

MANUKAU OPERATIVE DISTRICT PLAN

***PROPOSED PLAN CHANGE NO. 13
WAIROA RIVER MARITIME VILLAGE***

Section 32 Analysis

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1 STATUTORY CONTEXT

1.1 Statutory requirements

The requirements for a section 32 analysis are set out in the following section of the Resource Management Act 1991 (the 'Act').

32. Consideration of alternatives, benefits, and costs—

- (1) In achieving the purpose of this Act, before a proposed plan, proposed policy statement, change, or variation is publicly notified, a national policy statement or New Zealand coastal policy statement is notified under section 48, or a regulation is made, an evaluation must be carried out by—
 - (a) the Minister, for a national policy statement or regulations made under section 43; or
 - (b) the Minister of Conservation, for the New Zealand coastal policy statement; or
 - (c) the local authority, for a policy statement or a plan (except for plan changes that have been requested and the request accepted under clause 25(2)(b) of Part 2 of Schedule 1); or
 - (d) the person who made the request, for plan changes that have been requested and the request accepted under clause 25(2)(b) of Part 2 of the Schedule 1.
- (2) A further evaluation must also be made by—
 - (a) a local authority before making a decision under clause 10 or clause 29(4) of the Schedule 1; and
 - (b) the relevant Minister before issuing a national policy statement or New Zealand coastal policy statement.
- (3) An evaluation must examine—
 - (a) the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and
 - (b) whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.
- (4) For the purposes of this examination, an evaluation must take into account—
 - (a) the benefits and costs of policies, rules, or other methods; and
 - (b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.
- (5) The person required to carry out an evaluation under subsection (1) must prepare a report summarising the evaluation and giving reasons for that evaluation.
- (6) The report must be available for public inspection at the same time as the document to which the report relates is publicly notified or the regulation is made.]

1.2 Principal Background Information

1.2.1 Table of technical reports completed

The following table lists the technical work and reports, which have guided the content of the proposed plan change for the Wairoa River Maritime Village Area.

Documents and Files	How Used	File Ref.
"Preliminary Landscape Assessment and Development Guidelines" (Haines Planning Consultants Ltd, June 2000)	Provides information on site suitability and constraints in terms of landscape.	Specialist Annexure
"Wairoa River Canal Village Project – Preliminary Geotechnical Report" (Synergine Group, December 2003)	Provides information on site suitability and constraints in terms of development layout.	Specialist Annexure
"Wairoa River Canal Village Flood Level Assessment" (Tonkin & Taylor, August 2003)	Identifies that the site is suitable from a flood risk perspective.	Specialist Annexure
"Wairoa River Canal Village: Refinement of Flood Level Assessment" (Tonkin & Taylor, May 2005)	Identifies that the site is suitable from a flood risk perspective.	Specialist Annexure
"Wairoa River Canal Village – Traffic Assessment" (Traffic Design Group, September 2004)	Provides useful information in terms of roading layout and the existing roading system.	Specialist Annexure
"Wairoa River Canal Village – Archaeological Survey and Assessment" (Rod Clough & Associates, June 2003)	Identifies the position of middens etc on the site.	Specialist Annexure
"Civil Investigation and Concept Design Report" – (Synergine Group, 24 March 2004)	Provides detailed analysis of infrastructure provision and development design.	Specialist Annexure
<i>Water Supply and Wastewater Disposal Facilities – additional information to Manukau Water (Synergine Group, 11 May 2005)</i>	Provides additional information in relation to water and wastewater treatment facilities.	Specialist Annexure
"Wairoa Canal Housing Development Ecological Assessment" (Bioreserches, May 2004)	Identifies the effects that site development may have on the ecology of the area.	Specialist Annexure
"Wairoa River Canal Village Numerical Model of Wairoa Bay" (UniServices October 2004)	Identifies hydrological effects relating to the proposal.	Specialist Annexure
"Wairoa River Canal Village physical modelling of the Wairoa River Canal Village" (UniServices October 2004)	Assesses flow magnitudes within the canal development.	Specialist Annexure
"Wairoa Maritime Village Landscape and Visual Effects Assessment" (Haines Planning February 2005)	Provides information on site suitability and constraints in terms of landscape and appropriate	Specialist Annexure

	mitigatory measures.	
“Wairoa River Maritime Village Area Policy and Planning Overview (for section 32 report)” (Haines Planning March 2005)	Provides a policy and planning overview as the background for the formal report required under section 32 of the Resource Management Act 1991.	Specialist Annexure

1.2.2 Summary of background research and analysis

Background research and analysis with regard to the formulation of the Maritime Village Residential Zone and Recreation Zone entailed establishing an understanding of the interface with the existing rural environment.

Background research identified key environmental outcomes that were considered important in identifying the plan change options and requirements:

- a. provide for a broad buffer of undeveloped land along North Road to establish planting to screen the land from the road corridor and residential sites above. Particular attention to the elevated centre section of the road is required.
- b. maintain a buffer of undeveloped land along the southern boundary to establish planting to partially screen the development from adjacent owners. The potential for visual impact is however limited by existing vegetation.
- c. maintain a buffer of undeveloped land along the northern boundary to establish planting to partially screen the development from the adjacent farmland, the access road to the boat club, and the elevated longer views from Duder Regional Park. Protect the shallow mangrove wetland and enhance the scattered remnant of cabbage trees.
- d. provide for a buffer of vegetation along the section of the river bank without mangroves:
- e. to contain the development in views from the river and residential properties above the Clevedon/Kawakawa Road;
- f. to filter runoff and provide a refuge for wildlife.
- g. shape the layout of canals and housing to reflect the linear nature of the landscape – river, river margins, river flats, road, pastoral strip along foothills and the grain/direction of the hills.
- h. establish a structural framework of indigenous plant species throughout the complex to complement the mangrove associations of the river corridor and native remnants on the site and in the locality.
- i. extensive river edge planting to create a riparian corridor for wildlife protection, visual screening, recreation and water quality enhancement;
- j. a constructed freshwater wetland to provide a visual screen and natural habitat area between the canal village and North Road.
- k. the provision of walkways, lookout mound, open space and recreational facilities to offer public benefit.

