
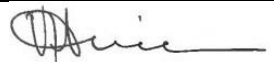

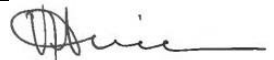


# **Planning Technical Report**

## **‘Mangawhai Town Plan’ Project**



**April 2017**

Version	Date	Name	Position	Signature
First draft	28 March 2017	Howard Alchin	Policy Manager	
Internal review	04 April 2017	Venessa Anich	GM Community	
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Final approval	20 April 2017	Venessa Anich	GM Community	

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## **1 Executive Summary**

Academically Planning is a synthesising discipline. This is as true for District Plan administration as it is for the District Plan making process. In both cases it is an iterative process and both are subject to processes as laid out in the Resource Management Act, 1991. There is no magic formula outside inspired leadership.

The 'Mangawhai Town Plan' project is a unique non statutory process through which this Council has sought to respond to growth in Mangawhai by seeking to align the policy settings within the District Plan and the Long Term Plan to provide better planning and infrastructure to accommodate growth. This Planning Technical Report addresses the District Plan policy settings. It analyses the existing situation, addresses the previous history of development and identifies the issues that attend to growth, as articulated in Chapters 3 and 3A in the District Plan and those that have arisen more latterly as a result of dealing with growth. This growth is expected to continue and has currently exceeded previous expectations.

The options for growth are set out in an Options matrix at the end of the report and these along with the report have been designed to provide the Advisory Panel a reliable baseline to confidently be able to form opinions and make recommendations to Council.

This report confirms that 100 houses a year for 10 years is a reliable policy setting and is achievable under a number of the options set out in the Options matrix. Some of these options will require minimal changes to the District Plan, and others provide a much wider scope for a considerable rewrite of the District Plan as it relates to Mangawhai.

The modelling and data analysis completed by the specialist planning confirms that adopting a medium growth scenario would take account of the highs and lows of the property and construction market cycles. However in the context of very high growth in 2016, the consultant has advised Council as late as 20 April 2017 that a high growth scenario may need to be considered.

A map set will follow this report and will include maps that show how each option would look on the ground and what the lot yield would be for each scenario.

A series of Appendices are provided which provide additional background information that informs the planning policy environment.



## 2 Introduction

This Planning Technical Report has been written for the Community Advisory Panel to aid them in considering how growth can be provided for at Mangawhai through District Plan provisions. The Panel will convey their preferred direction for growth through the Mangawhai Town Plan. This Report is an adjunct to the previous planning advice presented to the Advisory Panel in the Land Development and Density Report of late 2016.

This report is not a recommending report, but rather an options report, making a situational analysis and delivering a focused narrative on the issues and options achievable through the Resource Management Act 1991 (RMA) processes, and District Plan policy settings to provide for growth in Mangawhai. The Mangawhai Town Plan is a non-statutory document. Any future District Plan changes recommended by the Mangawhai Town Plan must be supported by a full Section 32 evaluation, as set out in the RMA. This then requires the formal approval of Councillors, as the first statutory step of the plan change process (the First Schedule of the RMA 1991).

This Report will:

- Outline the planning context that Mangawhai sits within;
- Provide and analysis of high, medium and low growth scenarios and projections; and
- Identify options for how that growth could be provided for.

Appendices to this Report are included to provide context and detail for the Panel in their reading of this Report.

## 3 Magical Mangawhai

### The main messages behind the 'Mangawhai Town Plan' and the Planning Report

Dr Jill McPherson, a consultant who has worked with the Advisory Panel, has advised that the key principles emerging include **sustainable development** and providing for development that recognises, creates and enhances '**eco-village**' concepts, including low-impact design, **coastal amenity** and **inter-connected links** for pedestrians and cyclists. The retention of the **seaside character** and feel of Mangawhai and its surrounding environment is also a key driver, and recognises Mangawhai's unique coastal settlement, rather than existing as an extension of Auckland. A theme around the concept of a 'Slow Town' has appeal to the Panel as the retention of the character of Mangawhai is seen as being at risk of being lost through inappropriate and overly dense developments, residential sprawl and rural fragmentation.

In a report from the Advisory Panel Chair to the Councillors in February 2017 the following objectives, aspirations and community feedback, and vision was articulated:

### Objectives

1. Protect and enhance public access and enjoyment of the harbour and beaches;
2. Manage and plan growth to retain the special character of Mangawhai;
3. Affordable and sustainable infrastructure that protects the harbour and retains the sense of openness and informality.

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## **Aspirations**

- Retain 'coastal village' character through applying appropriate zoning and design guidelines;
- A greater choice of section sizes in the right place;
- Protect the harbour, beach and bush;
- Improve connectivity; and
- Making it easy to do the right thing.

## **Community Feedback themes – Land development and density**

- Pace and proliferation of developments;
- Inconsistency with/disregard for District Plan;
- Importance of 'green';
- Protection of ridgelines;
- Impact of lot size on privacy and visual amenity;
- Connectivity (or lack of);
- Do not want Auckland on Sea;
- No confidence in 'responsible' developers;
- How to guarantee good design or doing the right thing;
- Estuary Estates – how and when will this be developed; and
- Higher density around Village and Wood Street shops.

## **Vision**

- Paint a picture/tell a story – aspirational;
- Coastal village/town;
- Beach/harbour/bush;
- "Sustainable", "slow";
- Eco-village – Biosphere;
- Community focused, family friendly;
- Easy to get around, connected, safe;
- Appropriate land use – in the right place;
- Good design; and
- Learning from others but also leading.

In order to support the Advisory Panel Dr McPherson will develop in her reporting a clear vision, or higher order picture which supports development of an 'eco-town' encompassing sustainability. This could potentially limit the footprint, or specifically recommend certain development types, all with a view to enhancing the quality of life and the community values.

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Key messages from Dr McPherson's are:

- Over the last two years, an average of three new houses have been consented every fortnight. There are no signs this growth is slowing down. Accordingly, 100 houses a year, over a 10 year period, could be considered to be a reliable forecast based on current knowledge for the Mangawhai residential zone.
- The community has told the Advisory Panel through the summer survey and stakeholder interviews that what is 'special' about Mangawhai includes:
  - The informal and open character of the residential area;
  - The active and healthy lifestyle;
  - The community spirit; and
  - The bush and Brynderwyns.
- The community has said that what is needed that is not already present is:
  - More protection of the coastal and village character (seen as being lost);
  - Enhancing access to the water;
  - More protection of bush (seen as being lost) and enhanced bush cover;
  - More care about water quality in streams and Harbour;
  - More self-sufficiency for shopping and other commercial/industrial/professional services;
  - More opportunities for formal and informal recreation; and
  - More opportunities to grow in the right places.

#### **4 The Resource Management Act 1991 (RMA)**

The following section of this Report sets out the resource management planning scene. This must be considered by the Panel when they consider how growth can be provided for in Mangawhai.

What is sustainable management? Sustainable management is the foundation principle of the RMA, and is set out in Part 2 of the RMA, which establishes the overarching purpose and principles of the Act. Sustainable management is defined in Section 5. The following narrative from the Act is included in 'Part A' of the Kaipara District Plan:

*'The purpose, function and contents of the District Plan are directed towards achieving the purpose of the Resource Management Act (defined by Part 2), which is 'to promote the sustainable management of natural and physical resources''*

Section 5 defines 'sustainable management as':

*'Managing the use, development and protection of natural and physical resources in a way, or a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and their health and safety while:*

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

The purpose, function and contents of the District Plan are directed towards achieving the purpose of the Act. Providing for growth at Mangawhai must equally achieve this purpose.

#### 4.1 The Local Government Act 2002 and the Long Term Plan 2015-2025

There is no magic formula for establishing an effective District Plan. It is an iterative, consultative process as directed by the RMA. Planning, by its nature, is a non-financial process, although recent RMA amendments have directed Council to better assess the economic impacts of proposed plan changes i.e. costs and benefits. The Advisory Panel is involved in a unique non-statutory integrated process that seeks to align the policy settings of the District Plan with the policy settings and the financial objectives and policies established in the Long Term Plan (LTP). This integrated relationship is illustrated in the following table:

Table 1: Temporal relationship between the RMA and LTP

	Non-financial	Financial
<b>Long Term</b> <b>&gt; 10 years</b>	<b>Resource Management Act</b> District Plan Making	<b>Local Government Act</b> 30 Year Asset Strategy – LTP
<b>Medium Term</b> <b>&gt;5-&lt;10 years</b>	Council must review its DP every 10 years and at 5 years conduct a plan effectiveness review.	LTP – completed every third year with 10 year horizon
<b>Short Term</b> <b>&gt;/&lt; Annual</b>	Annual returns are completed for MfE on resource consents.*	Annual Plan – done every year against the contents of the LTP.
*Building consent housing data is also collected for annual reporting.		

This table illustrates the strategic framework and alliance between related activities being undertaken by Council under the RMA and the Local Government Act 2002. It provides an insight into how the processes work together and could potentially complement each other.

## 5 Resource Management Act – National Policy Framework and Tools

The RMA sets out the structure and hierarchy for both regional and district plans in New Zealand. The policy hierarchy starts at the national level and cascades down into the regional and district plan-making and administration levels. **Appendix 1** provides a summary of how this works in practice.

### 5.1 National Policy Statements (NPS)

After the RMA, the next level in the planning hierarchy is National Policy Statements (NPS). This Report has particular regard to the New Zealand Coastal Policy Statement 2010 and the National Policy Statement on Urban Development Capacity 2016.

National Policy Statements are required to be given effect to and incorporated into Regional and District Plans as part of the plan formulation.

### 5.1.1 *The New Zealand Coastal Policy Statement (NZCPS)*

The coastal environment is defined as a matter of national importance in the RMA (s6a) which specifically identifies ‘the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development’ as a matter which must be given particular regard to.

The purpose of the NZCPS is to set national policy direction for the coastal environment of New Zealand in order to consistently achieve the purpose of the Act. The NZCPS has been incorporated into the Regional Policy Statement, and is required to be implemented by all District Plans in New Zealand, including the Kaipara District Plan. The NZCPS will affect any further development in the coastal environment as shown in the mapping and options matrix.

### 5.1.2 *National Policy Statement on Urban Development Capacity 2016*

This NPS provides policy direction under the RMA on planning for urban environments. It recognises the national significance of well-functioning urban environments, with particular focus on ensuring that local authorities, through their planning, both:

- Enable urban environments to grow and change in response to the changing needs of the communities, and future generations; and
- Provide enough space for their populations to happily live and work. This can be both through allowing development to go **up** by intensifying urban areas, and **out** by releasing land in ‘green-field’ areas.

The NPS sets out a hierarchy covering high and medium growth areas, and all other areas which would include the Kaipara district as we do not meet the threshold for medium or high growth. It also sets out the requirements for each part of the Government’s response to housing issues and the availability of suitable land for urban development. In addition, in the MfE Introductory Guide to the Policy Statement the NPS names specific high growth areas which include: Auckland; Tauranga; Hamilton; Queenstown and Christchurch. Medium growth areas have been identified as: New Plymouth; Nelson; Kapiti; Palmerston North; and Wellington. The detail of the NPS itself is attached to this Report as **Appendix 2** and the introductory guide is available upon request from the Policy Team.

Development capacity must be provided for in plans and also supported by infrastructure. Urban development is dependent on infrastructure, and decisions about infrastructure can shape urban development in the short, medium and long term. The NPS encourages integration and co-ordination of land use and infrastructure planning. This broadly reflects the focus, consideration and outputs from the MTP project, and drops the work into a statutory framework, in that it is formally required as a result of the NPS.

Another key theme running through the NPS is for planning to occur with a better understanding of land and development markets, and in particular the impact that planning has on these. Local

authorities must respond to this information. If it shows that more development capacity needs to be provided to meet demand, local authorities then must do so.

The NPS on Urban Development Capacity must be consulted on, and if necessary, implemented by the Kaipara District Council by 2018.

## 5.2 Regional Policy Statement (RPS)

Regional Policy Statements are the next layer in the planning hierarchy, beneath National Policy Statements. The Northland Regional Policy Statement 2016 in particular gives full effect to the NZCPS, by having Policies providing specific and directive guidance to managing development in the coastal environment, including identifying the Coastal Environment, as shown in the Map sequence in **Appendix 5**. The RPS also maps the coastal environment, which is shown for Mangawhai in **Appendix 5**. The Kaipara District Plan has yet to incorporate all of the relevant elements of the RPS, but is required to have notified the plan changes which will implement this by May 2018. Council officers have identified that potential plan changes may include mapping and rules for:

- Significant indigenous vegetation and significant habitats of indigenous fauna;
- Coastal environment;
- Flood susceptibility;
- Coastal erosion;
- Heritage; and
- Outstanding Natural Features.

Completion of this work stream by the Policy Team, in particular the mapping of sensitive environments, waterways and significant features, will assist with the identification of suitable land for development, intensification and possibly re-zoning. For the Mangawhai Town Plan, this detail will feed into the drafting of the plan changes for the re-zoning.

## 6 Planning Layers and Overlays – How they work in the Kaipara District Plan

The Kaipara District Plan provides multiple 'layers' to afford appropriately tiered levels of use and protection across the District. At a base layer, all land in the district has been given an 'underlying zoning' (i.e. *Residential, Rural, Business*). These Zones are provided for in Part B of the District Plan, with each Zone being subject to the cascading set of Plan requirements (i.e. Issues, Objectives, Policies, Outcomes, Methods e.g. Rules).

In addition to these Zones, specific areas of the district have been afforded a second layer through the use of Overlays. Overlays were established to recognise specific environments which are considered notable due to their sensitivity and value. The Overlays of relevance to the Mangawhai Town Plan are 'Mangawhai Harbour' and 'East Coast'. These Overlays are recognised for their cultural, landscape, ecological and heritage values, and these values are provided for by specific Issues, Objectives, Policies and Methods.

Rules relating to each Overlay area are contained in the relevant underlying Zone Chapter, and are more restrictive to limit adverse environmental effects on these significant areas. The use of Overlays avoids the need for additional fine detailed zone provisions, at the same time as providing for environmental protection. The general protections afforded by the Overlays are at the heart of the matters of concern to the Mangawhai Advisory Panel, in relation to protecting the environment and the seaside feel and amenity of Mangawhai.

The third layer is with regards to special sites, features or units, which are the subject of Part C of the District Plan. These sites, features or units (i.e. heritage sites, Outstanding Natural Landscapes, Notable Trees, Reserve Management Units and Designations) may occur across the entire district, irrespective of Zones or Overlays, and will generally modify the opportunities to generate particular effects where they are likely to have a negative impact on the particular value of the site or area. The provisions of the Part C Sites, Features and Units have precedence over the provisions in Part B (i.e. Zones and Overlays provisions).

### **The District Plan in operation**

From a plan-users perspective, co-ordination of this tiered approach to protection requires consideration of each aspect, to determine what, if anything, will be triggered by any intended use, development or subdivision. As the District Plan has gone to considerable lengths in setting out its approach to growth issues in Chapter 3 and 3A, it would be advisable for the Panel to consider the veracity of the District Plan policy settings vis a vis accommodating growth in the context of the building consent and resource consent data discussed below. In other words, is the District Plan fundamentally sound?

A more detailed explanation of how the Kaipara District Plan works is contained in **Appendix 3**. The exception to the process is Estuary Estates (Chapter 16), and **Appendix 4** considers how this Chapter operates. District Plan Maps, including those that show Overlays, and Part C Sites, Features and Units that apply to the Mangawhai area are located at **Appendix 5**.

As an aid to understanding, the table below outlines the land use and subdivision rules from the District Plan as they apply to Mangawhai (i.e. Overlays) (excluding Estuary Estates).

Table 2: Land Use and Subdivision Rules in the District Plan

District Plan Rules		Residential	Rural	Commercial	Estuary Estates			
Land Use Consents	Height of buildings	8m	8m	12m	Sub-Zone 1, 2, 4 – 12m Sub-Zone 3,5,6,7 – 8m			
	Setbacks	Front yard – 5m Side yards – 2 of 3m Rear yards – 3m (except rear sites where 1.5m) 30m from Coastal Marine Area 30m from bank of lake 6m from banks of river	Front yard – 10m Side and rear yards – 3m 30m from Coastal Marine Area 30m from banks of lake 6m from banks of river	Front yard (10m) – Industrial only Side and rear yards – 5m where site adjoins reserve or residential zoned site 30m from Coastal Marine Area 6m from banks of river	Sub-Zone	Front Yard	Side Yard	Rear Yard
					1			
					2	6m	10m from boundary of village green, except for community buildings abutting village green, where it may be 0m	
					3	2m	2m	6m
					4	10m	5m	6m
					5	2m	0m	6m
					6	10m	10m	10m
					7	10m	5m	20m
	Private open space	50% of gross floor area of dwelling	N/A	N/A	Sub-Zone 1 – residential units 15m <sup>2</sup> balcony/terrace Sub-Zone 3 – minimum 360m <sup>2</sup> Sub-Zone 4 – ground level units (40m <sup>2</sup> ); above ground level units (15m <sup>2</sup> balcony/terrace) Sub-Zone 5 – minimum 60m <sup>2</sup>			



District Plan Rules		Residential	Rural	Commercial	Estuary Estates	
	<i>Impermeable surfaces</i>	Less than <b>40%</b> of net site area	In any one hectare, impermeable surfaces less than <b>10%</b>	If site relies on onsite wastewater disposal and/or stormwater disposal; at least 400m <sup>2</sup> for wastewater disposal, and/or 100m <sup>2</sup> available for stormwater disposal	Sub-Zone 1 – <b>100%</b> Sub-Zone 2 & 7 – <b>80%</b> Sub-Zone 3 – <b>50%</b> Sub-Zone 4 – <b>30%</b> Sub-Zone 5 – <b>35%</b> Sub-Zone 6 – <b>20%</b>	
	<i>Building Coverage</i>	Less than 35% of net site area	<b>N/A</b>	<b>N/A</b>	Sub-Zone 1 (Precinct 1) – 50% Sub-Zone 1 (Precinct 2) – 35% Sub-Zone 2 – 50% Sub-Zone 3 – 35% Sub-Zone 4 & 5 – 20% Sub-Zone 6 – 10% Sub-Zone 7 – 20%	
<b>Subdivision Consents</b>	<i>General subdivision (non-reticulated)</i>	Minimum net site area of 3,000m <sup>2</sup>	Minimum net site area of 20 hectares	No minimum site area		
	<i>General subdivision (reticulated)</i>	Minimum net site of 1,000m <sup>2</sup>		Minimum net site area of 1,000m <sup>2</sup>		
	<i>Integrated development (non-reticulated)</i>	At least one lot per 3,000m <sup>2</sup> with minimum net site area of 2,000m <sup>2</sup> per lot	One lot per six hectares of parent title, minimum net site area of 4,000m <sup>2</sup> per lot;	<b>N/A</b>		

District Plan Rules		Residential	Rural	Commercial	Estuary Estates	
	<i>Integrated development (reticulated)</i>	At least one lot per 900m <sup>2</sup> , with minimum net site area of 750m <sup>2</sup> per lot.	<b>OR</b>  One lot per two hectares of parent title, minimum net site area of 4,000m <sup>2</sup> per lot where ecologist has confirmed valued natural environment onsite and this is protected and excluded from averaging calculations.		<b>1 (Green Network)</b>	10,000m <sup>2</sup>
					<b>2</b>	1,000m <sup>2</sup>
					<b>3</b>	400m <sup>2</sup>
					<b>4</b>	2,000m <sup>2</sup>
					<b>5</b>	1,000m <sup>2</sup>
					<b>6</b>	3,000m <sup>2</sup>
					<b>7</b>	2,000m <sup>2</sup>
	<i>Environmental Benefit</i>	<b>N/A</b>	Minimum ‘Environmental Benefit’ is ecological area of 5,000m <sup>2</sup> plus lots must be at least 4,000m <sup>2</sup> (containing a minimum of 2,500m <sup>2</sup> for a dwelling site and wastewater disposal). Therefore, to obtain one ‘Ecological’ Environmental Benefit with two developable sites (one being parent lot and one the new lot), a minimum parent site of 1.3ha is required (Note 4)	<b>N/A</b>	<b>Minimum Lot Sizes</b>	

## 7 Recent Metrics for Resource Consent activity

The tables below are from the Land Development and Density Report (late 2016). The information provided gives an indication of the increase in volume of resource consent activity, and the nature of consents. In particular, the number of non-complying subdivisions is of note, and translates into one of the issues canvassed further in the report below. This data is all in the period following the Kaipara District Plan being made operative in November 2013.

**Table 3 – Subdivision Consents in the Rural Zone (Mangawhai Overlay)**

Type of Subdivision	2013	2014	2015	2016	2017 (31/03/2017)
Controlled	4	0	1	0	0
Restricted Discretionary	0	0	1	4	1
Discretionary	12	14	14	10	3
Non Complying	5	15	14	25	6
Total subdivisions	21	29	30	39	10

**Table 4 – Subdivision Consents in the Residential Zone (Mangawhai Overlay)**

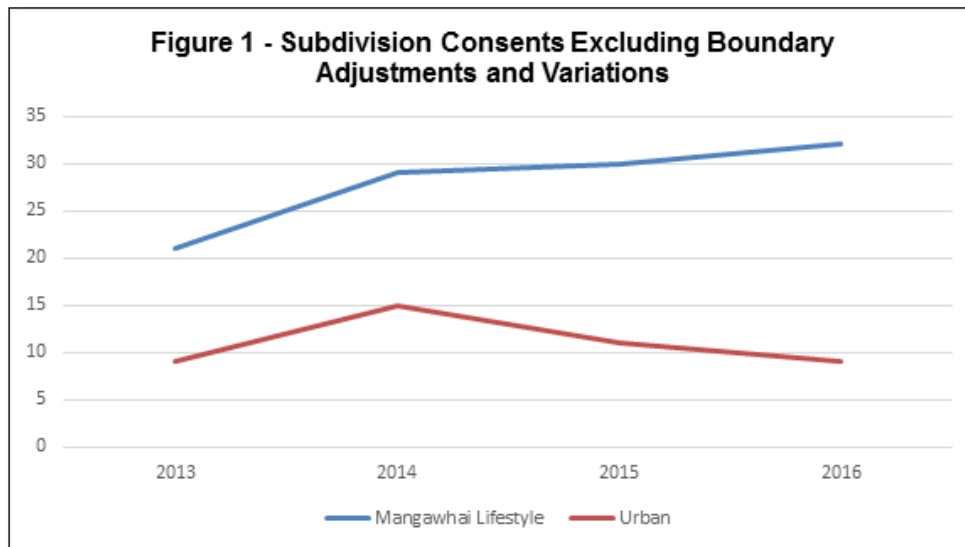
Type of Subdivision	2013	2014	2015	2016	2017 (31/03/2017)
Controlled	4	8	2	3	4
Restricted Discretionary	-	-	-	0	0
Discretionary	-	-	-	0	0
Non Complying	5	7	9	10	1
Total Subdivisions	9	15	11	14	5

**Table 5 – Average Size of Non-Complying Lots Created**

District Plan Minimum	Average Lot Size	Typical Minimum
1,000m <sup>2</sup>	700m <sup>2</sup>	600m <sup>2</sup>

**Table 6 – Land Use Consents in the Residential Zone (Mangawhai Overlay)**

Rule 13.10.26 Fire Safety	Rule 13.10.1a Earthworks	Rule 13.10.12 Permeable Surfaces	Rule 13.10.25 Vehicle Access	Rule 13.10.8 Separation Distance	Rule 13.10.7 Setbacks
300	85	48	38	51	110



The data reported in these tables does not represent a complete picture nor tell the full resource consent story. Further analysis is required in order to clarify just how the outcomes have been arrived at, and why there is a significant gap between the data and the District Plan's policy setting and analysis with regards to future growth. A detailed analysis will occur as part of the District Plan monitoring undertaken by Council in late 2017.

