

# National Policy Statement on Urban Development 2020

July 2020

## Extracts

### Part 2: Objectives and policies

#### 2.1 Objectives

**Objective 1:** New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

**Objective 2:** Planning decisions improve housing affordability by supporting competitive land and development markets.

**Objective 3:** Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:

- a) the area is in or near a centre zone or other area with many employment opportunities
- b) the area is well-serviced by existing or planned public transport
- c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.

**Objective 4:** New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.

**Objective 5:** Planning decisions relating to urban environments, and FDSs, take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

**Objective 6:** Local authority decisions on urban development that affect urban environments are:

- a) integrated with infrastructure planning and funding decisions; and
- b) strategic over the medium term and long term; and
- c) responsive, particularly in relation to proposals that would supply significant development capacity.

**Objective 7:** Local authorities have robust and frequently updated information about their urban environments and use it to inform planning decisions.

**Objective 8:** New Zealand's urban environments: support reductions in greenhouse gas emissions; and are resilient to the current and future effects of climate change.

## **2.2 Policies**

**Policy 1:** Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:

- a) have or enable a variety of homes that:
  - (i) meet the needs, in terms of type, price, and location, of different households; and
  - (ii) enable Māori to express their cultural traditions and norms; and
- b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and
- c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and
- d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and
- e) support reductions in greenhouse gas emissions; and
- f) are resilient to the likely current and future effects of climate change.

**Policy 2:** Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.

**Policy 3:** In relation to tier 1 urban environments, regional policy statements and district plans enable:

- a) in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and
- b) in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and
- c) building heights of at least 6 storeys within at least a walkable catchment of the following:
  - (i) existing and planned rapid transit stops
  - (ii) the edge of city centre zones
  - (iii) the edge of metropolitan centre zones; and

- d) within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and densities of urban form commensurate with the level of commercial activity and community services.

**Policy 4:** Regional policy statements and district plans applying to tier 1 urban environments modify the relevant building height or density requirements under Policy 3 only to the extent necessary (as specified in subpart 6) to accommodate a qualifying matter in that area.

**Policy 5:** Regional policy statements and district plans applying to tier 2 and 3 urban environments enable heights and density of urban form commensurate with the greater of:

- a) the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or
- b) relative demand for housing and business use in that location.

**Policy 6:** When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:

- a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement
- b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:
  - (i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and
  - (ii) are not, of themselves, an adverse effect
- c) the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)
- d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity
- e) the likely current and future effects of climate change.

**Policy 7:** Tier 1 and 2 local authorities set housing bottom lines for the short-medium term and the long term in their regional policy statements and district plans.

**Policy 8:** Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:

- a) unanticipated by RMA planning documents; or

- b) out-of-sequence with planned land release.

**Policy 9:** Local authorities, in taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) in relation to urban environments, must:

- a) involve hapū and iwi in the preparation of RMA planning documents and any FDSs by undertaking effective consultation that is early, meaningful and, as far as practicable, in accordance with tikanga Māori; and
- b) when preparing RMA planning documents and FDSs, take into account the values and aspirations of hapū and iwi for urban development; and
- c) provide opportunities in appropriate circumstances for Māori involvement in decision-making on resource consents, designations, heritage orders, and water conservation orders, including in relation to sites of significance to Māori and issues of cultural significance; and
- d) operate in a way that is consistent with iwi participation legislation.

**Policy 10:** Tier 1, 2, and 3 local authorities:

- a) that share jurisdiction over urban environments work together when implementing this National Policy Statement; and
- b) engage with providers of development infrastructure and additional infrastructure to achieve integrated land use and infrastructure planning; and
- c) engage with the development sector to identify significant opportunities for urban development.

**Policy 11:** In relation to car parking:

- a) the district plans of tier 1, 2, and 3 territorial authorities do not set minimum car parking rate requirements, other than for accessible car parks; and
- b) tier 1, 2, and 3 local authorities are strongly encouraged to manage effects associated with the supply and demand of car parking through comprehensive parking management plans.