Given the constraints that have been identified, it is necessary that the subdivision and land use controls reflect these constraints.

1.2.3 Purpose of the Act.

The purpose (Section 5) of the Act which is: “to promote the sustainable management of natural and physical resources”.

Sustainable Management is defined 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 wellbeing and for their health and safety while:

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonable foreseeable needs of future generation; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil, and eco-systems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

1.3 Summary and Overall Conclusions

This Plan Change is necessary to achieve the purpose of the Act because:

- It promotes the sustainable management of the physical resources of Manukau City whilst avoiding, remedying, or mitigating any adverse effects of the proposed Wairoa River Maritime Village Area on the environment.
- The amenity and heritage values of the surrounding Rural 1 zone identified in the landscape assessment are under threat from inappropriate and insensitive developments.
- The proposed controls will assist in ensuring that adverse effects on those amenity and heritage values will be avoided, remedied, or mitigated.
- Through the controls that have been developed, particular regard will be given to the maintenance, enhancement, recognition, and protection of those values in accordance with Sections 5 and 7 of the Act.

1.4 Methodology

The following paragraphs provide a record of the manner in which the proposed Plan Change has been assessed in accordance with Section 32(1) using the following headings:

- Policy and Planning Overview
- The Wairoa River Maritime Village Area Plan Change Option
- Social, Economic, and Cultural Wellbeing, Health and Safety
- Maintenance and Enhancement of Amenity Values
- Managing Adverse Effects
- Resource Use Efficiency
- Assessment of Methods

2 POLICY AND PLANNING OVERVIEW

2.1 Introduction

For the full Policy and Planning Overview, please refer to the Specialist Annexure Report.

In respect of relevant statutory considerations, that report addresses in detail:

- The Resource Management Act 1991;
- The Hauraki Gulf Maritime Park Act 2000; and
- The Local Government (Auckland) Amendment Act 2004.

In respect of the relevant policy and planning instruments, the report addresses in detail:

- The New Zealand Coastal Policy Statement;
- The Auckland Regional Policy Statement;
- The Auckland Regional Plan: Coastal; and
- The Proposed Auckland Regional Plan: Air, Land and Water.

2.2 Summary of Policy and Planning Overview

2.2.1 The Resource Management Act

Section 75(2) of the Resource Management Act specifies:

“A district plan must give effect to any national policy statement or a New Zealand coastal policy statement and must not be inconsistent with –

- (a) a water conservation order; or*
- (b) the regional policy statement; or*
- (c) a regional plan for any matter specified in section 30(1).”*

2.2.2 New Zealand Coastal Policy Statement

As discussed in the Overview report in respect of the New Zealand Coastal Policy Statement:

In terms of public access, the proposed plan change includes the provision of extensive reserves that will be available to the public. The esplanade reserve (which will be required on subdivision as provided for in the plan change) along the riverbank and the creation of the Maritime Village Recreation Zone in particular, will enable public access to the lower reaches of the River not currently available to the public. The development of public access roads, walkways and reserves network will enable public enjoyment of these areas.

As the environmental assessment reports (including the landscape report) indicate, canal housing in this location is an appropriate activity which does not detract from the values of the coastal environment. Canal housing can only be established in a location in which the necessary and particular combination of natural and physical resource characteristics occurs. The opportunities for such sites to be available or suitable, is extremely limited within the Auckland region. This is simply because of factors such as coastal physiography, accessibility, and the separation effect caused by esplanade reserves and tidal factors. In light of the special

characteristics of this site making it suitable for this proposed use, it is considered that the proposal will not have any significant or adverse effects.

In terms of the protection of habitats, the proposal will incorporate a buffer area contiguous with the margins of the site consisting mainly of indigenous species, which will provide for enhancement of the habitat. A constructed freshwater wetland and riparian planting are proposed to enhance habitat values and extend the range of habitat types.

In terms of the precautionary principle, comprehensive assessments have shown that any adverse effects can be appropriately avoided, remedied or mitigated.

The Maritime Village has been designed to minimise the effects of coastal hazards. This has been achieved by incorporating a land buffer from the coastal margin and by setting minimum floor levels above flood levels while also allowing for sea level rise. The land buffer will be planted to help stabilise the coastal margin and to minimise coastal erosion processes. In summary, the Wairoa River Maritime Village Area plan change gives effect to the New Zealand Coastal Policy Statement.

2.2.3 Auckland Regional Policy Statement

Under section 75(2) of the Resource Management Act, a district plan must “*not be inconsistent with the Regional Policy Statement*”. With respect to the Auckland Regional Policy Statement, the following points are noted, in particular with reference to Policy 2.6.1 “*Urban Growth Management*”.