### 7.1 Analysis of Resource Consent Metrics

The general impression conveyed by the statistics reported is that there is a marked trend away from Residential subdivision developments, in favour of subdivision in the Rural Zone. In addition to this, there has been an almost complete shift to non-complying subdivisions over a very short time period, in both the Residential and Rural Zones. One possible explanation for this could be the bundling of land use and subdivision activity statuses, where a separate consideration of the two consent types may yield a different result. There are a substantial number of earthworks consent applications and a large number of yard breaches i.e. setbacks.

The Land Development and Density Report (2016) advised that the District Plan was not meeting the needs of the community and that change was needed. However, a more cautious approach would be to get behind the data to broaden the understanding of the metrics for policy decision makers. An analysis of what has been applied for, what if any decisions are being consistently made against the direction of the District Plan, and why? An assessment on District Plan integrity would better inform future plan-making, as these results raise significant concerns against a District Plan that is only four years old. Monitoring of the District Plan is ongoing through the statutory District Plan efficiency and effectiveness review to be undertaken later this year.

## 8 Issues from Implementation of the Kaipara District Plan

Since the Kaipara District Plan was made operative in November 2013, resource consent planners have identified issues with the implementation. A full analysis has not been undertaken to identify the reasons for the issues. These reasons are thought to include drafting errors, 'soft'

implementation or the changing nature of development. This review will be undertaken as part of the monitoring of the District Plan. The issues are itemised in full in **Appendix 7**, and summarised below:

### **8.1 Land Use Rules**

- Minor dwellings – a significant number of people wanting minor dwellings (second dwellings). This is further complicated with no specific rule for ‘sleep-outs’;
- Separation Distance – rule generates resource consents for activities that do not generate reverse sensitivity effects (which is the effect the rule is intended to address);
- Turning circles and reverse manoeuvring – a blunt tool for addressing the issue. This results in more impermeable surfaces. Impermeable surfaces is a Harbour and Coastal ‘Overlay’ method used to ensure amenity and the environment is protected;
- Fire Safety Rule – generates a significant number of consents;
- Earthworks – interpretation difficulties in applying this rule;
- Relocation of buildings – generally triggered by the need for a resource consent under another rule; and
- Minimum floor levels – difficult to assess.

### **8.2 Subdivision Rules**

- Large number of non-complying resource consents; unclear as to the reason behind this and requires further investigation.

### **8.3 Other Issues**

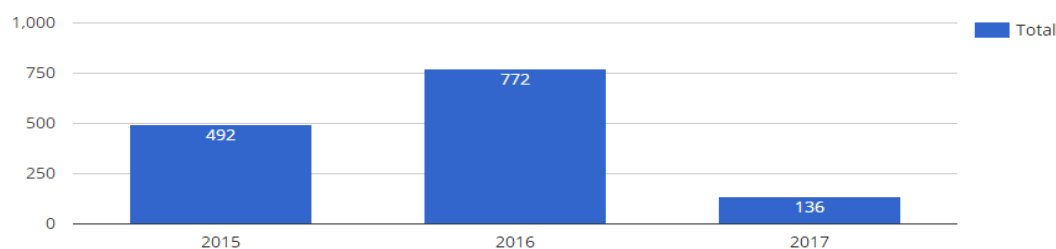
- Interpretation of rules and other definitions – consistency with interpretation of rules and meaning of definitions;
- Lack of Practice Notes – means that there is lack of guidance on interpretation of rules; and
- Vague Objectives and Policies – this makes it difficult when assessing discretionary and non-complying activities, in terms of what would be acceptable.

## **9 Building Consent Metrics**

Building consent activity data is one of the basic inputs along with Census population data used for capacity modelling used in the Long Term Plan as developed every three years. At the time of writing the metrics reported below have not been fully factored into the work of Rob Bates, however he has commented that the 2016 building consent information alone would not be significant enough to change his projections.

## BC Issued

Yearly for Residential buildings of All Complexities



**Table 7: 2016 Year Building Consent Analysis**

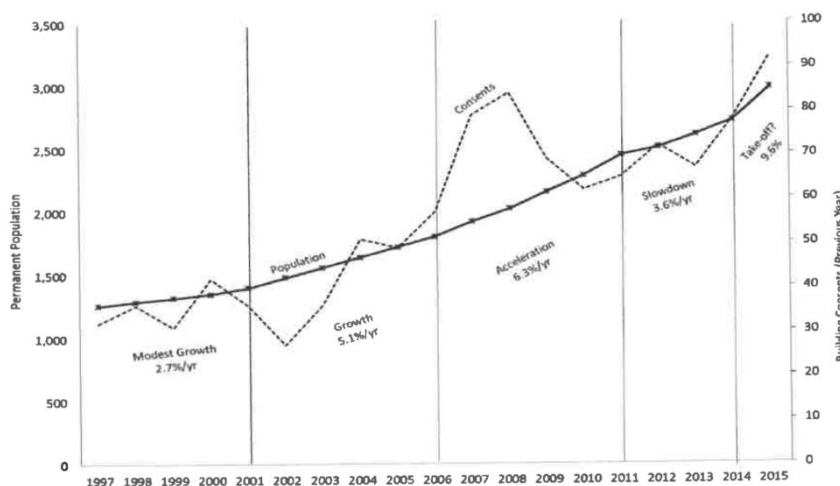
Month	All Dwellings	Mangawhai Only	Value
January 2016	13	8	\$3,664,499
February 2016	20	15	\$4,752,840
March 2016	25	17	\$5,452,825
April 2016	32	20	\$8,323,356
May 2016	29	19	\$6,262,675
June 2016	31	21	\$7,205,433
July 2016	35	28	\$7,526,275
August 2016	40	30	\$10,565,678
September 2016	37	27	\$9,722,085
October 2016	29	23	\$6,614,215
November 2016	33	23	\$7,501,450
December 2016	21	13	\$6,042,590
Whole Year	345	244	\$83,633,921

The raw data has been subject to a monthly analysis, with only the Mangawhai residential figures separated. However, the monthly figures in the table illustrate the increasing development pressures that the district is under, with the majority located in the Mangawhai area. One explanation about the numbers of dwellings in the district compared to Mangawhai is that any Rural Zone dwellings near Mangawhai have not been separately identified as being associated with Mangawhai at this stage.

Rob Bates has provided the table below (Figure 1) which shows the building consent trends over a longer time period. His initial views on the 2016 out turns are: *"This is very high, I logged on to Statistics NZ. Although I can't get the figure for Mangawhai specifically, their data for the District is showing a lower figure for 2016 for the whole district of 267 new dwellings as opposed to 345"*. He has questioned if the difference relates to additions/alterations. However either way we have identified a data issue which will not be solved as part of this report writing. Rob Bates confirms the following: *"Mangawhai will still likely be over 100 new dwellings for 2016. We are using an average of 77 new dwellings in the medium growth scenario and 87 for high growth"*.

He states: “The 2016 high will almost certainly come down as has been the case with previous peaks, but we (the Panel) may want to start looking at using the high growth scenario”. In conclusion, he advises: “I am just cautious to go high on the basis of one or two years of boom because of the revenue implications for the LTP. The volatility of growth in holiday home destinations is well known and something like interest rates going up could put the brakes on.”

**Figure 1: Residential Building Consents and Population Growth, Mangawhai 1997 to 2015**



These matters are considered further in the section of this Report below which specifically looks at the Mangawhai growth outlook as a lead into assessing the options that the Panel is able to consider for accommodating growth.

## 10 How the Kaipara District Plan provides for growth

The District Plan was notified in 2009, and became fully operative in 2013. Part A of the District Plan contains Chapter 2 ‘District Wide Resource Management Issues’. This is the starting point for the structure of a District Plan, and identifies the environmental issues being addressed by the District Plan. Part A also includes Chapter 3 ‘Land Use and Development Strategy’ and 3A ‘Mangawhai Growth Area’ and identifies how these future aspects of development are to be accommodated in the context of the current District Plan. In other words, the issues are identified and a strategy is put around them by way of Objectives and Policies. There are no rules because the future was not known with certainty, only anticipated to follow a projected pattern of development. The rules that do apply are the rules in each appropriate Chapter of the District Plan. The ‘Issues’ identified in each of these Part A Chapters are of significance to this Report.

The District Plan establishes that Mangawhai has been an active growth area for many years, and the statistics reported above and discussed more fully in the section below on the growth outlook for Mangawhai confirm the longer term growth trends. At the time the current District Plan was drafted and became operative is the period immediately following the Global Financial Crisis. That period also defines the current economic growth cycle New Zealand is in, and which New Zealand may be reaching the top of. Therefore, growth was anticipated ahead of the District Plan becoming Operative, however there was uncertainty over how and where this would

manifest. It is perhaps prudent to reflect on the building blocks and work already in place in the District Plan.

Chapter 3 'Land Use and Development Strategy' identifies key issues such as the potential adverse impacts of ad-hoc residential and business development, on the environment and existing infrastructure servicing and the uncertainties which existed at the time of the Plan being notified, such as demand for new residential and business land, future land-use patterns, and development potential in identified Growth Areas.

Chapter 3A identifies Mangawhai-specific issues, such as the changing character of residential development, and the potential this has to affect amenity of the area; the additional pressure residential growth will place on existing infrastructure; the need to expand commercial areas; lack of linkages between open space areas; the need to protect sensitive receiving environments; and developments occurring that are not consistent with the outcomes of the Structure Plan due to delays in implementing the Structure Plan.

The Issues as identified in Chapters 3 and 3A are identified in full in **Appendix 3**. For the Mangawhai Town Plan, Chapters 3 and 3A can provide guidance for future growth.

### **Wider Growth Pressure on Mangawhai**

The Kaipara district, and Mangawhai in particular, are geographically located such that cross-boundary development pressures from both the northern and southern districts are having a bearing on demand and contributing to development pressure in Mangawhai.

North of Mangawhai are major developments at the Whangarei Port, and Ruakaka, and substantial upgrades to Roads of National Significance (RONs) between Whangarei and the Port. From the south, the district is experiencing strong economic demand for housing being driven out of the Auckland property market. Indications are that while the market in Auckland is cooling, there remains significant activity in Kaipara with a high number of building and resource consents.

A draft Future Urban Land Strategy for Auckland City has recently identified future areas of development (Future Urban Zones) for Wellsford and Warkworth. Wellsford is 26.5km from Mangawhai and Warkworth is 41km from Mangawhai. This will see large infrastructure projects brought closer to Mangawhai, including upgrades and/or development of major transport routes.

Central government, through NZ Transport Agency (NZTA) has announced further work on the RONs by confirming the development and implementation of the (State Highway) SH1 upgrade from Wellsford to Te Hana. This will reduce travelling time, improve road safety and is anticipated to further increase, or at the very least maintain property demand out of Auckland. NZTA may be able provide metrics on commuter movements, however there is currently no data collection of this information being undertaken by the Kaipara District Council.

Anecdotal evidence suggests that the average house price in Mangawhai has risen by \$150,000 in the last 12 months. In this context and in the context of the other development pressures it would seem prudent to re-assess the macro policy settings of Council and the District Plan.



## 11 Issues

The issues have been gathered from meetings of the panel, feedback from open days, summer survey results, stakeholder interviews and limited consultation via an online survey, technical reports, the previous work towards producing the Land Development and Density Report of late 2016, internal advice, and input from the project leader (Dr Jill McPherson), and guidance from Burnette Macnicol, a senior RMA Planner and Commissioner familiar with the Kaipara District Plan.

When considering how the planning framework discussed and analysed in this Report applies to Mangawhai, the Panel needs to consider how the development pressures and current policy settings work together and determine for their own purposes how reliable the policy settings in the District Plan are. They then need to consider the data and evidence ahead of making recommendations to Council.

From a District Plan policy perspective, when considering the substantial development pressures, the resource consent activity reports and the requirements of other instruments in the planning hierarchy (i.e. RPS, NZCPS and the NPS on Urban Development Capacity), and Rob Bates' work, a need for additional tested and more consistently reliable data clearly arises. Prior to the Policy Team making any substantive calls about Residential rezoning, allowing for intensified development in some residential areas, or including a Rural Residential sub-zone, or making an assessment on how the Estuary Estates Chapter could help, this careful analysis and a fuller planning assessment under Section 32 of the RMA would be recommended as this sort of analysis is required under the Act. The big ideas of the Panel however should be encouraged and be fed into a more formal RMA context and process to be undertaken by Council to enact changes to the planning and policy regime.

An Options assessment is the key deliverable from this report. The associated issues are appended to the report and set against the issues identified in Chapter 3 and Chapter 3A of the District Plan. The issues and options methodology is required in the statutory plan-making process set out under Section 32 (Requirements for preparing and publishing evaluation reports) of the RMA. The issues and options arising from this Report may potentially be the start of a more formal plan change process, further professional inputs, and practice notes and so on, and can be used as a starting point if any plan changes are required, following the completion of the Advisory Group reporting.

## 12 Mangawhai – Growth and Development Outlook

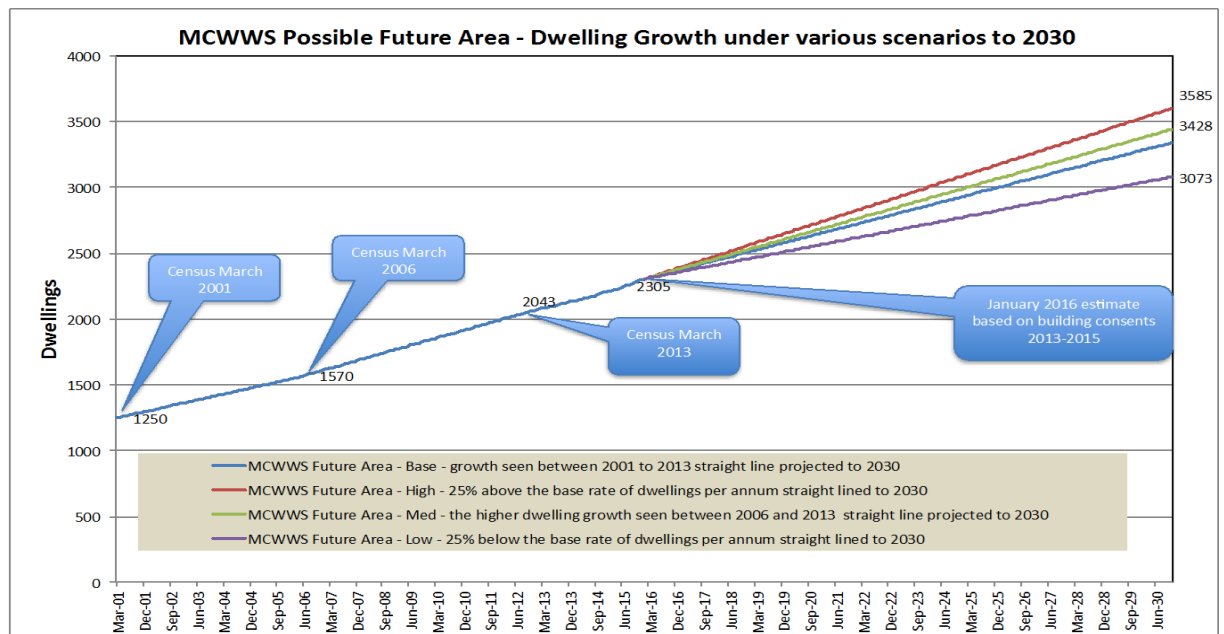
Rob Bates reporting – Rob Bates is a specialist planner who provides regular inputs for the LTP and Annual Plan processes for Council. He has been commissioned to provide specific inputs for the MTP Planning Technical Report following his earlier advice on the Land Development and Density Report of 2016.

Rob Bates' report looks at urban growth capacity and considers that one of the primary influences on the pattern of Residential growth is the extent of the MCWWS reticulation network. The report

provides base, high, medium, and low dwelling growth scenarios, with a focus on growth to 2030. The growth projections consider both the inclusion and exclusion of the Estuary Estates Structure Plan area.

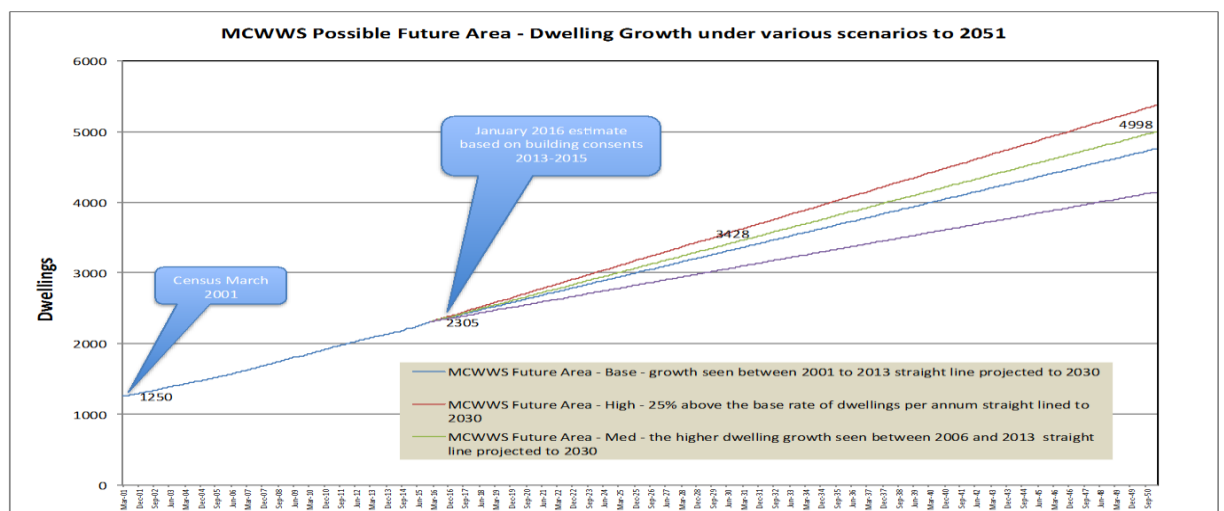
Dwelling projections have been calculated based on past dwelling growth trends from the Census and building consent data from 2013 to 2015 have been used to project dwelling growth scenarios to 2030 and 2051. Chart 1 and 2 below show the projected dwelling growth up to 2030 (Chart 1) and then projected dwelling growth up to 2051 (Chart 2).

#### Projected Residential Dwelling Growth to 2030 (Chart 1)



Medium growth scenario projects increase of 1,123 dwellings from 2,305 in 2016 to 3,428 dwellings by 2030 (as in Chart 1 above).

#### Projected Residential Dwelling Growth to 2051 (Chart 2)



Medium growth scenario projects increase of 2,693 dwellings from 2,305 in 2016 to 4,998 dwellings by 2051 (as shown in Chart 2 above).

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## Bates suggested options

When considering options as to how residential growth may be accommodated there are three main options. These are: 1) Increase density; 2) Increase land supply (by increasing size of the residential zone); and 3) A combination of both increasing density and increasing land supply. These scenarios are reflected in the planning options below.

The medium growth scenario of dwelling demand to 2030 is shown in the chart below in a series of blue and yellow bars. A map has been produced for each of the options shown in the blue bars and these maps will be included in a map set which will be distributed separately to this report to the Advisory Panel prior to the workshop on 24 April 2017.

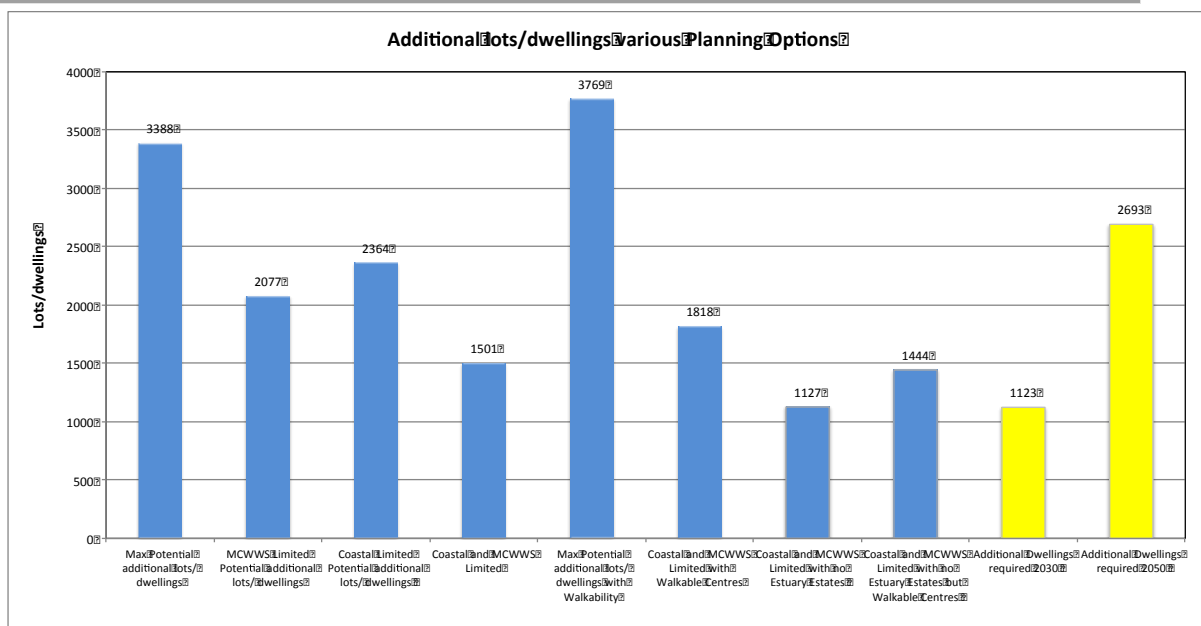
Each of the options shown in the blue bars is set against the comparators in the yellow bars on the right. Each option shows the potential additional lot/dwelling yield under the following planning possible options:

Maximum potential under the current extent of the Residential zone, including the future connectable extent of the MCWWS reticulation network based on 1,000m<sup>2</sup> minimum lot size\*. This option yields 3,388 additional lots:

- MCWWS limited (Status Quo – zoning and wastewater) – Current extent of zoning but limited by current extent of MCWWS reticulation using:  
1000m<sup>2</sup> lot size if connected and connectable  
3000m<sup>2</sup> lot size if future connectable  
This option yields 2077 additional lots.
- Coastal environment limited with MCWWS extended – current extent of zoning but no additional subdivision/development potential in RPS Coastal Environment area and MCWWS extended. This option would yield 2,364 additional lots.
- Coastal Environment and MCWWS both limited – current extent of zoning limited by both environment and reticulation. This option would yield 1,501 additional lots.
- Walkability maximum potential – current extent of residential zonings but with 500m<sup>2</sup> minimum lot size allowed within 500m walk of Wood Street and Mangawhai Village centres. This option would yield 3,769 additional lots.
- Coastal Environment and MCWWS limited but with higher densities allowed by walkability option. This option would yield 1,818 additional lots;

The coastal environment and MCWWS limited options (with and without walkability) are tested without the development of Estuary Estates. The option assumes that land remains Rural and uses a minimum 2 hectare lot size. This option would yield 1,127 additional lots without walkability. This option would yield 1,444 additional lots with walkability.

Note: Coastal Environment is referring to the recognised Coastal Environment defined and mapped under the Regional Policy Statement, and consistent with the New Zealand Coastal Policy Statement.



## Bates Conclusions

Projected Residential dwelling growth based on a medium dwelling growth scenario projects that over 1,100 additional dwellings will be needed by 2030 and nearly 2,700 additional dwellings needed by 2051 over and above the 2016 base. This equates to approximately an average 77 additional dwellings per annum.

Based on the dwelling projections in relation to the planning options above, it is considered that all of the planning options have sufficient capacity to meet demands until 2030.

However unless the Mangawhai Community Wastewater System (MCWWS) is extended there will be insufficient capacity to meet long term demand (up to 2051 and beyond). If the MCWWS is not extended then the coastal environment restrictions (under the RPS) will apply, resulting in capacity being consumed soon after 2030.

By providing higher densities based on walkability around the two Commercial centres we will provide some additional capacity. However it is still considered to be insufficient to meet the long term demands if the coastal environment and MCWWS limitations apply.

