

**Plan Change 148:
Part A: Strategic Direction
Part B: Subdivision**

Section 32 Evaluation Report

Prior to Notification

March 2019

Contents

Contents.....	2
List of Abbreviations.....	3
Part A – PC148 Strategic Direction.....	4
1. Introduction	4
2. Background.....	5
3. Statutory Considerations.....	6
3.1 The Resource Management Act 1991.....	6
3.2 National Policy.....	7
3.3 Iwi and Hapu Management Plans.....	10
3.4 Regional policy.....	11
3.5 District policy	15
4. Consultation	17
5. Resource Management Issues.....	18
6. Proposed Strategic Direction Chapter.....	21
7. Section 32 Analysis.....	21
7.1 Appropriateness in Terms of Purpose of RMA.....	21
7.2 Appropriateness in Relation to Higher Order Documents.....	26
7.3 Appropriateness of Proposed Policies and Methods	27
8. Conclusion.....	33
Part B – PC148 Subdivision	34
9. Introduction	34
9.1 The Proposed Plan Change.....	35
10. Background.....	35
10.1 Existing Subdivision Provisions.....	35
11. Statutory Considerations	36
11.1 The Resource Management Act 1991.....	36
11.2 National Policy.....	36
11.3 Iwi and Hapu Management Plans.....	38
11.4 Regional policy	40
11.5 District policy	42
12. Consultation.....	44
13. Section 32 Analysis.....	45
13.1 Chapter Structure and Title	45
13.2 Objectives	45
13.3 Policies and Methods.....	48
13.4 Proposed SUB Provisions.....	50
14. Conclusion	53

List of Abbreviations

Environmental Engineering Standards 2010	EES 2010
Environmental Engineering Standards 2018	ES 2018
Long Term Plan	LTP
Gross Floor Area	GFA
Local Government Act 2002	LGA
New Zealand Coastal Policy Statement	NZCPS
Regional Water and Soil Plan	RWSP
Draft Regional Plan	DRP
Northland Regional Council	NRC
Northland Regional Policy Statement	NRPS
Resource Management Act 1991	RMA
Section 32 of the RMA	s32
Section 42A of the RMA	s42A
Structure Plan	SP
Urban Growth Strategy	UGS
Whangarei District Growth Model	WDGM
Whangarei District Council Operative District Plan	WDP
Whangarei District Growth Strategy, Sustainable Futures 30/50	30/50
Whangarei 20/20 Plus	20/20 Plus
Crime Prevention through Environmental Design	CPTED
Parking Management Strategy 2011	PMS
City Centre Development Plan	CCDP
National Environmental Standards	NES
National Policy Statements	NPS
NPS on Urban Development	NPS:UDC
Outstanding Natural Landscapes	ONL
Outstanding Natural Feature	ONF
Mean High Water Springs	MHWS
City Centre Zone	CC
Mixed Use Zone	MU
Commercial Zone	COM
Residential Zone	RES
Low Density Residential Zone	LDR
Medium Density Residential Zone	MDR
High Density Residential Zone	HDR
Light Industrial Zone	LI
Heavy Industrial Zone	HI
Waterfront Zone	WZ
Shopping Centre Zone	SCZ
Neighbourhood Commercial Zone	NC
Local Commercial Zone	LC
Urban Area	UA
Living 1 Environment	L1
Living 2 Environment	L2
Living 3 Environment	L3
Business 1 Environment	B1
Business 2 Environment	B2
Business 3 Environment	B3
Business 4 Environment	B4

Part A – PC148 Strategic Direction

1. Introduction

1. Plan Change 148 (**PC148**) is part of a comprehensive package of plan changes encompassing area specific zoning matters and district wide matters for Whangarei District. As a collective package the plan changes will introduce new zone chapters, with objectives, policies and rules; new district wide chapters, with objectives, policies and rules; changes to the Planning Maps; new definitions and consequential changes to the WDP. PC148 has been drafted to be consistent with the overall approach and format of the plan change package. The proposed plan changes are listed below and a s32 report has been prepared for each plan change to evaluate the matters relevant to that topic.

Proposed zoning plan changes

- Plan Change 88 – Urban Plan Changes Technical Introduction
- Plan Change 88A – City Centre Zone (PC88A)
- Plan Change 88B – Mixed-use Zone (PC88B)
- Plan Change 88C – Waterfront Zone (PC88C)
- Plan Change 88D – Commercial Zone (PC88D)
- Plan Change 88E – Local Commercial Zone and Neighbourhood Commercial Zone (PC88E)
- Plan Change 88F – Shopping Centre Zone (PC88F)
- Plan Change 88G – Light Industrial Zone (PC88G)
- Plan Change 88H – Heavy Industrial Zone (PC88H)
- Plan Change 88I – Living Zones (PC88I)
- Plan Change 88J – Precincts (PC88J)
- Plan Change 115 – Green Space Zones (PC115)
- Plan Change 143 – Airport Zone (PC143)
- Plan Change 144 – Port Zone (PC144)
- Plan Change 145 – Hospital Zone (PC145)

Proposed district wide plan changes

- Plan Change 148 – Strategic Direction and Subdivision (PC148)
- Plan Change 109 – Transport (PC109)
- Plan Change 136 – Three Waters Management (PC136)

- Plan Change 147 – Earthworks (PC147)
 - Plan Change 82A – Signs (PC82A)
 - Plan Change 82B – Lighting (PC82B)
2. Plan Change 148 (**PC148**) seeks to introduce a new chapter into the Operative Whangarei District Plan (**WDP**), to provide strategic policy guidance for development in the District: the Strategic Direction Chapter (**SD**) (refer to **Proposed Plan Changes Text and Maps** volume). The SD proposes to replace the existing WDP Chapter 6 - Urban Form and Development (**Chapter 6**), replace some of the existing Chapter 5 – Amenity (**Chapter 5**) and the Rural Area (**RA chapter**), as well as containing new overarching objectives and policies relating to urban development, zoning of land, open space and regionally significant infrastructure. PC148 is part of a wider package of plan changes being prepared and notified consecutively as the Urban and Services Plan Changes.
 3. PC148 includes an overview which outlines: the resource management issues important to the District, how the chapter is to be read in the context of the District Plan, a set of overarching objectives and policies that guide decision making on all resource consent applications, specific objectives and policies that apply to urban, rural, and open space development, and the protection maintenance and development of regionally significant infrastructure. It also contains policies that describe the various Zones throughout the district, including the recently operative Rural Zones and the proposed Urban and Open Space Zones that are proposed to be introduced by the other components of the Urban and Services Plan Changes.

2. Background

4. A strategic direction chapter is a requirement under the draft National Planning Standards (**draft Standards**). The draft Standards set out that this chapter will identify significant resource management issues for the District (if they are to be included in the plan) and contain strategic objectives and policies that guide decision making at a strategic level. The draft Standards strategic direction chapter includes a number of issues that are currently addressed by the WDP, and therefore a number of operative provisions are proposed to be replaced including Chapter 6, Chapter 5 and the objectives and policies from the RA chapter.
5. Chapter 6 contains the policy direction for the urban and industrial areas of Whangarei District. The objectives and policies of Chapter 6 seek to manage urban growth while recognising constraints to development in the District. This includes minimising the impact of urban development on areas of significant landscape value, sites of ecological significance, the margins of waterways or the coastline, productive farmland, mineral extraction activities, and existing industry. Chapter 6 seeks to consolidate growth around existing development, transition development from urban to rural, and to provide a range of lifestyle options to residents.
6. Chapter 5 contains the policy direction of the management of amenity throughout the Whangarei District. This includes description of zones and their relevant level of amenity. The SD conjunction with the

Urban and Services Plan Changes provide improved description of recently operative Rural Zones and the proposed Urban and Open Space zones.

7. The RA chapter was introduced by PC85 and was treated as operative from 12th December 2018 and became formally operative on 6 March 2019. The RA chapter contains objectives, policies and rules that apply to all Rural zones (RPE, RLE, SRIE, RVE, RUEE). The objective and policies have been incorporated into the proposed SD. The RA land use rules and performance standards are proposed to be moved into the various zone chapters where they are relevant.
8. The Regional Policy Statement for Northland (2016) (**RPS**) sets out objectives policies and methods to achieve integrated management of Northland's natural and physical resources. The District Plan is required to give effect to the RPS¹. Chapters of the RPS that are given effect to in the SD chapter include Regional Form and Infrastructure, Efficient and Effective Planning and Natural Hazards.
9. The National Policy Statement on Urban Development Capacity (**NPS-UDC**) was gazetted on 3 November 2016. The NPS-UDC directs local authorities to provide in their resource management plans sufficient development capacity, supported by infrastructure, to meet the demand for land zoned for residential and business development.
10. The draft Standards also require that the SD contains direction for how the Māori resource management provisions in Part 2 of the RMA 1991, and Treaty of Waitangi (**Te Tiriti o Waitangi**) principles will be implemented through the plan. It is expected that when the Tangata Whenua Chapter in the WDP is reviewed any new objectives and policies will be added to the SD.

3. Statutory Considerations

11. The WDP sits within a layered policy framework, which incorporates the RMA, National Policy Statements, National Environmental Standards, Iwi Management Plans, the Regional Policy Statement, Regional Plans, Structure Plans and Long Term Plans. Each of these policy documents and plans has been considered in accordance with the RMA. The relevant policy documents were taken into consideration when preparing the SD are discussed below.

3.1 The Resource Management Act 1991

12. The RMA provides the statutory framework for the sustainable management of natural and physical resources. The RMA defines sustainable management as:

'managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well being and for their health and safety'

13. Under the RMA it is mandatory for a territorial authority to prepare a district plan, which manages land use and development within its territorial boundaries. The RMA requires district plans, and thereby changes to district plans whether private or Council initiated, to meet the purpose and principles of the

¹ RMA S75(3)(c)

RMA. Consideration has been given to the extent to which the SD achieves the purpose and principles of Part 2 of the RMA.

14. The statutory context for the preparation and evaluation of plan changes under the RMA is summarised as follows:

Section 31 - One of the functions of the Council is to review the WDP to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.

Section 74 - Matters that the plan change must “accord with” and “have regard to” are set out in this section.

Section 75 - Higher order plans that the plan changes must “give effect to” are set out in this section.

Section 32 - The manner in which an evaluation of a plan change must be carried out is set out in this section.

15. S79 of the RMA sets Councils the requirement to review district plans. Councils must complete a review of all district plan provisions within any 10 year time period. The WDP became operative on 3 May 2007, after eight years of formulation. The data that the WDP was based upon is therefore over ten years old. Monitoring of the WDP has identified areas of inconsistency and ineffectiveness.
16. S79 of the RMA provides the opportunity for Councils to undertake rolling reviews of district plan provisions. Using this opportunity to improve the integrity of the WDP, a rolling review process has been implemented. To remedy some of the missing links between WDP sections, a new structure has been adopted. The WDP structure will evolve and the chapter format will be adjusted through the rolling review to be more consistent with the manner in which the provisions are applied in practice (assessment of activities and resource consent applications and enforcement of rules).
17. The rolling review provides an opportunity to include further objectives and policies on a zone by zone basis. A policy heavy approach to the WDP has been introduced. The new structure provides opportunity for policy at a district wide, geographical, locality or neighbourhood context. The scope and degree of specification in the objectives and policies will be proportional to the level of context and relevance to ensure objectives and policies at each level do not overlap or contradict each other.

3.2 National Policy

National Policy Statements

18. Section 55 of the RMA requires local authorities to recognise National Policy Statements (**NPS**) and Section 75 requires local authorities to give effect to them in their plans. There are currently five National Policy Statements:
- National Policy Statement on Urban Development Capacity
 - New Zealand Coastal Policy Statement
 - National Policy Statement for Freshwater Management
 - National Policy Statement for Renewable Electricity Generation

- National Policy Statement on Electricity Transmission
19. The NPS on Urban Development Capacity (**NPS:UDC**) directs local authorities to provide sufficient development capacity for housing and business growth to meet demand. Therefore, the implications of the NPS:UDC are fundamental to the proposed Urban Plan Changes and the SD chapter, that will guide future rezoning proposals. The requirements of the NPS:UDC vary depending on whether a Council is defined as High Growth, Medium Growth or Low Growth. The Whangarei District is defined as High Growth by the NPS:UDC.
 20. Under the NPS:UDC, development capacity refers to the amount of development allowed by zoning and regulations in plans that is supported by infrastructure. Sufficient development capacity is necessary for urban land and development markets to function efficiently in order to meet community needs. In well-functioning markets, the supply of land, housing and business space matches demand at efficient (more affordable) prices. The Whangarei District is identified as High Growth by the NPS:UDC. While PC148 and the SD will not directly provide for development capacity, the proposed SD contains objectives and policies that will guide future zoning decisions to provide appropriate levels of development capacity, and promote the co-ordination of zoning decisions with the provision of infrastructure. It is considered that the SD will give effect to the NPS:UDC.
 21. The purpose of the New Zealand Coastal Policy Statement (**NZCPS**) is to state policies regarding the management of natural and physical resources in the coastal environment, to achieve the purpose of the RMA in relation to the coastal environment of New Zealand. Local authorities are required by the RMA to give effect to the NZCPS through their plans and policy statements.
 22. The NZCPS emphasises 'appropriate' use of the coastal environment. Objectives focus on, for example, the protection of natural character, management of the coastal environment from inappropriate subdivision, use and development. NZCPS Objective 6 recognises the need to enable people and communities to provide for their social, economic and cultural wellbeing and their health and safety, through subdivision, use and development of the coastal environment. The following policies also have relevance to development in the coastal environment:
 - Policy 6 recognises the importance of infrastructure in the coastal environment to the wellbeing of people and communities, and that some activities have a functional need to locate in the Coastal Marine Area (**CMA**). The policy directs that urban development should be consolidated within the Coastal Environment to avoid sprawling or sporadic patterns of settlement and urban growth.
 - Policy 7 directs that when preparing District Plans authorities should consider where, how and when to provide for future residential settlement, urban development and other activities in the coastal environment at a district level. It also directs that areas of the coastal environment that are appropriate, or inappropriate for development should be identified.
 23. The recently operative Coastal Area chapter (**CA**) specifically implements the NZCPS. The proposed SD objectives and policies that apply across the District, including within the coastal environment and will complement the CA. It is considered that the proposed SD gives effect to the NZCPS.