It is recognised that the growth statistics upon which the RPS was based are now well out of date. For example, in the section 2.3.1 it was originally envisaged that the Auckland region would grow to 1.3 million by the year 2016. The ARC produced figures in June 2003, which indicated that the population was 1.250 million and rapid population growth has continued throughout the region.

Paragraph 2.6.1(1) of the RPS requires that the growth of metropolitan Auckland is to be managed with reference to a 30 year time horizon, in the manner which gives effect to the purpose and principles of the Resource Management Act, and is consistent with the RPS Strategic Direction and has regard to the matters referred to in subparagraphs (i) to (vi).

Those factors refer to the rate of urban development occurring in the Region; the capacity realistically available for further urban development (including the capacity contribution that may be made by coastal settlements); the need to recognise and provide for areas requiring protection from urban development; and areas where provision should be made for future urban development.

The Wairoa River Maritime Village Area plan change does not purport to manage “*the growth of metropolitan Auckland*”. The proposed plan change provides for a form of development that is discrete and contained and has particular locational requirements. This development therefore does not undermine a compact and contained urban form with intensification of selected growth centres as provided for in policy 2.5 of the RPS. Even so, however, it is relevant that Policy 2.6.1(1)(ii) requires regard to be had to the “*capacity realistically available for further urban development*”, including the “*contribution that may be made by coastal settlements*”. Therefore, although even in a minor way, it is recognised that this plan change identifies and has regard to the urban development capacity and contribution that may be made by the Wairoa River Maritime Village Area as a coastal settlement.

Similarly, the plan change recognises and provides for areas of significant natural and physical resources requiring protection from urban development. This includes avoiding the Coastal Protection Area 1 under the Auckland Regional Plan: Coastal, for the location of the canal entrance and navigation lock. It further provides substantial enhancement in respect of the Wairoa River and its margins and in terms of the open space areas that will be provided, protected and enhanced. [Policy 2.6.1(1)(iii)]

With reference to Policy 2.6.1(2), the plan change provides for an appropriate intensity of urban activity at a suitably selected location (in terms of the particular natural and physical characteristics earlier referred to). It provides for an area of new development that will be contained within its defined limits as a new coastal settlement. It is recognised that there will be an element of commuting but because of the contained scale of development provided by the proposed plan change there will not be significant adverse transport or traffic effects. The Wairoa River Maritime Village Area is located on a District Arterial road which itself is connected to other arterial roads, so that access can be easily obtained to facilities in the area. In addition, the rail and

bus station of Papakura town centre is a direct drive via arterial roads to and from the Wairoa River Maritime Village Area, making changes in modal choice an easy option for travel to the Auckland CBD. The all-tide vessel access provides the opportunity for ferry passenger services to develop.

The plan change has no inconsistency with the operation of existing regional infrastructure and it will facilitate (and provides for) the efficient provision of new utility services including water supply and the treatment and disposal of wastewater. In promoting the sustainable management of natural and physical resources, the Wairoa River Maritime Village Area plan change is self-sufficient in its provision of utility services and will make no demand on regional infrastructure (Policy 2.6.1:2(iv) and (v)).

As identified in the plan change AEE and the landscape report, the Wairoa River Maritime Village Area will achieve a high standard of amenity, will maintain and significantly enhance the existing amenity values, will not give rise to conflicts between incompatible land uses and will avoid, remedy or mitigate any actual or potential adverse effects on the environment. [Policy 2.6.1:2(xi), (xii) and (xiii)]

In summary, the plan change is not inconsistent with the Auckland Regional Policy Statement.

2.2.4 LGAAA: Land Transport and Land Use Changes

As discussed in the Policy and Planning Overview Report, the Wairoa River Maritime Village Area plan change request is not a “land transport and land use change” as defined and required under the Local Government (Auckland) Amendment Act 2004, which Auckland Councils must notify by 31 March 2005. In particular, a “*land transport and land use change*” has the specific meaning and purpose specified in the LGAAA.

As previously discussed above in relation to the Auckland Regional Policy Statement the Wairoa River Maritime Village Area plan change does not undermine the intensification policy in the RPS for existing urban areas. Similarly the Wairoa River Maritime Village Area plan change does not undermine the LGAAA.

3 THE WAIROA RIVER MARITIME VILLAGE AREA PLAN CHANGE OPTION

3.1 Introduction

Prior to going into detail of the objectives, policies and rules of the proposed plan change, it is appropriate to consider the overall options for facilitating the Maritime Village proposal. This section considers the appropriateness and the potential benefits and costs, of the proposed Maritime Village zones, and compares the zones with alternative planning methods to establish residential canal housing.

3.2 Appropriateness

3.2.1 Alternative options to creating the Wairoa River Maritime Village Area

The following three options are evaluated in this section:

- Do nothing (retain Rural 1 Zone and submit a non-complying resource consent application to Council)
- Implement another existing residential zone eg; Main Residential or Residential Settlement Unserviced.
- Create a new zone - Maritime Village Residential Zone

Alternative 1: Do nothing

The status quo means retaining the current zoning of the site, being Rural 1. In order to facilitate such a development a series of resource consents would be required – the most strategically significant being the non-complying resource consent for the overall concept and subdivision in terms of the objectives, policies, and rules of the current Rural 1 zone.

When the Rural 1 zone provisions were originally formulated (prior to notification of the proposed plan in 1995) there was no specific consideration given to the most appropriate use development and protection of the Wairoa Maritime Village Area. In response to a submission in relation to canal housing, the Council recommended that a plan change would be the most appropriate planning procedure by which to assess this proposal.

