyle zone
 - (iii) Pukenui Road, Te Kūiti – residential zone
 - (iv) William Street, Te Kūiti – residential zone
 - (v) State Highway 3, Mokau – rural lifestyle zone
 - (vi) Te Mahoe Road, Mokau – rural lifestyle zone
 - (vii) North Street, Mokau - settlement zone
 - (viii) Awakino - settlement zone
 - (ix) Waitomo Caves Village – tourism zone