24. The NPSs for Freshwater Management, Renewable Electricity Generation do not specifically relate to PC148.
25. The NPS on Electricity Transmission (NPSET) is relevant to PC148. The NPSET seeks to recognise the significance of the electricity network, and facilitate its ongoing maintenance and development, including the provisions of new infrastructure. The NPS seeks to manage adverse effects both of the network, and on the network.
26. The objectives and policies in the SD relating to regionally significant infrastructure are considered to give effect to the NPSET. It is noted that policies that provide for the maintenance and development of the national grid are also contained in the existing CA and Landscapes (**LAN**) chapters of the WDP.

National Environmental Standards

27. National Environmental Standards are regulations issued under the RMA. They prescribe technical standards, methods and other requirements for environmental matters. Local and regional councils must enforce these standards (or if the standards allow, councils can enforce stricter standards). In this way, National Environmental Standards ensure that consistent minimum standards are maintained throughout all of New Zealand's regions and districts. The following standards are in force as regulations:
 - National Environmental Standards for Air Quality
 - National Environmental Standards for Sources of Drinking Water
 - National Environmental Standards for Telecommunication Facilities
 - National Environmental Standards for Electricity Transmission Activities
 - National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health
 - National Environmental Standards for Plantation Forestry
28. The SD chapter has taken into account these standards to ensure consistency.

National Planning Standards

29. The draft National Planning Standards (**the Standards**) were released in June 2018 for public consultation and are scheduled to be gazetted in April 2019. The purpose of the National Planning Standards is to improve consistency in plan and policy statement structure, format and content. The Standards were introduced as part of the 2017 amendments to the RMA. Their development is enabled by sections 58B–58J of the RMA. They support implementation of other national direction such as national policy statements and help people to comply with the procedural principles of the RMA.
30. The draft Standards set requirements for different elements of plans including structure and form, e-plan functionality, definitions, zones, mapping symbology and noise and vibration metric standards. One of the requirements of the draft Standards is for a strategic direction chapter. The draft Standards direct that this chapter will identify significant resource management issues for the District (if they are to be

included in the plan) and contain strategic objectives and policies that guide decision making at a strategic level.

31. The SD chapter takes the Standards into account and are considered to be consistent with the draft version of the Standards. The new zones referenced in the SD policies have been selected from the standardised suite of zoning options provided for in the Standards and correspond with the chapters in the Urban and Services Plan Changes. The proposed chapters, provisions and mapping have been formatted to be consistent with the draft Standards.
32. For consistency with the draft Standards, the objectives and policies of the RA are proposed to be transferred into the SD. These provisions were recently adopted by Council and are unchanged (apart from consequential changes to update the terminology to meet the draft Standards), and are not open for submissions. Three of the RA objectives relating to reverse sensitivity, hazards, and the protection of amenity values (RA.1.2.5, RA.1.2.7, and RA.1.2.8) are proposed to be widened so that they also apply to the UA. These objectives are proposed to be open for submissions.

3.3 Iwi and Hapu Management Plans

33. According to s74(2A) of the RMA, Council must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the District. At present, there are five such documents: Te Iwi O Ngatiwai Environmental Policy Document (2007), Patuharakeke Te Iwi Trust Board Environmental Plan (2014), Ngati Hine Iwi Environmental Management Plan (2008), Ngati Hau Hapu Environmental Management Plan (2016) and Te Uriroi Hapu Environmental Management Plan and Whatatiri Environmental Plan.
34. Each management plan is comprehensive and covers a range of issues of importance to the respective iwi. The management plans contain statements of identity and whakapapa and identify the rohe over which mana whenua (and mana moana) are held. The cultural and spiritual values associated with the role of kaitiaki over resources within their rohe are articulated. PC148 has taken into account those matters of relevance to the strategic direction for urban growth and development in the District.
35. Many of the identified issues, objectives, policies and methods relating to urban growth and development concern air and water quality. These are mainly the responsibility of Northland Regional Council. However, the management of stormwater is a district council function and is addressed in the SD chapter in relation to the sustainable provision of infrastructure.
36. The management plans also identify the protection of sites of significance as a matter of importance. This is addressed in the SD chapter by objectives and policies that direct zoning for new areas of residential, commercial or industrial development, and seek to avoid zoning areas where these sites would be damaged.
37. Of particular significance to SD are the following provisions:

Ngati Hine Iwi Environmental Management Plan (2008)

28. Urban Design

4. *Te Runanga o Ngati Hine supports low impact urban design and innovative solutions which improve the quality of our urban centres.*
5. *Te Runanga o Ngati Hine believes that urban centres should be designed around people and not cars.*

Patuharakeke Te Iwi Trust Board Environmental Plan (2014)

4.2.3 Policies

- c) *PBT support the reduction of emissions as a response to climate change, including but not limited to:*
 - i. *Urban planning to reduce transport emissions.*

38. The management plans also identify the need to ensure adequate infrastructure is in place before development occurs and that the true costs of this infrastructure are borne by those profiting from the development. These issues are dealt with in WDC's Long Term Plan and the infrastructure planning that feeds into it. Ultimately WDC's Development Contributions Policy 2015 is the tool to ensure the developer pays for the relevant infrastructure costs of the development.
39. PC148 has taken into account these management plans to the extent that their content has a bearing on the SD.

3.4 Regional policy

3.4.1 Regional Policy Statement for Northland 2016 (RPS)

40. The policies and methods contained in the RPS contain guidance for territorial authorities for plan making. Section 1.6 provides a statement of responsibilities between regional and district councils. The RPS has a more economic focus than the previous RPS and also provides more guidance as to what should be included in district plans to manage land use and development. Objective 3.5 of the RPS states:

Northland's natural and physical resources are sustainably managed in a way that is attractive for business and investment that will improve the economic wellbeing of Northland and its communities.

41. It is considered that this objective is key to the Urban and Services Plan Change package as it seeks to enable and provide for appropriate economic growth and activity within the Whangarei District.
42. The sections below assess the SD against relevant policies of the RPS. Several recently operative plan changes such as Plan Change 124 (Built Heritage), Plan Change 85 (Rural Area), Plan Change 87 (Coastal Area) and Plan Change 114 (Landscapes) have already addressed several provisions of the RPS. The Rural Area provisions have been incorporated or relocated into the SD. Other provisions within the SD give effect to the following matters covered by the RPS.

Regional Form and Infrastructure (Part 5)

43. Part 5 of the RPS focuses on regional form, effective and efficient infrastructure, regionally significant infrastructure and renewable energy. Table 1 provides a summary of the relevance of Part 5 of the RPS to the SD.

TABLE 1: EVALUATION OF PART 5 OF THE NRPS		
NRPS Policy	NRPS Method	Relevance
<p>5.1.1 Planned and coordinated development which, (a) is guided by the Regional Form and Development Guidelines (RFDG)...; (b) is guided by the Regional Urban Design Guidelines (RUDG)...; (c) recognises and addresses potential adverse cumulative effects...; (d) is integrated with the development, funding, implementation and operation of transport, energy, water, wastewater...; (e) should not result in incompatible land uses...; (f) do not materially reduce the potential for soils-based primary production on land with highly versatile soils...; (g) maintains or enhances the sense of place and character...; (h) is or will be serviced by necessary infrastructure.</p>	<p>5.1.5 Give effect to Policy 5.1 when developing objectives, policies and methods for plan changes.</p> <p>Require consultation with relevant infrastructure providers and owners of regionally significant infrastructure/minerals.</p>	<ul style="list-style-type: none"> • The SD takes into consideration those matters listed in the RFDG when identifying suitable locations for rezoning. • The SD seeks to rezone land to give effect to the direction set by the Whangarei District Growth Strategy, Sustainable Futures 30/50 (30/50) • The SD chapter promotes rezoning of land where reverse sensitivity effects can be avoided, and where sense of place and the character of the surrounding environment is maintained. • The SD chapter seeks to integrate land use planning with the development of infrastructure. • Therefore, the SD chapter gives effect to 5.1.1 (a) (b) (d) (e) (g) and (h).
<p>5.1.2 Enable development that: (a) consolidates urban development within or adjacent to existing coastal settlements..., (b) ensures sufficient development setbacks..., (c) takes into account values of adjoining land and established activities..., (d) ensures adequate infrastructure...</p>		<ul style="list-style-type: none"> • The SD contains objectives and policies that seek to consolidate development to give effect to 5.1.2(a) • The SD seeks to maintain and enhance open space to give effect to 5.1.2(b)(i). • The SD seeks to promote rezoning of land that is coordinated with the provision of infrastructure. Therefore the SD gives effect to 5.1.2(d).
<p>5.1.3 Avoid the adverse effects, including reverse sensitivity effects, of new subdivision, use and development, on (b) commercial and industrial activities..., (c) ...regionally significant infrastructure.</p>		<ul style="list-style-type: none"> • The SD provides for the ongoing operation and maintenance of regionally significant infrastructure, and avoid land use conflicts. These provisions give effect to 5.1.3 (b) and (c).

5.2.1 Encourage development and activities to efficiently use resources.	5.2.4 Ensure in plan change that weight is given to (a) the extent to which infrastructure can be operated, maintained and upgraded efficiently with minimal adverse effects.	<ul style="list-style-type: none"> The SD does not directly propose any new infrastructure but does propose to consolidate development and limit sprawling development to efficiently and effectively utilise existing infrastructure. This gives effect to 5.2.1. The SD chapter seeks to provide efficient and effective infrastructure giving effect to 5.2.2.
5.2.2 Encourage the development of infrastructure that is flexible, resilient and adaptable.		
5.3.1 Recognise regionally significant infrastructure identified in Appendix 3.	5.3.4 Include provisions to implement; reduce constraints on the operation, maintenance and upgrading of regionally significant infrastructure.	<ul style="list-style-type: none"> Regionally significant infrastructure is recognised and provided for through the SD chapter giving effect to 5.3.1 and 5.3.2. The effects of regionally significant infrastructure are proposed to be avoided, remedied or mitigated under the SD chapter giving effect to 5.3.3.
5.3.2 Particular regard to benefits of regionally significant infrastructure.		
5.3.3 Managing adverse effects arising from regionally significant infrastructure.		
5.4.1 Recognising and providing for the benefits of renewable electricity generation activities and supporting the sustainable use and development of...	5.4.3 Include objectives, policies and methods to achieve (1)(a) – (h) and (2) - (4).	<ul style="list-style-type: none"> Renewable Energy is a district wide topic scheduled in the WDP rolling review for future plan changes.
5.4.2 Encourage and provide for community and small scale renewable electricity generation.		

Efficient and Effective Planning (Part 6)

44. Part 6 of the RPS focuses on providing efficient and effective statutory and non-statutory plans and strategies. Table 2 provides a summary of the relevance of Part 6 of the RPS to the SD.

TABLE 2: EVALUATION OF PART 6 OF THE NRPS		
NRPS Policy	NRPS Method	Relevance
6.1.1 District plans shall (a) only contain efficient and effective regulation (b) be consistent (c) be simple (d) support good management practices (e) minimise compliance costs (f) enable activities that comply with the NRPS (g) focus on effects and suitable performance standards.	6.1.4 When reviewing plans district councils shall (a) give effect to Policy 6.1.1 (b) streamline regulation.	<ul style="list-style-type: none"> The proposed SD will provide a much clearer policy direction for each zone. This will provide more clarity to plan users as to what the anticipated outcomes are in particular areas. The WDP rolling review has updated the format of the district plan to consolidate provisions in district wide and resource area chapters. This removes duplicated provisions and streamlines the provisions. As stated in the s32 evaluations of Parts 2 – 11 of the Urban Plan Change consideration has been given to the costs and benefits of the proposed provisions to ensure that they are appropriate and necessary.

		<ul style="list-style-type: none"> PC148 has been drafted to be consistent with the draft Standards which aim to simplify and streamline RMA plans and policies.
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Natural Hazards (Part 7)

45. Part 7 of the RPS focuses on development in hazard-prone areas and general risk reduction. Table 3 provides a summary of the relevance of Part 7 of the RPS to the SD.

TABLE 3: EVALUATION OF PART 7 OF THE NRPS		
NRPS Policy	NRPS Method	Relevance
7.1.1 Subdivision, use and development of land will be managed to minimise risks from natural hazards by...(b) minimising any increase in vulnerability.	7.1.7 (2) District Plans shall provide provisions to give effect to Policy 7.1.1... (6) Asses natural hazard risks when zoning new areas.	<ul style="list-style-type: none"> The SD seeks to minimise the risks and impacts of natural hazard events on people property and infrastructure. These provisions reflect the recently operative RA chapter.
7.1.6 Climate Change and development.		

Tangata Whenua (Part 8)

46. Part 8 of the RPS focuses on participation in decision-making, plans, consents and monitoring, iwi and hapu management plans, and Maori land and returned Treaty settlement assets. Table 4 provides a summary of the relevance of Part 8 of the RPS to the SD.

TABLE 4: EVALUATION OF PART 8 OF THE NRPS		
NRPS Policy	NRPS Method	Relevance
8.1.1 Tangata whenua participation.	8.1.5 Engage with iwi authorities at the earliest possible stage.	<ul style="list-style-type: none"> Draft plan changes have been circulated to iwi and hapu for initial feedback and comment as part of pre-notification. The draft plan changes have been presented to Council/iwi and hapu working groups Te Karearea and Te Huinga. The SD chapter contains provisions to ensure that growth and development takes into account Maori cultural values.
8.1.2 The regional and district council statutory responsibilities.		
8.1.3 Use of Mātauranga Māori.		
8.1.4 Māori concepts, values and practices		

3.4.2 Regional Plans

47. There are three Regional Plans for Northland that have been developed under the RMA. These include the Regional Water and Soil Plan, Air Quality Plan and the Coastal Plan. The Regional Coastal Plan implements policies from the NZCPS, including the provision regionally significant infrastructure (such as port facilities). Having reviewed each document and taken into account all of the provisions it is considered that the proposed objectives in the SD are consistent with the Regional Plans.
48. The Proposed Regional Plan (**PRP**) combines the operative Regional Plans into one plan. It is considered that the proposed objectives for the SD chapter are consistent with the PRP.