## **Part 3: Implementation**

### **3.1 Outline of part**

- (1) This part sets out a non-exhaustive list of things that local authorities must do to give effect to the objectives and policies of this National Policy Statement, but nothing in this part limits the general obligation under the Act to give effect to those objectives and policies.

Subparts (Headings):

1. Providing development capacity
2. Responsive planning
3. Evidence-based decision-making
4. Future Development Strategy (FDS)
5. Housing and Business Development Capacity Assessment (HBA)
6. Intensification in tier 1 urban environments
7. Development outcomes for zones
8. Car parking

### **Subpart 3 – Evidence-based decision-making**

#### **3.11 – Using evidence and analysis**

- (1) When making plans, or when changing plans in ways that affect the development of urban environments, local authorities must:
  - a) clearly identify the resource management issues being managed; and
  - b) use evidence, particularly any relevant HBAs, about land and development markets, and the results of the monitoring required by this National Policy Statement, to assess the impact of different regulatory and non-regulatory options for urban development and their contribution to:
    - (i) achieving well-functioning urban environments; and
    - (ii) meeting the requirements to provide at least sufficient development capacity.
- (2) Local authorities must include the matters referred to in subclause (1)(a) and (b) in relevant evaluation reports and further evaluation reports prepared under sections 32 and 32AA of the Act.

### **Subpart 6 – Intensification in tier 1 urban environments**

#### **3.31 – Tier 1 territorial authorities implementing intensification policies**

- (1) Every tier 1 territorial authority must identify, by location, the building heights and densities required by Policy 3.
- (2) If the territorial authority considers that it is necessary to modify the building height or densities in order to provide for a qualifying matter (as permitted under Policy 4), it must:
  - a) identify, by location, where the qualifying matter applies; and

- b) specify the alternate building heights and densities proposed for those areas.
- (3) The territorial authority must make the information required by subclauses (1) and (2) publicly available at the same time as it notifies any plan change or proposed plan change to give effect to Policy 3.

### **3.32 – Qualifying matters**

In this National Policy Statement, **qualifying matter** means any of the following:

- a) a matter of national importance that decision-makers are required to recognise and provide for under section 6 of the Act
- b) a matter required in order to give effect to any other National Policy Statement, including the New Zealand Coastal Policy Statement
- c) any matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure
- d) open space provided for public use, but only in relation to the land that is open space
- e) an area subject to a designation or heritage order, but only in relation to the land that is subject to the designation or heritage order
- f) a matter necessary to implement, or ensure consistency with, iwi participation legislation
- g) the requirement to provide sufficient business land suitable for low density uses to meet expected demand under this National Policy Statement
- h) any other matter that makes high density development as directed by Policy 3 inappropriate in an area, but only if the requirements of clause 3.33(3) are met.

### **3.33 – Requirements if qualifying matter applies**

- (1) This clause applies if a territorial authority is amending its district plan and intends to rely on Policy 4 to justify a modification to the direction in Policy 3 in relation to a specific area.
- (2) The evaluation report prepared under section 32 of the Act in relation to the proposed amendment must
  - (a) demonstrate why the territorial authority considers that:
    - (i) the area is subject to a qualifying matter; and
    - (ii) the qualifying matter is incompatible with the level of development directed by Policy 3 for that area; and

- (b) assess the impact that limiting development capacity, building height or density (as relevant) will have on the provision of development capacity; and
  - (c) assess the costs and broader impacts of imposing those limits.
- (3) A matter is not a qualifying matter under clause 3.32(1)(h) in relation to an area unless the evaluation report also:
- (a) identifies the specific characteristic that makes the level of development directed by Policy 3 inappropriate in the area, and justifies why that is inappropriate in light of the national significance of urban development and the objectives of this National Policy Statement; and
  - (b) includes a site-specific analysis that:
    - (i) identifies the site to which the matter relates; and
    - (ii) evaluates the specific characteristics on a site-specific basis to determine the spatial extent where intensification needs to be compatible with the specific matter; and
    - (iii) evaluates an appropriate range of options to achieve the greatest heights and densities directed by Policy 3, while managing the specific characteristics.