If the plan change request process was not pursued and the non-complying resource consent application process were attempted, the application would require a significant amount of detail making it difficult to stage the development. For example, zoning establishes development control and policy parameters within which the detailed design follows later at each stage of the development, whereas a resource consent would require all this detailed information up-front to accompany the application. There would also need to be a detailed analysis of the Rural 1 policies, objectives and rules which may not support such a development. Of significant concern would be the potential precedent effect of allowing such housing densities under the existing Rural 1 rules.

Alternative 2: Implement another existing residential zone eg; Main Residential or Residential Settlement Unserviced.

Another option could be to utilise an already existing residential zone under which to facilitate the development. Main Residential applies to many of the residential areas around the City, particularly where there are no significant environmental constraints to discourage intensified residential development. This zone allows consolidation and intensification of residential development while ensuring the maintenance and enhancement of residential amenity values. The maximum density provided for in Main Residential is one household per 300m². However, the Main Residential zone is not tailored to the requirements for canal housing nor its rural setting.

The Residential Settlement Serviced Zone applies to the settlements of Beachlands and Maraetai which have recently been connected to a reticulated wastewater scheme and treatment plant. This zone protects the heritage and amenity values of the settlements, while maintaining some flexibility for increased development of larger sites. Although the density provisions for Residential Settlement Serviced Zone are similar to those envisaged for the canal development, the proposed canal village has a particular focus and character due to the intimate relationship with the coastal area. The Residential Settlement Serviced Zone is based upon Council-provided wastewater infrastructure and treatment plant whereas the Wairoa River Maritime Village Area will be fully self serviced.

Alternative 3: Create new Maritime Village Zones through a Plan Change Process

This alternative involves the creation of zones to establish and manage a residential housing development on the banks of the Wairoa River. The Maritime Village Zones are aimed at achieving a sustainable residential environment, with high levels of amenity, both internally and externally which:

- supports housing and lifestyle choice;
- provides for the infrastructure (such as canals and jetties) required for a canal development; and
- is intended to achieve a specific layout centred on the canal configuration
- recognises the highly valued setting and landscape
- provides for protection and enhancement of the natural features and ecosystem

Of particular note is the character and focus of the residential development. The canal development is reliant on a coastal location with necessary and particular combination of natural and physical resource characteristics. By creating new zones, there is an opportunity to develop not only policies, objectives and rules to support the proposal but also criteria and standards to achieve important outcomes such as integration with the surrounding landscape.

3.3 Costs and Benefits

Alternative Means	Costs	Benefits
Alternative 1: Do Nothing (Retain Rural Zone)	<p>Does not provide for housing /lifestyle choice</p> <p>Potential for ad hoc development resulting in a series of Individual resource consent applications</p> <p>Would result in an inefficient use of natural and physical resources as the land is currently uneconomic for farming</p> <p>Does not achieve environmental enhancement</p>	<p>Existing rural use will continue for the foreseeable future</p>
Alternative 2: Implement another existing residential zone eg; Main Residential or Residential Settlement Unserviced.	<p>Environmental costs that are associated with the Main Residential subdivision and land use controls. More specifically, the Main Residential zone does not recognise and provide for the use, development and protection that is appropriate for this particular land</p> <p>Main Residential subdivision and land use</p>	<p>No additional district plan provisions need to be formulated</p> <p>The features of existing residential zones are well known and understood</p> <p>The effects of this density of</p>

Alternative Means	Costs	Benefits
	<p>controls do not recognise the specific characteristic and requirements of the land</p> <p>The rules do not provide for the infrastructure required for a canal housing development</p> <p>The Main Residential activity table allows activities which are not appropriate on the proposed Wairoa River Maritime Village site</p> <p>Opportunity to subdivide under Main Residential provisions to a greater density (and possibly inappropriate) than is desired</p>	<p>development on amenity and the environment are known from existing development</p> <p>The rules objectives and policies have already been through the statutory planning process</p>
<p>Alternative 3: Implement Maritime Village Zones.</p>	<p>Costs of formulation and implementation of new district plan provisions for the zones</p> <p>The rules, objectives and policies of existing Main Residential zoning have already been through the statutory planning process</p>	<p>Effective in providing more housing choice/diversity</p> <p>Efficient use of land</p> <p>Effective in allowing for significant environmental protection</p> <p>Achieves community benefits in terms of providing a high level of amenity both internally and externally</p> <p>The rules and activities allowed in the zones reflect the specific natural and physical characteristics of the land</p> <p>The rules provide for the unique infrastructure required for a canal development such as jetties, canals and a lock system</p> <p>Achieves environmental objectives on the site</p> <p>Opportunity to tailor design requirements to create a unique character</p>

4 SOCIAL, ECONOMIC AND CULTURAL WELLBEING, HEALTH AND SAFETY

4.1 Overview

These objectives, policies and rules, as summarised below, are intended to address the social, economic and cultural wellbeing of people and their health and safety.

NB: each of the objectives and policies under this heading is set out in the tables below and the rules are as outlined in Chapter 4 of the Plan Change.

4.2 Objectives

This section examines each of the new objectives and the extent to which separately and together these are the most appropriate way to achieve the purpose of the Act.