If Estuary Estates is not developed as intended, this will have an impact on the availability of suitable land already zoned Residential to accommodate growth. If this land is not bought on stream during the 10 year projection period the land supply drops to a point where it will only just meet dwelling growth to 2030, although this is a tenuous assumption.

Rob Bates has provided additional reporting for the MTP project and has reported that there is sufficient undeveloped land in the residential areas of Mangawhai to allow for development demands, based on current trends and predictions, into the 2040s. Arising out of his report is the scenario of a need to plan for 77 houses a year over 10 years for the MTP. This has been adopted by Dr Jill McPherson's report as the basis for her overarching report for the MTP.

Rob Bates primarily uses building consent data for his projections as resource consents are for activity and proposals that sit outside the performance standards of the District Plan, and apart from subdivision data on the number of new sites created is the primary source for Rob Bates reporting.

### **Options**

The Policy Team has worked up the Options matrix below, this reflects to some extent the options developed by Rob Bates but timing has prohibited further alignment at this stage between the two processes. The map set which is to follow will be one step toward bridging the gap between the work of Bates and the Policy Team. Discussion at the workshop is expected to clarify the options further.

## 13 Options for Growth at Mangawhai

### 13.1 Options Matrix

#### Options for Residential Growth

	Comments	Pros	Cons
<b>1 – Do Nothing – Status Quo – Residential and Rural Zones</b>			
1a) Do nothing	<ul style="list-style-type: none"> <li>- This option allows for the District Plan Effectiveness and Efficiency Review (2017-2018) to be completed. The review will analyse the resource consents issued and any associated issues regarding non-complying subdivisions.</li> </ul>	<ul style="list-style-type: none"> <li>- No new District Plan changes would be required.</li> </ul>	<ul style="list-style-type: none"> <li>- This option does not respond to demand pressure.</li> </ul>
1b) Practice notes and templates for the resource consents planners.	<ul style="list-style-type: none"> <li>- The District Plan settings were designed for a medium growth scenario which evens out highs and lows of the property cycle, although there were only objectives and policies for Chapter 3 and Chapter 3A.</li> </ul>	<ul style="list-style-type: none"> <li>- Would provide some certainty to the community as the District Plan is now familiar to regular users.</li> </ul>	<ul style="list-style-type: none"> <li>- This option is risk averse.</li> </ul>
1c) Increase monitoring of existing District Plan provisions in order to hold the line.	<ul style="list-style-type: none"> <li>- Implementation of practice notes and templates for the administration of the District Plan team may have an effect on the current large number of non-complying subdivisions</li> <li>- Would allow more time for precise modelling of the infrastructure capacity issues in the existing residential zone.</li> <li>- Increased enforcement would protect amenity.</li> </ul>	<ul style="list-style-type: none"> <li>- Would allow for other urgent scheduled plan changes to be processed by the Council.</li> </ul>	<ul style="list-style-type: none"> <li>- Rushing into a high demand scenario is risky if there is a market correction in the short term.</li> <li>- Reduces potential development and housing options allowing for more flexibility.</li> </ul>

	Comments	Pros	Cons
	<ul style="list-style-type: none"> <li>- Bates is reporting adequate capacity in the existing residential zone through into the 2030's at a rate of 77 houses a year for 10 years as a medium growth scenario.</li> </ul>		

### Options for Residential Growth

	Comments	Pros	Cons
<b>2 – Increase Density in the Residential Zone</b>			
2a) Medium Residential density across all of the existing Residential Zone	<ul style="list-style-type: none"> <li>- Change the current low density (1,000m<sup>2</sup> if connected to MCWWS or 3,000m<sup>2</sup> if not connected) to a Medium density (e.g. 4-500m<sup>2</sup> like in Estuary Estates).</li> <li>- The goal would be 'density done well' – would need certain controls (Using the example of the Estuary Estates settlement pattern) e.g. including rules for urban design principles, good public space within easy walking distance, and more residential subdivision options (e.g. attached dwellings).</li> </ul>	<ul style="list-style-type: none"> <li>- Enable Mangawhai to meet growth scenarios</li> <li>- Provides a range of land use and development options</li> <li>- Allows for holiday homes on smaller which are easier to maintain.</li> </ul>	<ul style="list-style-type: none"> <li>- Amenity values may be compromised</li> <li>- Will be inconsistent with NZCPS and RPS by increasing intensity in Coastal Environment and Hazard Zone</li> <li>- Will be inconsistent with the Overlay provisions – i.e. will go against the intention to protect sensitive receiving environments, the harbour and coastal amenity.</li> <li>- Drinking water harvesting and storage, as well as stormwater disposal will be a limiting factor, or require additional design solutions.</li> </ul>

	Comments	Pros	Cons
2b) Medium Residential density around two existing commercial centres, Wood Street and Village	<ul style="list-style-type: none"> <li>- There will be a need to change the infrastructure to support an increase in density (i.e. roads, wastewater, connectivity, reserves).</li> <li>- Bulk and location development controls are likely to be affected e.g. setbacks, building height, impermeable surface.</li> <li>- The extent of the medium density around the two commercial centres would be based on walkability.</li> <li>- May provide the incentives that are needed for residential development to occur in the Residential zone and not in the Rural zone by way of non-complying development.</li> <li>- The potential additional residential sites resulting from this approach using walkability would be 3,769.</li> </ul>	<ul style="list-style-type: none"> <li>- Consistent with NZCPS, RPS, and Overlay provisions</li> <li>- Wider amenity of area is maintained – coastal village and sea-side character</li> <li>- Clustering of activities, promotes walkability and creates a ‘town centre’ vibe (consolidated town cores)</li> </ul>	<ul style="list-style-type: none"> <li>- May result in conflict between competing land use demands and reverse sensitivity.</li> <li>- May limit the ability to expand commercial areas.</li> <li>- May not provide for enough residential growth.</li> <li>- Drinking water harvesting and storage, as well as stormwater disposal will be a limiting factor, or require additional design solutions</li> </ul>
2c) Mixed Use around the two existing commercial centres, Wood Street and Village	<ul style="list-style-type: none"> <li>- Same as 2b) above, but allow mixed use i.e. residential and commercial use.</li> <li>- The potential additional residential sites resulting from this approach will be provided at the workshop along with maps.</li> </ul>	<ul style="list-style-type: none"> <li>- Same benefits as 1b).</li> <li>- Allows commercial activity to expand.</li> </ul>	<ul style="list-style-type: none"> <li>- May not provide for enough residential growth.</li> <li>- Drinking water harvesting and storage, as well as stormwater disposal will be a limiting factor, or require additional design solutions</li> </ul>



	Comments	Pros	Cons
<b>3. Increase land supply - Extend Residential Zone</b>			
3a) Extend Residential Zone to align with Wastewater reticulated area.	<ul style="list-style-type: none"> <li>- Not all the Residential zone is within the MCWWS at the moment, therefore this option would require a small extension to Residential zone to align with the reticulated wastewater area, and vice versa.</li> <li>- The potential additional residential sites resulting from this approach will be provided at the workshop along with maps.</li> </ul>	<ul style="list-style-type: none"> <li>- Adjacent to existing Residential Zone (good planning logic for land use and infrastructure development)</li> <li>- Anticipates demand</li> <li>- Enable Mangawhai to meet growth projections.</li> <li>- By keeping current development controls, will retain coastal amenity, and protect sea-side character and coastal village feel</li> <li>- Will be serviced by reticulated wastewater</li> </ul>	<ul style="list-style-type: none"> <li>- Reliance on vehicular movements</li> <li>- Relies on a single methodology to solve the growth issues.</li> <li>- Market demand could change if there is a market correction in either the house construction or housing market.</li> <li>- Council asset development could be spread too thinly.</li> <li>- Potentially does not utilise the benefits from better capacity modelling and could increase drift away from the existing residential sites to the Rural zone.</li> </ul>

	Comments	Pros	Cons
3b) Extend the Residential Zone into the Rural zone to where an extension of the MCWWS is technically possible.	<ul style="list-style-type: none"> <li>- Larger extension of the Residential zone to areas identified as able to be serviced by wastewater reticulation in the future.</li> <li>- The potential additional residential sites resulting from this approach will be provided at the workshop along with maps.</li> </ul>	<ul style="list-style-type: none"> <li>- Adjacent to existing Residential Zone (good planning logic for land use and infrastructure development)</li> <li>- Anticipates demand.</li> <li>- Enable Mangawhai to meet growth projections</li> </ul>	<ul style="list-style-type: none"> <li>- Loss of productive rural land</li> <li>- Compromising rural amenity</li> <li>- Reverse sensitivity</li> <li>- If the Residential Zone was extended along the Coastal Environment, it would go against the NZ Coastal Policy Statement</li> <li>- May compromise Sites, Features, Units – i.e. Outstanding Natural Landscapes (Brynderwyns)</li> <li>- Reliance on vehicular movements</li> <li>- Potentially does not utilise the benefits from better capacity modelling and could increase drift away from the existing residential sites to the Rural zone</li> <li>- May create another commercial hub</li> </ul>
3c) A new Residential zone for Mangawhai	<ul style="list-style-type: none"> <li>- New rules, objectives and policies modelled off Estuary Estates residential zones, OR based on Mangawhai Growth Chapter 3A, OR modelled off other locations that ‘feel right’ for Mangawhai.</li> <li>- Growth pressures in Mangawhai are not replicated across the district.</li> </ul>	<ul style="list-style-type: none"> <li>- Acknowledges that Mangawhai is experiencing different growth pressures compared to the rest of Kaipara district.</li> </ul>	<ul style="list-style-type: none"> <li>- Separates Mangawhai from the rest of Kaipara district.</li> <li>- ‘Boundary’ issues where existing and new zones meet.</li> </ul>

	Comments	Pros	Cons
<b>4 – Establish a Rural-Residential Zone</b>			
4a) Do not provide a rural-residential zone, administer the plan rules more strictly	<ul style="list-style-type: none"> <li>- Implementation of practice notes and templates for the administration of the District Plan team may have an effect on the current large number of non-complying subdivisions</li> <li>- Increase monitoring of existing District Plan provisions in order to hold the line.</li> </ul>	<ul style="list-style-type: none"> <li>- Stops fragmentation of productive rural land.</li> <li>- Places the focus of development demand back into the Residential Zone</li> <li>- Clarifies residential demand to enable reliable development capacity planning</li> </ul>	<ul style="list-style-type: none"> <li>- Will not meet demand for rural-residential lifestyle blocks, and will result in potential under-supply of what people seem to want</li> <li>- Likely that the same non-complying subdivision applications will continue to be sought by the market.</li> </ul>
4b) Provide a Rural-Residential Zone adjacent to the Residential zone.	<ul style="list-style-type: none"> <li>- There are competing considerations for where a Rural-Residential Zone could be located. A halo to the Residential zone is one option, or ring-fencing the existing clustered patchwork development is another option to contain the non-complying subdivisions.</li> </ul>	<ul style="list-style-type: none"> <li>- Meet demand for lifestyle blocks.</li> <li>- Contain the further spread of small lot developments.</li> <li>- Act as staging with regards to future service connections, and may therefore result in smaller lot sizes eventually</li> <li>- Takes development pressure off residential areas.</li> </ul>	<ul style="list-style-type: none"> <li>- People may continue to argue for smaller lot sizes, and seek subdivision consent which will result in more ad-hoc lifestyle subdivision.</li> <li>- Continues to encourage development away from residential land</li> <li>- May encourage creation of other 'hubs' like the commercial activity approved by resource consent at the Sanctuary.</li> <li>- High class productive soils may be compromised by the creation of a rural-residential zone.</li> </ul>

Options for Business: Commercial and Industrial Growth

	Comments	Pros	Cons
<b>5 – Increase density of the Commercial Zones</b>			
Increase density of two existing Commercial Zones, Wood Street and Village.	<ul style="list-style-type: none"> <li>- Change the commercial density to reflect the commercial provisions in the Estuary Estates Chapter.</li> <li>- The goal would be ‘density done well’ – would need certain controls (Using the example of the Estuary Estates settlement pattern) e.g. including rules for urban design principles, good public space within easy walking distance, and more commercial development.</li> <li>- There could be a need to change the infrastructure to support an increase in density (i.e. roads, wastewater, and connectivity).</li> <li>- Bulk and location development controls are likely to be affected e.g. setbacks, building height, impermeable surface.</li> </ul>	<ul style="list-style-type: none"> <li>- Meets demand for commercial areas</li> <li>- Anticipates continued development of Mangawhai</li> <li>- Creates a compact and easily walkable commercial area</li> </ul>	<ul style="list-style-type: none"> <li>- Accessibility issues i.e. building up may discourage some users</li> <li>- May aggravate parking constraints in current commercial areas</li> <li>- May not provide for enough growth</li> <li>- Would not cater for additional industrial</li> <li>- Drinking water harvesting and storage, as well as stormwater disposal will be a limiting factor, or require additional design solutions</li> </ul>
<b>6 – Increase land supply for the Commercial/Industrial Zone</b>			
6a) Extend the Commercial zones and the Industrial zones	<ul style="list-style-type: none"> <li>- To extend the existing commercial and industrial zones into the Residential zone.</li> <li>- Extent of expansion could be based on 10 minute walkability</li> </ul>	<ul style="list-style-type: none"> <li>- Provide for big-box retailers/supermarkets etcetera.</li> </ul>	<ul style="list-style-type: none"> <li>- There are competing considerations in the surrounding land which is zoned Residential.</li> </ul>

	Comments	Pros	Cons
		<ul style="list-style-type: none"> <li>- Provide for more light industrial</li> <li>- Provides more room for commercial activity</li> </ul>	<ul style="list-style-type: none"> <li>- May need to amend setbacks where commercial adjoins Residential zone</li> <li>- Reverse sensitivity</li> </ul>
6b) Mixed Use around the two commercial centres, Wood Street and Village	<ul style="list-style-type: none"> <li>- Same 6a above and 1c above.</li> </ul>	<ul style="list-style-type: none"> <li>- Allows for more residential and commercial use.</li> </ul>	<ul style="list-style-type: none"> <li>- Reverse sensitivity between the mixed uses.</li> <li>- Water harvesting and storage may be a limiting factor.</li> </ul>
<b>7 – Combination – Increase density and increase land supply for the Commercial/Industrial Zones</b>			
Increase density and extend two Commercial Zones and two Industrial zones	<ul style="list-style-type: none"> <li>- Same 6a above and 1c above.</li> </ul>	<ul style="list-style-type: none"> <li>- Meet demand for commercial areas</li> <li>- Anticipates continued development of commercial activity in Mangawhai</li> <li>- Create compact and easily walkable commercial areas in existing spaces</li> <li>- Provide for new (and possibly larger) retailers and light industrial opportunities in extended areas of Commercial zoning</li> </ul>	<ul style="list-style-type: none"> <li>- May need to amend setbacks where commercial adjoins Residential zone</li> <li>- Reverse sensitivity</li> <li>- Water harvesting and storage may be a limiting factor</li> </ul>

## 13.2 Conclusions

This Planning Technical Report has:

- Outlined the planning and growth history of Mangawhai;
- Set out the RMA and District Plan framework and the environmental, social, cultural and economic context of Mangawhai and surrounds;
- Analysed both the building consent and resource consent data;
- Confirmed that growth has continued with a sharp increase in activity in the 2016 year;
- Identified the growth issues as set out in Chapter 3 and 3A of the District Plan and captured the issues identified by the Resource Consents Team for consideration;
- Established reliable and appropriate growth modelling for planning policy consideration;
- Provided the Mangawhai Advisory Panel growth projections and an analysis of each;
- Confirmed that a medium to high growth scenario may be appropriate to assist growth and development into the 2030's;
- Confirmed that 100 new houses a year for 10 years is achievable under a number of the options set out in the Options Matrix. Some of the options will require minimal changes to the District Plan policy settings through plan changes;
- Identified potential options for how that growth can be provided for including doing nothing, developing non-statutory tools, increasing density, increasing land supply, extending zones, developing mixed zones and combinations of various; and
- Produced a map set each option.

## **Appendices**

- Appendix 1:** The Resource Management Act 1991
- Appendix 2:** National Policy Statement on Urban Development Capacity 2016
- Appendix 3:** Operative Kaipara District Plan
- Appendix 4:** Estuary Estates (Chapter 16)
- Appendix 5:** Planning Maps for Mangawhai – Regional Policy Statement and Kaipara District Plan
- Appendix 6:** Growth Issues
- Appendix 7:** Issues from Implementation of the Kaipara District Plan

## **Appendix 1: The Resource Management Act 1991 (RMA)**

The RMA is a directive piece of legislation that guides and informs plan-making and planning practice in New Zealand. When first enacted, it replaced over 50 individual statutes. It is a complex statute and has been constantly amended since it was first given Royal Assent in 1991. It is currently undergoing further legislative change in Parliament. In order to better direct the outputs from the Mangawhai Advisory Panel, the following section of this Report sets out something of the framework of the Act and how the individual pieces form the overall puzzle.

The RMA is New Zealand's flagship environmental legislation and sets out how we should manage our environment. The RMA is an effects based statute and broadly touches on environmental, social, and economic aspects of land use, subdivision and development. Roles and responsibilities are attributed to central, regional and local levels of government and each level forms a context in terms of the higher level of responsibility. The wider structure of the New Zealand planning environment is best seen as a cascade of hierarchies. This starts at the National level, cascades to the Regional level and on to the District level. Each level within the hierarchy responds to the level above.

Central government has an overall responsibility to administer the Resource Management Act 1991, and to report the outcomes to Parliament through the Ministry for the Environment (MfE). MfE provides national direction and responds to national priorities to do with managing the environment and environmental issues. The RMA enables central government, through the Minister for the Environment, to prepare National Policy Statements and National Environmental Standards which can apply across New Zealand from the limit of the territorial sea across district and regional council boundaries.

### National Policy Statements

As part of its national oversight, the Minister for the Environment through the Ministry is able to establish National Policy Statements (NPS) under section 52(2) of the RMA. Currently the following National Policy Statements are in place:

- National Policy Statement on Urban Development Capacity (2016);
- National Policy Statement for Freshwater Management;
- National Policy Statement for Renewable Electricity Generation;
- National Policy Statement on Electricity Transmission; and
- New Zealand Coastal Policy Statement. (NZCPS)(2010).

The two National Policy Statements relevant to this reporting are the New Zealand Coastal Policy Statement (2010) and the National Policy Statement on Urban Development Capacity (2016). National Policy Statements are required to be incorporated into Regional and District Plans as part of the plan formulation. The NZCPS now forms part of the Regional Policy Statement and Kaipara District Council is required to amend its District Plan and notify these changes/amendments by May 2018. The NPS on Urban Development Capacity must be consulted on and implemented by the Kaipara District Council by 2018 as all councils are required to set policies that allow for urban growth. .



### The New Zealand Coastal Policy Statement (NZCPS)

The NZCPS is relevant to the structure and operation of the Kaipara District Plan and it forms part of the Regional Policy Statement (RPS) that was notified by the Northland Regional Council (NRC) in 2016. The Kaipara District Plan must give effect to the RPS and has until 2018 to notify the associated changes to the District Plan. It is noted that the NZCPS must be given effect to in regional and district plans below it. The recently notified RPS does that and Kaipara District Council is now required to identify the Coastal Environment (CE) and amend its District Plan maps to show the Coastal Environment and include policies which consider land use, development and subdivision in the coastal environment.

### National Environmental Standards (NES)

In addition to the set of National Policy Statements are a series of National Environmental Standards (NES) that when adopted by the Minister, automatically form a part of the District Plan. National Environmental Statements are regulations issued under section 43 of the RMA and apply nationally. An NES can prescribe technical standards, methods or other requirements for environmental matters. Each regional, city or district council must enforce the same standards. In some circumstances councils can impose stricter standards. The following standards are in force as regulations:

- National Environmental Standards for Air Quality;
- National Environmental Standards for 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.

The NES framework is not of direct relevance to this reporting, it is rather a matter for consideration in the administration of the District Plan as an NES automatically becomes a part of the District Plan framework, requiring immediate implementation. They are included here as they do form part of the wider policy settings required to be implemented by a district council.

### **Functions of a Regional Authority (s30 RMA)**

Roles and responsibilities of local government under the RMA by regional authorities (regional councils) include making decisions about:

- Discharges of contaminants to land, air or water;
- The effects of activities on the surface of rivers and lakes;
- Water quality and quantity;
- The coastal marine area;
- Soil conservation;
- Land use to avoid natural hazards;
- Investigating land to identify and monitor contaminated land; and
- Preparing RPS.

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### **Functions of a Local Authority (s31 RMA)**

Roles and responsibilities of local government under the RMA by territorial authorities (i.e. City and District Councils) are generally responsible for making decisions about:

- The effects of land use and activities;
- Noise, environmental nuisance; and
- Subdivision.

All councils can issue infringement notices, abatement notices and excessive noise directions to people who are not complying with the RMA, national environmental standards or council plans.

## **Appendix 2: National Policy Statement on Urban Development Capacity 2016**

The National Policy Statement on Urban Development Capacity 2016 provides direction to decision-makers under the Resource Management Act 1991 on planning for urban environments. It recognises the national significance of well-functioning urban environments, with particular focus on ensuring that local authorities, through their planning, both:

- Enable urban environments to grow and change in response to the changing needs of the communities, and future generations; and
- Provide enough space for their populations to happily live and work. This can be both through allowing development to go “up” by intensifying existing urban areas, and “out” by releasing land in greenfield areas.

The NPS on Urban Growth is directly relevant to this reporting and the work of the Advisory Panel. The high level detail of the NPS itself is attached as Appendix 2. The NPS is a Government response to address wider housing issues in New Zealand and identifies high growth areas with specific actions required. Kaipara in terms of the modelling used comes in at below medium growth, however the Objectives and Policies of the RPS are of general relevance to the policy settings in the District Plan. This NPS requires councils to provide enough development capacity in their plans to ensure that demand can be met. This includes both the total aggregate demand for housing and business land, and also the demand for different types, sizes and locations. This development capacity must also be commercially feasible to develop, and plentiful enough to recognise that not all feasible development opportunities will be taken up.

Development capacity must be provided for in plans and also supported by infrastructure. Urban development is dependent on infrastructure, and decisions about infrastructure can shape urban development. This NPS requires development capacity to be serviced with development infrastructure, with different expectations from this infrastructure in the short, medium and long term. It encourages integration and co-ordination of land use and infrastructure planning. The MTP Project was started ahead of the NPS and is Council's response to providing better and more co-ordinated development modelling, LTP and District Plan policy settings.

The implementation of the NPS will require a sustained effort from local authorities, council controlled organisations and infrastructure providers to align. This broadly reflects the focus, consideration and outputs from the MTP project and drops the work into a statutory framework, in that it is formally required as a result on this NPS.

Another key theme running through the NPS is for planning to occur with a better understanding of land and development markets, and in particular the impact that planning has on these. This NPS requires local authorities to prepare a housing and business development capacity assessment and to regularly monitor market indicators, including price signals, to ensure there is sufficient development capacity to meet demand. Local authorities must respond to this information. If it shows that more development capacity needs to be provided to meet demand, local authorities must then do so.

# on Urban Development Capacity 2016

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# Preamble

New Zealand is highly urbanised, with 73 percent of us living in urban areas of at least 30,000 people.<sup>1</sup>

Urban environments are characterised by the closeness of people and places, and the connections between them. They enable us to live, work and play in close proximity, giving us access to amenity, services and activities that people value. While urban environments share these common characteristics, they also have unique local variations; the traits that make one urban environment different from another. Urban environments often have high rates of population and economic growth. Reflecting this, they are dynamic, and are constantly changing to reflect the needs of their communities. This constant change can have both positive and negative impacts: well-functioning urban areas maximise the positives and minimise the negatives.

Well-functioning urban environments provide for people and communities' wellbeing. They provide people with access to a choice of homes and opportunities to earn income, good connections between them, and attractive built and natural environments. They have good quality physical and social infrastructure and open space. They make efficient use of resources and allow land uses to change to meet the changing needs of their inhabitants while protecting what is precious. They make the most of their ability to connect to other parts of the world through trade and the movement of goods and people. Such urban environments attract people and investment, and are dynamic places that make a significant contribution to national economic performance.