3.5 District policy

Operative Whangarei District Plan 2007 (WDP)

49. The preparation of the first Whangarei District Plan under the RMA commenced in 1993. Council initially commenced preparation of the new Plan in territorial sections – with an Urban section for the Whangarei City area, Rural and Coastal sections for the County area, and a Hikurangi section – reflecting the Transitional County and City plan structures. A District Plan Review Committee was established to be responsible for the preparation of the Plan. In 1995, the initial approach was revised and one Plan covering the whole District was commenced. The Review Committee held a series of workshops and formal meetings over the next six years to formulate the Proposed District Plan (PDP). Various sections and revisions of the PDP were adopted as it advanced through the subsequent stages of Plan development. Various reports were commissioned to address significant issues identified for the PDP.
50. The draft PDP was released for public comment on 12 December 1997. The draft PDP was then revised by the District Plan Review Committee, based upon decisions made on public comments received and additional policy development work by staff, adding and deleting sections where necessary. The PDP was approved by Council for notification on 13 September 1998. The PDP became Operative as the WDP on 3 May 2007 following the submission, hearing, and appeal processes.
51. On 1 October 2009 the Resource Management Amendment Act introduced changes to s79 of the RMA, which prescribes the review requirements for district plans. Council must now ensure that each provision of a district plan has been reviewed within any 10 year time period. In response to this requirement the Council adopted a ‘rolling review’ approach. To implement this decision Council undertook Plan Change 106, which amended the introduction to the WDP to set out an explanation of the rolling review process, future district plan structure, and set expectations of future Council and private plan change applications.
52. Monitoring of the WDP has identified a need to clarify some processes, and update objectives, policies and methods. As part of the rolling review procedure, provisions will be moved towards a stronger effects-based plan with a policy driven approach. A new district plan structure and layout has been introduced to simplify the use of the WDP by mimicking the logic and flow of a typical planning application, moving from high-level policy to low-level detail, methods and requirements.
53. In August 2012, Council completed the 5 year efficiency and effectiveness review of the WDP which has informed the consideration of alternatives in the SD s32.
54. A number of plan changes have been proposed as a part of the rolling review of the WDP. Those plan changes progressing at present include:
 - Change 129: Notable and Public Trees – Hearing closed on 18 January 2019.
 - Change 134 – Designations – Hearing completed on 25 and 26 of February 2019.
55. The SD has been drafted to be consistent and compatible with these plan changes. Consequential changes may be required to ensure the interface between SD and the plan changes above remain appropriate.

Whangarei District Growth Strategy – Sustainable Futures 30/50 (2010) (30/50)

56. The Whangarei District experienced significant growth over the period 2001 to 2008. Future growth for the District is projected to continue and in some parts of the District, particularly in the Marsden Point/Ruakaka area, has the potential to be substantial. This growth presents both challenges and opportunities to the District and its communities, individuals and families, businesses and governing bodies.
57. To manage the projected growth sustainably, Council formulated 30/50 as a long term Sub-regional Growth Strategy. 30/50 identified economic drivers of development, assessed future growth potential, determined existing and potential land use patterns, and assessed and planned for infrastructural requirements for the District over a 30-50 year time frame.
58. The environmental, social and cultural constraints on, and the consequences of, the anticipated development have been identified and assessed. This research and analysis enables a long term, integrated, strategic planning programme to be developed, based upon sustainability principles, which will assist the sustainable development of the District over the next 50 years.
59. 30/50 was adopted by Council on 22 September 2010. Following the completion of 30/50, there has been an extensive implementation phase together with an on-going review of the Strategy itself. 30/50 identified a preferred future development path (Future Three) chosen around which further analysis can be undertaken. Future Three represents a managed, consolidated development path based upon a structured five tier settlement pattern. This hierarchical arrangement is as follows:
- Whangarei City as the primary district and regional urban centre with a strong, protected and enduring CBD;
 - A satellite town at Marsden Point/Ruakaka which complements (but does not compete with) Whangarei City;
 - Five urban villages within greater Whangarei;
 - One rural (Hikurangi) and two coastal growth nodes at Parua Bay and Waipu; and
 - Two rural villages along with eight coastal villages located along the coastline from Waipu Cove in the south to Oakura in the north.
60. The 30/50 Implementation Plan 2013, specifies actions to be implemented within the WDP to achieve the strategic direction of 30/50. These actions are given priority timing. The SD seeks to implement only the relevant actions within the 10 year life of the WDP.
61. The SD seeks to provide for growth and development in and around Whangarei City, Ruakaka, and identified growth nodes where capacity is needed and infrastructure is available. This is consistent with the consolidation pattern of 30/50. Recognising the outcomes of 30/50, the SD promotes a strong and consolidated City Centre, and discourages scattered and sporadic development, the fragmentation of land, and the 'creep' land use activities out of their appropriate zones. As part of revitalising the City

Centre and Town Basin, emphasis is placed on improving urban design outcomes within the UA, reflected in the SD.

Whangarei District Council Long Term Plan 2018 – 2028 (LTP)

62. The Local Government Act 2002 (LGA) requires every Council to produce a Long Term Plan every three years. The LTP outlines Council's activities and priorities for the next ten years, providing a long-term focus for decision-making. It also explains how work will be scheduled and funded. The LTP was adopted by Council in June 2018 and covers the period 1 July 2018 to 30 June 2028.
63. Key to Council activities is the provision of infrastructure. Because development and settlement patterns have effects on both the timing and costing of core infrastructure, the LTP, the Infrastructure Strategy and the supporting Asset Management Plans (AMPs) have been developed with regard to 30/50.
64. The SD chapter seeks to achieve consolidation of growth and development in and around the UA, and integrate the provision of infrastructure with zoning decisions, consistent with the direction of 30/50. The development capacity created by the Urban and Services Plan Changes has been structured to remain within the ability of infrastructure to provide appropriate services in accordance with the LTP and AMPs.
65. It is considered that the SD chapter is consistent with, and supports the outcomes identified in the LTP.

Statutory Considerations for Urban and Services Plan Changes

66. The SD separates objectives and policies into five topic headings: General, Urban Area (UA), Rural Area (RA), Open Space Area (**OSA**), Regionally Significant Infrastructure (**RSI**). Statutory considerations relevant to each section are discussed in the following paragraphs.
67. The RA objectives and policies have recently become operative, been through comprehensive s32 evaluation. No further s32 evaluation is completed and those objectives and policies are being relocated into the SD, therefore not open for submission.
68. The UA objectives and policies link to the proposed Urban Plan Changes (PC88) Part 1 of the PC88 s32 evaluation includes a comprehensive review of the relevant urban area statutory considerations.
69. The OSA objectives and policies link to the proposed Open Space Plan Change (PC115) s32 evaluation includes a comprehensive review of the relevant open space statutory considerations.
70. The RSI objectives and policies link to the proposed Hospital Zone (PC145), Airport Zone (PC143) and Port Zone (PC144) plan changes, s32 evaluations each include a comprehensive review of the relevant regionally significant infrastructure statutory considerations.

4. Consultation

71. Prior to the notification of PC148, consultation regarding the growth and development of the Whangarei District was undertaken for the Coastal Management Strategy (**CMS**), the Urban Growth Strategy (**UGS**), 30/50 and the Rural Development Strategy (**RDS**). This consultation has informed the identification of resource management issues and the plan change options to address these issues.

72. The draft Urban and Services Plan Changes were advertised to all plan holders, practitioners and iwi contacts, as well as being publicly available for pre-notification feedback, from June 2018 through August 2018. Feedback was received in the form of written comments, individual meetings, public meetings and hui with hapu representatives.
73. A consultation website was also developed for the draft Urban and Services Plan Changes which included an interactive map with draft mapping and an online survey with targeted questions. Throughout the consultation phase, additional questions were posted on Council's Facebook page to promote further discussion and engagement.
74. There were 673 comments/forms received in total between survey responses, formal feedback and Facebook comments.
75. The draft Urban and Services Plan Changes were presented and work-shopped with Te Karearea and Te Huinga, Council's iwi and hapu leaders' committees.
76. Feedback was summarised and presented back to the Council's Planning Committee to inform the plan change drafting. Following this, two additional Council briefing meeting were held to discuss the draft plan changes.

5. Resource Management Issues

77. The following section discuss the key resource management issues in relation to the SD for subdivision and development in the District. There is some overlap between the high level objectives and policies in the SD and other chapters in the plan, in particular the District Wide Resource Area/Overlay chapters. These issues are listed in the overview to the SD, but are also discussed in more detail in the overviews of the zone/District Wide chapters where they are relevant. The relevant issues to be addressed are:
 - Managing urban growth and form.
 - Managing existing and future development in areas subject to environmental risks.
 - Protection of natural heritage (landscapes, biodiversity and natural features).
 - Issues of significance to Mana Whenua.
 - Protection of built and cultural heritage.
 - Effects of development on the coastal environment.
 - Fragmentation of the rural environment.
 - The efficient development and maintenance of infrastructure.

5.1.1 Managing urban growth and form

78. Whangarei District is identified in the NPS-UDC as experiencing medium-high growth. It is important to manage this growth in a way that uses land efficiently, avoids impacts on values and features that

contribute to sense of place, and allows for the efficient and effective provision of infrastructure. Council has taken the approach of consolidating new development adjacent to existing development to allow the efficient extension of infrastructure, and to meet the demand for growth while avoiding sprawling and sporadic subdivision in coastal and productive rural areas. The zoning of land seeks to provide a transition from urban to rural development, and to provide a choice of lifestyle options to suit different people.

5.1.2 Managing existing and future development in areas subject to environmental risks

79. Historic development in the District has occurred in areas subject to natural hazards. This includes areas subject to flooding, coastal erosion, inundation, and land instability. Continuing to develop in these areas increases the risk of damage to people and property. In order to avoid increasing the risk of exposure to natural hazards Council seeks to avoid developing in areas prone to natural hazards where possible. Council identifies hazard zones in its planning maps, and objectives, policies and rules apply when development is proposed within these areas. NRC produce hazard maps for flooding, coastal erosion and inundation. The information Council holds in relation to natural hazards is constantly being reviewed and improved as new data (including Lidar) is collected.

5.1.3 Protection of natural heritage (landscapes, biodiversity and natural features)

80. New subdivision and development (including earthworks and vegetation clearance) has the potential to adversely affect outstanding natural landscapes and features, significant natural areas and indigenous biodiversity. These features are valued for their amenity values, cultural values, recreation values, contribution to sense of place, and with respect to biodiversity and intrinsic values. Identifying these areas on maps and applying appropriate controls is an important part of protecting these areas, as well as assisting landowner and community groups to maintain and protect these areas. Council has recently made plan changes operative to protect Outstanding Landscapes and Features (PC114) and the natural character of the coastal environment (PC87). There is also a plan change in progress to identify areas with high ecological values that meet the RPS criteria for Significant Natural Areas (SNA), however there are still important biodiversity values that fall outside these areas and require protection under higher order documents.

5.1.4 Issues of significance to Mana Whenua

81. The RPS identifies issues of significance to Mana Whenua. These include adverse effects on the mauri of natural resources, degradation of mahinga kai and kai moana harvesting sites, lack of access to healthy drinking water, adverse effects on, and a lack of access to of waahi tapu, sites of cultural value, and taonga, the protection of biodiversity, the impacts of climate change on cultural, economic, social and environmental wellbeing, and the potential release of genetically modified organisms into the environment. With respect to the strategic direction in the District, Maori have a strong interest in being involved in the development of plans and strategies. Maori are also significant landholders in the District, however much of this land is underutilised. Unlocking the potential of this land, and enabling and encouraging productive uses will have positive social, economic and cultural benefits through commercial activities and papakāinga development.

5.1.5 Protection of built and cultural heritage

82. Historic heritage includes historic sites, structures, places and areas, archaeological sites, sites of significance to Maori (including waahi tapu), and associated surroundings. These features provide a sense of place, identity and continuity, and contribute to the overall amenity or character of an area. They provide a connection between past, present and future as an area develops, providing reminders of important events and people in the past. Increasingly these features serve as a source of interest to visitors to the District. These features are at risk of physical damage or decay, unsympathetic additions or alterations, and impacts on original surroundings, identity and values which may diminish their heritage values. Subdivision and development in particular has potential to adversely affect archaeological sites, particularly in the coastal environment where pressure for development occurs in areas with high concentrations of recorded and unrecorded sites.

5.1.6 Effects of development on the coastal environment

83. The coastal environment has high recreational, amenity, landscape, intrinsic, cultural and ecological value and as such is a highly desirable place to live. It is also a valuable resource to the District's economy, attracting holiday makers from within and outside the region to experience the many safe swimming and surf beaches, and the world renowned recreational opportunities based around the coast and offshore islands. The protection of the natural character of the coast from inappropriate subdivision and development is a matter of national importance under s6a of the RMA.
84. Due to pressure for residential development it is important that the coastal environment is managed to ensure that its use and development does not exceed the capacity of the environment to absorb any adverse effects, and that the amenity, landscape, ecological, historic heritage and natural character values that make it special are not compromised. Parts of the coast displaying outstanding natural character have been identified in planning maps and adverse effects in these areas are required to be avoided. However, outside these areas where district plan provisions are more lenient, there is the potential for individually minor effects to compound and result in significant changes taking place over time. Complicating this issue is the fact that it is very difficult to identify the tipping point where adverse effects on natural character values become unacceptable.

5.1.7 Fragmentation of the rural environment

85. The fragmentation of rural land for residential purposes has several undesirable effects. Smaller parcels are not as flexible or adaptable to market changes, and do not benefit from economies of scale. When versatile soils are developed and taken out of production other areas need to be used to meet the demand for agricultural products. These areas may be further from markets, increasing transport costs, and require more inputs (such as fertiliser) to achieve the same amount of production. Introducing more residential/lifestyle development into a working rural environment also increases the potential for reverse sensitivity issues that may adversely affect the viability of existing rural production activities.

5.1.8 The efficient development and maintenance of infrastructure

86. Funds for infrastructure development are limited so not all areas can be serviced immediately. Funding for the extension of services must therefore be prioritised and scheduled in the LTP. The

provision of infrastructure, in the LTP should be integrated with land use planning in the WDP to ensure that the roll out or extension of services into new areas is co-ordinated with the rezoning of land.

87. It is important that sufficient capacity for development is provided to ensure a competitive housing market. This will ensure that house prices are not artificially inflated and unaffordable. Development capacity must be provided for in plans but also needs to be serviced by infrastructure to enable the most efficient use of land for residential development. Zoning land for development that is not serviced or planned to be serviced does not allow the land to be developed to its full capacity due to the requirement for space for on site services, in particular, wastewater disposal. New capacity therefore needs to be either serviced, or able to be serviced through funding set aside in the LTP.
88. It is much more efficient to service compact high density areas than scattered development due to economies of scale. It is therefore preferable that development is consolidated adjacent to existing serviced development rather than scattered at low density to allow an efficient and logical extension of services.