Objectives	Extent to which it is the most appropriate way to achieve the purpose of the Resource Management Act
17.11.3.3 To provide a lifestyle choice in the Wairoa River Maritime Village Area to assist in enabling people to meet their social, cultural and economic needs	Provides an opportunity, not currently available, for people to choose to live in a particular type of community best suited to their needs
17.11.3.6 To provide high quality open space for public use	Provides for the well-being of people through creating a new open space facility for the use and enjoyment by the public
17.11.3.7 To enhance public access and opportunities for recreation along the lower reaches of the Wairoa River	Provides for the well-being of people through creating a new open space facility and enabling access by the public, including tangata whenua, to a valued river edge that is currently in private ownership
17.11.3.9 To manage non-residential land use activities and home enterprises in the Wairoa River Maritime Village Area to minimize conflict with residential activities.	This objective allows people within the Maritime Village community to meet their social and economic needs while managing the effects of non residential land uses on surrounding residential properties
17.11.3.11 To recognize the relationship of Maori and their culture and traditions with their ancestral land, water, sites, waahi tapu and other taonga	This objective recognises the rights accorded to Maori under the Resource Management Act

In summary it is considered that the above objectives are the most appropriate way to achieve the purpose of the Act.

4.3 Merits of proposed policies

The following table summarises an evaluation of the costs and benefits of the proposed policies, which relate to the above objectives. In particular, it considers whether these policies are the most appropriate for achieving the objectives, having regard to their efficiency and effectiveness.

Policy	Costs	Benefits	Efficiency and Effectiveness
17.11.4.3 Provide for canal housing as a lifestyle choice by establishing the Maritime Village Residential zone and creating opportunities for environmental protection and enhancement	Potential for adverse environmental effects which may accompany any new coastal development	Promotes housing choice Provides alternative living environments Provides for a distinct sector of the housing market	If there is greater housing and lifestyle choice, specific housing needs within the region can be better met
17.11.4.9 Provide open space and public access to the Wairoa River by establishing the Maritime Village Recreation zone	Potential security issues by allowing public access to the Maritime Recreation Zone Noise and nuisance generated by public use of the open space	Provides access for the public to the Wairoa River which is not currently available Increased open space available to the public in the rural area for a range of recreational activities including walking, bridle trails, bird watching	The provision of paths and access as a result of the establishment of the Wairoa River Maritime Village Area means that access will be provided in an efficient manner at no cost to the public, and with the least environmental disruption
17.11.4.10 Provide for recreational opportunities within the Wairoa River Maritime Village Recreation Zone	Potential for increased damage to the ecology Noise and nuisance generated by public use of the open space Potential security issues by allowing public access to the Maritime Recreation Zone	Increased open space available to the public in the rural area for a range of recreational activities including walking, bridle trails, bird watching	The use of the buffer area surrounding the residential zone for public recreation is an efficient and effective use of the land.
17.11.4.12 The primary purpose of the Maritime Village Residential Zone is for residential activities	Compliance and monitoring costs May restrict the potential uses Cost to developer and landowner to apply for	Gives certainty to community and Council of requirements to establish various activities within the Wairoa River Maritime Village	This policy is effective because it makes it clear as to the intended primary purpose of the Wairoa Maritime Village By stating that the intent of the zone is primarily for

	any required resource consents	Residential zone Provides certainty to community and landowner that the Council is able to take enforcement action against undesirable activities within the Wairoa River Maritime Village Residential zone Reduces potential conflict between uses Creates and maintains a residential focus	residential activities, the policy is also an efficient way of educating the community as to what activities are appropriate and acceptable in the zone
17.11.4.13 Activities in the Wairoa River Maritime Village Area should;	As above	As above	As above
<ul style="list-style-type: none"> • be in keeping with residential intensity, use and character • not create nuisances e.g. objectionable noise, smoke, dust, fumes, odours • not be noxious or dangerous 			
17.11.4.15 Subdivision, use and development of land along the Wairoa River should recognise the relationship of Maori, their culture and traditions with land, water, sites, waahi tapu and other taonga	Additional consultation costs	Provides for tangata whenua participation in the resource management process	This policy is an efficient and effective way of providing for tangata whenua participation in the resource management process

4.4 - Appropriateness of policies to achieve objectives

Having regard to the costs and the benefits, and the efficiency and effectiveness as summarised above, the policies in the above table are considered to be the most appropriate for achieving the objectives.

5 MAINTENANCE AND ENHANCEMENT OF AMENITY VALUES

5.1 Overview

This section of the report considers the objectives, policies that can be summarised as addressing the maintenance and enhancement of amenity values.

NB: each of the objectives and policies under this heading is set out in the tables below and the rules are as outlined in the Chapter 4 of the Plan Change.

5.2 Objectives

This section examines each of the new objectives and the extent to which separately and together these are the most appropriate way to achieve the purpose of the Act.

Objectives	Extent to which it is the most appropriate way to achieve the purpose of the resource Management Act
17.11.3.1 To manage the use, development and protection of the Wairoa River Maritime Village Area so that activities that are appropriate and related to the proximity to the coastal environment, are provided for and recognize the natural and ecological values of the Wairoa River.	Provides for the protection of natural and physical resources, in a manner that will ensure that the amenity values of the surrounding area are sustained for present and future generations
17.11.3.2 To ensure that any development within the Wairoa River Maritime Village Area avoids, remedies or mitigates the environmental effects on outstanding coastal landscapes and highly valued rural landscapes.	Provides for any specific proposals to be evaluated on their merits under the Act in terms of effects on coastal landscapes and highly valued rural landscapes
17.11.3.4 To ensure that subdivision, use and development of land within the Wairoa River Maritime Village Area avoids, remedies, or mitigates reverse sensitivity effects.	This objective provides for people and communities on rural lands surrounding the Wairoa River Maritime Village Area to continue existing uses and activities and thereby meet their social and economic needs.
17.11.3.8 To ensure that development of the Wairoa River Maritime Village Area is designed and undertaken in such a manner that it creates an attractive living environment that respects the surrounding rural and coastal setting.	Provides for any specific proposals to be evaluated on their merits under the Act in terms of effects on coastal landscapes and highly valued rural landscapes

In summary it is considered that the above objectives are the most appropriate way to achieve the purpose of the Act.