Local authorities play an important role in shaping the success of our cities by planning for growth and change and providing critical infrastructure. Ideally, urban planning should enable people and communities to provide for their social, economic, cultural and environmental wellbeing through development, while managing its effects. This is a challenging role, because cities are complex places; they develop as a result of numerous individual decisions, and this often involves conflict between diverse preferences.

This national policy statement provides direction to decision-makers under the Resource Management Act 1991 (RMA) on planning for urban environments. It recognises the national significance of well-functioning urban environments, with particular focus on ensuring that local authorities, through their planning, both:

- enable urban environments to grow and change in response to the changing needs of the communities, and future generations; and
- provide enough space for their populations to happily live and work. This can be both through allowing development to go “up” by intensifying existing urban areas, and “out” by releasing land in greenfield areas.

This national policy statement covers development capacity for both housing and business, to recognise that mobility and connectivity between both are important to achieving well-functioning urban environments. Planning should promote accessibility and connectivity between housing and businesses. It is up to local authorities to make decisions about what sort of urban form to pursue.

This national policy statement aims to ensure that planning decisions enable the supply of housing needed to meet demand. This will contribute to minimising artificially inflated house prices at all

<sup>1</sup>According to Statistics New Zealand's most recent estimates.

levels and contribute to housing affordability overall. Currently, artificially inflated house prices drive inequality, increase the fiscal burden of housing-related government subsidies, and pose a risk to the national economy.

Local authorities need to provide for the wellbeing of current generations, and they must also provide for the wellbeing of the generations to come. The overarching theme running through this national policy statement is that planning decisions must actively enable development in urban environments, and do that in a way that maximises wellbeing now and in the future.

This national policy statement does not anticipate development occurring with disregard to its effect. Local authorities will still need to consider a range of matters in deciding where and how development is to occur, including the direction provided by this national policy statement.

Competition is important for land and development markets because supply will meet demand at a lower price when there is competition. There are several key features of a competitive land and development market. These include providing plenty of opportunities for development. Planning can impact on the competitiveness of the market by reducing overall opportunities for development and restricting development rights to only a few landowners.

This national policy statement requires councils to provide in their plans enough development capacity to ensure that demand can be met. This includes both the total aggregate demand for housing and business land, and also the demand for different types, sizes and locations. This development capacity must also be commercially feasible to develop, and plentiful enough to recognise that not all feasible development opportunities will be taken up. This will provide communities with more choice, at lower prices.

Development capacity must be provided for in plans and also supported by infrastructure. Urban development is dependent on infrastructure, and decisions about infrastructure can shape urban development. This national policy statement requires development capacity to be serviced with development infrastructure, with different expectations from this infrastructure in the short, medium and long-term. It encourages integration and coordination of land use and infrastructure planning. This will require a sustained effort from local authorities, council-controlled organisations, and infrastructure providers (including central government) to align their intentions and resources.

Another key theme running through the national policy statement is for planning to occur with a better understanding of land and development markets, and in particular the impact that planning has on these. This national policy statement requires local authorities to prepare a housing and business development capacity assessment and to regularly monitor market indicators, including price signals, to ensure there is sufficient development capacity to meet demand. Local authorities must respond to this information. If it shows that more development capacity needs to be provided to meet demand, local authorities must then do so. Providing a greater number of opportunities for development that are commercially feasible will lead to more competition among developers and landowners to meet demand.

This national policy statement also places a strong emphasis on planning coherently across urban housing and labour markets, which may cross local authority administrative boundaries. This will require coordinated planning between local authorities that share jurisdiction over urban housing and labour markets. This includes collaboration between regional councils and territorial authorities who have differing functions under the RMA, but which all impact on and are impacted on by urban development.

This national policy statement recognises that the benefits of the statement are greatest in urban areas experiencing the highest levels of growth. It takes a tiered approach to the application of policies using the Statistics New Zealand urban areas classification, and population projections to target different policies to different local authorities. This classification also informs local authorities that they must work together. The boundaries of the urban areas do not restrict the area in which the local authorities apply the policies.

Local authorities that have a high-growth urban area within their jurisdiction are expected to meet all of the requirements of policies in this national policy statement, while local authorities with medium-growth urban areas in their jurisdiction, and all other local authorities, have lesser requirements, as per the table below.

	All local authorities	Local authorities that have a medium-growth urban area within their district or region	Local authorities that have a high-growth urban area within their district or region
Objectives that apply	All	All	All
Policies that apply	PA1 - PA4	PA1 - PA4	PA1 - PA4
		PB1 - PB7 PC1 - PC4 PD1 - PD2	PB1 - PB7 PC1 - PC4 PD1 - PD2
			PC5 - PC14 PD3 - PD4

This preamble may assist the interpretation of the national policy statement.



# Title

This national policy statement is the National Policy Statement on Urban Development Capacity 2016.

# Commencement

This national policy statement comes into force on the 28th day after the date on which it is notified in the *New Zealand Gazette*.

# Interpretation

In this national policy statement, unless the context otherwise requires, –

*Act* means the Resource Management Act 1991.

*Business land* means land that is zoned for business uses in urban environments, including but not limited to land in the following examples of zones:

- industrial
- commercial
- retail
- business and business parks
- centres (to the extent that this zone allows business uses)
- mixed use (to the extent that this zone allows business uses).

*Decision-maker* means any person exercising functions and powers under the Act.

*Demand* means:

In relation to housing, the demand for dwellings in an urban environment in the short, medium and long-term, including:

- a) the total number of dwellings required to meet projected household growth and projected visitor accommodation growth;
- b) demand for different types of dwellings;
- c) the demand for different locations within the urban environment; and
- d) the demand for different price points

recognising that people will trade off (b), (c) and (d) to meet their own needs and preferences.

In relation to business land, the demand for floor area and lot size in an urban environment in the short, medium and long-term, including:

- a) the quantum of floor area to meet forecast growth of different business activities;
- b) the demands of both land extensive and intensive activities; and
- c) the demands of different types of business activities for different locations within the urban environment.

**Development capacity** means in relation to housing and business land, the capacity of land intended for urban development based on:

- a) the zoning, objectives, policies, rules and overlays that apply to the land, in the relevant proposed and operative regional policy statements, regional plans and district plans; and
- b) the provision of adequate development infrastructure to support the development of the land.

**Development infrastructure** means network infrastructure for water supply, wastewater, stormwater, and land transport as defined in the Land Transport Management Act 2003, to the extent that it is controlled by local authorities.

**Feasible** means that development is commercially viable, taking into account the current likely costs, revenue and yield of developing; and **feasibility** has a corresponding meaning.

**High-growth urban area** means any urban area (as defined by Statistics New Zealand in 2016) that:

- a) has either:
  - a resident population of over 30,000 people according to the most recent Statistics New Zealand urban area resident population estimates
  - or
  - at any point in the year a combined resident population and visitor population of over 30,000 people, using the most recent Statistics New Zealand urban area resident population estimates
- and
- b) in which the resident population of that urban area is projected to grow by more than 10% between 2013 to 2023, according to the most recent Statistics New Zealand medium urban area population projections for 2013(base)-2023.

Note that the definition of high-growth urban area is a transitional definition, and will be reviewed and amended no later than 31 December 2018.

**Local authority** has the same meaning as in section 2 of the Resource Management Act 1991.

**Long term** means between ten and thirty years.

**Medium-growth urban area** means any urban area (as defined by Statistics New Zealand in 2016) that:

- a) has a resident population of over 30,000 people according to the most recent Statistics New Zealand urban area resident population estimates
- and
- b) in which the resident population of that urban area is projected to grow by between 5% and 10% between 2013 to 2023, according to the most recent Statistics New Zealand medium urban area population projections for 2013(base)-2023.

Note that the definition of medium-growth urban area is a transitional definition, and will be reviewed and amended no later than 31 December 2018.

**Medium term** means between three and ten years.

***Other infrastructure*** means:

- a) open space;
- b) community infrastructure as defined in the Local Government Act 2002;
- c) land transport as defined in the Land Transport Management Act 2003, that is not controlled by local authorities;
- d) social infrastructure such as schools and healthcare;
- e) telecommunications as defined in the Telecommunications Act 2001;
- f) energy; and
- g) other infrastructure not controlled by local authorities.

***Plan*** means any plan under section 43AA of the Act or proposed plan under section 43AAC of the Act.

***Planning decision*** means any decision on any plan, a regional policy statement, proposed regional policy statement, or any decision on a resource consent.

***Short term*** means within the next three years.

***Sufficient*** means the provision of enough development capacity to meet housing and business demand, and which reflects the demands for different types and locations of development capacity; and ***sufficiency*** has a corresponding meaning.

***Urban environment*** means an area of land containing, or intended to contain, a concentrated settlement of 10,000 people or more and any associated business land, irrespective of local authority or statistical boundaries.

# National significance

This national policy statement is about recognising the national significance of:

- a) urban environments and the need to enable such environments to develop and change;  
and
- b) providing sufficient development capacity to meet the needs of people and communities and future generations in urban environments.

# Objectives

The following objectives apply to all decision-makers when making planning decisions that affect an urban environment.

## *Objective Group A – Outcomes for planning decisions*

- OA1: Effective and efficient urban environments that enable people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing.
- OA2: Urban environments that have sufficient opportunities for the development of housing and business land to meet demand, and which provide choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses.
- OA3: Urban environments that, over time, develop and change in response to the changing needs of people and communities and future generations.

## *Objective Group B – Evidence and monitoring to support planning decisions*

- OB1: A robustly developed, comprehensive and frequently updated evidence base to inform planning decisions in urban environments.

## *Objective Group C – Responsive planning*

- OC1: Planning decisions, practices and methods that enable urban development which provides for the social, economic, cultural and environmental wellbeing of people and communities and future generations in the short, medium and long-term.
- OC2: Local authorities adapt and respond to evidence about urban development, market activity and the social, economic, cultural and environmental wellbeing of people and communities and future generations, in a timely way.

## *Objective Group D – Coordinated planning evidence and decision-making*

- OD1: Urban environments where land use, development, development infrastructure and other infrastructure are integrated with each other.
- OD2: Coordinated and aligned planning decisions within and across local authority boundaries.

# Policies

## *Outcomes for planning decisions*

Policies PA1 to PA4 apply to any urban environment that is expected to experience growth.

PA1: Local authorities shall ensure that at any one time there is sufficient housing and business land development capacity according to the table below:

<b>Short term</b>	Development capacity must be feasible, zoned and serviced with development infrastructure.
<b>Medium term</b>	Development capacity must be feasible, zoned and either: <ul style="list-style-type: none"><li>• serviced with development infrastructure, or</li><li>• the funding for the development infrastructure required to service that development capacity must be identified in a Long Term Plan required under the Local Government Act 2002.</li></ul>
<b>Long-term</b>	Development capacity must be feasible, identified in relevant plans and strategies, and the development infrastructure required to service it must be identified in the relevant Infrastructure Strategy required under the Local Government Act 2002.

PA2: Local authorities shall satisfy themselves that other infrastructure required to support urban development are likely to be available.

PA3: When making planning decisions that affect the way and the rate at which development capacity is provided, decision-makers shall provide for the social, economic, cultural and environmental wellbeing of people and communities and future generations, whilst having particular regard to:

- Providing for choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses;
- Promoting the efficient use of urban land and development infrastructure and other infrastructure; and
- Limiting as much as possible adverse impacts on the competitive operation of land and development markets.

PA4: When considering the effects of urban development, decision-makers shall take into account:

- The benefits that urban development will provide with respect to the ability for people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing; and
- The benefits and costs of urban development at a national, inter-regional, regional and district scale, as well as the local effects.

### *Evidence and monitoring to support planning decisions*

Policies PB1 to PB7 apply to all local authorities that have part, or all, of either a medium-growth urban area or high-growth urban area within their district or region.

The application of these policies is not restricted to the boundaries of the urban area.

- PB1: Local authorities shall, on at least a three-yearly basis, carry out a housing and business development capacity assessment that:
- a) Estimates the demand for dwellings, including the demand for different types of dwellings, locations and price points, and the supply of development capacity to meet that demand, in the short, medium and long-terms; and
  - b) Estimates the demand for the different types and locations of business land and floor area for businesses, and the supply of development capacity to meet that demand, in the short, medium and long-terms; and
  - c) Assesses interactions between housing and business activities, and their impacts on each other.

Local authorities are encouraged to publish the assessment under policy PB1.

- PB2: The assessment under policy PB1 shall use information about demand including:
- a) Demographic change using, as a starting point, the most recent Statistics New Zealand population projections;
  - b) Future changes in the business activities of the local economy and the impacts that this might have on demand for housing and business land; and
  - c) Market indicators monitored under PB6 and PB7.
- PB3: The assessment under policy PB1 shall estimate the sufficiency of development capacity provided by the relevant local authority plans and proposed and operative regional policy statements, and Long Term Plans and Infrastructure Strategies prepared under the Local Government Act 2002, including:
- a) The cumulative effect of all zoning, objectives, policies, rules and overlays and existing designations in plans, and the effect this will have on opportunities for development being taken up;
  - b) The actual and likely availability of development infrastructure and other infrastructure in the short, medium and long term as set out under PA1;
  - c) The current feasibility of development capacity;
  - d) The rate of take up of development capacity, observed over the past 10 years and estimated for the future; and
  - e) The market's response to planning decisions, obtained through monitoring under policies PB6 and PB7.
- PB4: The assessment under policy PB1 shall estimate the additional development capacity needed if any of the factors in PB3 indicate that the supply of development capacity is not likely to meet demand in the short, medium or long term.

- PB5: In carrying out the assessment under policy PB1, local authorities shall seek and use the input of iwi authorities, the property development sector, significant land owners, social housing providers, requiring authorities, and the providers of development infrastructure and other infrastructure.
- PB6: To ensure that local authorities are well-informed about demand for housing and business development capacity, urban development activity and outcomes, local authorities shall monitor a range of indicators on a quarterly basis including:
- a) Prices and rents for housing, residential land and business land by location and type; and changes in these prices and rents over time;
  - b) The number of resource consents and building consents granted for urban development relative to the growth in population; and
  - c) Indicators of housing affordability.
- PB7: Local authorities shall use information provided by indicators of price efficiency in their land and development market, such as price differentials between zones, to understand how well the market is functioning and how planning may affect this, and when additional development capacity might be needed.

Local authorities are encouraged to publish the results of their monitoring under policies PB6 and PB7.

### *Responsive planning*

Policies PC1 to PC4 apply to all local authorities that have part, or all, of either a medium-growth urban area or high-growth urban area within their district or region.

The application of these policies is not restricted to the boundaries of the urban area.

- PC1: To factor in the proportion of feasible development capacity that may not be developed, in addition to the requirement to ensure sufficient, feasible development capacity as outlined in policy PA1, local authorities shall also provide an additional margin of feasible development capacity over and above projected demand of at least:
- 20% in the short and medium term, and
  - 15% in the long term.
- PC2: If evidence from the assessment under policy PB1, including information about the rate of take-up of development capacity, indicates a higher margin is more appropriate, this higher margin should be used.
- PC3: When the evidence base or monitoring obtained in accordance with policies PB1 to PB7 indicates that development capacity is not sufficient in any of the short, medium or long term, local authorities shall respond by:
- a) Providing further development capacity; and
  - b) enabling development

in accordance with policies PA1, PC1 or PC2, and PC4. A response shall be initiated within 12 months.



- PC4: A local authority shall consider all practicable options available to it to provide sufficient development capacity and enable development to meet demand in the short, medium and long term, including:
- a) Changes to plans and regional policy statements, including to the zoning, objectives, policies, rules and overlays that apply in both existing urban environments and greenfield areas;
  - b) Integrated and coordinated consenting processes that facilitate development; and
  - c) Statutory tools and other methods available under other legislation.

#### **Minimum targets**

Policies PC5 to PC11 apply to all local authorities that have part, or all, of a high-growth urban area within their district or region.

Local authorities that have part, or all, of a medium-growth urban area within their district or region are encouraged to give effect to policies PC5 to PC11.

The application of these policies is not restricted to the boundaries of the urban area.

- PC5: Regional councils shall set minimum targets for sufficient, feasible development capacity for housing, in accordance with the relevant assessment under policy PB1 and with policies PA1 and PC1 or PC2, and incorporate these minimum targets into the relevant regional policy statement.
- PC6: A regional council's minimum targets set under policy PC5 shall be set for the medium and long term, and shall be reviewed every three years.
- PC7: When the relevant assessment required under policy PB1 shows that the minimum targets set in the regional policy statement are not sufficient, regional councils shall revise those minimum targets in accordance with policies PC5, and shall incorporate these revised targets into its regional policy statement.
- PC8: Regional councils shall amend their proposed and operative regional policy statements to give effect to policies PC5 to PC7 in accordance with section 55(2A) of the Act without using the process in Schedule 1 of the Act.
- PC9: Territorial authorities shall set minimum targets for sufficient, feasible development capacity for housing, as a portion of the regional minimum target, in accordance with the relevant assessment under policy PB1, and with policies PA1, PC1 or PC2, and PD3 and incorporate the minimum targets as an objective into the relevant plan.
- PC10: If a minimum target set in a regional policy statement is revised, the relevant territorial authorities shall also revise the minimum targets in their plans in accordance with policy PC9.
- PC11: Territorial authorities shall amend their relevant plans to give effect to policies PC9 and PC10 in accordance with section 55(2A) of the Act without using the process in Schedule 1 of the Act.

Note that using section 55(2A) of the Act for policies PC8 and PC11 only applies to setting minimum targets and not to plan changes that give effect to those minimum targets.

### **Future development strategy**

Policies PC12 to PC14 apply to all local authorities that have part, or all, of a high-growth urban area within their district or region.

Local authorities that have part, or all, of a medium-growth urban area within their district or region are encouraged to give effect to policies PC12 to PC14

The application of these policies is not restricted to the boundaries of the urban area.

PC12: Local authorities shall produce a future development strategy which demonstrates that there will be sufficient, feasible development capacity in the medium and long term. This strategy will also set out how the minimum targets set in accordance with policies PC5 and PC9 will be met.

PC13: The future development strategy shall:

- a) identify the broad location, timing and sequencing of future development capacity over the long term in future urban environments and intensification opportunities within existing urban environments;
- b) balance the certainty regarding the provision of future urban development with the need to be responsive to demand for such development; and
- c) be informed by the relevant Long Term Plans and Infrastructure Strategies required under the Local Government Act 2002, and any other relevant strategies, plans and documents.

PC14: The future development strategy can be incorporated into a non-statutory document that is not prepared under the Act, including documents and strategies prepared under other legislation. In developing this strategy, local authorities shall:

- a) Undertake a consultation process that complies with:
  - Part 6 of the Local Government Act; or
  - Schedule 1 of the Act;
- b) be informed by the assessment under policy PB1; and
- c) have particular regard to policy PA1.

### ***Coordinated planning evidence and decision-making***

Policies PD1 and PD2 apply to all local authorities that have part, or all, of either a medium-growth urban area or high-growth urban area within their district or region.

The application of these policies is not restricted to the boundaries of the urban area.

PD1: Local authorities that share jurisdiction over an urban area are strongly encouraged to work together to implement this national policy statement, having particular regard to cooperating and agreeing upon:

- a) The preparation and content of a joint housing and business development capacity assessment for the purposes of policy PB1; and
- b) The provision and location of sufficient, feasible development capacity required under the policies PA1, PC1 and PC2.

PD2: To achieve integrated land use and infrastructure planning, local authorities shall work with providers of development infrastructure, and other infrastructure, to implement policies PA1 to PA3, PC1 and PC2.

Policies PD3 and PD4 apply to all local authorities that have part, or all, of a high-growth urban area within their district or region.

Policy PD3 a) applies to all local authorities that have part, or all, of a medium-growth urban area within their district or region and choose to set minimum targets under policies PC5 to PC11.

PD3 b) and PD4 apply to all local authorities that have part, or all, of a medium-growth urban area within their district or region and choose to prepare a future development strategy under policies PC12 to PC14.

The application of these policies is not restricted to the boundaries of the urban area.

PD3: Local authorities that share jurisdiction over an urban area are strongly encouraged to collaborate and cooperate to agree upon:

- a) The specification of the minimum targets required under PC5 and PC9 and their review under policies PC6, PC7 and PC10; and
- b) The development of a joint future development strategy for the purposes of policies PC12 to PC14.

PD4: Local authorities shall work with providers of development infrastructure, and other infrastructure, in preparing a future development strategy under policy PC12.

# Timeframes to implement this national policy statement

The timeframes for giving effect to particular policies in this national policy statement are as follows.

Objectives OA1 to OD2, policies PA1 to PA4 (outcomes for planning decisions), policies PC1 to PC4 (responsive planning) and policies PD1 to PD4 (coordinated planning evidence and decision-making) must be given effect immediately.

Local authorities that have part or all of either a medium-growth urban area or a high-growth urban area within their district or region shall begin to monitor indicators under policy PB6 within 6 months of this NPS coming into effect.

Local authorities that have part or all of either a medium-growth urban area or a high-growth urban area within their district or region shall begin to use indicators of price inefficiency under policy PB7 by 31 December 2017.

Local authorities that have part or all of a high-growth urban area within their district or region shall have completed the housing and business development capacity assessment under policy PB1 by 31 December 2017.

Local authorities that have part or all of a medium-growth urban area within their district or region shall have completed the housing and business development capacity assessment under policy PB1 by 31 December 2018.

Local authorities that have part or all of a high-growth urban area within their district or region shall have produced the future development strategy under policies PC12 to PC14 by 31 December 2018.

Local authorities that have part or all of a high-growth urban area within their district or region shall have set minimum targets in their relevant plan or regional policy statement under policies PC5 and PC9 by 31 December 2018.

Local authorities with part or all of an urban area in their district or region that, through revisions to the Statistics New Zealand medium urban area population projections for 2013(base)-2023, comes to be defined as either a medium-growth urban area or a high-growth urban area, shall give effect to the requirements by the dates set out above with the following exceptions:

- Local authorities with part or all of an urban area in their district or region that is newly classified as a medium-growth urban area shall begin monitoring indicators under policy PB6 and using indicators of price efficiency under policy PB7 by 31 March 2018.
- Local authorities with part or all of an urban area in their district or region that is newly classified as a high-growth urban area shall complete the housing and business development capacity assessment under policy PB1 by 30 June 2018.

# Review of this national policy statement

The Minister for the Environment intends to review and amend the definitions of high-growth urban area and medium-growth urban area no later than 31 December 2018.

The Minister for the Environment intends to review the implementation and effectiveness of this national policy statement in achieving all its objectives and policies and in achieving the purpose of the Act, no later than 31 December 2021. The Minister shall then consider the need to review, change or revoke this national policy statement.

## *Regulatory impact statement*

The Ministry for the Environment produced a regulatory impact statement on 29 September 2016 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at:

- <http://www.mfe.govt.nz/more/cabinet-papers-and-related-material-search/regulatory-impact-statements/ris-proposed-nps-urban>
- <http://www.treasury.govt.nz/publications/informationreleases/ris>

## **Appendix 3: Kaipara District Plan**

### **What is the philosophy of the Kaipara District Plan?**

The philosophy of the Kaipara District Plan is effects-based as opposed being an ‘activity’-based Plan. The RMA itself is an effects-based statute, however many district plans rely on specific activities to guide development in terms of land use, development and subdivision. District Plans in more densely populated areas tend to be more activity-based due to the demand pressures and values of land. Effects-based Plans allow for a wider range of planning outcomes and are considered to be more flexible.

Section 31 of the RMA establishes a duty for Kaipara District Council to manage the effects of the use, development and protection of land and resources and how effects or potential effects will be managed. The philosophy of the Kaipara District Plan is that it is the effects of an activity, rather than the activity itself, which will be managed. In response to this, the provisions of the District Plan seek to take an effects-based approach, particularly through the specification of standards which are considered to define the acceptable level of potential environmental effects. On this basis the status of an activity for resource consent purposes is determined largely by either its compliance with the standards or the level of non-compliance.