6. Proposed Strategic Direction Chapter

89. The proposed SD contains high level objectives and policies to guide strategic decisions that will manage growth in the District.
90. The SD is proposed to contain 23 objectives and 35 policies underpinned by existing WDP provisions and higher order planning documents. The relationship between the proposed objectives and Part 2 of the RMA, and the various strategic documents previously discussed.
91. The provisions in the SD should be read in addition to other objectives and policies of the plan. In some case there is overlap between SD and other chapters. It is expected that when plan changes are progressed (Tangata Whenua, Significant Ecological Areas, and Coastal Hazards) some provisions may be replaced or moved into other chapters.

7. Section 32 Analysis

7.1 Appropriateness in Terms of Purpose of RMA

92. Council must evaluate in accordance with s32 of the RMA, the extent to which each SD objective proposed in PC148 is the most appropriate way to achieve the purpose of the RMA. To confirm the appropriateness of the proposed objectives, the following sections of this report assess whether the proposed objectives are the most appropriate way to achieve the purpose of the RMA, and other relevant higher order documents. The level of analysis undertaken in this report is considered appropriate to the scale of the proposal.
93. PC148 seeks to introduce SD objectives and policies that will guide decision making on all applications for discretionary or non-complying resource consents, as well as private plan change applications. As discussed in previously above there are several resource management issues that are addressed by

the SD. It is considered appropriate to introduce this chapter to fulfil the requirements set out in the draft Standards and to address current resource management issues at a high level.

94. PC148 proposes the following SD objectives, the reasons for which are detailed in Table 5:

TABLE 5: S32 ASSESSMENT OF PROPOSED SD OBJECTIVES		
Proposed SD Objectives	Reason/Issue	Origin
General Strategic Direction Objectives		
SD-O1 Provide for differing character and amenity values by having a range of Zones with differing expectations.	This objective addresses the issue of urban growth and development.	RA.1.2.1
SD-O2 Protect the range of amenity values and characteristics in the Rural and the Urban Areas.	This objective reflects the RA chapter with a slight modification to also apply to Urban Areas. It addresses the issue of urban growth and development and the location of incompatible land uses.	RA.1.2.8
SD-O3 Accommodate future growth through urban consolidation of Whangarei City, existing suburban nodes and rural villages, to avoid urban development sprawling into productive rural areas.	This objective seeks to consolidate new development around existing urban areas rather than sprawling into productive land, and avoid further fragmentation of the RPE and other productive rural areas.	WDP Ch 6
SD-O4 Identify and protect buildings, sites, features and areas which are valued by the community and contribute to the Districts unique identity and sense of place.	This new objective sets out the rationale for protecting valued resources by using District Wide resource area overlays	New
SD-O5 Avoid conflict between incompatible land use activities from new subdivision and development.	This objective seeks to avoid reverse sensitivity effects and in part relates to the fragmentation of the Rural Production Environment.	RA.1.2.5 WDP Ch 6
SD-O6 Identify and protect the values and attributes of indigenous biological diversity (Significant Natural Areas) and maintain the extent and diversity of other indigenous biodiversity.	This objective addresses the protection of natural heritage. It is expected that this objective will be reviewed moved into the Significant Natural Areas chapter as part of that plan change.	RA.1.2.3 WDP Ch 6
SD-O7 Provide efficient and effective onsite and reticulated infrastructure in a sustainable manner and co-ordinate new land use and development with the establishment or extension of infrastructure services.	This objective addresses the issue of the efficient and effective provision of infrastructure.	WDP Ch 6 RPS

SD-O8 Ensure that growth and development takes into account Maori cultural values.	This objective addresses the issues of importance to mana whenua.	WDP Ch 6 RPS
SD-O9 Maintain and enhance accessibility for communities and integrate land use and transport planning.	This objective addresses the importance of integrated land use and transport planning.	WDP Ch 6
SD-O10 Minimise the risks and impacts of natural hazard events on people, property and infrastructure.	This objective recognizes natural hazards.	WDP Ch 6 RPS
Urban Area Objectives		
SD-O11 Ensure that there are sufficient opportunities for the development of residential and business land to meet demand.	This objective seeks to direct the release of new land zoned to meet demand.	NPS-UDC
SD-O12 Promote safe, compact, sustainable and good quality urban design that responds positively to the local context.	This new objective seeks to guide urban development in the District.	New
SD-O13 Manage and where appropriate avoid the establishment of activities that are incompatible with existing uses or unanticipated in the zone.	This new objective seeks to avoid the establishment of activities in zones where they are not anticipated and where they may be incompatible with existing activities.	New
Rural Area Objectives		
SD-O14 Protect the long-term viability of the productive functions of rural land in a manner that delivers economic benefit and sustains the environment.	This objective relates to the management of growth and the fragmentation of rural land.	RA.1.2.2
SD-O15 Provide for a range of appropriate land uses in the Rural Area, including rural production activities, residential, rural residential, rural lifestyle, commercial, industrial, strategic rural industries, activities ancillary to farming or forestry and mineral extraction activities in appropriate areas.	This objective sets out the rationale for the rural zones and reflects Rural Area objective 1.2.4.	RA.1.2.4
SD-O16 Avoid adverse effects on the viability of the productive functions of rural	This objective relates to the fragmentation of rural land and reflects operative Rural Area objective 1.2.6.	RA.1.2.6

land in the Rural Area resulting from ad hoc or scattered residential, rural residential and rural living subdivision and development.		
SD-O17 Consolidate rural living subdivision and development by zoning appropriate areas as RLZ.	This objective reflects the operative Rural Area objective 1.2.9 and relates to zoning of areas as RLZ to provide rural living opportunities and avoid the fragmentation of productive rural land.	RA.1.2.9
SD-O18 Provide for areas of rural residential development on the fringe of Whangarei City while ensuring that these areas can accommodate future urban growth.	This objective reflects Rural Area objective 1.2.10 and relates to zoning areas as RUEZ to manage urban form and growth. The RUEZ also addresses the provision of infrastructure.	RA.1.2.10
SD-O19 Provide for managed growth of rural villages.	This objective reflects Rural Area objective 1.2.11 and relates to the management of urban growth and form.	RA.1.2.11
Open Space Objectives		
SD-O20 Provide sufficient quality open space for the social and cultural well-being of a growing population.	This objective seeks to provide appropriate open space in areas experiencing urban growth.	New
SD-O21 Provide a range of open space land in the District to enable recreational, cultural, community, conservation, and educational use.	This new objective seeks to provide a range of open space land to suit different activities, and serve different functions.	New
Regional Significant Infrastructure Objectives		
SD-O22 Identify and protect Regionally Significant Infrastructure and recognise the benefits it provides.	This objective reflects the policies and methods for Regional Form and Infrastructure in the RPS.	New
SD-O23 Avoid remedy or mitigate adverse effects of the development, operation and maintenance of Regionally Significant Infrastructure.	This objective reflects the policies and methods for Regional Form and Infrastructure in the RPS.	New

95. Part 2 of the RMA outlines the purpose and principles of the RMA. Table 6 demonstrates that the proposed SD objectives achieve the purpose of the RMA. Several sections in Part 2 of the RMA are not relevant to PC148. Additionally, with regard to s8, consultation with Tangata Whenua has been undertaken and no matters have been identified that would indicate that PC148 is inconsistent with s8.

TABLE 6: LINKAGE OF PROPOSED SD OBJECTIVES WITH PART 2 OF THE RMA

Relevant RMA Part 2 Sections

	5(2) (a)	5(2) (b)	5(2) (c)	6(c)	6(e)	6(f)	6(h)	7(a)	7(aa)	7(b)	7(c)	7(d)	7(f)	7(g)	7(i)
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Proposed Strategic Direction Objectives	SD-O1	✓									✓					
	SD-O2	✓		✓								✓				
	SD-O3	✓	✓												✓	
	SD-O4	✓		✓		✓	✓		✓	✓				✓		
	SD-O5	✓										✓		✓		
	SD-O6	✓	✓	✓	✓								✓	✓		
	SD-O7	✓	✓	✓							✓					
	SD-O8	✓				✓			✓							
	SD-O9	✓		✓							✓					
	SD-O10	✓		✓				✓								✓
	SD-O11	✓									✓					
	SD-O12	✓												✓		
	SD-O13	✓									✓			✓		
	SD-O14	✓	✓								✓				✓	
	SD-O15	✓	✓													
	SD-O16	✓	✓	✓							✓				✓	
	SD-O17	✓	✓	✓												
	SD-O18	✓									✓					
	SD-O19	✓	✓	✓							✓					
	SD-O20	✓												✓		
	SD-O21	✓	✓		✓							✓	✓	✓		
	SD-O22	✓									✓					
	SD-O23	✓		✓							✓					

96. Having assessed the proposed objectives against Part 2 of the RMA it is considered that they achieve the purpose of the RMA and promote sustainable management of natural and physical resources.

7.2 Appropriateness in Relation to Higher Order Documents

97. The provisions of higher order documents were considered in the formulation of the SD objectives and policies in PC148. Of particular relevance to PC148 are the NZCPS, the NPSUDC, the RPS, the LTP, 30/50, the UGS, and the CMS. Table 7 provides an overview of the proposed SD objectives and their consistency with relevant higher order documents.

TABLE 7: LINKAGE OF PROPOSED SD OBJECTIVES WITH RELEVANT HIGHER ORDER DOCUMENTS

		Higher order documents						
		NZCPS	NPSUDC	RPS	LTP	30/50	UGS	CMS
Proposed Strategic Direction Objectives	SD-01		✓			✓	✓	✓
	SD-02			✓			✓	✓
	SD-03	✓		✓		✓	✓	✓
	SD-04	✓		✓		✓	✓	✓
	SD-05			✓		✓	✓	
	SD-06	✓		✓		✓	✓	✓
	SD-07		✓	✓	✓	✓	✓	✓
	SD-08	✓		✓		✓	✓	✓
	SD-09		✓	✓	✓	✓	✓	✓
	SD-010			✓	✓	✓	✓	✓
	SD-011		✓			✓	✓	
	SD-012			✓		✓	✓	
	SD-013			✓		✓	✓	
	SD-014			✓		✓	✓	✓
	SD-015	✓				✓		✓
	SD-016			✓		✓	✓	✓
	SD-017	✓				✓	✓	✓
	SD-018					✓	✓	
	SD-019	✓	✓			✓		✓
	SD-020	✓		✓	✓	✓	✓	✓
	SD-021	✓				✓	✓	✓
	SD-022	✓		✓	✓	✓		✓
	SD-023			✓				

98. Having assessed the proposed objectives it is considered that they give effect to, and are consistent with higher order documents.

7.3 Appropriateness of Proposed Policies and Methods

99. A s32 assessment must determine whether the proposed provisions are the most appropriate way to achieve the proposed objectives by undertaking a cost benefit analysis of the economic, social, environmental and cultural effects of the provisions, including whether opportunities for economic growth and employment are reduced or increased. The risk of acting or not acting where uncertain information exists must also be considered. Because the SD chapter contains objectives and policies but not rules, the assessment of rules is made in the respective reports for Parts #-#. The assessment of the appropriateness of the proposed SD policies is set out below.

7.3.1 Proposed policies

100. The proposed SD objectives seek to guide growth and development in the District in a way that provides adequately for growth while protecting valuable resources to the community. These objectives are achieved through the application of policies and methods in chapters for resource areas and zone chapters.
101. The policies proposed for inclusion (see **Proposed Plan Changes Text and Maps**) are considered to achieve the objectives by:
- Identifying and protecting the character and amenity values that apply to each proposed zone.
 - Providing enough appropriately zoned land to meet demand.
 - Requiring development to be well designed by following urban design principles.
 - Avoiding 'out of zone' development that may impact on existing uses.
 - Avoiding development in sensitive areas, and areas subject to environmental risks.
 - Protecting valued features, and productive rural areas through zoning and resource area overlays.
 - Guiding the efficient and effective delivery of infrastructure.
 - Integrating transport and land use planning.
 - Providing adequate areas of open space and connections within and between urban areas.
 - Recognising and providing for regionally significant infrastructure.
102. An alternative option to the proposed policies was to rely on the existing higher order policies in Part D of the WDP. However, the existing policies are not considered to be effective in clearly providing for different resource management issues and ensure consistency with the draft Standards. Therefore, the existing policies present additional costs and risk compared to the proposed policies.

103. The proposed policies are considered the most appropriate for achieving the objectives and provide a coherent link to the methods and rules in the zone chapters and district wide provisions. The use of clear and direct policies also aligns with the policy driven approach applied to the rolling review. Table 8 below demonstrates that the policies proposed for the SD implement the proposed SD objectives.