5.3 Merits of proposed policies

The following table summarises an evaluation of the costs and benefits of the proposed policies, which relate to the above objectives. In particular, it considers whether these policies are the most appropriate for achieving the objectives, having regard to their efficiency and effectiveness.

Policy	Costs	Benefits	Efficiency and Effectiveness
<p>17.11.4.1 Development in the Wairoa River Maritime Village Area shall:</p> <ul style="list-style-type: none"> • Maintain and enhance the existing natural habitat of the areas • Pursue opportunities to increase the range of different habitat types and the overall biodiversity of the area 	<p>Substantial work and resources will be required to maintain and enhance existing habitat.</p> <p>Change in use from current grazing activity, namely a reduction of available grazing area</p>	<p>Protection of existing habitats</p> <p>Increase in the diversity of habitat types and range of species</p> <p>Decrease in nutrient loadings in waterways caused by fertilizer applications and animal effluent.</p> <p>Introduction of sediment control measures</p>	<p>This policy is an efficient and effective way of maintaining or enhancing the environment as the necessary works or infrastructure (such as stormwater) can be put in place at the time of developing the Wairoa River Maritime Village Area</p> <p>This policy is also effective as it addresses the avoiding, remedying or mitigating of adverse effects in accordance with the purpose of the RMA</p> <p>This policy highlights the importance of maintenance and enhancement of the natural environment</p>
<p>17.11.4.2 The Wairoa River Maritime Village Area should be developed in a way that avoids, remedies or mitigates adverse effects of activities on the natural environment including:</p> <ul style="list-style-type: none"> • coastal and rural landscape values; • any identified natural or cultural heritage qualities or features 	<p>Implementation cost in terms of administration and monitoring</p> <p>Higher development costs</p>	<p>Establishes an appropriate use, development and protection of the natural environment including avoiding, remedying or mitigating adverse effects</p>	<p>This policy is effective because it focuses the development on avoiding, remedying or mitigating adverse effects on the natural environment including landscape</p> <p>As landscape effects are being internalised, through mitigation measures, this policy is an efficient way to meet the objective</p>

<p>17.11.4.4 The Maritime Village should be designed in a manner that is sympathetic to the surrounding landscape</p>	<p>(as above)</p>	<p>(as above)</p> <p>The Maritime Village with its substantial recreation areas and landscaping will be complementary to the surrounding landscape</p>	<p>This policy is effective because it recognizes the relationship between the Maritime Village Area and the surrounding landscape</p>
<p>17.11.4.5 Buildings should be sited and designed so as to avoid or mitigate any potential adverse effects on the rural character and visual amenity values of the surrounding rural area</p>	<p>Stringent design controls, including colour requirements, will have to be complied with, which may restrict the expression of individual preferences</p>	<p>Long term benefits of quality buildings and public spaces</p> <p>Creates an attractive living environment</p> <p>Development controls will result in design that is compatible with the surrounding landscape</p>	<p>This policy sets the framework for the development standards</p> <p>The control of building location and design is an efficient way of reducing visual effects on rural amenity</p>
<p>17.11.4.6 Spatial separation should be provided between the Maritime Village Residential Zone and the existing rural zones</p>	<p>The potential change in use from current grazing activities to passive recreation and landscape enhancement may result in a loss of agricultural land</p>	<p>Allowing a buffer between the Wairoa River Maritime Village Residential zone and the Rural 1 zone will manage reverse sensitivity effects</p> <p>Provides a landscape buffer to screen the development</p> <p>Will allow for the provision of an open space area for enjoyment by the public</p> <p>Allows stand alone access to the Wairoa River. Access to the river does not depend upon adjacent properties being subdivided to provide Esplanade Reserves and thus access to the river</p> <p>Increased public surveillance</p>	<p>Spatial separation is the most efficient and effective way of avoiding, remedying or mitigating reverse sensitivity effects that may arise if a residential zone is located immediately adjacent to a rural zone</p>
<p>17.11.4.7 Uses within the Maritime Village Recreation Zone will be managed so as not to adversely affect rural amenity</p>	<p>Compliance and monitoring costs</p> <p>May restrict uses of the Recreation zone.</p> <p>Increased chance of damage to</p>	<p>Will ensure that potential reverse sensitivity issues such as noise are kept to a minimum</p> <p>Will enable uses such as landscaping and passive recreation which are compatible with rural</p>	<p>Restricting activities in the Maritime Village Recreation zone is the most efficient and effective means to ensure that the rural amenity values of the area are not compromised.</p>