In contrast to this philosophy, the Estuary Estates Chapter (Chapter 16) of the District Plan is activity-based in its approach, whereby a specific activity is managed, rather than the effects the activity generates. Estuary Estates is the result of a private plan change that was approved in 2007, and provides for a new town centre and associated residential and business development. There has been some discussion by the Advisory Panel of the best approach to working with this chapter of the District Plan given the strategic location of the site. To enable ongoing discussion, attached to this report in Appendix 4 is a summary of the contents of Chapter 16 – Estuary Estates and a map showing how the zones are laid out for future development.

### **The Structure of the Kaipara District Plan**

The District Plan is structured in five parts as follows:

#### Part A – District Wide Strategy

This part introduces the Plan, comments on its structure and use, and identifies significant resource management issues responded to through the Plan. This part contains strategies which provide direction and enable future farming, forestry, residential and business development and recognise the importance of natural and physical resources. It also identifies the Objectives and Policies which apply to the use of natural and physical resources of district and national significance and provides for these across the district. It is intended that the Objectives and Policies of this Part of the Plan (particularly in respect of Chapter 2 (District Wide Resource Management Issues), Chapter 3 (Land Use and Development Strategy; 3A Mangawhai Growth Area), Chapter 4 (Overlays), and Chapter 5 (Tangata Whenua Strategy) provide a hierarchy of district-wide strategic considerations; these sit over the Objectives and Policies of specific zones (Part B) and sites and features identified in the Plan (Part C).

## Part B – Land Use

This part identifies the Objectives, Policies and Rules which apply to the Zones (and Environmental Overlays) mapped in the district. The district has a number of Zones which are managed according to the different land use and environmental outcomes being sought. Management in these areas reflects this sensitivity, and the ability of the District Plan to avoid, remedy or mitigate potential adverse effects on these values. Each chapter of the District Plan sets out the performance standards by effects thresholds required to be met by permitted activities and each chapter follows the same format; with the exception of the Estuary Estates chapter. Part B also includes subdivision and each chapter considers the subdivision rules as they apply to each Zone. Again the layout within each chapter follows the same format.

## Part C – Sites, Features and Units

This part of the District Plan contains the Objectives, Policies and Rules which relate to specific sites or areas of the Kaipara district. (These include heritage sites, culturally significant sites, and listed trees, etcetera). These sites may occur across the Kaipara, irrespective of Zones. Generally the provisions of Part C modify the opportunity to generate particular effects, where these are likely to have a negative environmental impact on a particular value of a site or area scheduled in Part C.

The provisions and rules of this part of the District Plan must be complied with, in addition to the relevant underlying Zone or Overlay rules. Furthermore, provisions specified in this Part have precedence over provisions in Part B.

## Part D – Other

This part of the District Plan contains information referred to throughout the Plan, including detail on other Methods such as financial contributions and monitoring. This Part includes information on Methods outside the Plan or other non-regulatory methods, which have been identified to achieve outcomes. This Part also provides definitions of terms used in the Plan and Appendices to the whole Plan (Chapter 24).

## Part E – Maps

This Part provides two map series. Series 1 relates to Part B of the Plan (Land Use), and Series 2 relates to Part C (Sites, Features, and Management Units). In addition to the two map series, this Part contains Appendices to the District Plan Maps, including maps which relate to all Parts of the District Plan.

**The structure of each chapter is generally summarised as follows:**

### Introduction/Resource Description

Briefly describes the legislative context of the Chapter and its relationship to other Chapters of the District Plan.

### How to Use this Chapter of the District Plan

Provides users of the District Plan with a guide to the Chapter and its relationship to other Chapters of the District Plan.

### Growth beyond Zoned Areas

Provides an overview of how Council envisages growth and development of residential and business zones in the district. This Section is only in the Zone Chapters.

#### Issues

Summarises the resource management issues facing the district, which are able to be responded to in the District Plan. Issues within each Chapter are presented in no particular order or importance. (Note: there is a distinction here between general issues and the specific resource management issue being addressed in each chapter).

#### Objectives

Sets the direction Council has taken in response to the management issues and the outcomes it is seeking through the District Plan. Objectives within each Chapter of the Plan are presented in no particular order of importance.

#### Policies

Defines the effects-based course of action that Council is taking to achieve the Objectives being sought by the District Plan. Policies within each Chapter of the Plan are presented in no particular order of importance.

#### Methods

Outlines how the Policies will be implemented. The methods are explanatory only and are either regulatory (e.g. rules) or non-regulatory (e.g. guidelines and financial contributions).

#### Outcomes

Indicates the anticipated results of the District Plan. These outcomes are primarily to provide benchmarks by which Council can assess the effectiveness of the Plan. (Note, a plan effectiveness review is required at the five year milestone following a District Plan becoming operative, in accordance with s75 RMA. For the Kaipara District Plan which became operative in 2013, this milestone will be reached next year and the work towards completing a plan effectiveness review is to be commenced later in 2017).

#### Rules, Performance Standards and Assessment Criteria

Provides the mechanism to determine whether the effects of any activity make that activity permitted, controlled, restricted discretionary, discretionary, or non-complying (each of these are known as the 'activity status' of any proposal). Includes the Performance Standards and terms that must be complied with for land use and subdivision and relating to other resource matters (e.g. heritage, natural environment, transportation). Also includes Assessment Criteria which Council will consider to assess the effects of any activity requiring consent.



## **Appendix 4: Estuary Estates (Chapter 16)**

# Estuary Estates

## Chapter 16 of District Plan

KEY

Existing Vegetation

Native Vegetation

Road Network

Road Network - Ring Road

Parkland and Amenity - Open Space

Parkland and Amenity - Coastal

Parkland and Amenity - Village Green

Stormwater Management

Walkway Network

Parking, Access and Amenity Landscape

Private Parking, Access and Amenity Landscape

Indicative Building Footprints

Building Areas



## What is Estuary Estates?

Estuary Estates is a Structure Plan Area of approximately 130 hectares situated in Mangawhai. The Estuary Estates Structure Plan has been drafted so as to give effect to the Mangawhai Structure Plan (in particular with reference to Policy Areas 1 and 2) and has been incorporated into the Kaipara District Plan by way of Chapter 16 – Estuary Estates. The provisions of Chapter 16, and the Estuary Estates Structure Plan has precedence over the Mangawhai Structure Plan.

Chapter 16 provides for overarching Objectives and Policies as well as specific Objectives and Policies with regards to each Sub-Zone.

The inclusion of the Estuary Estates Structure Plan as a specific chapter in the District Plan provides the area with its own objectives, policies, issues, zoning, strategies, subdivision rules, activity standards and in some cases its own definitions.

The Estuary Estates Chapter is far more geared towards an ‘activities-based’ plan model (i.e. through the use of activity tables which consider a large number of activities) rather than the rest of the Kaipara District Plan, which is more ‘effects-based’.

There is a relationship between other provisions of the District Plan and Chapter 16; i.e. the Financial Contributions chapter (Chapter 22) applies to Estuary Estates. The Standards in Chapter 16 take precedence over the Kaipara District Council Engineering Standards 2011.

This means that any changes to the Estuary Estates Structure Plan would require a Plan Change.

## Estuary Estate Zoning

The Estuary Estates Structure Plan is comprised of a number of ‘Sub-Zones’.

These sub-zones do not include public roads. Each Sub-Zone also provides for defined areas of land called the ‘Green Network’ which include public areas such as the ‘Village Green’ (located in the Community 2 Sub-Zone), which is intended to vest in and be managed by the Council. The balance of the Green Network is intended to be secured by a variety of methods, including easements, covenants and reserves.

The ‘sub-zones’ are outlined below:

### Business Sub-Zone 1

- This Sub-Zone is around 7.5ha (4ha development area), and is intended to act as a ‘gateway’ to Estuary Estates, providing business activities using a ring road that will connect with Molesworth Drive. There are two ‘Precincts’ within Business 1 Sub-Zone;
  - Precinct 1: providing for activities which require large-format floor areas; and
  - Precinct 2; providing for smaller retail and business activities
- The Objective is to create a distinctive, vibrant and attractive business area, and this is to be implemented through a comprehensive development approach, providing a quality built environment, allocating parking areas to internal locations where they will not detract from the streetscape, and ensuring the Sub-Zone functions as an integrated village environment.

**Density** (minimum freehold lot size)

- Precincts 1 and 2 - **500m<sup>2</sup>**
- Green Network A – **10,000m<sup>2</sup>**

### Community Sub-Zone 2

- The purpose of this sub-zone is to provide for a range of ‘community-focused’ buildings and activities around a central public space – the Village Green. The Objective of this sub-zone is to create a community hub, and is intended to be implemented by specific development and design controls and requiring safe pedestrian links to and from adjacent sub-zones and public places.

**Density** (minimum freehold lot size) – **1,000m<sup>2</sup>**

### Residential Sub-Zone 3

- The purpose of this sub-zone is to provide medium-density residential areas. Groups of houses are to be interwoven with well-planted open space. The Residential blocks closest to the Community Sub-Zone are intended to be the highest density, with slightly less densities provided for in other Residential 3 development blocks.
- This Sub-Zone is supported by one Objective, to provide for medium density residential living with a strong neighbourhood character and a high standard of residential amenity. There are a number of policies to implement this, including controlling form and scale of buildings, enabling a range of housing forms and styles to create a diverse environment, and enabling smaller scale non-residential activities and home occupations.

**Density** (minimum freehold lot size) – **400m<sup>2</sup>**

#### Parkside Residential Sub-Zone 4

- The purpose of this sub-zone is to provide for larger residential buildings sitting within a park-like environment, providing a higher density than residential, but maximising the proximity of residents to open space.
- This sub-zone is supported by an Objective, to provide for opportunities for well-designed higher density housing in a park-like environment in a central location. This Objective is in turn supported by a number of policies, including requiring large areas of open space and Green Network areas to be retained at the edges and within the sub-zone, and limiting land use activities to residential or accommodation type activities

**Density** (minimum freehold lot size) – **2,000m<sup>2</sup>**

#### Rural Cluster Sub-Zone 5

- The purpose of this sub-zone is to form a cluster of medium-density detached courtyard, row-style housing or duplex-style living forms where all dwellings are close to public open space, and have an easy pedestrian connection with the lakes. Housing units are to be formed into groups (generally 5-15 residential units) and set into an integral landscape environment and oriented for sun and views.
- Two lakes will be constructed in this sub-zone as stormwater management devices, and will provide a special environmental characteristic.
- There are two Objectives in this Sub-Zone, which are to create a series of compact residential clusters enjoying amenity values derived from an elevated aspect, lakeside settings and the rural elements of the sub-zone; and to ensure that land use and subdivision activities are managed to secure the conservation, protection and enhancement of the natural environment elements of the sub-zone.
- These Objectives are supported by policies which address limiting urban development to areas where geotechnical conditions allow it, using design controls to ensure high quality residential amenity, and requiring integrated landscaping.

**Density** (minimum freehold lot size) – **1,000m<sup>2</sup>**

#### Rural Residential Sub-Zone 6

- The purpose of this sub-zone is to provide for low-density living with appropriate scales of building design to minimise adverse visual effects on the landscape. There is intended to be a high level of integration with the Green Network, and the provision of a rural character context.
- This Zone is supported by one Objective, to provide for low density rural-residential development in keeping with the environmental, land capability, visual amenity, character and landscape values of the Sub-Zone. This Objective is supported by policies which limit the number and location of residential dwellings, limit developments to minor earthworks and landscape modifications for building platforms, and ensure earthworks are compatible with the natural landscape.

**Density** (minimum freehold lot size) – **3,000m<sup>2</sup>**

#### Service Sub-Zone 7

- The purpose of this sub-zone is to provide for local service activities which are not appropriate anywhere else in the Structure Plan Areas. This location was selected to minimise potential reverse sensitivity issues and to provide good accessibility without needing to access through residential or commercial areas.
- This sub-zone is supported by one Objective, to provide for local service activities and ancillary outdoor activities within the sub-zone, and a number of policies which state established structure planting will act as a landscaped buffer, will require business activities not to adversely affect the surrounding roading network and ensure a reasonable level of on-site amenity and streetscape through development controls.

**Density** (minimum freehold lot size) – **2,000m<sup>2</sup>**

#### More information

For the purpose of activity rules within these sub-zones, a more simple classification can be made;

- Residential: Residential, Parkside Residential, Rural Cluster, Rural Residential
- Business, Community and Services: Business (Precinct 1 & 2), Services and Community
- Green Network: This is not a specific sub-zone itself, but rather is a network of open space and reserves that exists across each sub-zone.

Each sub-zone has a specific purpose and focus, which drives the different planning mechanisms used to achieve different land use, subdivision and environmental management outcomes for the Estuary Estates Structure Plan Area. There are different 'strategies' which underpin all sub-zones, which includes a Planning Strategy; Design and Environmental Outcome Strategy; Transport Network and Access Strategy; and a Utilities, Infrastructure and Servicing Strategy.

**Estuary Estates Development**

It is intended that Estuary Estates will be a staged development, and that the entire Structure Area will be developed using ‘comprehensive development’. There are specific provisions that apply to the Estuary Estates Structure Area that require infrastructure and roading to be put in place prior to development occurring within any of the sub-zones. There is a further restriction in the Subdivision Rules which requires that Sub-Zone 1 (Business) and Sub-Zone 7 (Service) are to be subdivided off first as separate titles, and after that, while all remaining sub-zones must be subdivided onto separate tiles prior to any internal development occurring, the sequence of that subdivision can be flexible to **respond to local needs**.

Chapter 16 defines ‘comprehensive development’ as:

*‘Means a comprehensively planned and designed development where all land use and/or subdivision consents are submitted and where:*

- *For sub-zones 1-4 all of any one or more of the individual development blocks show on Estuary Estates Structure Plan Map 4 are to be developed; and*
- *For residential development in Sub-Zone 5 any Comprehensive Development proposal shall provide for at least 10 residential units within any single development proposal’*

There is also the provision of ‘development blocks’ which are separate numbered blocks of land within a sub-zone, and are intended to counter the possibility of piecemeal development.

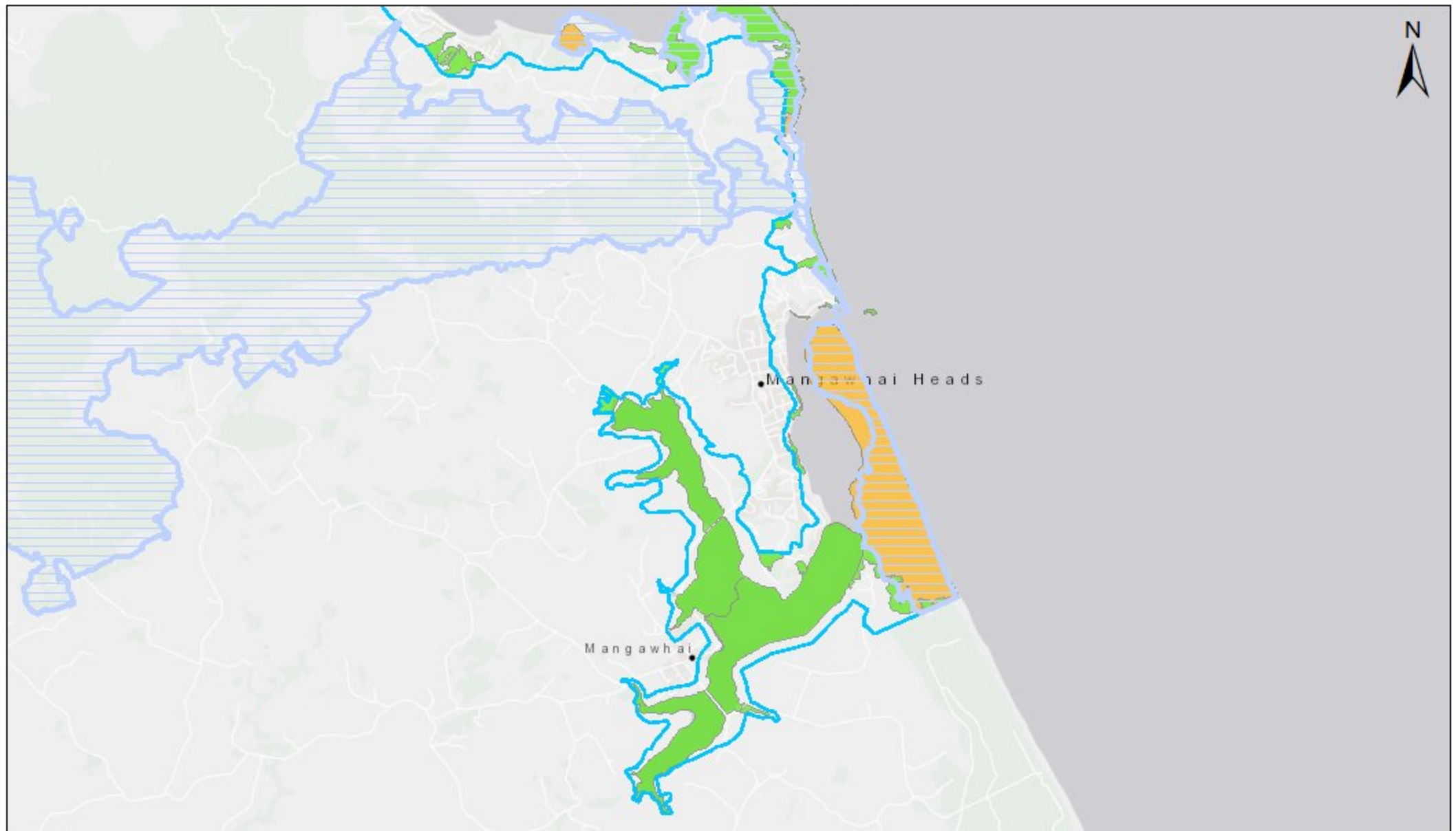
**Estuary Estates Design and Environmental Guidelines**

Appendix 16.1 of the Kaipara District Plan is the Estuary Estates Design and Environmental Guidelines. These Guidelines have been drafted in consideration of the New Zealand Urban Design Protocol, and are intended to ensure that Estuary Estates Structure Area Sub-Zones are developed in accordance with the seven essential design qualities recognised as creating quality urban design (context, character, choice, connections, creativity, custodianship and collaboration).





These Guidelines are intended to be used as Resource Consent application assessment criteria.