TABLE 8: LINKING OF PROPOSED SD PROVISIONS	
Proposed SD Objective	Proposed SD Policies
SD-O1 Provide for differing character and amenity values by having a range of Zones with differing expectations.	SD-P1 To manage effects on character and amenity values by providing for a range of Zones with differing expectations.
	SD-P19 To provide for specific activities or areas where special circumstances apply by identifying and zoning areas as special purpose zones.
	Zoning Policies SD-P20 – SD-35
SD-O2 Protect the range of amenity values and characteristics in the Rural Area and the Urban Area.	SD-P4 To ensure that the scale and nature of new land use activities are consistent with the existing level of amenity and the stated overview for the relevant zone.
	SD-P10 To protect character and amenity by managing built form and encouraging best practice urban design.
SD-O3 Accommodate future growth through urban consolidation of Whangarei City, existing suburban nodes and rural villages, to avoid urban development sprawling into productive rural areas.	SD-P6 To avoid inappropriate urban expansion by: <ol style="list-style-type: none"> 1. Ensuring that urban development occurs: <ol style="list-style-type: none"> a. In a planned and coordinated manner. b. Where appropriate infrastructure and services can be provided. 2. Requiring new urban development to be consolidated within or adjacent to Urban Areas and rural villages. 3. Avoiding urban development sprawling into the Rural Area.
SD-O4 Identify and protect buildings, sites, features and areas which are valued by the community and contribute to the District's unique identity and sense of place.	SD-P18 To identify and protect biodiversity, outstanding landscapes and features, the natural character of the coastal environment, heritage features, and sites of significance to Maori from inappropriate subdivision and development by mapping resource areas, and applying rules to protect the values, attributes, characteristics and qualities of these areas.
SD-O5 Avoid conflict between incompatible land use activities from new subdivision and development.	SD-P2 To manage the establishment and location of new activities to avoid conflicts between incompatible land uses.
SD-O6 Identify and protect the values and attributes of indigenous biological diversity (Significant Natural Areas) and maintain the extent and diversity of other indigenous biodiversity.	SD-P18 To identify and protect biodiversity, outstanding landscapes and features, the natural character of the coastal environment, heritage features, and sites of significance to Maori from inappropriate subdivision and development by mapping resource areas, and applying rules to protect

	the values, attributes, characteristics and qualities of these areas.
SD-O7 Provide efficient and effective onsite and reticulated infrastructure in a sustainable manner and co-ordinate new land use and development with the establishment or extension of infrastructure and services.	SD-P5 To avoid adverse effects on the sustainable provision of infrastructure by ensuring that all subdivision and land use is appropriately designed, located and constructed.
	SD-P6 To avoid inappropriate urban expansion by: <ol style="list-style-type: none"> 1. Ensuring that urban development occurs: <ol style="list-style-type: none"> a. In a planned and coordinated manner. b. Where appropriate infrastructure and services can be provided. 2. Requiring new urban development to be consolidated within or adjacent to Urban Areas and rural villages. 3. Avoiding urban development sprawling into the Rural Area.
	SD-P12 To manage the cumulative effects of onsite wastewater discharge in the RVRZ, RLZ and RUEZ by requiring site specific design and any other evidence and/or mitigation measures necessary to demonstrate that the effects of wastewater disposal can be adequately addressed.
SD-O8 Ensure that growth and development takes into account Maori cultural values.	SD-P16 To manage adverse effects created by new network utilities and regionally significant infrastructure by: <ol style="list-style-type: none"> 1. Allowing adverse effects that have been avoided remedied and mitigated to the extent that they are no more than minor; and 2. Ensuring damage to or loss of the relationship of iwi with ancestral sites, sites of significance, wāhi tapu, customary activities and or taonga is avoided or otherwise agreed to by the affected iwi or hapū.
	SD-P18 To identify and protect biodiversity, outstanding landscapes and features, the natural character of the coastal environment, heritage features, and sites of significance to Maori from inappropriate subdivision and development by mapping resource areas, and applying rules to protect the values, attributes, characteristics and qualities of these areas.
SD-O9 Maintain and enhance accessibility for communities and integrate land use and transport planning.	SD-P6 To avoid inappropriate urban expansion by: <ol style="list-style-type: none"> 1. Ensuring that urban development occurs: <ol style="list-style-type: none"> a. In a planned and coordinated manner. b. Where appropriate infrastructure and services can be provided. 2. Requiring new urban development to be consolidated within or adjacent to Urban Areas and rural villages. 3. Avoiding urban development sprawling into the Rural Area.
	SD-P9 To support alternative modes of transport by promoting higher residential densities around nodes of suburban development and public transport infrastructure.

	<p>SD-P13 To increase the functionality and effectiveness of the open space network by ensuring that linkages are created between new and existing areas of open space through subdivision design.</p>
	<p>SD-P7 To manage an effective and efficient transport system by:</p> <ol style="list-style-type: none"> 1. Integrating and co-ordinating transport and land use planning. 2. Improving access to alternative transport options. 3. Enhancing the walkability of neighbourhoods.
SD-O10 Minimise the risks and impacts of natural hazard events on people, property and infrastructure.	<p>SD-P3 To avoid increasing the risk of natural hazards on people and property by:</p> <ol style="list-style-type: none"> 1. Avoiding zoning land for more intensive development within identified hazard prone areas. 2. Avoiding locating regionally significant and critical infrastructure within identified hazard zones unless there is a functional or operational need for its location.
Urban Area Objectives	
SD-O11 Ensure that there are sufficient opportunities for the development of residential and business land to meet demand.	<p>SD-P8 To ensure that there is sufficient residential and business development capacity by zoning land where development is feasible and:</p> <ol style="list-style-type: none"> 1. Is serviced with development infrastructure; or 2. Funding for development infrastructure is identified in the Long Term Plan.
SD-O12 Promote safe, compact, sustainable and good quality urban design that responds positively to the local context.	SD-P9 To support alternative modes of transport by promoting higher residential densities around nodes of suburban development and public transport infrastructure.
	SD-P10 To protect character and amenity by managing built form and encouraging best practice urban design.
SD-O13 Manage, and where appropriate avoid the establishment of activities that are incompatible with existing uses or unanticipated in the zone.	SD-P2 To manage the establishment and location of new activities to avoid conflicts between incompatible land uses.
	SD-P4 To ensure that the scale and nature of new land use activities are consistent with the existing level of amenity and the stated overview for the relevant zone.
Rural Area Objectives	
SD-O14 Protect the long-term viability of the productive functions of rural land in a manner that delivers economic benefit and sustains the environment.	SD-P11 To protect highly versatile soils from activities which would materially reduce the potential for soil-based rural production activities.
SD-O15 Provide for a range of appropriate land uses in the Rural Area, including rural production activities, residential, rural residential, rural lifestyle, commercial, industrial, strategic rural industries, activities ancillary to farming or forestry	SD-P12 To manage the cumulative effects of onsite wastewater discharge in the RVRZ, RLZ and RUEZ by requiring site specific design and any other evidence and/or mitigation measures necessary to demonstrate that the effects of wastewater disposal can be adequately addressed.

and mineral extraction activities in appropriate areas.	
SD-O16 Avoid adverse effects on the viability of the productive functions of rural land in the Rural Area resulting from ad hoc or scattered residential, rural residential and rural living subdivision and development.	<p>SD-P6 To avoid inappropriate urban expansion by:</p> <ol style="list-style-type: none"> 1. Ensuring that urban development occurs: <ol style="list-style-type: none"> a. In a planned and coordinated manner. b. Where appropriate infrastructure and services can be provided. 2. Requiring new urban development to be consolidated within or adjacent to Urban Areas and rural villages. 3. Avoiding urban development sprawling into the Rural Area. <p>SD-P11 To protect highly versatile soils from activities which would materially reduce the potential for soil-based rural production activities.</p>
SD-O17 Consolidate rural living subdivision and development by zoning appropriate areas as RLZ.	<p>SD-P12 To manage the cumulative effects of onsite wastewater discharge in the RVRZ, RLZ and RUEZ by requiring site specific design and any other evidence and/or mitigation measures necessary to demonstrate that the effects of wastewater disposal can be adequately addressed.</p> <p>SD-P36 To identify areas as Rural Living Zone to provide for a variety of rural living opportunities in the District without materially reducing the potential of the Rural Area for productive use of land by providing for the Rural Living Zone in locations that:</p> <ol style="list-style-type: none"> 1. Have an existing average allotment density between 2 and 4ha. 2. Demonstrate a predominantly rural living character. 3. Are not identified as hazard prone area. 4. Are not identified as an Outstanding Natural Landscape or Feature, Significant Indigenous Vegetation or Habitat, or an Outstanding Natural Character Area. 5. Do not gain direct access from an unsealed through road with significant volumes of traffic. 6. Are located within close proximity to community facilities, such as schools. 7. Are not located in close proximity to existing reticulated infrastructure. 8. Will not materially increase the potential for reverse sensitivity effects in the Rural Area. 9. Do not materially reduce the potential for soil-based rural production activities on land with highly versatile soils or land with established rural production activities.
SD-O18 Provide for areas of rural residential development on the fringe of Whangarei City while ensuring that these areas can accommodate future urban growth.	SD-P12 To manage the cumulative effects of onsite wastewater discharge in the RVRZ, RLZ and RUEZ by requiring site specific design and any other evidence and/or mitigation measures necessary to demonstrate that the effects of wastewater disposal can be adequately addressed.

	<p>SD-P39 To identify areas as Rural Urban Expansion Zone that:</p> <ol style="list-style-type: none"> 1. Are contiguous with Rural Zones on the fringe of Whangarei City. 2. Are predominantly comprised of existing rural residential character. 3. Legitimise the zoning of existing clusters of rural residential development. 4. Are not identified as significantly hazard prone. 5. Do not comprise Outstanding Natural Landscapes or Features or significant indigenous vegetation. 6. Have existing lot density of less than 2 hectares. 7. Are predominately suitable for future reticulated urban expansion of Whangarei City. 8. Do not compromise the future expansion of urban growth. 9. Will not materially increase the potential for reverse sensitivity effects in the Rural Area.
<p>SD-O19 Provide for managed growth of rural villages.</p>	<p>SD-P6 To avoid inappropriate urban expansion by:</p> <ol style="list-style-type: none"> 1. Ensuring that urban development occurs: <ol style="list-style-type: none"> a. In a planned and coordinated manner. b. Where appropriate infrastructure and services can be provided. 2. Requiring new urban development to be consolidated within or adjacent to Urban Areas and rural villages. 3. Avoiding urban development sprawling into the Rural Area. <p>SD-P38 To identify areas suitable for consolidated residential (RVRZ), commercial (RVCZ) and industrial (RVIZ) development within rural villages in locations that:</p> <ol style="list-style-type: none"> 1. Are contiguous with existing Rural Village Zone. 2. Are predominantly comprised of land uses and character consistent with the Rural Village Zone. 3. Are not identified as hazard prone. 4. Do not comprise high Land Use Capability Class soils, Outstanding Natural Landscapes or Features, High or Outstanding Natural Character or significant indigenous vegetation. 5. Are located in close proximity to existing reticulated infrastructure. 6. Do not compromise the long-term development potential of the rural village. 7. Have an identified demand for residential and/or commercial land to meet the projected growth requirements over the lifespan of the District Plan.
<p>Open Space Objectives</p>	
<p>SD-O20 Provide sufficient quality open space for the social and cultural well-being of a growing population.</p>	<p>SD-P13 To increase the functionality and effectiveness of the open space network by ensuring</p>

	that linkages are created between new and existing areas of open space through subdivision design.
SD-O21 Provide a range of open space land in the District to enable recreational, cultural, community, conservation, and educational use.	SD-P13 To increase the functionality and effectiveness of the open space network by ensuring that linkages are created between new and existing areas of open space through subdivision design.
	SD-P14 To identify and manage the range of open space zones to provide for active sport and recreation, conservation and open space.
Regional Significant Infrastructure Objectives	
SD-O22 Identify and protect Regionally Significant Infrastructure and recognise the benefits it provides.	SD-P15 To have regard to the social, economic and cultural benefits of regionally significant infrastructure by enabling the ongoing operation, maintenance and upgrading of regionally significant infrastructure where adverse effects can be avoided, remedied or mitigated.
SD-O23 Avoid remedy or mitigate adverse effects of the development, operation and maintenance of Regionally Significant Infrastructure.	SD-P16 To manage adverse effects created by new network utilities and regionally significant infrastructure by: <ol style="list-style-type: none"> 1. Allowing adverse effects that have been avoided remedied and mitigated to the extent that they are no more than minor; and 2. Ensuring damage to/or loss of the relationship of iwi with ancestral sites, sites of significance, wāhi tapu, customary activities and / or taonga is avoided or otherwise agreed to by the affected iwi or hapū.
	SD-P17 Manage adverse effects from the operation, maintenance and upgrading of existing network utilities and regionally significant infrastructure by: <ol style="list-style-type: none"> 1. Allowing adverse effects that are not significant while the maintenance or upgrading is being undertaken. 2. Requiring that any permanent adverse effects are the same or similar to the adverse effects that existed before the maintenance or upgrading was undertaken.

8. Conclusion

104. PC148, proposed SD has been developed to give effect to the requirements of the draft Standards. The SD objectives and policies seek to guide the future growth and development in the district to ensure that it occurs in a sustainable and efficient manner.
105. Pursuant to s32 of the RMA, the proposed SD objectives have been assessed against Part 2 of the RMA and the relevant provisions of higher order plans and policy documents. It is considered that the proposed objectives are the most appropriate way to achieve the purpose of the RMA.
106. The proposed SD policies are considered to represent the most appropriate means of achieving the proposed objectives and of addressing the underlying resource management issues important to the District.

Part B – PC148 Subdivision

9. Introduction

107. PC148 is part of a comprehensive package of plan changes encompassing area specific zoning matters and district wide matters for Whangarei District. As a collective package the plan changes will introduce new zone chapters, with objectives, policies and rules; new district wide chapters, with objectives, policies and rules; changes to the Planning Maps; new definitions and consequential changes to the WDP. PC148 has been drafted to be consistent with the overall approach and format of the plan change package. The proposed plan changes are listed below and a s32 report has been prepared for each plan change to evaluate the matters relevant to that topic.

Proposed zoning plan changes

- Plan Change 88 – Urban Plan Changes Technical Introduction
- Plan Change 88A – City Centre Zone (PC88A)
- Plan Change 88B – Mixed-use Zone (PC88B)
- Plan Change 88C – Waterfront Zone (PC88C)
- Plan Change 88D – Commercial Zone (PC88D)
- Plan Change 88E – Local Commercial Zone and Neighbourhood Commercial Zone (PC88E)
- Plan Change 88F – Shopping Centre Zone (PC88F)
- Plan Change 88G – Light Industrial Zone (PC88G)
- Plan Change 88H – Heavy Industrial Zone (PC88H)
- Plan Change 88I – Living Zones (PC88I)
- Plan Change 88J – Precincts (PC88J)
- Plan Change 115 – Green Space Zones (PC115)
- Plan Change 143 – Airport Zone (PC143)
- Plan Change 144 – Port Zone (PC144)
- Plan Change 145 – Hospital Zone (PC145)

Proposed district wide plan changes

- Plan Change 148 – Strategic Direction and Subdivision (PC148)
- Plan Change 109 – Transport (PC109)

- Plan Change 136 – Three Waters Management (PC136)
- Plan Change 147 – Earthworks (PC147)
- Plan Change 82A – Signs (PC82A)
- Plan Change 82B – Lighting (PC82B)

9.1 The Proposed Plan Change

108. PC148 seeks to review Chapter 8 Subdivision and Development (**chapter 8**) of the WDP, updating the chapter to establish a district wide “Subdivision” chapter (SUB), to apply new definitions and reflect proposed higher order policy of the proposed SD Chapter (refer to **Proposed Plan Changes Text and Maps** volume).
109. Although zone specific subdivision rules are included within the proposed SUB the supporting s32 evaluation is located within each of the relevant zone section report parts. Subdivision rules relating to a Resource Area or District Wide matter e.g. subdivision in the CA will remain located within the relevant chapter and are not subject to this s32 evaluation.

10. Background

10.1 Existing Subdivision Provisions

110. The WDP has two different chapter structures for subdivision provisions as a result of the WDP rolling review – old format and new format. The old format contains, objectives and policies in district wide chapters those relevant to subdivision primarily within chapter 8 Subdivision and Development and within Part H there is a subdivision chapter for each Environment (zone). As part of the WDP rolling review Environment chapters were created to merge subdivision and land use provisions under one Environment chapter. This means that any Environment already reviewed under the rolling review (e.g. recently operative Rural Environments), have a single chapter containing both land use and subdivision provisions.
111. Each subdivision chapter remaining within Part H generally contains rules under headings:

Allotment area	Allotment shape	Building area
Existing buildings	Sites of Significance to Maori	Property Access
Stormwater	Sewerage	Other Significant Features
Provision for Extension of Services	Road and Cycleway Layout and Formation	Street lighting
Water Supply	Electricity	Earthworks
Telecommunications	Mineral Extraction Activities.	