	<p>ecosystems</p> <p>Possibility of disturbance to farm animals on surrounding property eg dogs</p> <p>Increased traffic generation</p>	<p>amenity values</p> <p>Mitigates against potential for conflict of uses</p>	<p>Restricting uses to passive recreation activities (for example) will minimise potential reverse sensitivity issues such as noise</p>
<p>17.11.4.11 The design of development should take into account the following:</p> <ul style="list-style-type: none"> • The surrounding rural and coastal context • Circulation patterns for vehicles and pedestrians • Site size and layout • Scale, bulk and location of buildings • Interface between private development and the public realm ie streetscape, public open space, footpaths etc • Safety and security • Landscape design 	<p>Implementation costs in terms of administration and monitoring</p> <p>Higher development costs than more traditional residential development types</p> <p>Requirement for body corporate (incorporated society or company) is more complex, restrictive and expensive than for a standard residential development</p>	<p>Provides a measure of certainty to achieve the desired design outcomes</p> <p>Creates an attractive living environment with a clear sense of identity</p> <p>Long term benefits of quality buildings and public spaces</p> <p>Provides a high level of amenity, both internally and externally</p> <p>Provides for a safe and secure living environment</p>	<p>Control over the layout, form and design is considered the most efficient means of achieving an attractive, functional, sustainable and safe environment</p>

5.4 Appropriateness of policies to achieve objectives

Having regard to the costs and the benefits, and the efficiency and effectiveness as summarised above, the policies in the above table are considered to be the most appropriate for achieving the objectives.

6 MANAGING ADVERSE EFFECTS

6.1 Overview

This section of the report considers the objectives, policies that can be summarised as addressing the maintenance and enhancement of amenity values.

NB: each of the objectives and policies under this heading is set out in the tables below and the rules are as outlined in the Chapter 4 of the Plan Change.

6.2 Objectives

This section examines each of the new objectives and the extent to which separately and together these are the most appropriate way to achieve the purpose of the Act.

Objectives	Extent to which it is the most appropriate way to achieve the purpose of the Resource Management Act
17.11.3.2 To ensure that the any development within the Wairoa River Maritime Village Area avoids, remedies or mitigates the environmental effects on outstanding coastal landscapes and highly valued rural landscapes.	Provides for any specific proposals to be evaluated on their merits under the Act in terms of effects on coastal landscapes and highly valued rural landscapes
17.11.3.4 To ensure that subdivision, use and development of land within the Wairoa River Maritime Village Area avoids, remedies, or mitigates reverse sensitivity effects.	This objective provides for people and communities on rural lands surrounding the Wairoa River Maritime Village Area to continue existing uses and activities and thereby meet their social and economic needs.
17.11.3.5 To ensure that development in the Wairoa River Maritime Village Area maintains the water quality of the Wairoa River	Provides for the maintenance and enhancement of the life supporting capacity of the Wairoa River and its wider ecosystem
17.11.3.10 To appropriately plan the Wairoa River Maritime Village so as to protect the community and their assets from natural hazards	By managing hazard risk, the purpose of the RMA is achieved because the objective makes provision for the health and safety of people and property in the Wairoa River Maritime Village Area.

In summary it is considered that the above objectives are the most appropriate way to achieve the purpose of the Act.

6.3 Merits of proposed policies

The following table summarises an evaluation of the costs and benefits of the proposed policies, which relate to the above objectives. In particular, it considers whether these policies are the most appropriate for achieving the objectives, having regard to their efficiency and effectiveness.

Policy	Costs	Benefits	Efficiency and Effectiveness
<p>17.11.4.2 The Wairoa River Maritime Village Area should be developed in a way that avoids, remedies or mitigates adverse effects of activities on the natural environment including:</p> <ul style="list-style-type: none"> • coastal and rural landscape values; • any identified natural or cultural heritage qualities or features 	<p>Implementation cost in terms of administration and monitoring</p> <p>Higher development costs</p>	<p>Establishes an appropriate use, development and protection of the natural environment including avoiding, remedying or mitigating adverse effects</p>	<p>This policy is effective because it focuses the development on avoiding, remedying or mitigating adverse effects on the natural environment including landscape</p> <p>As landscape effects are being internalised, through mitigation measures, this policy is an efficient way to meet the objective</p>
<p>17.11.4.4 The Maritime Village should be designed in a manner that is sympathetic to the surrounding landscape</p>	<p>(as above)</p>	<p>(as above)</p> <p>The Maritime Village with its substantial recreation areas and landscaping will be complementary to the surrounding landscape</p>	<p>This policy is effective because it recognizes the relationship between the Maritime Village Area and the surrounding landscape</p>
<p>17.11.4.5 Buildings should be sited and designed so as to avoid or mitigate any potential adverse effects on the rural character and visual amenity values of the surrounding rural area</p>	<p>Stringent design controls, including colour requirements, will have to be complied with, which may restrict the expression of individual preferences</p>	<p>Long term benefits of quality buildings and public spaces</p> <p>Creates an attractive living environment</p> <p>Development controls will result in design that is compatible with the surrounding landscape</p>	<p>This policy sets the framework for the development standards</p> <p>The control of building location and design is an efficient way of reducing visual effects on rural amenity</p>
<p>17.11.4.6 Spatial separation should be provided between the Maritime Village Residential Zone and the existing rural zones</p>	<p>The potential change in use from current grazing activities to passive recreation and landscape enhancement may result in a loss of agricultural land</p>	<p>Allowing a buffer between the Wairoa River Maritime Village Residential zone and the Rural 1 zone will manage reverse sensitivity effects</p> <p>Provides a landscape buffer to screen the development</p> <p>Will allow for the</p>	<p>Spatial separation is the most efficient and effective way of avoiding, remedying or mitigating reverse sensitivity effects that may arise if a residential zone is located immediately adjacent to a rural zone</p>