## **Appendix 5: Maps – Regional Policy Statement and Kaipara District Plan Maps for Mangawhai**

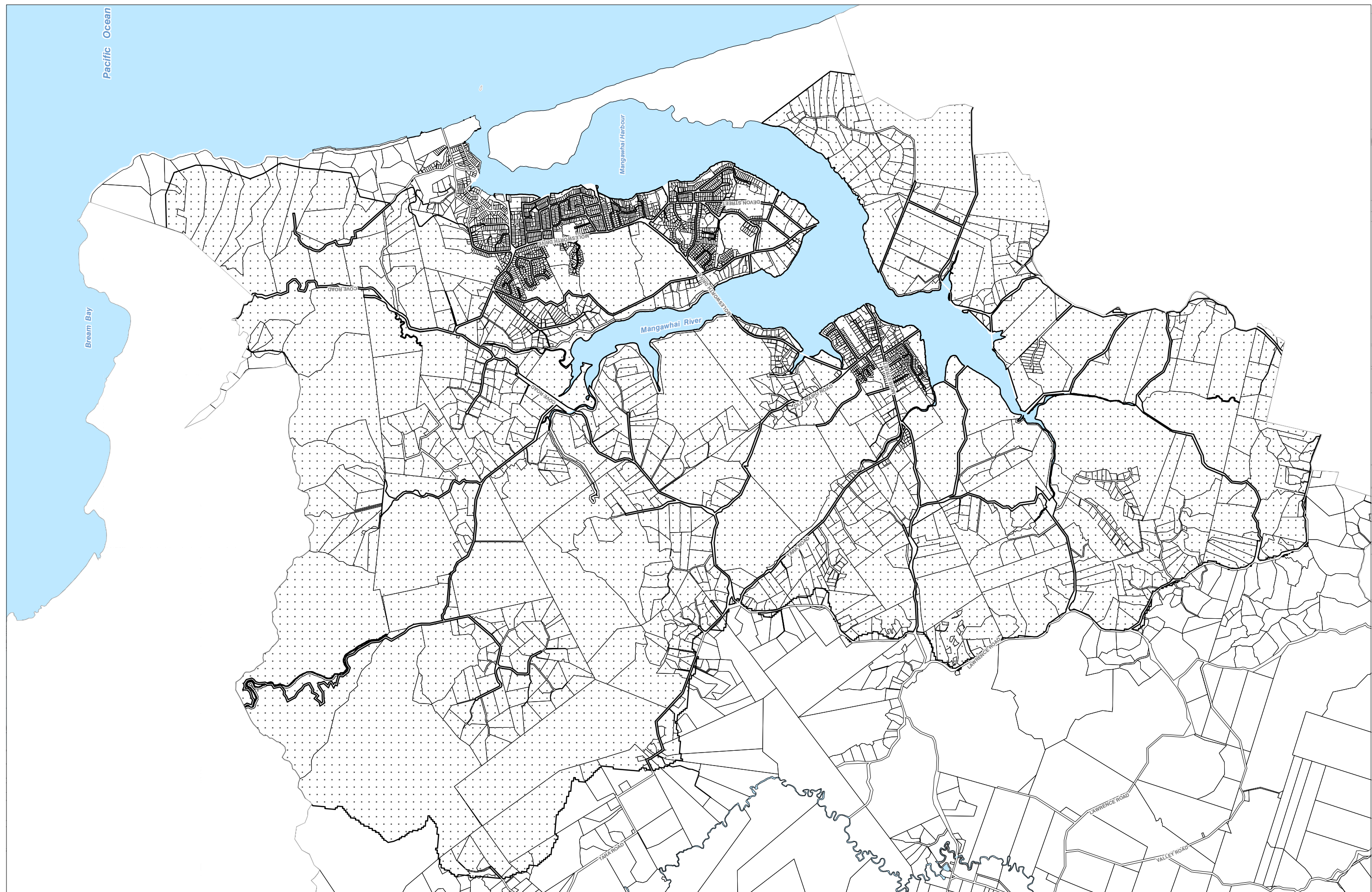




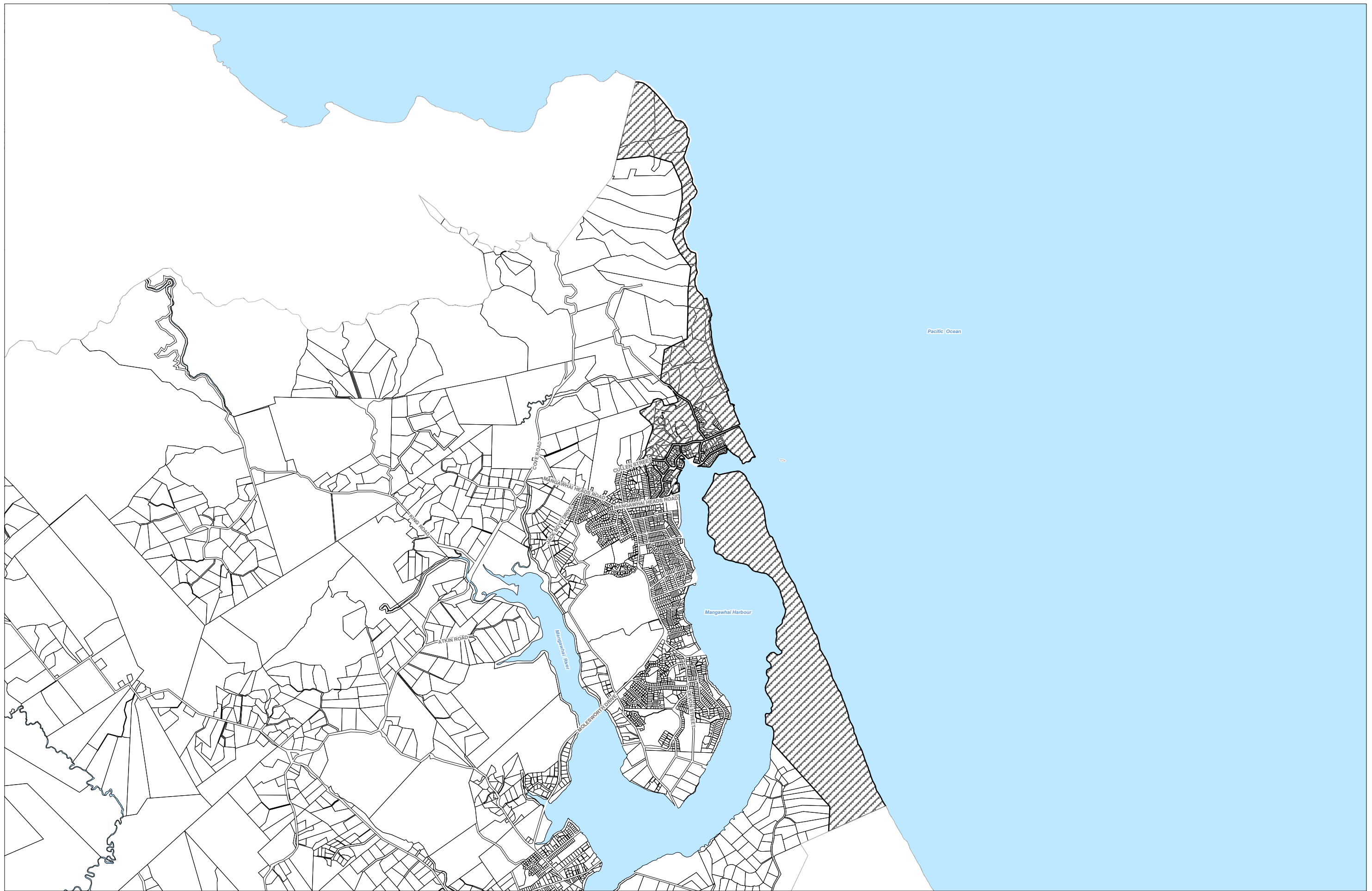
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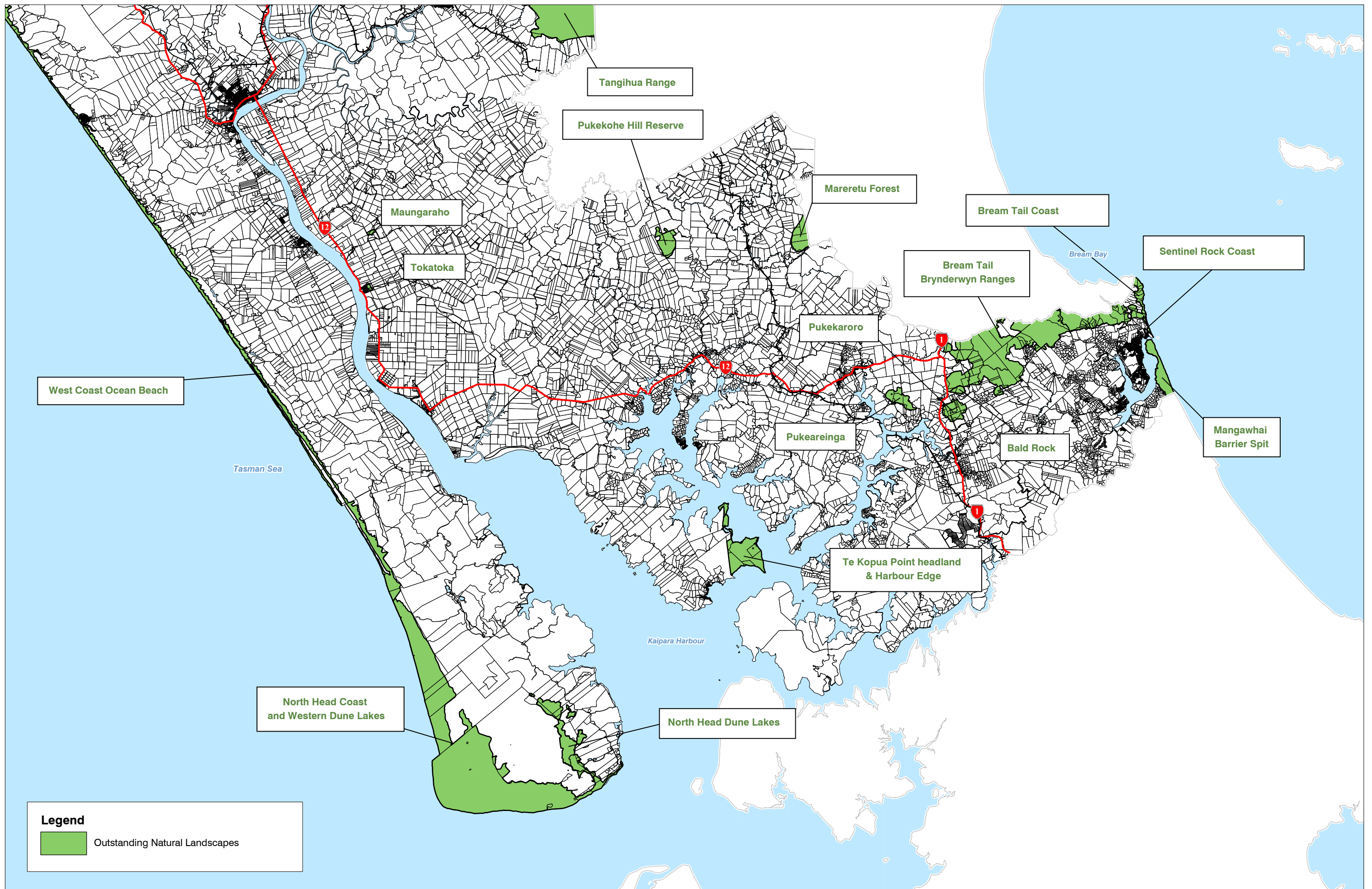
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|--|--------------------------------|---|------------------------|--------------------------|---|-------------------------------|
|  | Outstanding Natural Landscapes |  | Coastal Environment    | <b>Natural Character</b> |  | Outstanding Natural Character |
|  | Outstanding Natural Features   |  | High Natural Character |                          |   |                               |

April 20, 2017

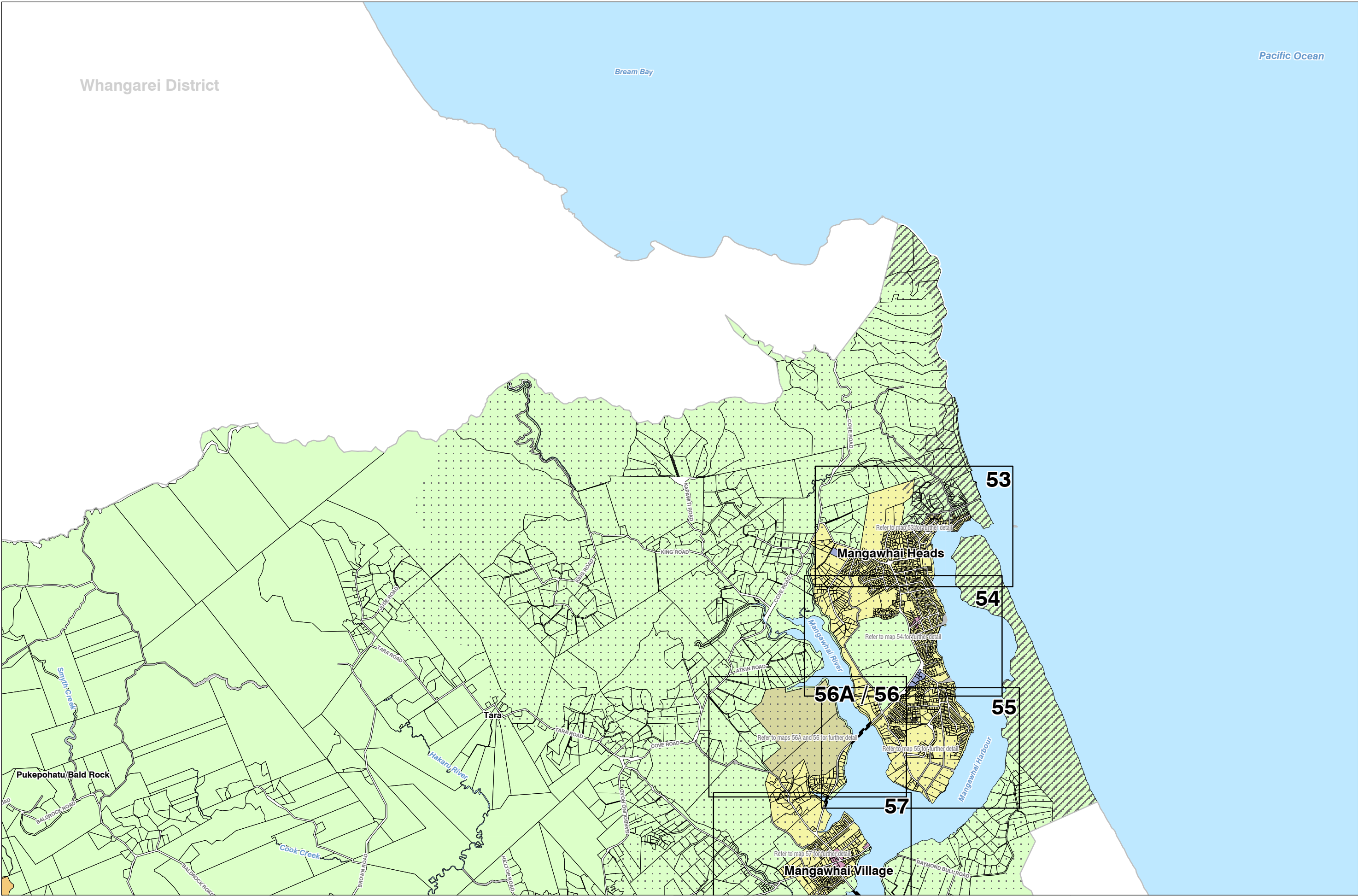


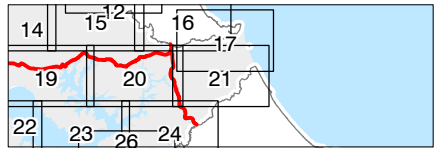
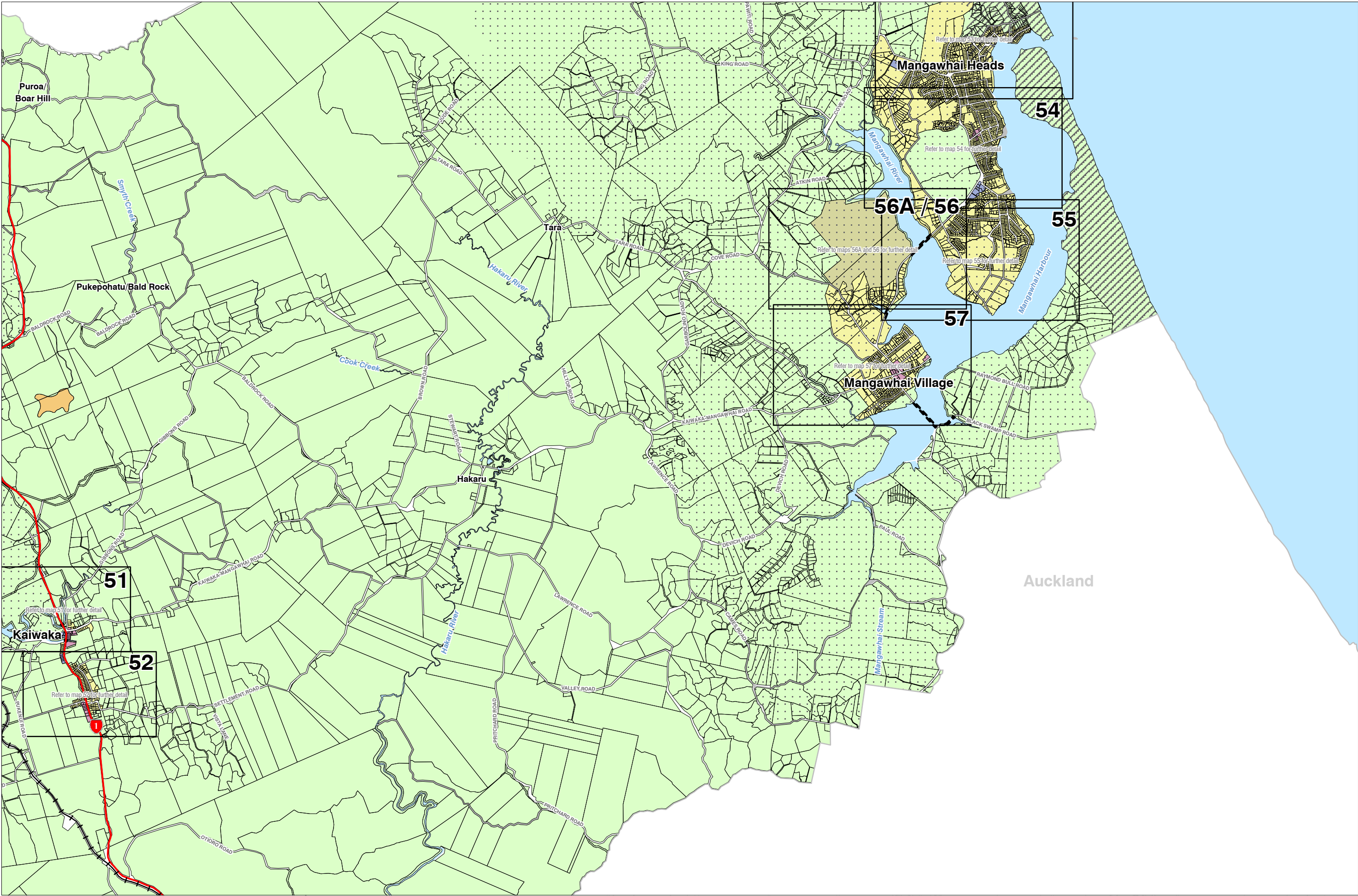




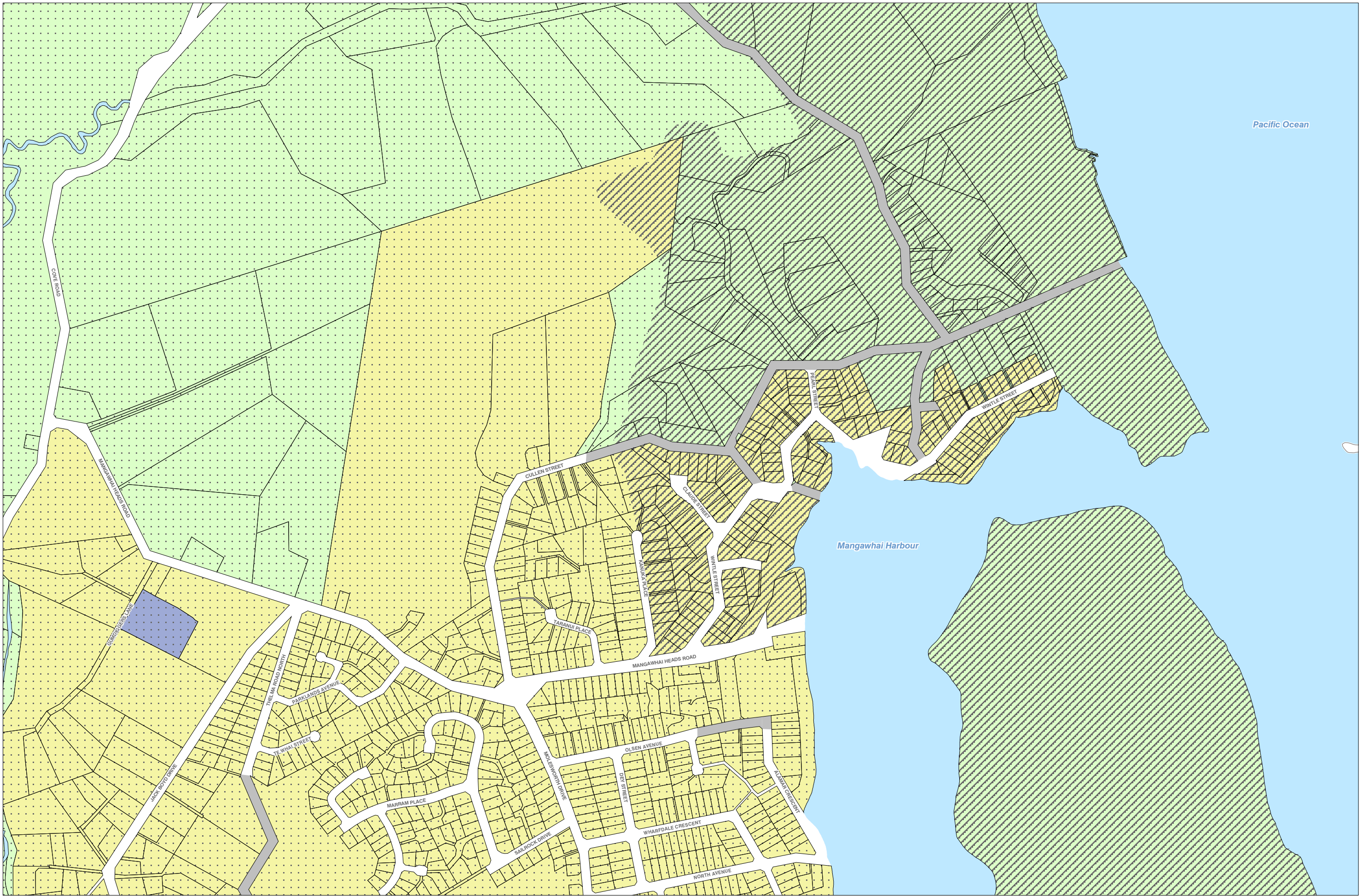


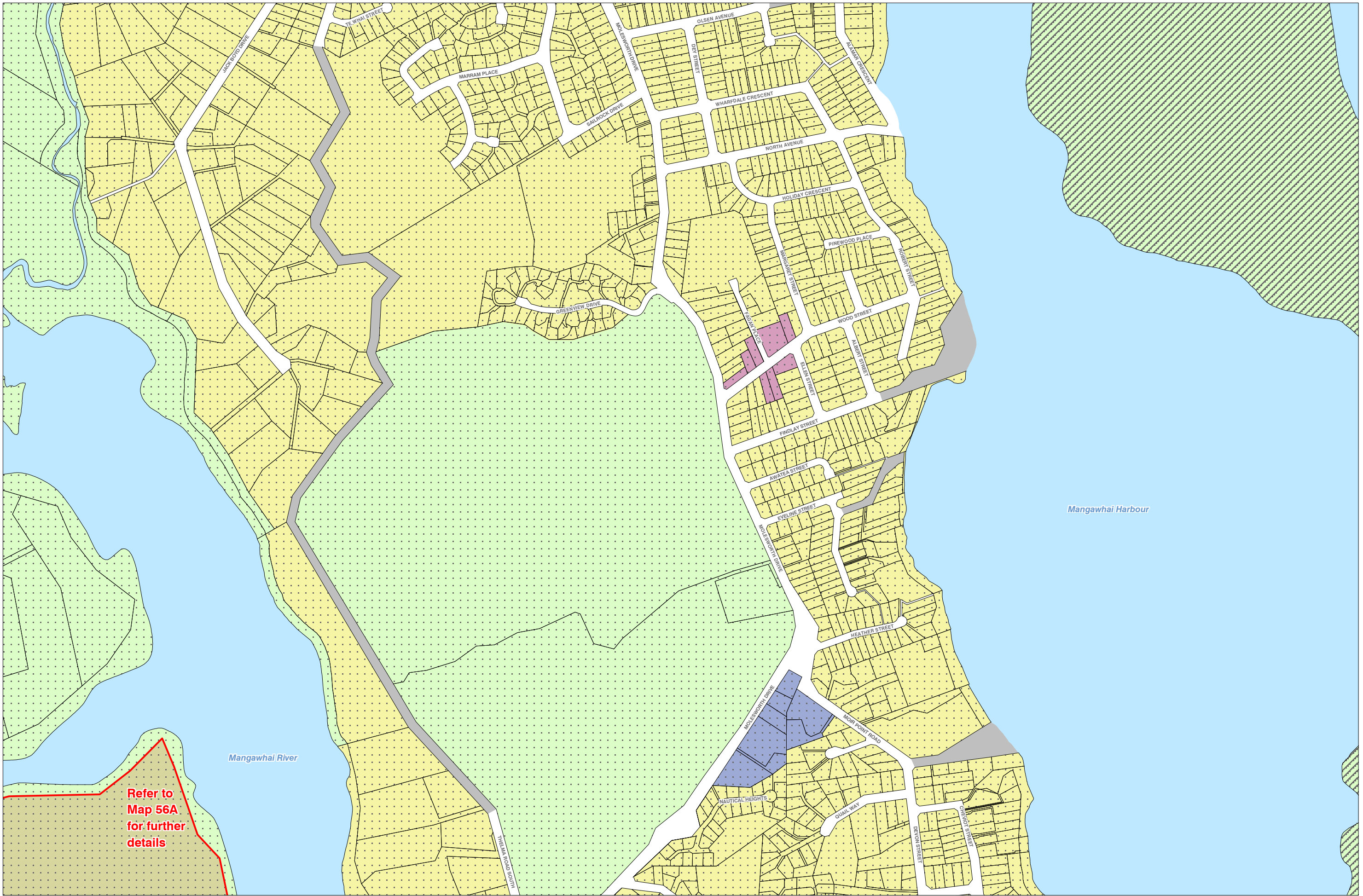




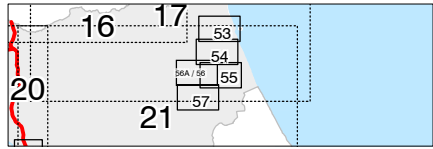
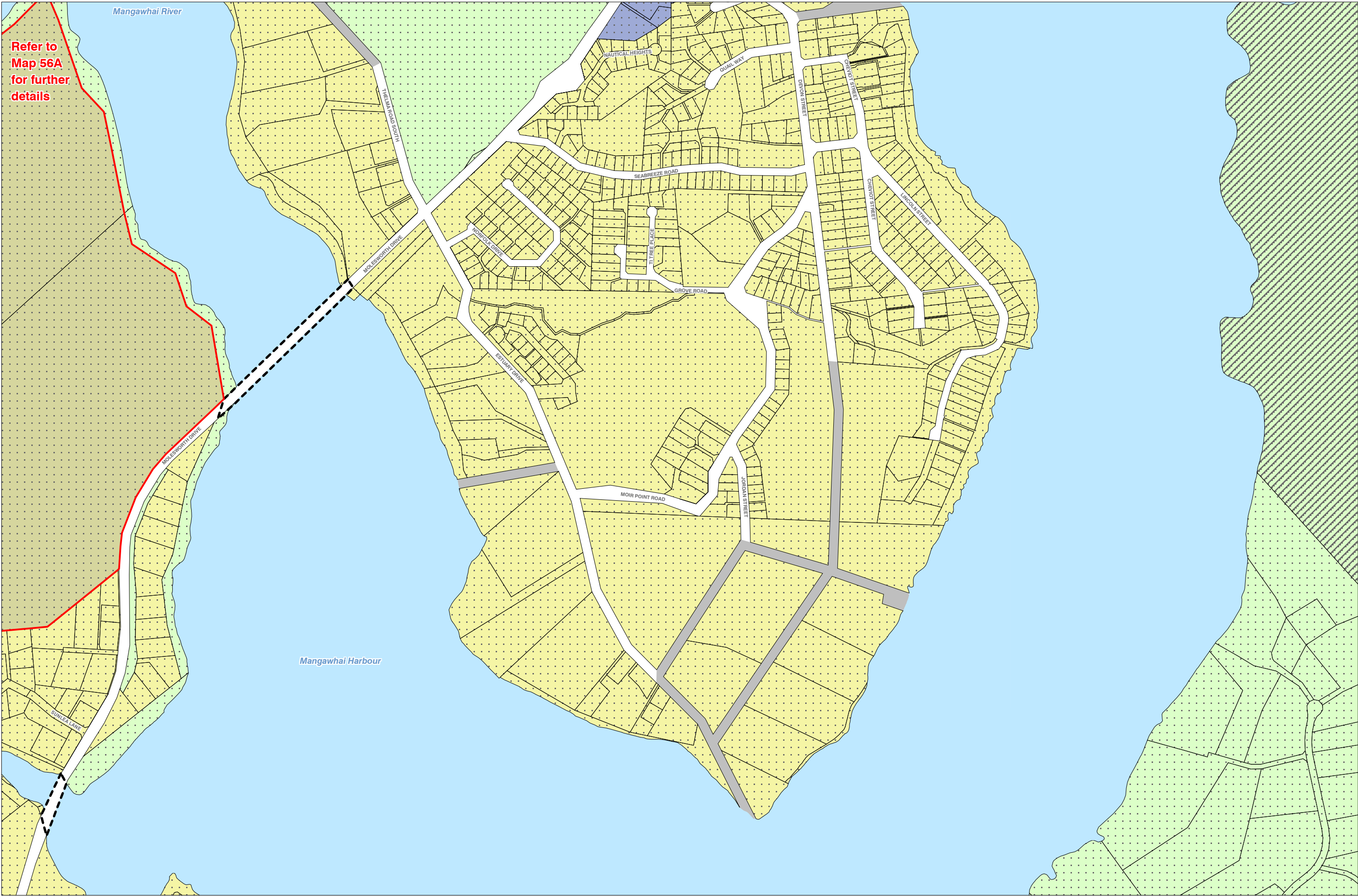