11. Statutory Considerations

112. The WDP sits within a layered policy framework, which incorporates the RMA, National Policy Statements, National Environmental Standards, Iwi Management Plans, the Regional Policy Statement, Regional Plans, Structure Plans and Long Term Plans. Each of these policy documents and plans have been considered in this s32 report in accordance with the RMA. The relevant policy documents were taken into consideration when preparing the SUB are discussed below.

11.1 The Resource Management Act 1991

113. The RMA provides the statutory framework for the sustainable management of natural and physical resources. The RMA defines sustainable management as:

'managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well being and for their health and safety'

114. Under the RMA it is mandatory for a territorial authority to prepare a district plan, which manages land use and development within its territorial boundaries. The RMA requires district plans, and changes to district plans whether private or Council initiated to meet the purpose and principles of the RMA. Consideration has been given to the extent to which the Plan Change achieve the purpose and principles of Part 2 of the RMA.

115. The statutory context for the preparation and evaluation of plan changes under the RMA is summarised as follows:

Section 31 - One of the functions of the Council is to review the WDP to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.

Section 74 - Matters that the plan change must "accord with" and "have regard to" are set out in this section.

Section 75 - Higher order plans that the plan changes must "give effect to" are set out in this section.

Section 32 - The manner in which an evaluation of a plan change must be carried out is set out in this section.

116. S79 of the RMA sets Councils the requirement to review district plans. Councils must complete a review of all district plan provisions within any 10 year time period. The WDP became operative on 3 May 2007, after eight years of formulation. The data that the WDP was based upon is therefore over ten years old. Monitoring of the WDP has identified areas of inconsistency and ineffectiveness.

117. S79 of the RMA provides the opportunity for Councils to undertake rolling reviews of district plan provisions. Using this opportunity to improve the integrity of the WDP, a rolling review process has been implemented.

11.2 National Policy

National Policy Statements

118. S55 of the RMA requires local authorities to recognise NPS and s75 requires local authorities to give effect to them in their plans. There are currently five National Policy Statements:

- National Policy Statement on Urban Development Capacity
- New Zealand Coastal Policy Statement
- National Policy Statement for Freshwater Management
- National Policy Statement for Renewable Electricity Generation
- National Policy Statement on Electricity Transmission

119. NPS:UDC directs local authorities to provide sufficient development capacity for housing and business growth to meet demand. Therefore, the implications of the NPS:UDC are central to Council's district plan making function.

120. Development capacity refers to the amount of development allowed by zoning and regulations in plans that is supported by infrastructure. Sufficient development capacity is necessary for urban land and development markets to function efficiently in order to meet community needs. The requirements of the NPS:UDC vary depending on whether a Council is defined as High Growth, Medium Growth or Low Growth. The Whangarei District is defined as High Growth by the NPS:UDC. The subdivision provisions proposed for each urban zone contribute to the provision of sufficient development capacity.

121. NZCPS, is focused upon the protection of the coastal environment. The WDP has a recently operative district wide Coastal Area chapter containing all provisions relevant to the coastal environment. The proposed Subdivision chapter will not alter the requirement to comply with the district wide Coastal Area chapter.

122. The NPSs for Freshwater Management, Renewable Electricity Generation and Electricity Transmission do not specifically relate to the proposed SUB.

National Environmental Standards

123. National Environmental Standards are regulations issued under the RMA. They prescribe technical standards, methods and other requirements for environmental matters. Local and regional councils must enforce these standards (or if the standards allow, councils can enforce stricter standards). In this way, National Environmental Standards ensure consistent minimum standards are maintained throughout all of New Zealand's regions and districts. The following standards are in force as regulations:

- National Environmental Standards for Air Quality
- National Environmental Standards for Sources of Drinking Water
- National Environmental Standards for Telecommunication Facilities
- National Environmental Standards for Electricity Transmission Activities

- National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health
- National Environmental Standards for Plantation Forestry

124. The proposed SUB has taken into account these standards to ensure consistency.

National Planning Standards

125. National Planning Standards (the **Standards**) are scheduled to be gazetted in April 2019. The purpose of the Standards is to improve consistency in plan and policy statement structure, format and content. The Standards were introduced as part of the 2017 amendments to the Resource Management Act 1991 (RMA).
126. Draft Standards set requirements for different elements of plans including, structure and form, e-plan functionality, definitions, zones, mapping symbology and noise and vibration metric standards. The Plan Change proposes SUB to specifically take into account the Standards and are considered to be consistent with the draft version of the Standards.

11.3 Iwi and Hapu Management Plans

127. According to s74(2A) of the RMA, Council must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district. At present, there are five such documents, being Te Iwi O Ngatiwai Environmental Policy Document (2007), Patuharakeke Te Iwi Trust Board Environmental Plan (2014), Ngati Hine Iwi Environmental Management Plan (2008), Ngati Hau Hapu Environmental Management Plan (2016) and Te Uriroi Hapu Environmental Management Plan and Whatatiri Environmental Plan.
128. Each management plan is comprehensive and covers a range of issues of importance to the respective iwi. The management plans contain statements of identity and whakapapa and identify the rohe over which mana whenua (and mana moana) are held. The cultural and spiritual values associated with the role of kaitiaki over resources within their rohe are articulated.
129. Many of the of the issues identified relate to natural and physical resources. These are primarily addressed within overlay and zone provisions. Subdivision is a method to address issues detailed in the operative rural zones and the proposed urban zones.
130. Te Iwi o Ngatiwai Iwi Environmental Policy Document contains references to subdivision particularly in relation to protection of indigenous trees and water bodies. The future Biodiversity plan change will comprehensively review the provisions relating to indigenous biodiversity. Proposed zones have vegetation clearance provisions affording another layer of protection.
131. Te Uriroi Hapu Environmental Management Plan and Whatatiri Environmental Plan identifies that strict control of subdivision, development and land use is necessary to ensure that development does not threaten pa, kainga and wāhi tapu.

132. Ngati Hine Iwi Environmental Management Plan and the Ngati Hau Hapu Environmental Management Plan does not contain specific reference to subdivision.

133. Patuharakeke Te Iwi Trust Board Environmental Plan, identifies a particular issue with respect to subdivision and development:

5.6.1 Issues

Subdivision and development can have significant effects on tangata w henua values, including sense of place, cultural identity, indigenous biodiversity, mahinga kai, and w aahi tapu.

5.6.2 Objectives

- a) Coastal cultural landscapes and seascapes are protected from inappropriate use and development.
- b) Patuharakeke has a prominent and influential role in urban planning and development in our rohe.
- c) When subdivision and development activities occur, they are based on low impact, innovative and sustainable design.

5.6.3 Policies

- a) Councils and agencies will ensure that the cumulative impacts of subdivision and development on the natural and cultural landscape values of our ancestral w henua and coastal areas are recognised and avoided, including:
 - i. Effects of incremental development; and
 - ii. Ensuring that existing modification of the landscape is not used to justify further change where it is inappropriate to allow further coastal

b) Councils and agencies will not allow private ownership (or what is effectively private ownership) of the foreshore as a result of coastal subdivision activities.

c) Local authorities are required to recognise and provide for tangata w henua values in coastal land development activities, such as:

- i. The protection of coastal headlands and skylines;
- ii. The protection of coastal indigenous biodiversity, including remnant forest and endemic species;
- iii. The protection of w aahi tapu and sites of significance;
- iv. The protection of view shafts to significant natural features and landmarks;
- v. Access to coastal areas for customary use;
- vi. Patuharakeke aspirations for coastal areas, such as the establishment of mataitai reserves;
- vii. The potential for sedimentation and contamination of fresh and coastal waters; and
- viii. The increased stress on existing water resources and community infrastructure.

d) Local authorities and agencies must take a precautionary approach towards applications where potential effects on the coastal environment are uncertain, unknown or poorly understood.

5.6.4 Methods

a) Councils will work with PTB to implement a consistent approach to the identification and analysis of Patuharakeke interests in subdivision and development activities including:

- i. Encouraging developers to engage with PTB from the outset of development planning to identify potential cultural issues; including the preparation of Cultural Impact Assessment reports (CIA's);
- ii. Requiring engagement with PTB at the Plan Change stage.
- iii. Requiring that resource consent applications assess actual and potential cultural, social, environmental and economic effects of the proposal on Patuharakeke; and
- iv. Ensuring that effects on our cultural values are avoided, remedied or mitigated using culturally appropriate methods as recommended by PTB.

b) PTB will develop a set of basic principles and design guidelines, along with assessment criteria for subdivision and development.

134. The newly operative Rural plan changes have recently addressed the role of subdivision provisions with regard to environmental effects. The consolidation of development to existing urban areas requires enabled subdivision. The overlay and zone chapters will address matters such as protection of significant natural features, landscapes and the coastal environments.

11.4 Regional policy

Regional Policy Statement for Northland 2016 (RPS)

135. The policies and methods contained in the RPS contain guidance for territorial authorities for plan making. Section 1.6 provides a statement of responsibilities between regional and district councils. The operative RPS has a more economic focus than the previous RPS and also provides more guidance as to what should be included in district plans to manage land use and development.
136. The sections below assess the plan change against relevant provisions of the RPS.
137. Recently operative plan changes such as Plan Change 124 (Built Heritage), Plan Change 87 (Coastal Area) and Plan Change 114 (Landscapes) have already addressed several provisions of the NRPS. Proposed Plan Changes such as Plan Change 109 (Transport) and Plan Change 136 (Three Waters) will address other remaining matters covered by the RPS. Specific matters in the RPS are addressed below

Regional Form and Infrastructure (Part 5)

138. Part 5 of the RPS focuses on regional form, effective and efficient infrastructure, regionally significant infrastructure and renewable energy.

TABLE 9: EVALUATION OF PART 5 OF THE RPS		
RPS Policy	RPS Method	Relevance
5.1.1 Planned and coordinated development which, (a) is guided by the Regional Form and Development Guidelines (RFDG)...; (b) is guided by the Regional Urban Design Guidelines (RUDG)...; (c) recognises and addresses potential adverse cumulative effects...; (d) is integrated with the development, funding, implementation and operation of transport, energy, water, wastewater...; (e) should not result in incompatible land uses...; (f) do not materially reduce the potential for soils-based primary production on land with highly versatile soils...; (g) maintains or enhances the sense of place and character...; (h) is or will be serviced by necessary infrastructure.	5.1.5 Give effect to Policy 5.1 when developing objectives, policies and methods for plan changes. Require consultation with relevant infrastructure providers and owners of regionally significant infrastructure/minerals	<ul style="list-style-type: none"> The urban and services plan changes collectively give effect to the RFDG and RUDG.
5.1.3 Avoid the adverse effects, including reverse sensitivity effects, of new subdivision, use and development, on (b) commercial and industrial activities..., (c) ...regionally significant		<ul style="list-style-type: none"> SUB alongside the Urban Plan Changes propose controls on residential development to limit reverse sensitivity and trigger consent requirements.

infrastructure..., (d) regionally significant mineral resources		
5.2.1 Encourage development and activities to efficiently use resources	5.2.4 Ensure in plan change that weight is given to (a) the extent to which infrastructure can be operated, maintained and upgraded efficiently with minimal adverse effects	<ul style="list-style-type: none"> SUB alongside the Services plan changes promote appropriate management of infrastructure.
5.2.2 Encourage the development of infrastructure that is flexible, resilient and adaptable		
5.2.3 Promote the provision of infrastructure as a mean to shape economic growth and development		

Efficient and Effective Planning (Part 6)

139. Part 6 of the NRPS focuses on providing efficient and effective statutory and non-statutory plans and strategies.

TABLE 10: EVALUATION OF PART 6 OF THE NRPS		
NRPS Policy	NRPS Method	Relevance
6.1.1 District plans shall (a) only contain efficient and effective regulation (b) be consistent (c) be simple (d) support good management practices (e) minimise compliance costs (f) enable activities that comply with the NRPS (g) focus on effects and suitable performance standards	6.1.4 When reviewing plans district councils shall (a) give effect to Policy 6.1.1 (b) streamline regulation	<ul style="list-style-type: none"> SUB seeks to replace the operative subdivision provisions and provide a much clearer policy direction, improving DP clarity. SUB will implement the Standards format to consolidate subdivision provisions in a district wide Subdivision chapter. This removes duplicated provisions and streamlines the provisions.

Tangata Whenua (Part 8)

140. Part 7 of the RPS focuses on participation in decision-making, plans, consents and monitoring, iwi and hapu management plans and Maori land and returned Treaty settlement assets.

TABLE 11: EVALUATION OF PART 8 OF THE RPS		
RPS Policy	RPS Method	Relevance
8.1.1 Tangata whenua participation	8.1.5 Engage with iwi authorities at the earliest possible stage.	<ul style="list-style-type: none"> Draft plan change has been circulated to iwi and hapu for initial feedback and comment as part of pre-consultation. The draft plan changes have been presented to Council/iwi and hapu working groups Te Karearea and Te Huinga.
8.1.2 The regional and district council statutory responsibilities		
8.1.3 Use of Mātauranga Māori		
8.1.4 Māori concepts, values and practices		

Regional Plans

141. There are a number of operative Regional Plans for Northland that have been developed under the RMA. These include the Regional Water and Soil Plan, Air Quality Plan and the Coastal Plan. Having reviewed each document and taking into account all of the provisions it is considered that the proposed SUB objectives for the PC148 are consistent with the Regional Plans.

142. The Proposed Regional Plan (**PRP**) combines the operative Regional Plans into one combined plan. It is considered that the proposed SUB objectives are consistent with the PRP.