		<p>provision of an open space area for enjoyment by the public</p> <p>Allows stand alone access to the Wairoa River. Access to the river does not depend upon adjacent properties being subdivided to provide Esplanade Reserves and thus access to the river</p> <p>Increased public surveillance</p>	
<p>17.11.4.7 Uses within the Maritime Village Recreation Zone will be managed so as not to adversely affect rural amenity</p>	<p>Compliance and monitoring costs</p> <p>May restrict uses of the Recreation zone.</p> <p>Increased chance of damage to ecosystems</p> <p>Possibility of disturbance to farm animals on surrounding property eg dogs</p> <p>Increased traffic generation</p>	<p>Will ensure that potential reverse sensitivity issues such as noise are kept to a minimum</p> <p>Will enable uses such as landscaping and passive recreation which are compatible with rural amenity values</p> <p>Mitigates against potential for conflict of uses</p>	<p>Restricting activities in the Maritime Village Recreation zone is the most efficient and effective means to ensure that the rural amenity values of the area are not compromised. Restricting uses to passive recreation activities (for example) will minimise potential reverse sensitivity issues such as noise</p>

<p>17.11.4.8 The development of land shall incorporate sustainable management practices that minimize the actual and potential adverse effects on water quality</p>	<p>Substantial work and resources required to implement appropriate measures to control sediment and stormwater quality</p>	<p>Decrease in nutrient loadings in waterways caused by fertilizer applications and animal effluent.</p> <p>Allows greater control over sediment input into the river system</p> <p>Reduction in contaminants entering the river system</p> <p>Protection for flora and fauna</p> <p>Positive impact on the existing ecosystems</p>	<p>This policy is effective because it focuses the development of the Wairoa River Maritime Village Area on avoiding, remedying or mitigating adverse effects.</p> <p>The policy is also efficient in that the necessary works or infrastructure to manage the effects of stormwater and sediment can be put in place at the time of developing the Wairoa Maritime Village Area</p>
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<p>17.11.4.14 The design of the Wairoa River Maritime Village Area should address potential hazards including;</p> <ul style="list-style-type: none"> • The risk of flood damage from the Wairoa River • Sea-level rise • Storm surge • Subsidence • Erosion 	<p>Substantial work and resources required to protect against potential hazards</p> <p>May not consider a wide enough range of potential hazards eg hazards with high impacts but low frequency</p>	<p>The protection of human life and property from hazard risk</p> <p>Safer development for both people and their property.</p>	<p>Hazards are unavoidable in coastal areas. This policy is efficient and effective as it seeks to consider the risk to the community and addresses them appropriately</p>
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6.4 Appropriateness of policies to achieve objectives

Having regard to the costs and the benefits, and the efficiency and effectiveness as summarised above, the policies in the above table are considered to be the most appropriate for achieving the objectives.

7 ASSESSMENT OF METHODS

7.1 Introduction

The following table summarises the methods used to achieve the policies.

Methods	Costs	Benefits	Efficiency and Effectiveness
Proposed creation of two new zones being Maritime Village Residential Zone and Maritime Village Recreation Zone	Cost of formulation and implementation of new district plan provisions for the zones	<p>Can create policies and objectives specific to the site and type of development.</p> <p>Can address specific features of the site</p> <p>Can develop controls and assessment criteria to achieve specific outcomes such as integration with the surrounding landscape</p>	<p>Introduces new zones with specific objectives, policies and rules to achieve the desired outcomes</p> <p>This provides certainty of outcome and negates the need to prepare a series of non-complying resource consent applications</p> <p>It enables comprehensive development rather than ad hoc with is more efficient</p>
Development of an activity table to give guidance to appropriate uses within the Maritime Village Residential Zone and Maritime Village Recreation Zone	<p>Imposes limitations on structures and activities which can occur within the zones</p> <p>Compliance and monitoring costs</p> <p>Costs to landowners and the Council to apply for resource consents when required</p>	<p>Provides guidance to the public, landowners, and Council as to acceptable land uses</p> <p>Provides certainty to community and landowners of resource consent requirements to establish a building, structure or activity within the zones</p> <p>Provides certainty to community and landowners that the Council is able to take enforcement action against those parties who establish a building, structure or activity that is incompatible with the zoning</p>	<p>The activity tables are an efficient and effective way of communicating to the public what activities are appropriate and acceptable in the Wairoa River Maritime Village Area</p>

<p>Development of rules and performance standards specific to the Maritime Village Residential Zone and Maritime Village Recreation Zone</p>	<p>Imposes limitations on the type of building, structures and activities which can occur within the zones</p> <p>Stringent design controls, including colour requirements, will have to be complied with, which may restrict the expression of individual preferences</p> <p>Compliance and monitoring costs</p> <p>Costs to landowners and the Council to apply for resource consents when required</p>	<p>Provides certainty to community and landowners that the Council is able to take enforcement action against those parties who establish a building, structure or activity that is incompatible with the zoning</p> <p>Opportunity to create specific rules to achieve design outcomes</p> <p>Opportunity to create provisions that support the character of the development</p> <p>Quality buildings and streetscape</p>	<p>Rules and performance standards are an efficient and effective way of meeting the objectives and policies of the Wairoa River Maritime Village Area</p> <p>Rules and performance standards provide certainty to the community and landowners in terms of acceptable buildings and structures in accordance with the zonings</p>
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7.2 Appropriateness of methods to achieve objectives

Having regard to the costs and the benefits, and the efficiency and effectiveness as summarised above, the methods in the above table are considered to be the most appropriate for achieving the objectives.