## **Subpart 7 – Development outcomes for zones**

### **3.36 – Development outcomes consistent with intensification policies**

- (1) Every tier 1 territorial authority must ensure that the development outcomes for zones in its tier 1 urban environments are consistent with the outcomes required by Policy 3.



**Te Kāwanatanga o Aotearoa**  
New Zealand Government

# National Policy Statement on Urban Development 2020

May 2022



This National Policy Statement was approved by the Governor-General under section 52(2) of the Resource Management Act 1991 on 20 July 2020, and is published by the Minister for the Environment under section 54 of that Act.

This National Policy Statement replaces the National Policy Statement on Urban Development Capacity 2016.

This version of the National Policy Statement incorporates the following amendments:

1. amendments made by section 77S(1) of the Resource Management Act 1991 (as inserted by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021)
2. amendments made by the Minister for the Environment under section 53(2) of the Resource Management Act 1991 and notified in the New Zealand Gazette on 11 May 2022 as the National Policy Statement on Urban Development 2020 Amendment No 1.

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# Part 1: Preliminary provisions

## 1.1 Title

- (1) This is the National Policy Statement on Urban Development 2020.

## 1.2 Commencement

- (1) This National Policy Statement comes into force on 20 August 2020.
- (2) See Part 4, which sets out timeframes for complying with different parts of this National Policy Statement.

## 1.3 Application

- (1) This National Policy Statement applies to:
  - (a) all local authorities that have all or part of an urban environment within their district or region (ie, tier 1, 2 and 3 local authorities); and
  - (b) planning decisions by any local authority that affect an urban environment.
- (2) However, some objectives, policies, and provisions in Parts 3 and 4 apply only to tier 1, 2, or 3 local authorities.

## 1.4 Interpretation

- (1) In this National Policy Statement:

**accessible car park** means a car park designed and marked (for instance, in accordance with the mobility car parking scheme) for use by persons with a disability or with limited mobility

**Act** means the Resource Management Act 1991

**active transport** means forms of transport that involve physical exercise, such as walking or cycling, and includes transport that may use a mobility aid such as a wheelchair

**additional infrastructure** means:

- (a) public open space
- (b) community infrastructure as defined in section 197 of 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 facilities
- (e) a network operated for the purpose of telecommunications (as defined in section 5 of the Telecommunications Act 2001)
- (f) a network operated for the purpose of transmitting or distributing electricity or gas

**business land** means land that is zoned, or identified in an FDS or similar strategy or plan, for business uses in urban environments, including but not limited to land in the following:

- (a) any industrial zone
- (b) the commercial zone
- (c) the large format retail zone
- (d) any centre zone, to the extent it allows business uses
- (e) the mixed use zone, to the extent it allows business uses
- (f) any special purpose zone, to the extent it allows business uses

**centre zone** means any of the following zones:

- (a) city centre zone
- (b) metropolitan centre zone
- (c) town centre zone
- (d) local centre zone
- (e) neighbourhood centre zone

**commencement date** means the date on which this National Policy Statement comes into force (see clause 1.2)

**community services** means the following:

- (a) community facilities
- (b) educational facilities
- (c) those commercial activities that serve the needs of the community

**competitiveness margin** means the margin referred to in clause 3.22

**decision-maker** means any person exercising functions or powers under the Act

**development capacity** means the capacity of land to be developed for housing or for business use, based on:

- (a) the zoning, objectives, policies, rules, and overlays that apply in the relevant proposed and operative RMA planning documents; and
- (b) the provision of adequate development infrastructure to support the development of land for housing or business use

**development infrastructure** means the following, to the extent they are controlled by a local authority or council controlled organisation (as defined in section 6 of the Local Government Act 2002):

- (a) network infrastructure for water supply, wastewater, or stormwater
- (b) land transport (as defined in section 5 of the Land Transport Management Act 2003)

**FDS** means the Future Development Strategy required by subpart 4 of Part 3

**feasible** means:

- (a) for the short term or medium term, commercially viable to a developer based on the current relationship between costs and revenue