11.5 District policy

Operative Whangarei District Plan 2007 (WDP)

143. The preparation of the first Whangarei District Plan under the RMA commenced in 1993. Council initially commenced preparation of the new Plan in territorial sections, with an Urban section for the Whangarei City area, Rural and Coastal sections for the County area, and a Hikurangi section – reflecting the structure of the transitional City and County plans. A District Plan Review Committee was established to be responsible for the preparation of the Plan. In 1995 the initial approach was revised and one Plan covering the whole district was commenced. The Review Committee held a series of workshops and formal meetings over the next six years to formulate the Proposed District Plan (**PDP**). Various sections and revisions of the plan were adopted as it advanced through the subsequent stages of Plan development. Various reports were commissioned to address significant issues identified for the PDP.
144. The draft PDP was released for public comment on 12 December 1997. The draft PDP was then revised by the District Plan Review Committee, based upon decisions made on public comments received and additional policy development work by staff. The PDP was approved by Council for notification on 13 September 1998. The PDP became Operative as the WDP on 3 May 2007 following the submission, hearing, and appeal processes.
145. On 1 October 2009 the Resource Management Amendment Act introduced changes to s79 of the RMA, which prescribes the review requirements for district plans. Council must now ensure that each provision of a district plan has been reviewed within any 10 year time period. In response to this requirement the Council adopted a ‘rolling review’ approach. To implement this decision Council undertook Plan Change 106, which amended the introduction to the WDP to set out an explanation of the rolling review process, future district plan structure, and set expectations of future Council and private plan change applications.
146. In August 2012 Council completed the 5 year efficiency and effectiveness review of the WDP which has been used to inform the consideration of alternatives in the SUB s32 evaluation.
147. A number of plan changes have been proposed as a part of the rolling review of the WDP. Those plan changes progressing at present include:
- Change 129: Notable and Public Trees – hearing closed 18 January 2019.
- Change 134: Designations – hearing completed on 25 February 2019
148. PC148 proposed SUB has been drafted to be consistent and compatible with these plan changes. However, any amendments to the plan changes above resulting from submissions, decisions or appeals may need to be considered. Consequential changes may be required to ensure the interface between SUB and the plan changes above remain appropriate.

149. The draft Standards also have an impact on the integration of SUB with the WDP. The Standards provide a structure for district plans as well as chapter layouts, zone names, mapping conventions, etc. SUB has been drafted to be consistent with the Standards.

Whangarei District Growth Strategy – Sustainable Futures 30/50 (30/50)

150. The Whangarei District experienced significant growth over the period 2001 to 2008. Future growth for the district is projected to continue and in some parts of the district, particularly in the Marsden Point/Ruakaka area, has the potential to be substantial. This growth presents both challenges and opportunities to the district and its communities, individuals and families, businesses and governing bodies.

151. To manage the projected growth sustainably, Council formulated 30/50 as a long term Sub-regional Growth Strategy. 30/50 identified economic drivers of development, assessed future growth potential, determined existing and potential land use patterns, and assessed and planned for infrastructural requirements for the district over a 30-50 year time frame.

152. The environmental, social and cultural constraints on, and the consequences of, the anticipated development has been identified and assessed. This research and analysis enables a long term, integrated, strategic planning programme to be developed, based upon sustainability principles, which will assist the sustainable development of the district over the next 50 years.

153. 30/50 was adopted by Council 22 September 2010. Following the completion of 30/50, there will be an extensive implementation phase together with an on-going review of the Strategy itself. 30/50 identified a preferred future development path (Future Three) around which further analysis can be undertaken. Future Three represents a managed, consolidated development path based upon a structured five tier settlement pattern. This hierarchical arrangement is as follows:

- Whangarei City as the primary district and regional urban centre with a strong, protected and enduring CBD;
- A satellite town at Marsden Point/Ruakaka which complements (but does not compete with) Whangarei City;
- Five urban villages within greater Whangarei;
- One rural (Hikurangi) and two coastal growth nodes at Parua Bay and Waipu; and
- Two rural villages along with eight coastal villages located along the coastline from Waipu Cove in the south to Oakura in the north.

154. The 30/50 Implementation Plan 2013 specifies actions to be implemented within the WDP to achieve the strategic direction of 30/50. These actions are given priority timing. A tracking review of 30/50 was received by Council in April 2016. The review concluded that the majority of the District is tracking along the projections proposed in 2010.

155. SUB will support the provision of growth and development in and around Whangarei City and Marsden Point/Ruakaka, where capacity is needed and infrastructure is available, consistent with the consolidation pattern of 30/50.

Whangarei District Council Long Term Plan 2018 – 2028 (LTP)

156. The Local Government Act 2002 (**LGA**) requires every council to produce a Long Term Plan every three years. The LTP outlines Council's activities and priorities for the next ten years, providing a long-term focus for decision-making. It also explains how work will be scheduled and funded. The LTP was adopted by Council in June 2018 and covers the period 1 July 2018 to 30 June 2028.
157. Key to Council activities is the provision of infrastructure. Because development and settlement patterns have effects on both the timing and costing of core infrastructure, the LTP, the Infrastructure Strategy and the supporting Asset Management Plans (**AMPs**) have been developed with regard to 30/50.
158. PC148 provides for subdivision while achieving a consolidation of growth and development consistent with the direction of 30/50. Alongside the Urban Plan Changes, PC148 has been structured to remain within the ability of infrastructure to provide appropriate services in accordance with the current LTP and AMPs.
159. It is considered that PC148 is consistent with, and support the outcomes identified in the LTP.

12. Consultation

160. Prior to the notification of PC148, consultation regarding the development of Whangarei's draft Urban and Services Plan Changes has been undertaken. This consultation has informed the resource management issues and the plan change options to address these issues.
161. The draft Plan Changes were advertised to all plan holders, practitioners and iwi contacts, as well as being publicly available for pre-notification feedback, from June through August 2018. Feedback was received in the form of written comments, individual meetings, public meetings and hui with hapu representatives.
162. A consultation website was also developed for the draft Urban and Services Plan Changes which included an interactive map with draft mapping and an online survey with targeted questions. Throughout the consultation phase, additional questions were posted on Council's Facebook page to promote further discussion and engagement.
163. There were 673 comments/forms received in total between survey responses, formal feedback and Facebook comments.
164. The draft Urban and Services Plan Changes were presented and work-shopped with Te Karearea and Te Huinga, Council's iwi and hapu leaders partnerships.
165. Feedback was summarised and presented back to the Council's Planning Committee to inform the plan change drafting.

13. Section 32 Analysis

166. Council must evaluate in accordance with s32 of the RMA, the extent to which each objective is the most appropriate way to achieve the purpose of the RMA. A s32 assessment must determine whether the proposed provisions are the most appropriate way to achieve the proposed objectives by undertaking a cost benefit analysis of the economic, social, environmental and cultural effects of the provisions, including whether opportunities for economic growth and employment are reduced or increased. The risk of acting or not acting where uncertain information exists must also be considered.

13.1 Chapter Structure and Title

167. The Standards specify that if the following matters are addressed in the Plan, these must be included in 'Subdivision' chapter:

- a. *Any technical subdivision requirements of Part 10 of the RMA.*
- b. *Objectives, policies and methods, including rules (if any) to manage subdivision.*
- c. *Reference to other documents used for the management of subdivision such as codes of practice.*

168. Chapter 70 of the WDP provides an introduction to subdivision provisions. It includes description of provisions under the RMA, matters of control and direction for limited access roads. The Standards specify that the plan must have an introduction and general provisions section including a 'how to use the plan' section. The matters in Chapter 70 will be addressed in these sections.

13.2 Objectives

169. The table below summarises the changes to the WDP Chapter 8 Subdivision and Development objectives as proposed in SUB by PC148:

Table 12: CHANGES TO WDP CHAPTER 8 OBJECTIVES		
Chapter 8 Objectives	SUB Objectives	Reason for Change
8.3.1 Subdivision and development that achieves sustainable management of natural and physical resources whilst avoiding, remedying or mitigating adverse effects on the environment.	SUB-O1– Zone, Overlay and District Wide Objectives Land is subdivided to achieve the objectives of each zone, relevant overlays and district wide provisions.	Replace. Objective 8.3.1 is repeating the purpose of the RMA rather than providing appropriate direction for subdivision in the district.
8.3.2 Subdivision and development that does not detract from the character of the locality and avoids conflicts between incompatible land use activities.		Delete. Proposed Strategic Direction chapter contains reverse sensitivity objectives.
8.36.4 Subdivision and development that provides for the protection of, and where appropriate enhances, the District's: Versatile soils.	SUB-O2 Natural Features Subdivision provides for the protection and enhancement of the District's: <ul style="list-style-type: none"> • Highly versatile soils 	Alteration to introduction to objective to refer to present tense. Ensures consistency of drafting with other Urban and Services plan changes and with recently operative plan changes.

<p>Mineral resources.</p> <p>Water quality.</p> <p>Natural features.</p> <p>Landscapes (including coastal landscapes)</p> <p>Open Spaces</p> <p>Significant ecological areas</p> <p>Biodiversity</p> <p>Public access to coast, lakes and rivers</p> <p>Historic, cultural and amenity values, including cultural values of tangata w henua.</p>	<ul style="list-style-type: none"> • Outstanding Natural Features • Outstanding Natural Landscapes • Coastal Area • High Natural Character • Outstanding Natural Character • Significant Natural Areas • Sites of Significance to Maori • Historic Heritage 	
<p>8.3.5 Subdivision and development that allows for the efficient and orderly provision of services and infrastructure, including the roading hierarchy and airport.</p>	<p>SUB-O3 – Infrastructure Subdivision and development that allows for the efficient and orderly provision of services and infrastructure.</p>	<p>Alteration to introduction to objective to refer to present tense.</p> <p>Ensures consistency of drafting with other Urban and Services plan changes.</p>
<p>8.3.6 The avoidance of subdivision and development in areas where the existing and potential adverse effects, in particular of, noise and natural hazards, cannot be avoided, remedied or mitigated.</p>		<p>Delete.</p> <p>Each Resource Area includes specific objectives and policies relating to avoidance of natural hazards.</p> <p>Each District Wide chapter (operative and proposed includes as necessary objectives and policies relating to potential adverse effects (e.g. Noise).</p>
<p>8.3.7 Subdivision and development that provides for comprehensive development of land with a range of allotment sizes and is appropriate to the character of the Environment in which it is located.</p>	<p>SUB-O1– Zone, Overlay and District Wide Objectives</p> <p>Land is subdivided to achieve the objectives of each zone, relevant overlays and district wide provisions.</p>	<p>Alteration to introduction to objective to refer to present tense.</p> <p>Ensures consistency of drafting with other Urban and Services plan changes.</p>
<p>8.3.8 To ensure that design of subdivision and development minimises potential risk to people and property from fire hazards.</p>		<p>Delete.</p> <p>Fire hazard is addressed under the building act. Provision of water services is addressed in the proposed Three Waters Chapter of the Urban and Services plan changes.</p>
<p>8.3.10 Subdivision and development that avoids, remedies or mitigates adverse effects on tangata w henua values.</p>	<p>SUB-O6</p> <p>Subdivision avoids, remedies or mitigates adverse effects on tangata w henua values.</p>	<p>Delete.</p> <p>Alteration to introduction to objective to refer to present tense.</p> <p>Ensures consistency of drafting with other Urban and Services plan changes.</p>

170. To confirm the appropriateness of the proposed SUB objectives, the following further assesses whether the proposed objectives are the most appropriate way to achieve the purpose of the RMA, other higher order objectives proposed in the SD and other higher order documents. The level of analysis undertaken in this report is appropriate to the scale of the proposal.

171. Part 2 of the RMA outlines the purpose and principles of the RMA. Table 13 demonstrates that the proposed SUB objectives achieve the purpose of the RMA. Several sections within Part 2 of the RMA

are not relevant to SUB. Additionally, with regard to s8, consultation with Tangata Whenua has been undertaken and no matters have been identified that would indicate that SUB is inconsistent with s8.

TABLE 13: LINKAGE OF PROPOSED SUB OBJECTIVES WITH PART 2 OF THE RMA

		Proposed SUB Objectives					
		SUB-O1	SUB-O2	SUB-O3	SUB-O4	SUB-O5	SUB-O6
RMA Part 2 Secti ons	5(2)(a)	√	√	√	√	√	√
	5(2)(b)	√	√	√	√	√	√
	5(2)(c)	√	√	√	√	√	√
	6(a)		√				√
	6(b)		√				
	6(c)		√				
	6(e)		√				
	7(b)	√	√		√		√
	7(c)	√					
	7(f)	√	√	√			

172. Having assessed the proposed objectives against Part 2 of the RMA it is considered that they achieve the purpose of the RMA and promote sustainable management.

173. The provisions of higher order documents were considered in the formulation of the objectives and policies in SUB. Of particular relevance to PC148 are the RPS, the LTP, 30/50 and the UDS. Table 14 provides an overview of the proposed SUB objectives' consistency with the more relevant higher order documents.