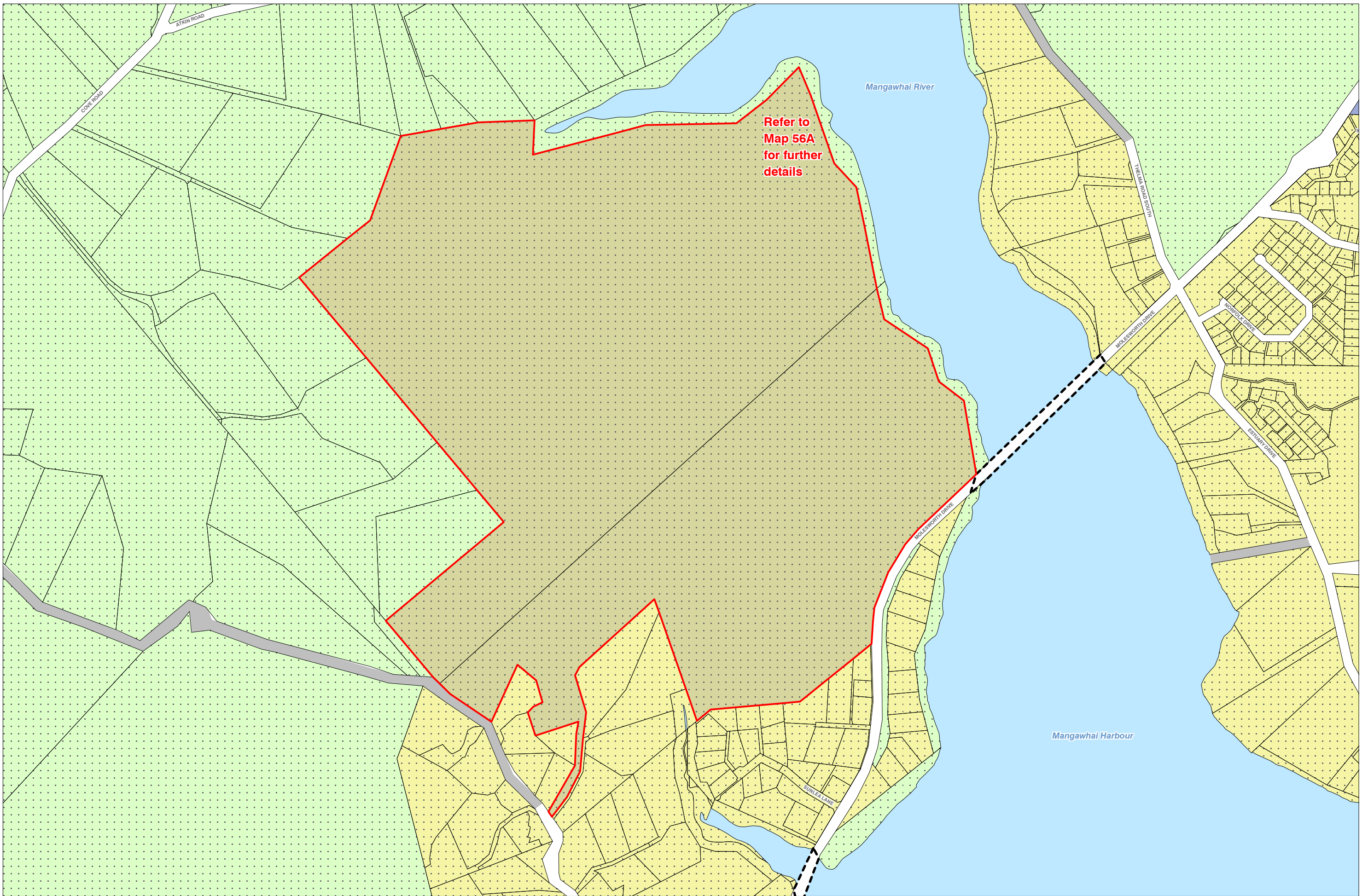




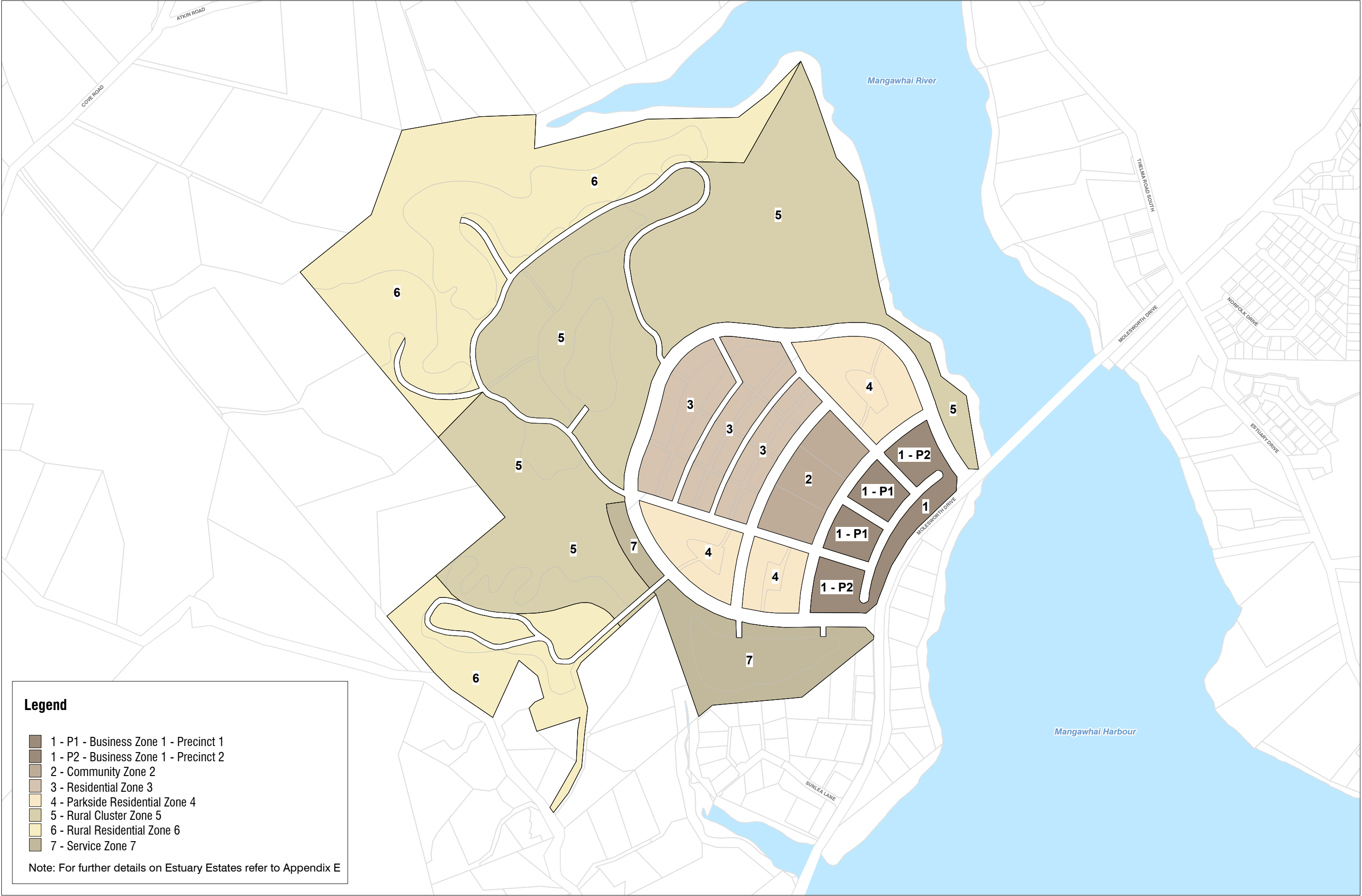












**Legend**

- 1 - P1 - Business Zone 1 - Precinct 1
- 1 - P2 - Business Zone 1 - Precinct 2
- 2 - Community Zone 2
- 3 - Residential Zone 3
- 4 - Parkside Residential Zone 4
- 5 - Rural Cluster Zone 5
- 6 - Rural Residential Zone 6
- 7 - Service Zone 7

Note: For further details on Estuary Estates refer to Appendix E



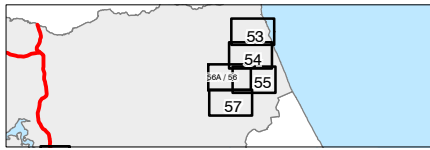
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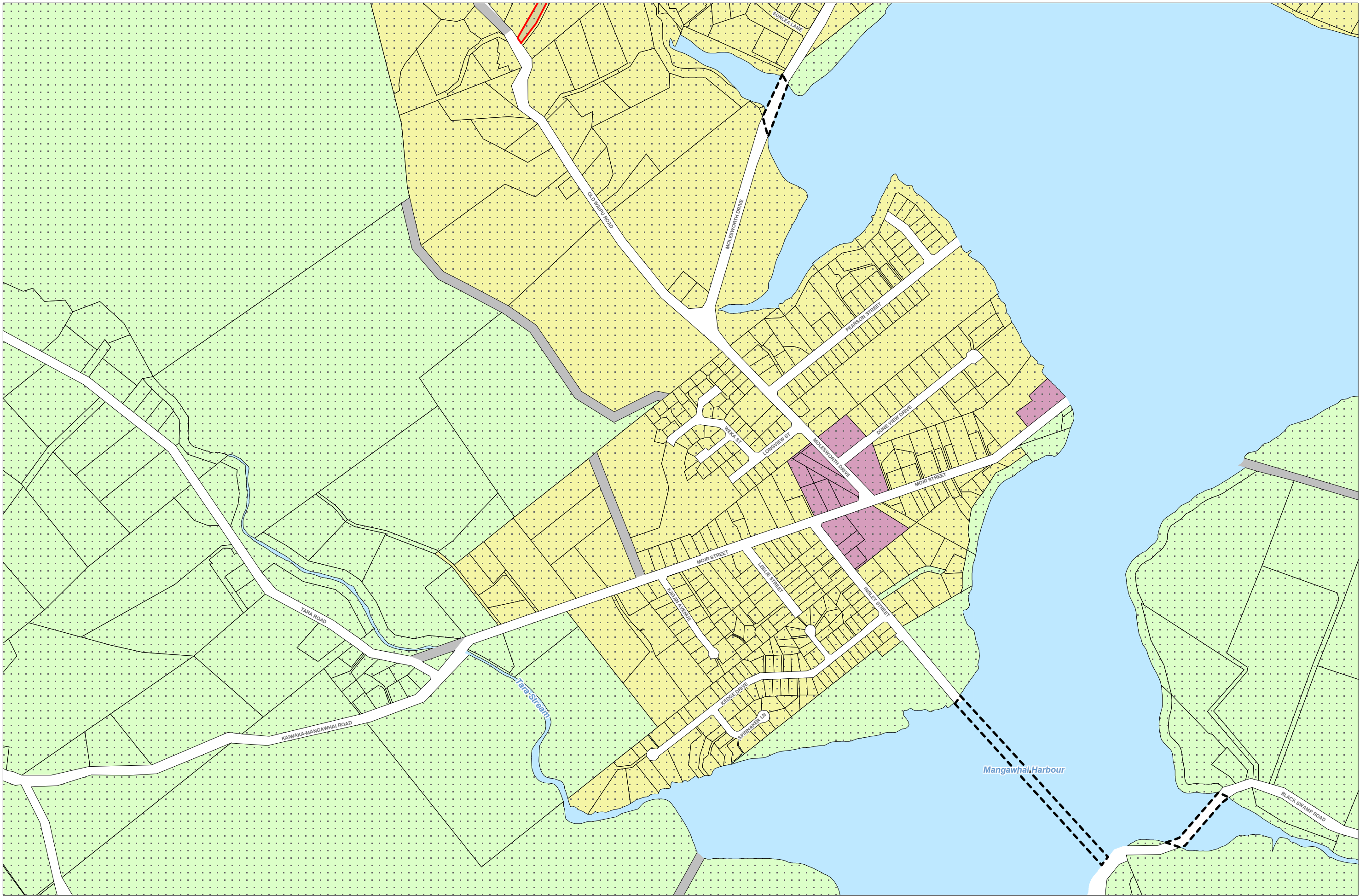
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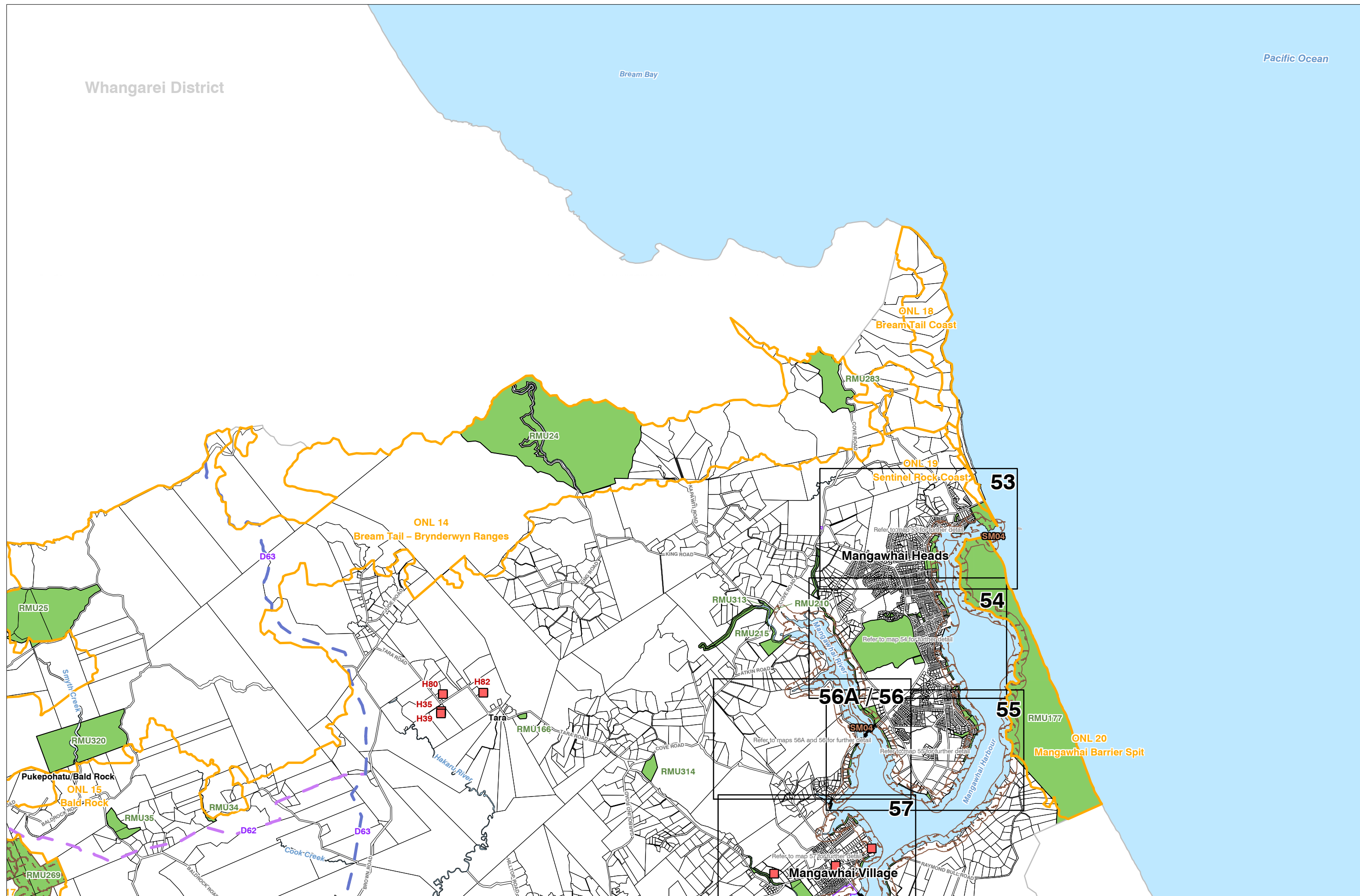
**Map Series One**

**Land Use ; Estuary Estates Zoning Plan**

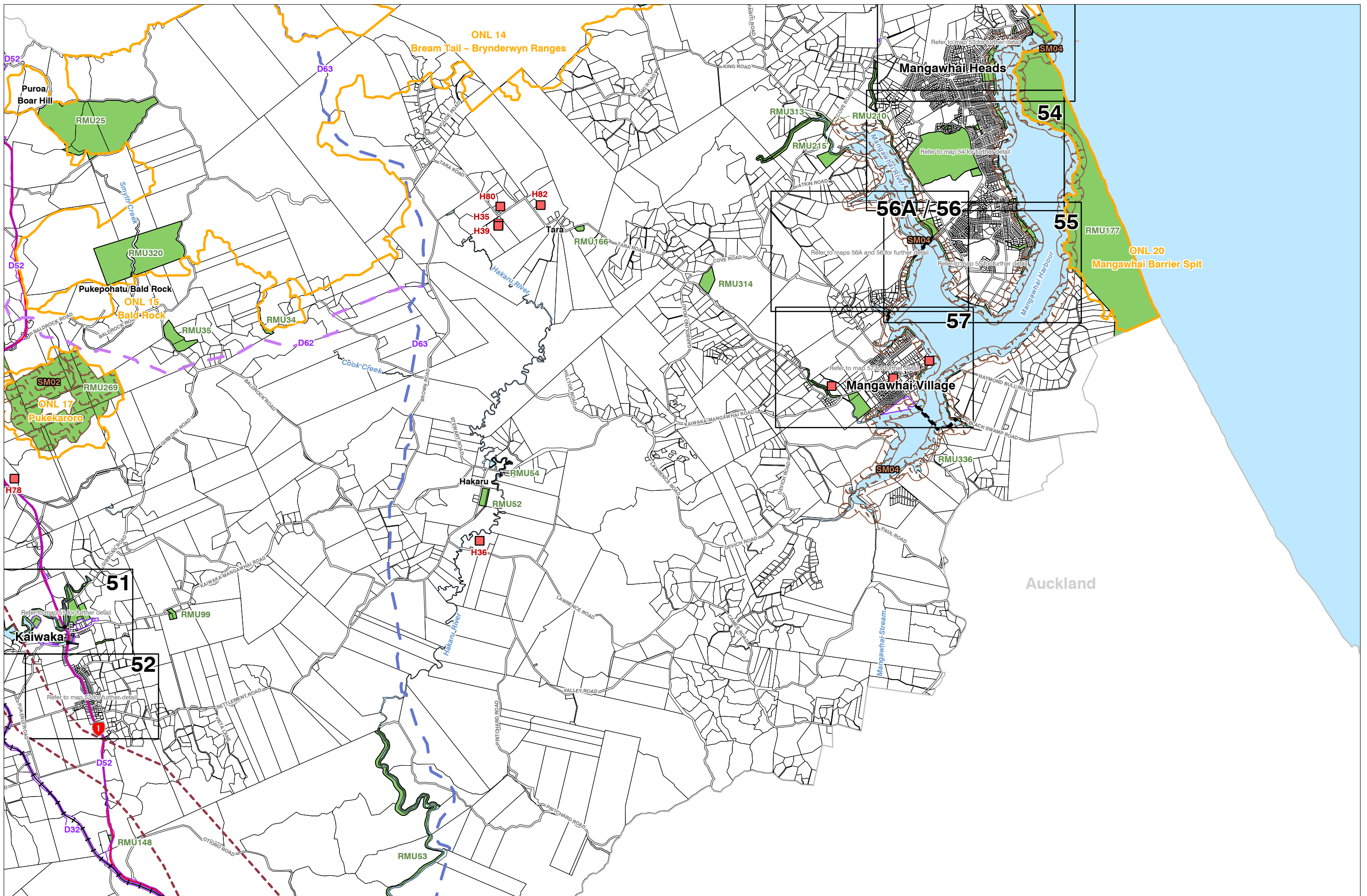
Map 56A of 60











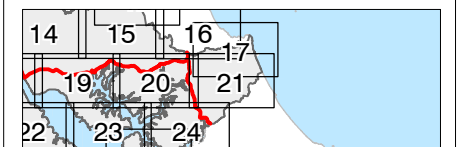
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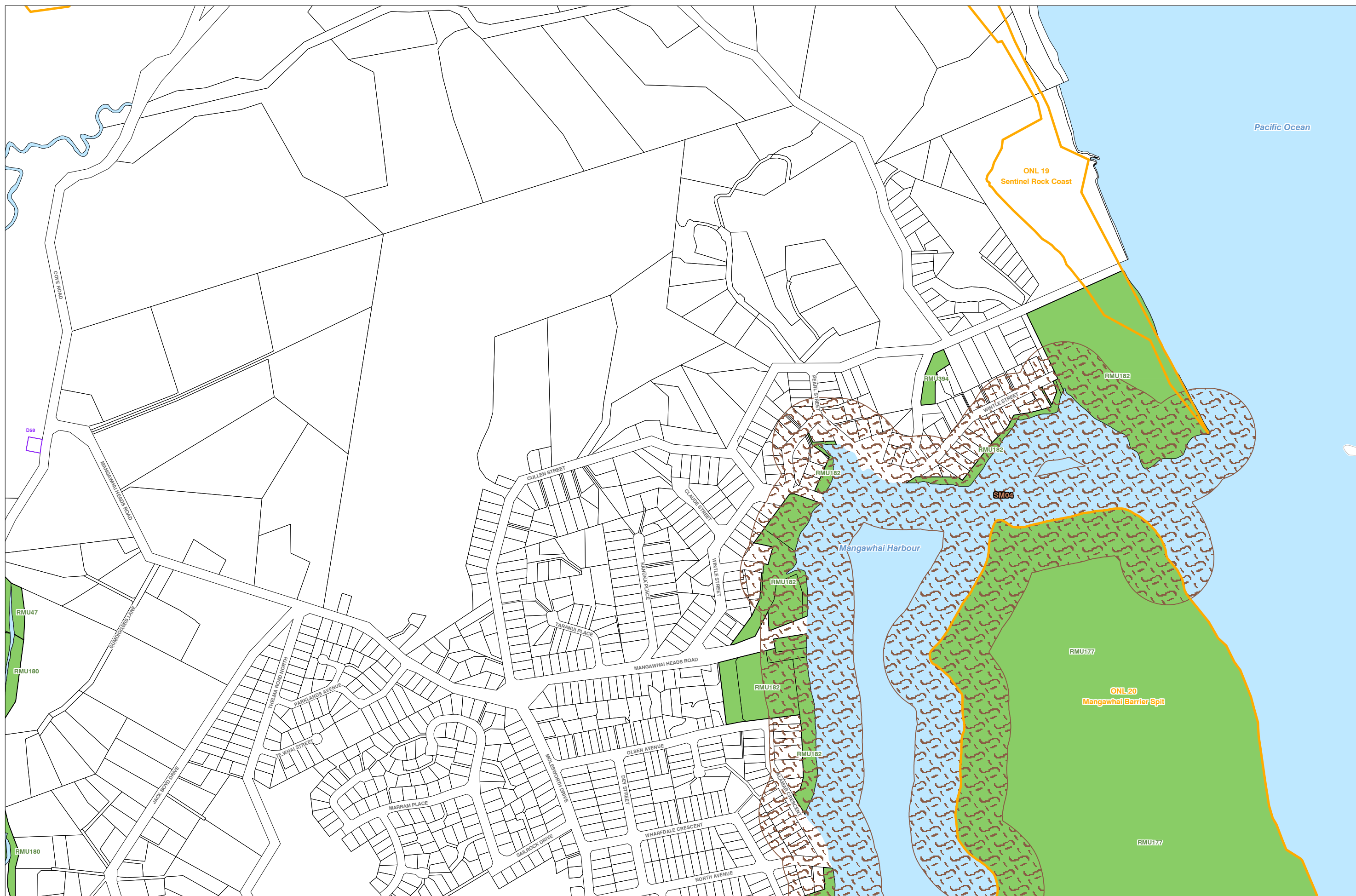
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## Map Series Two