- (b) for the long term, commercially viable to a developer based on the current relationship between costs and revenue, or on any reasonable adjustment to that relationship

**HBA** means the Housing and Business Development Capacity Assessment required by subpart 5 of Part 3

**infrastructure-ready** has the meaning in clause 3.4(3)

**long term** means between 10 and 30 years

**long-term plan** means a long-term plan (including the infrastructure strategy required to be included in it) adopted by a local authority under section 93 of the Local Government Act 2002

**medium term** means between 3 and 10 years

**nationally significant infrastructure** means all of the following:

- (a) State highways
- (b) the national grid electricity transmission network
- (c) renewable electricity generation facilities that connect with the national grid
- (d) the high-pressure gas transmission pipeline network operating in the North Island
- (e) the refinery pipeline between Marsden Point and Wiri
- (f) the New Zealand rail network (including light rail)
- (g) rapid transit services (as defined in this clause)
- (h) any airport (but not its ancillary commercial activities) used for regular air transport services by aeroplanes capable of carrying more than 30 passengers
- (i) the port facilities (but not the facilities of any ancillary commercial activities) of each port company referred to in item 6 of Part A of Schedule 1 of the Civil Defence Emergency Management Act 2002

**planned** in relation to forms or features of transport, means planned in a regional land transport plan prepared and approved under the Land Transport Management Act 2003

**plan-enabled** has the meaning in clause 3.4(1)

**planning decision** means a decision on any of the following:

- (a) a regional policy statement or proposed regional policy statement
- (b) a regional plan or proposed regional plan
- (c) a district plan or proposed district plan
- (d) a resource consent
- (e) a designation
- (f) a heritage order
- (g) a water conservation order
- (h) a change to a plan requested under Part 2 of Schedule 1 of the Act

**public transport** means any existing or planned service for the carriage of passengers (other than an aeroplane) that is available to the public generally by means of:

- (a) a vehicle designed or adapted to carry more than 12 persons (including the driver); or
- (b) a rail vehicle; or

- (c) a ferry

**qualifying matter** has the meaning in clause 3.32

**rapid transit service** means any existing or planned frequent, quick, reliable and high-capacity public transport service that operates on a permanent route (road or rail) that is largely separated from other traffic

**rapid transit stop** means a place where people can enter or exit a rapid transit service, whether existing or planned

**RMA planning document** means all or any of the following:

- (a) a regional policy statement
- (b) a regional plan
- (c) a district plan

**short-medium term** means within the next 10 years

**short term** means within the next 3 years

**tier 1 local authority** means each local authority listed in column 2 of table 1 in the Appendix, and **tier 1 regional council** and **tier 1 territorial authority** have corresponding meanings

**tier 2 local authority** means each local authority listed in column 2 of table 2 in the Appendix, and **tier 2 regional council** and **tier 2 territorial authority** have corresponding meanings

**tier 3 local authority** means a local authority that has all or part of an urban environment within its region or district, but is not a tier 1 or 2 local authority, and **tier 3 regional council** and **tier 3 territorial authority** have corresponding meanings

**tier 1 urban environment** means an urban environment listed in column 1 of table 1 in the Appendix

**tier 2 urban environment** means an urban environment listed in column 1 of table 2 in the Appendix

**tier 3 urban environment** means an urban environment that is not listed in the Appendix

**urban environment** means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:

- (a) is, or is intended to be, predominantly urban in character; and
- (b) is, or is intended to be, part of a housing and labour market of at least 10,000 people

**well-functioning urban environment** has the meaning in Policy 1.

- (2) Terms defined in the Act and used in this National Policy Statement have the meanings in the Act, unless otherwise specified.
- (3) Terms defined in the National Planning Standard issued under section 58E of the Act and used in this National Policy Statement have the meanings in that Standard, unless otherwise specified.
- (4) A reference in this National Policy Statement to a **zone** is:
  - (a) a reference to that zone as described in Standard 8 (Zone Framework Standard) of the National Planning Standard; or

- (b) a reference to the nearest equivalent zone, in relation to local authorities that have not yet implemented the Zone Framework in the National Planning Standard.
- (5) If a local authority is required by this National Policy Statement to make a document publicly available, section 5(3) of the Local Government Act 2002 applies to the requirement as if it was made under that Act.