TABLE 14: LINKAGE OF PROPOSED SUB OBJECTIVES WITH HIGHER ORDER DOCUMENTS

		SUB Objectives				
		SUB-O1	SUB-O2	SUB-O3	SUB-O4	SUB-O5
Higher Order Documents	RPS	√	√	√	√	√
	LTP			√		√
	30/50	√	√	√	√	√
	UGS	√	√	√	√	√
	UDS	√	√	√	√	√

13.3 Policies and Methods

174. The following reviews the chapter 8 policy and provides reasons for any proposed SUB changes or new policy. Table 15 summarises the proposed changes:

Table 15: SUMMARY OF CHANGES TO WDP CHAPTER 8 POLICY	
Chapter 8 Policy	Reason for Change and SUB policy
<p>8.4.1 Incompatible Land Use Activities</p> <p>To design and locate subdivision and development so as to avoid, as far as practicable, conflicts between incompatible land use activities.</p>	<p>Delete</p> <p>Proposed Strategic Direction chapter contains reverse sensitivity policy.</p>
<p>8.4.3 Density of Development</p> <p>To ensure that subdivision and development results in a pattern and density of land use which reflects flexibility in allotment size, and is of a density appropriate to the locality.</p>	<p>Each zone contains policy with respect to density and patterns of development.</p> <p>SUB – P 1 – Zone, Overlay and District Wide Policies</p>
<p>8.4.4 Cumulative Effects</p> <p>To ensure that the cumulative effects of on-going subdivision and development do not compromise the objectives and policies of this Plan, in particular those objectives and policies relating to reducing conflicts between incompatible land use activities, the consolidated and orderly development of land and the density of development.</p>	<p>Each zone contains policy (as necessary) with respect to cumulative effects development.</p>
<p>8.4.5 Reverse Sensitivity</p> <p>To ensure that subdivision and development in, or adjacent to:</p> <ul style="list-style-type: none"> • rural areas; • existing commercial, industrial and mineral extraction activities; • land zoned for commercial, industrial, or mineral extraction activities; • existing infrastructure, including the state highway network and airport. <p>is designed and located to avoid, remedy or mitigate reverse sensitivity effects on existing or permitted activities. Such effects can include noise, odour, spray drift and dust, vibration and traffic.</p>	<p>Delete.</p> <p>Each zone contains policy (as necessary) with respect to reverse sensitivity.</p>
<p>8.4.6 Buildings and Activities</p> <p>To ensure that allotments are capable of accommodating complying buildings and activities.</p>	<p>Delete.</p> <p>Each zone contains policy with respect to allotment size, function and building area.</p>
<p>8.4.7 Design and Location</p> <p>To ensure subdivision and development is designed and located so as to avoid, remedy or mitigate adverse effects on, and where appropriate, enhance:</p> <ul style="list-style-type: none"> • Natural character of the coastal environment, indigenous wetlands, lakes and rivers and their margins; • Landscape values; • Ecological values; • Amenity values and sense of place; • Archaeological, cultural (including tangata whenua) and heritage features; • Sites of Significance to Maori; • Heritage areas of significance to Maori; • The relationship of tangata whenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga; • Infrastructure, particularly roads and the Airport; • Water and soil quality; • Versatile soils; • Mineral resources; • Business growth and development opportunities within defined Business Environments; • Cross boundary coordination; • Human health and safety. 	<p>Policy wording refined to reflect mapped resource areas and section 6 matters.</p> <p>SUB – P 1 – Zone, Overlay and District Wide Policies.</p>

<p>8.4.8 Riparian Management To ensure that adverse effects of subdivision and development on riparian areas and adjacent water bodies and freshwater fish habitats are avoided, remedied or mitigated by appropriate riparian management and protection, which may include co-management with tangata whenua and the provision of esplanade reserves or strips where necessary.</p>	<p>Delete Duplication of policy in WDP chapter Riparian and Coastal Margins.</p>
<p>8.4.9 Protection of Features To secure permanent protection and/or enhancement of:</p> <ul style="list-style-type: none"> • Stands of indigenous vegetation or indigenous fauna habitat, including indigenous wetlands; • Areas of appropriately designed indigenous re-vegetation or enhancement. 	<p>Delete.</p> <ul style="list-style-type: none"> • Environmental Benefit Subdivision is provided for in the RPZ chapter. • Incentivizing the protection of indigenous vegetation will be provided by future plan change 127 Biodiversity/Significant Natural Areas. • Each zone (as necessary) contains indigenous vegetation clearance provisions.
<p>8.4.10 Indigenous Vegetation To ensure that adverse effects of subdivision and development on indigenous vegetation and habitats of indigenous fauna that contribute to the natural character of the rural and coastal environment, the values of Outstanding Natural Features, Outstanding and Notable Landscape Areas and Significant Ecological Areas are avoided, remedied or mitigated.</p>	
<p>8.4.11 Traffic and Aircraft Noise To ensure that control, design and location of subdivision and development are designed and located so as to avoid, remedy or mitigate the impact of traffic noise from existing state highways or arterial roads and the impact of aircraft noise on the health and amenity of present and future residents.</p>	<p>Delete NAV chapter contains policy with respect to management of noise and noise exposure.</p>
<p>8.4.12 Services and Infrastructure To ensure that all subdivision and development is capable of being provided, by the subdivider or developer, with adequate services and infrastructure having regard to Whangarei District Council's Environmental Engineering Standards 2010 (except where the subdivision or development is for specific protection purposes), including:</p> <ul style="list-style-type: none"> • Vehicle access, including emergency service vehicle access; • Water supply, (including for fire fighting purposes), storm water and sewage disposal; • Energy and telecommunication connections; • Useable open space in urban areas; • During the design and construction of the subdivision, measures to reduce storm water runoff. 	<p>Refine policy. Proposed Transport and Three Waters Chapters include district wide policy with respect to infrastructure provision.</p> <p>SUB-05 Infrastructure.</p>
<p>8.4.13 Natural Hazards To avoid subdivision and development in areas where natural hazards, including erosion, falling debris, subsidence, slippage, inundation, flooding and sea level rise may occur, unless adverse effects on health, safety and property can be avoided, as far as practicable, or otherwise, remedied or mitigated.</p>	<p>Delete. Natural Hazards Chapter contains relevant policy.</p>
<p>8.4.14 Fire Safety To ensure that subdivision and development provides for fire safety matters (including appropriate design to ensure access for emergency service vehicles and an appropriate water supply for fire fighting purposes), in order to ensure the safety and well-being of the community.</p>	<p>Delete. Duplication of proposed Three Waters Chapter.</p>
<p>8.4.15 Environment Boundary Interface To carefully manage the interface between rural areas and adjacent residential or rural-residential areas and between rural land and the land managed for conservation purposes.</p>	<p>Delete. Proposed Strategic Direction chapter contains cross zoning policy.</p>
<p>8.4.19 Natural and Heritage Resources To identify and protect resources and areas of high amenity value, environmental quality and heritage value that contribute to a diverse sense of place (including notable view shafts, notable trees, heritage buildings, areas of wilderness and sites and resources).</p>	<p>Delete. Each overlay or zone contains policy with regard to protection of amenity and or features.</p>
<p>8.4.20 Development Practice To ensure that best environmental practice is followed, including the selection of location, when undertaking:</p> <ul style="list-style-type: none"> • Earthworks; • Land clearance; • Subdivision; or • Site development. 	<p>Delete. Each zone (as necessary) contains policy with respect to best environmental practice.</p>

8.4.21 Design and Location To ensure that subdivision and development does not detract from, or compromise, identified landscape features (including the natural character of the feature(s) when viewed from the sea), or significant ecological features identified in the Plan or through assessment against Appendix 3 of the Regional Policy Statement.	Delete. Duplication of recently operative Coastal Area and Landscapes Resource Areas. .
8.4.24 Environmental Engineering Standards To ensure that all infrastructure, servicing and engineering design has regard to Whangarei District Council's Environmental Engineering Standards 2010.	Delete. Transport and Three Waters Plan Changes provide policy.
8.4.25 Joint Processes To encourage greater co-operation, consistency and co-ordination with Northland Regional Council in the processing of inter-related resource consent applications.	Delete. Address in introduction to plan.

175. The proposed policies are considered the most efficient and effective for achieving the SUB objectives and provide a coherent link to the methods and rules in the proceeding sections of the SUB chapter. The use of clear and direct policies also aligns with the policy driven approach applied to the rolling review.
176. Table 16 below demonstrates that the policies proposed for the SUB implement the proposed SUB objectives, and that the methods implement the proposed SUB policies:

TABLE 16: LINKING OF PROPOSED SUB PROVISIONS		
Proposed SUB Objective	Proposed SUB Policies	Proposed SUB Methods
SUB-O1 Zone, Overlay and District Wide Objectives	SUB-P1	SUB-R2 – R13 + matters of discretion and control
SUB-O2 Natural Features	SUB-P1	SUB-R2 + matters of discretion and control
SUB-O3 Community Needs	SUB-P1	SUB-R2 – R13 + matters of discretion and control
SUB-O4 Infrastructure	SUB-P5	Matters of discretion and control + Three Waters and Transport Chapters
SUB-O5 Minimise adverse effects	SUB-P2, SUB-P3, SUB-P4	SUB-R1 – SUB-R13
SUB-O6 Cultural Values	SUB-P1	SUB-R2 + matters of discretion and control

13.4 Proposed SUB Provisions

177. The proposed provisions in the SUB are assessed below. Proposed rules SUB-R3- R13 are zone specific allotment provisions which are evaluated in each zone section 32 report.
178. The proposed provisions are grouped by topic and effects. The evaluation of the provisions includes the identification of alternative options and an assessment of the costs, benefits, efficiency and effectiveness of the proposed provisions and the risks of acting and not acting.

Boundary Adjustment Rule (Consequential Amendments to RPZ)

179. Proposed amendments provide for subdivision where a boundary is being adjusted as a controlled activity in all proposed zones. There are circumstances where it is necessary to adjust a boundary to accommodate access, follow a logical fence line or accommodate an extension to a building.
180. The WDP does not have existing rules for boundary adjustments (although there is a rule in the recently operative Rural Production Zone for Boundary Relocation, discussion later in the report).
181. Alternatives considered were:

Option 1: Status Quo, no provision for boundary adjustments.

Option 2: Controlled Activity boundary adjustment, does not differ more than 10% of the net site area, existing buildings comply with permitted land use rules and minimum allotment size is met. (Plan change option).

182. Evaluation of these alternative options have been summarised in Table 17:

TABLE 17: SECTION 32 ASSESSMENT OF BOUNDARY ADJUSTMENT OPTIONS		
	<u>Costs</u>	<u>Benefits</u>
Option 1: Status Quo No boundary adjustment rule.	<u>Environmental</u> None known. <u>Economic</u> Cost of preparing consent application is increased. If the application is discretionary or non-complying activity under the subdivision rules. <u>Social and Cultural</u> None identified.	<u>Environmental</u> None known. <u>Economic</u> None known. <u>Social and Cultural</u> None identified.
Option 2: Plan Change Option 10% change	<u>Environmental</u> None known. <u>Economic</u> None known. <u>Social and Cultural</u> None identified.	<u>Environmental</u> None known. <u>Economic</u> Cost of preparing consent application is decreased compared to discretionary or non-complying activity. <u>Social and Cultural</u> Ability to resolve potential conflict via boundary adjustments.
	<u>Efficiency</u>	<u>Effectiveness</u>
Option 1	Option 1 does not efficiently or effectively provide for the opportunity to undertake minor adjustments of boundaries.	
Option 2	Option 2 is considered to be efficient and effective as it protects the amenity of the relevant zone by ensuring compliance with minimum lot size while enabling minor adjustments of boundaries.	
Economic Growth and Employment Opportunities		
No significant opportunities for growth and employment are provided by boundary adjustment rules.		
Risk of acting and not acting if there is uncertain or insufficient information		
There is no known risk due to insufficient information.		

183. Option 2 (Plan change option) is considered to be the most appropriate method.

Matters of Control Rule and Matters of Discretion (How to use the plan chapter)

184. The WDP imposes matters of control and discretion within each subdivision rule. With the draft Standards requirement to consolidate all subdivision provisions to one central chapter it is logical to consolidate matters of control and discretion to avoid repetition.

Provision of Connections to Electricity SUB-R2

185. The WDP requires allotments to have access to or be connected to reticulated electricity services. Electricity is an essential, life supporting service. While it is recognised that it is possible to generate and store electricity onsite without reticulation, the requirement for a subdivision to initially provide for reticulated connection is considered to be efficient and effective provision of infrastructure. Proposed rule SUB-R2 provides for connection to reticulation consistent with the WDP.

Definition of Boundary Relocation Subdivision and the Rural Production Zone (RPZ)

186. The WDP includes a single ‘boundary relocation subdivision rule’ in the recently operative RPE. The rule was introduced without a supporting definition and interpretation issues have arisen. The draft Standards contain a number of mandatory definitions associated with subdivision (such as site, allotment, boundary, boundary adjustment) which would alter the interpretation of the boundary relocation rule.

187. While the benefits of maintaining a method of a boundary relocation subdivision in the RPZ have been accepted to outweigh the costs in section 32 terms (PC85A). It is considered that interpretation issues indicate that the WDP rule is not the most efficient version of a boundary relocation rule. It is therefore considered appropriate to amend the rule as outlined in the following paragraphs.

188. The draft Standards include a definition of boundary adjustment:

Boundary adjustment means a subdivision that alters the existing boundary between adjoining sites, without altering the number of sites.

189. A boundary adjustment rule would be substantially different to opportunity to undertake a boundary relocation anticipated in the RPZ rule. A definition of boundary relocation is proposed:

TABLE 18: SECTION 32 ASSESSMENT OF BOUNDARY ADJUSTMENT DEFINITION	
Proposed Wording	Reason
Means a subdivision in the RPZ that relocates an existing boundary between adjacent allotments where separate computer freehold registers (records of title as per Land Transfer Act 2017) have been issued for those allotments without:	<p>The ability to relocate a boundary provides for a wider range of subdivision options when compared to the ability to adjust a boundary.</p> <p>The RPE rule refers to “adjacent sites”. The definition of site in the draft Standards is wider than that of the WDP and includes “an area of adjacent land comprised in two or more computer freehold registers where an activity is occurring or proposed”.</p>

	<p>The draft Standards definition widens the meaning of a site compared with the WDP. The proposed definition refers to “adjacent allotments”. Allotment is a term defined consistently within the WDP and the draft Standards.</p> <p>The definition of allotment includes “any parcel of land or building or part of a building that is shown or identified separately (i) on a survey plan, or (ii) on a licence within the meaning of Part 7A of the Land Transfer Act 1952...” This definition creates the possibility of boundary relocation applications being proposed as a controlled activity, utilising allotments that are identified at survey plan stage without any link to the underlying subdivision. If a non-complying subdivision is approved based upon a particular layout or outcome, this could be undermined via a controlled activity boundary relocation.</p> <p>The proposed wording resolves this issue by requiring “a separate computer freehold register (record of title as per Land Transfer Act 2017)” to have been issued in order to be eligible for controlled activity boundary relocation.</p>
<p>a. Altering the number of allotments.</p>	<p>The recommended clause a. originates from the RPE Rule. Retaining it in the proposed definition is consistent with the draft Standards boundary adjustment definition.</p>
<p>b. Cancelling existing amalgamation conditions.</p>	<p>Clause b. is recommended because an amalgamation condition is typically applied as part of a subdivision process to aid in a particular outcome, often used to justify a proposed subdivision. The ability to cancel an amalgamation condition to separate allotments as a controlled activity boundary relocation could undermine the original subdivision consent.</p>
<p>c. Creating additional capacity to subdivide as a controlled activity in accordance with the relevant SUB rules.</p>	<p>The recommended clause c. provide clarity for applicants, ensures consistency with controlled activity provisions in the RPZ. .</p>
<p>• For the purposes of this definition adjacent allotments means sites that are:</p> <p>a. Part of a contiguous landholding; or</p> <p>b. Separated only by a road, access allotment, railway, stream or river.</p>	<p>The recommended clause originates from the RPZ Rule and provides clarity for applicants.</p>

14. Conclusion

190. Pursuant to s32 of the RMA, the proposed SUB objectives have been analysed against Part 2 of the RMA and the relevant provisions of higher order plans and policy documents. It is considered that the proposed objectives are the most appropriate way to achieve the purpose of the RMA.
191. The proposed SUB provisions have been detailed and compared against viable alternatives in terms of their costs, benefits, efficiency and effectiveness and risk in accordance with the relevant clauses of s32 of the RMA. The proposed SUB provisions are considered to represent the most appropriate means of achieving the proposed objectives.