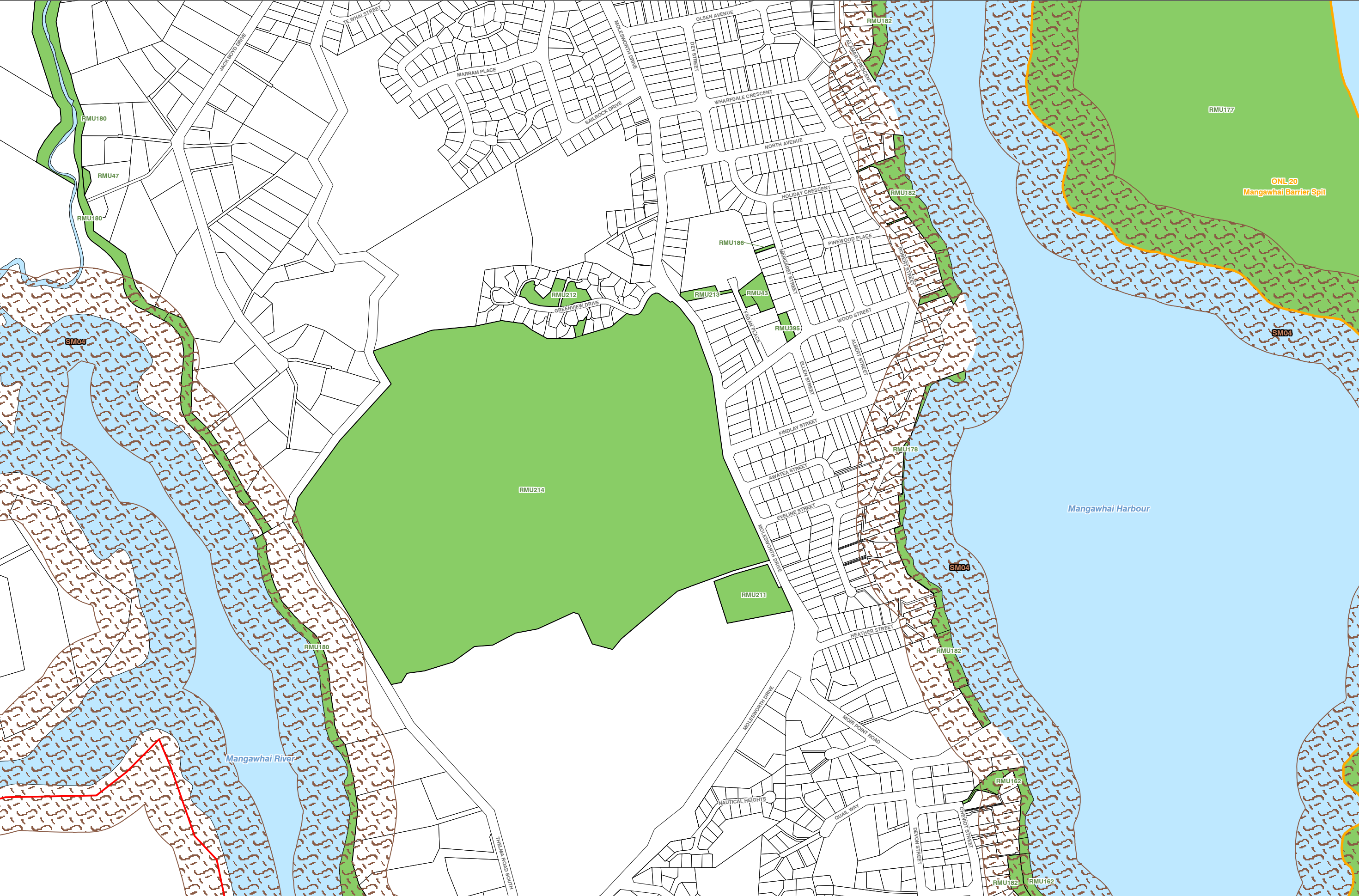
### Sites, Features and Units

Map 21 of 60



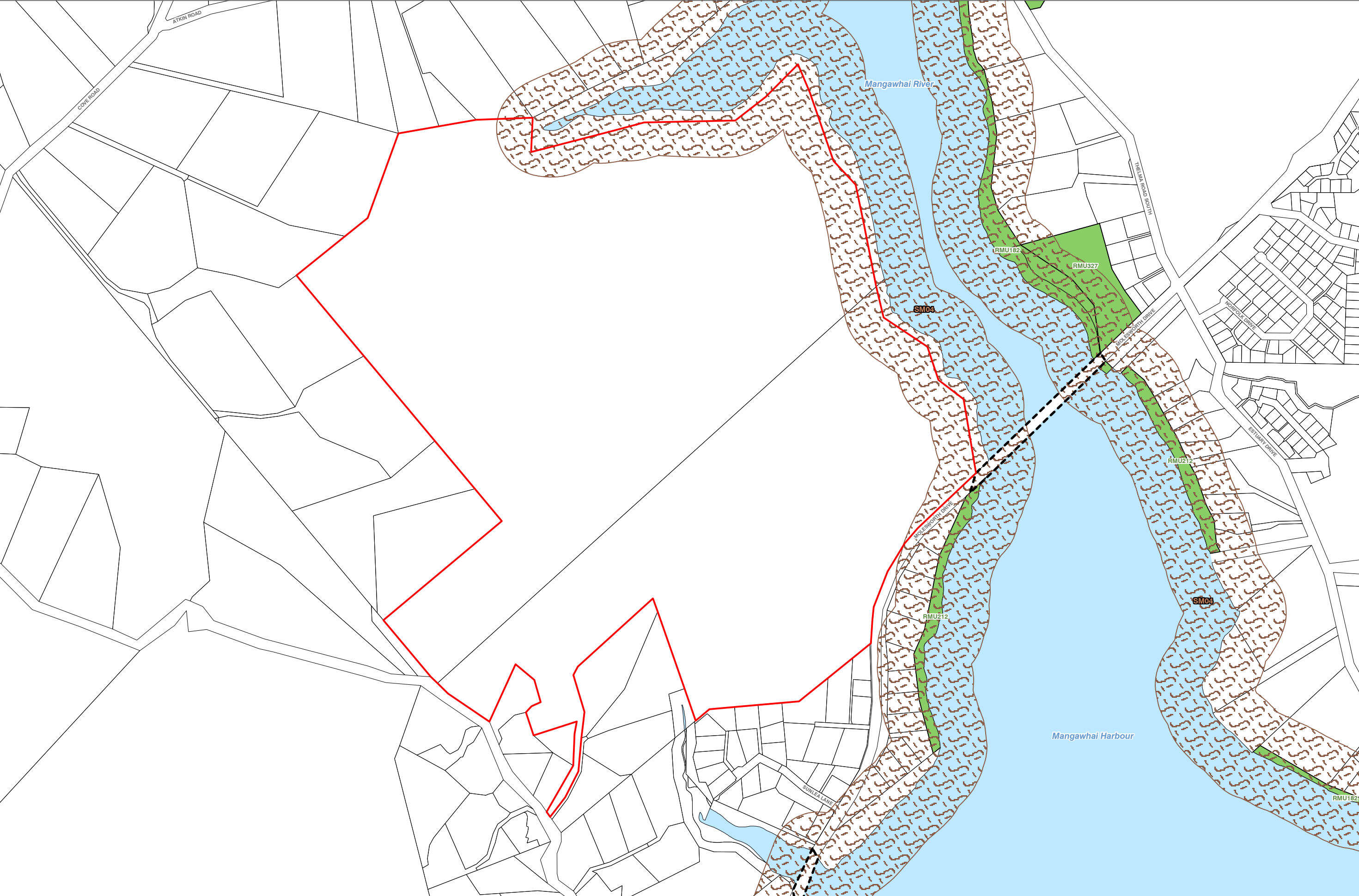




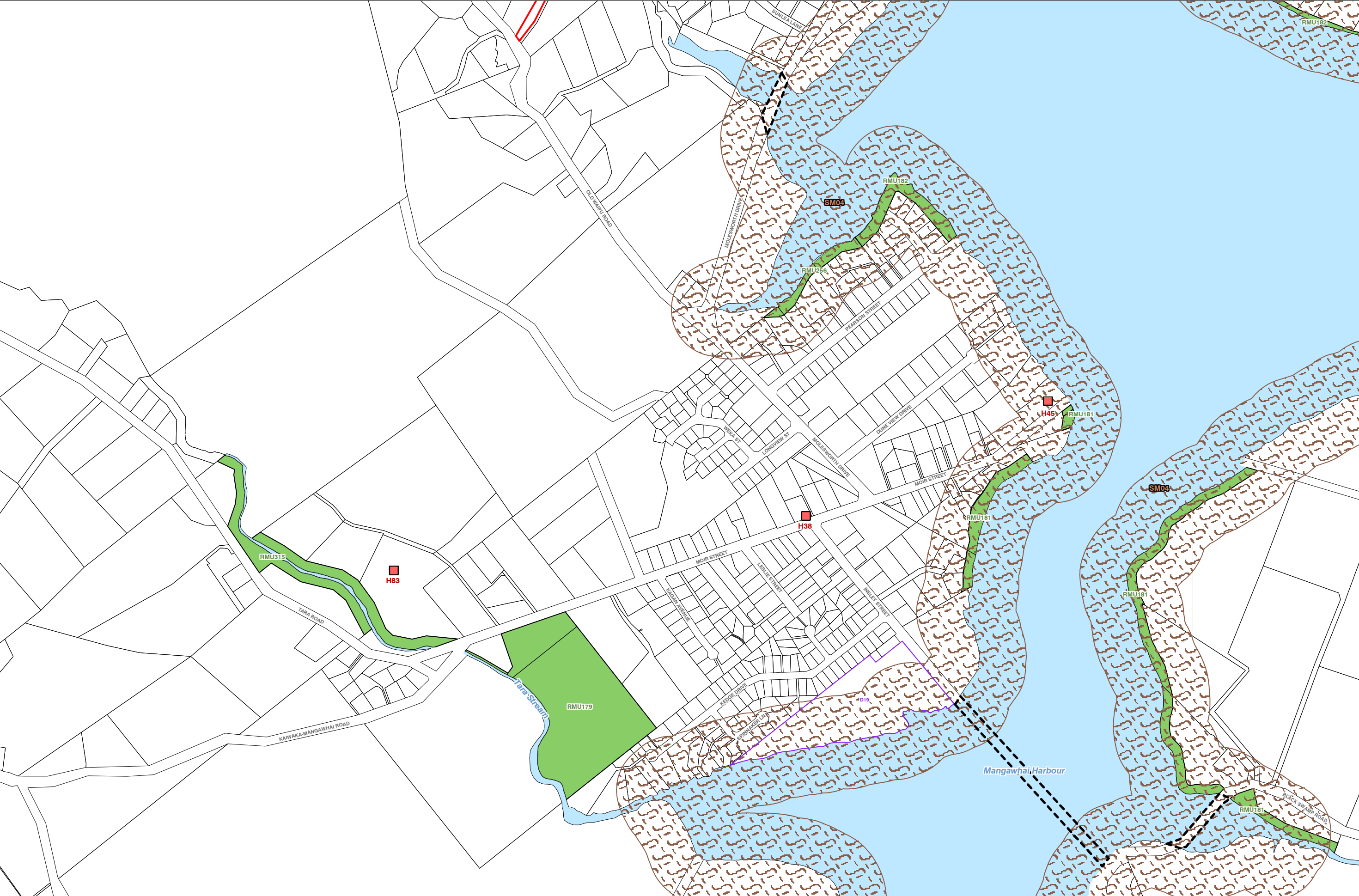












## Appendix 6: Growth Issues

### District Plan: Chapter 3 'Land Use and Development Strategy' Issues

Issues identified in the District Plan	Issues identified by the current research
It is anticipated that there will be future demand for new residential and business land. However, there is uncertainty with respect to the timing and realisation of the uptake for such areas.	What is the scope / scale / effects of undesirable development that has been occurring?  A substantial amount of subdivision development is non-complying and does not reflect the underlying zoning. The drivers of this trend need to be determined and whether anything needs changing. If so, what needs changing? Is it the District Plan itself, the administration of the District Plan, or a lack of subdivision options that reflects the large number of noncomplying subdivisions?
Uncertainty over future land use patterns has the potential to place unreasonable constraints on the rural resource.	The development of more lifestyle properties around the periphery of Mangawhai reflects demand – in addition there is a growing demand for smaller residential sections. How can these twin pressures be accommodated?
Ad-hoc residential and business development has the potential to adversely impact on the district's natural and physical resources.	Are the overlays working as intended? What evidence is emerging from the RC granted? Are desired outcomes being achieved as set out in the objectives – analyse against the objectives.  How can ad-hoc development be better controlled?
Ad-hoc residential and business development can reduce the ability to provide appropriate infrastructure servicing to these developments, which in turn has the potential to adversely impact the district's natural resources, particularly receiving environments.	The small industrial area is now surrounded by housing, how the DP can deal with this, particularly as there is likely to be demand from more industrial space. RMA issues reverse sensitivity and need to provide land for jobs at a policy level.
There is uncertainty of the development potential in identified Growth Areas, due to natural and physical limitations;	Is there an obvious rural residential sub zone that could be confirmed as the desired location for this style of development?  How can future development protect the character of Mangawhai?

Issues identified in the District Plan	Issues identified by the current research
Lack of direction for anticipated residential Growth Areas has the potential to create uncertainty for the provision and investment of infrastructure services.	Growth has exceeded all expectations and projections for Mangawhai. How can growth be matched by investment in infrastructure?

#### Chapter 3A 'Mangawhai Growth Area' Issues

Issues identified in the District Plan	Issues identified by the current research
The changing character of residential development in Mangawhai has the potential to adversely affect the amenity of residential areas and the built environment.	Has Council lost the ability to control future developments through the setting of undesirable precedent?
Increased residential growth within Mangawhai has the potential to place additional pressure on existing infrastructure. If not managed appropriately, this has the potential to result in adverse effects on the environment, particularly sensitive receiving environments such as the Mangawhai Estuary and Harbour.	Ad-hoc development has the potential to adversely impact on the district's natural and physical resources and reduce the capacity of the development of suitable infrastructure in a co-ordinated and affordable manner.
The need for commercial expansion of the Wood Street business area, whilst enhancing the existing character.	How can growth and development around the Wood Street shops and the Village be better assisted?
The lack of linkages between existing open space areas, coastal open space and reserves assets within Mangawhai.	Potential loss of beach amenity with the development of larger houses and loss of ridgeline definition from key advantage points.  What urban design standards could be incorporated across the District Plan to achieve the desired outcomes?

<p>The need to protect key natural landscapes values and areas of ecological value within Mangawhai.</p>	<p>What are the natural limits to growth in the wider Mangawhai area?</p> <p>Unco-ordinated development has the potential to adversely affect the fragile coastal environment. What planning mechanisms can be used to reduce this and the uncertainty over appropriate locations for development?</p> <p>How will the ongoing reliance on rainwater collection for water supply restrict more intensive development?</p>
<p>The need to protect, enhance and retain the traditional village character, heritage, key elements of landscape and amenity characteristics of the Mangawhai Village from the adverse effects of development.</p>	<p>Where is future residential development best accommodated?</p>
<p>Delays in the implementation of the Mangawhai Structure plan have led to developments occurring that are not consistent with the outcomes of the Structure Plan.</p>	<p>How can medium density development be achieved around key nodes while achieving the desired outcomes around character, amenity and capacity of the current infrastructure model. What are the appropriate extents of an amended residential boundary – could this be staged or all opened up following a plan change?</p>

## Appendix 7: Issues with Implementation of the District Plan

This table of issues has been prepared following a workshop session with the Resource Consent Planners who administer the District Plan.

Land Use Issue	Comment	Options
<p>Rule 13.10.3a</p> <p>Minor Dwelling or Second Dwelling plan change</p>	<p>There is a growing demand for second dwellings, and 'minor residential units'.</p> <p>Demand for a lot of residents / holidaymakers to have another dwelling on their property.</p> <p>Sleep-out definition can be hard to implement when there is no rule relating to sleep-outs.</p> <p>There are many people trying to get minor dwellings. This could help with the lack of rental accommodation. Also the rule does not offer clear guidance on what is acceptable. Why is a residential subdivision to 500m<sup>2</sup> non-complying but a second dwelling application to this density only discretionary? Perhaps create the option on the Plan for minor dwellings with really clear rules and requirements. Anything that is unable to meet those requirements would then be non-complying.</p>	<p>Do nothing.</p> <p>Practice notes, and standard conditions.</p> <p>Status quo - hold the line, and increase enforcement.</p> <p>A plan change.</p>
<p>Rule 13.10.8</p> <p>Separation Distance</p>	<p>There is a known drafting error in the DP. Legal advice is that a plan change is needed to rectify the error.</p> <p>Currently subject to a section 32 evaluation programmed for completion later in 2017.</p> <p>Customers are needing resource consent for being near an activity that may not generate much noise e.g. Four Square supermarket or pottery shop.</p> <p>Many Residential zone lots have to get resource consent for being within 300m of a commercial or industrial activity e.g. The Hub or Bennett's chocolate factory. The rule makes sense for the Mangawhai Tavern or a genuinely noisy activity but</p>	<p>Await the outcome of the Section 32 report.</p>

	otherwise it does not achieve anything. Consider a smaller distance e.g. 30m and Industrial sites only or target specific activities e.g. the Mangawhai tavern.	
Rule 13.10.25 and 13.10.27 Turning Circle	<p>Currently subject to a Section 32 evaluation programmed for completion later in 2017.</p> <p>Sometimes can seem unnecessary to need a consent to reverse on a quiet and slow road.</p> <p>This generates many consents however most we have no issue with. It also results in more impermeable surfaces. For low speed environments, allow reversing onto the road. Also the 8m turning circle is very large. The rules are too restrictive for 600-700m<sup>2</sup> lots.</p>	<p>Do nothing.</p> <p>Practice notes, and standard conditions.</p> <p>Hold the line, and increase enforcement.</p> <p>A plan change.</p>
Rule 13.10.25 and 13.10.25 Reverse Manoeuvring	<p>More analysis of the issue and the consents issued is required.</p> <p>Is a change to the District Plan desirable as the minimum size of residential sites was set such that compliance with this rule would not be an issue.</p>	<p>Do nothing.</p> <p>Practice notes, and standard conditions.</p> <p>Hold the line, and increase enforcement.</p> <p>A plan change.</p>
Rule 13.10.10 Relocation of Buildings	<p>How big an issue is this? More analysis of issues resource consents is required.</p> <p>Often breached by the fire safety rule.</p> <p>This is achieved by the building consent. It is not needed in the District Plan. If the relocation rule is the only breach planning practice would be to not require a resource consent.</p>	<p>Do Nothing</p> <p>Practice notes, and standard conditions</p> <p>Hold the line, and increase enforcement</p> <p>A plan change</p>
Rule 13.10.3a Earthworks	<p>Is the threshold of 100m<sup>3</sup> too low given the volume of earthworks resource consents triggered.</p> <p>Or this the price of vigilance in a fragile coastal environment?</p>	<p>Do nothing.</p> <p>Practice notes, and standard conditions.</p> <p>Hold the line, and increase enforcement.</p> <p>A plan change.</p>

	<p>More investigation and research of the issue, including looking at issued resource consents is required.</p> <p>The differences between permitted limits in overlays vs outside the overlay seem arbitrary e.g. 100m<sup>3</sup> in an overlay, 200m<sup>3</sup> outside an overlay (Res), 300 / 1,000m<sup>3</sup> / 2,500m<sup>3</sup> / 5,000m<sup>3</sup> in the rural zone. Also parts of the rule are quite hard to interpret.</p>	
<p>Rule 13.10.26</p> <p>Fire Safety</p>	<p>Currently the subject of an active plan change. The second round of submissions is currently awaiting closure, and the Hearing Report is currently being prepared.</p> <p>It is likely that this plan change will be subject to appeal and Environment Court proceedings are also possible. This would extend the timeframes into the medium term.</p> <p>Are tanks structures and should they be subject to yard setback and accessory building rules?</p> <p>Generating a lot of consents and Fire service approves most 10,000L supply.</p> <p>It generates lots of consents but as long as the NZFS approval is provided, there is nothing to assess.</p>	<p>Do nothing.</p> <p>Develop a short form Planning Report and Decision for the Resource Consent team.</p> <p>Reduce the fee.</p> <p>Practice notes, and standard conditions.</p> <p>Hold the line, and increase enforcement.</p>
<p>Rule 13.10.3b</p> <p>Minimum Floor Levels</p>	<p>This is achieved by the building consent. It is not needed in the Plan. This matter ought to be assessed at subdivision. If there is a flooding risk, why did we grant consent for residential use? Also we do not have flood levels or sea level data available to be able to do an assessment.</p>	<p>NRC requires minimum floor levels to be addressed through District Plans.</p>
Subdivision Issues	Comments	Options
<p>Rule 12.13.3</p> <p>Small Lot Subdivision</p>	<p>How is this rule being administered? How many subdivision applications have been received for sites created since the cut-off date in October 2009?</p>	

	<p>Is there an outstanding risk, or does subdivision demand for this size Rural lot accurately reflect demand?</p> <p>Why is this type of development being preferred by developers over Residential development?</p>	
<p>Rule 12.13.1</p> <p>Environmental Benefit</p>	<p>Is this rule too complicated?</p> <p>Do we adequately understand the rule?</p> <p>Can an Environmental Benefit (EB) subdivision follow a small lot subdivision?</p> <p>Are we processing consents with the right balance of benefit lots?</p> <p>Can one EB follow a second and third EB subdivision?</p>	<p>Do nothing.</p> <p>More analysis of the problem required.</p> <p>Practice notes, and standard conditions.</p> <p>Hold the line, and increase enforcement.</p> <p>A plan change.</p>
<p>Various Rural Subdivision Rules</p> <p>Large number of non-complying subdivisions</p>	<p>Is the bundling of land use resource consents with subdivision applications resulting is the high number of non-complying subdivisions?</p> <p>Is there an underlying issue with the application of the DP provisions?</p> <p>Is the consenting function adequately supported?</p>	<p>Do nothing.</p> <p>More analysis of the problem required.</p> <p>Practice notes, and standard conditions.</p> <p>Hold the line, and increase enforcement.</p> <p>A plan change.</p>