### **1.5 Implementation by tier 3 local authorities**

- (1) Tier 3 local authorities are strongly encouraged to do the things that tier 1 or 2 local authorities are obliged to do under Parts 2 and 3 of this National Policy Statement, adopting whatever modifications to the National Policy Statement are necessary or helpful to enable them to do so.

### **1.6 Incorporation by reference**

- (1) Clause 2(1) of Schedule 1AA of the Act does not apply to any material incorporated by reference in this National Policy Statement.



# Part 2: Objectives and policies

## 2.1 Objectives

**Objective 1:** New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

**Objective 2:** Planning decisions improve housing affordability by supporting competitive land and development markets.

**Objective 3:** Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:

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**Objective 6:** Local authority decisions on urban development that affect urban environments are:

- (a) integrated with infrastructure planning and funding decisions; and
- (b) strategic over the medium term and long term; and
- (c) responsive, particularly in relation to proposals that would supply significant development capacity.

**Objective 7:** Local authorities have robust and frequently updated information about their urban environments and use it to inform planning decisions.

**Objective 8:** New Zealand's urban environments:

- (a) support reductions in greenhouse gas emissions; and
- (b) are resilient to the current and future effects of climate change.

## 2.2 Policies

**Policy 1:** Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:

- (a) have or enable a variety of homes that:
  - (i) meet the needs, in terms of type, price, and location, of different households; and
  - (ii) enable Māori to express their cultural traditions and norms; and

- (b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and
- (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and
- (d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and
- (e) support reductions in greenhouse gas emissions; and
- (f) are resilient to the likely current and future effects of climate change.

**Policy 2:** Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.

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- (a) in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and
- (b) in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and
- (c) building heights of at least 6 storeys within at least a walkable catchment of the following:
  - (i) existing and planned rapid transit stops
  - (ii) the edge of city centre zones
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- (b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:

- (i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and
- (ii) are not, of themselves, an adverse effect
- (c) the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)
- (d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity
- (e) the likely current and future effects of climate change.

**Policy 7:** Tier 1 and 2 local authorities set housing bottom lines for the short-medium term and the long term in their regional policy statements and district plans.

**Policy 8:** Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:

- (a) unanticipated by RMA planning documents; or
- (b) out-of-sequence with planned land release.

**Policy 9:** Local authorities, in taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) in relation to urban environments, must:

- (a) involve hapū and iwi in the preparation of RMA planning documents and any FDSs by undertaking effective consultation that is early, meaningful and, as far as practicable, in accordance with tikanga Māori; and
- (b) when preparing RMA planning documents and FDSs, take into account the values and aspirations of hapū and iwi for urban development; and
- (c) provide opportunities in appropriate circumstances for Māori involvement in decision-making on resource consents, designations, heritage orders, and water conservation orders, including in relation to sites of significance to Māori and issues of cultural significance; and
- (d) operate in a way that is consistent with iwi participation legislation.

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- (a) that share jurisdiction over urban environments work together when implementing this National Policy Statement; and
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- (a) the district plans of tier 1, 2, and 3 territorial authorities do not set minimum car parking rate requirements, other than for accessible car parks; and

- (b) tier 1, 2, and 3 local authorities are strongly encouraged to manage effects associated with the supply and demand of car parking through comprehensive parking management plans.

# Part 3: Implementation

## 3.1 Outline of part

- (1) This part sets out a non-exhaustive list of things that local authorities must do to give effect to the objectives and policies of this National Policy Statement, but nothing in this part limits the general obligation under the Act to give effect to those objectives and policies.

## Subpart 1 – Providing development capacity

### 3.2 Sufficient development capacity for housing

- (1) Every tier 1, 2, and 3 local authority must provide at least sufficient development capacity in its region or district to meet expected demand for housing:
  - (a) in existing and new urban areas; and
  - (b) for both standalone dwellings and attached dwellings; and
  - (c) in the short term, medium term, and long term.
- (2) In order to be **sufficient** to meet expected demand for housing, the development capacity must be:
  - (a) plan-enabled (*see* clause 3.4(1)); and
  - (b) infrastructure-ready (*see* clause 3.4(3)); and
  - (c) feasible and reasonably expected to be realised (*see* clause 3.26); and
  - (d) for tier 1 and 2 local authorities only, meet the expected demand plus the appropriate competitiveness margin (*see* clause 3.22).

### 3.3 Sufficient development capacity for business land

- (1) Every tier 1, 2, and 3 local authority must provide at least sufficient development capacity in its region or district to meet the expected demand for business land:
  - (a) from different business sectors; and
  - (b) in the short term, medium term, and long term.
- (2) In order to be **sufficient** to meet expected demand for business land, the development capacity provided must be:
  - (a) plan-enabled (*see* clause 3.4(1)); and
  - (b) infrastructure-ready (*see* clause 3.4(3)); and
  - (c) suitable (as described in clause 3.29(2)) to meet the demands of different business sectors (as described in clause 3.28(3)); and
  - (d) for tier 1 and 2 local authorities only, meet the expected demand plus the appropriate competitiveness margin (*see* clause 3.22).

### 3.4 Meaning of plan-enabled and infrastructure-ready

- (1) Development capacity is **plan-enabled** for housing or for business land if:
  - (a) in relation to the short term, it is on land that is zoned for housing or for business use (as applicable) in an operative district plan
  - (b) in relation to the medium term, either paragraph (a) applies, or it is on land that is zoned for housing or for business use (as applicable) in a proposed district plan
  - (c) in relation to the long term, either paragraph (b) applies, or it is on land identified by the local authority for future urban use or urban intensification in an FDS or, if the local authority is not required to have an FDS, any other relevant plan or strategy.
- (2) For the purpose of subclause (1), land is **zoned** for housing or for business use (as applicable) only if the housing or business use is a permitted, controlled, or restricted discretionary activity on that land.
- (3) Development capacity is **infrastructure-ready** if:
  - (d) in relation to the short term, there is adequate existing development infrastructure to support the development of the land
  - (e) in relation to the medium term, either paragraph (a) applies, or funding for adequate development infrastructure to support development of the land is identified in a long-term plan
  - (f) in relation to the long term, either paragraph (b) applies, or the development infrastructure to support the development capacity is identified in the local authority's infrastructure strategy (as required as part of its long-term plan).

### 3.5 Availability of additional infrastructure

- (1) Local authorities must be satisfied that the additional infrastructure to service the development capacity is likely to be available.

### 3.6 Housing bottom lines for tier 1 and 2 urban environments

- (1) The purpose of the housing bottom lines required by this clause is to clearly state the amount of development capacity that is sufficient to meet expected housing demand plus the appropriate competitiveness margin in the region and each constituent district of a tier 1 or tier 2 urban environment.
- (2) For each tier 1 or tier 2 urban environment, as soon as practicable after an HBA is made publicly available (see clause 3.19(1)):
  - (a) the relevant regional council must insert into its regional policy statement:
    - (i) a housing bottom line for the short-medium term; and
    - (ii) a housing bottom line for the long term; and
  - (b) every relevant territorial authority must insert into its district plan:
    - (i) a housing bottom line for the short-medium term that is the proportion of the housing bottom line for the short-medium term (as set out in the relevant regional policy statement) that is attributable to the district of the territorial authority; and

- (ii) a housing bottom line for the long term that is the proportion of the housing bottom line for the long term (as set out in the relevant regional policy statement) that is attributable to the district of the territorial authority.
- (3) The housing bottom lines must be based on information in the most recent publicly available HBA for the urban environment and are:
  - (a) for the short-medium term, the sum of:
    - (i) the amount of feasible, reasonably expected to be realised development capacity that must be enabled to meet demand, along with the competitiveness margin, for the short term; and
    - (ii) the amount of feasible, reasonably expected to be realised development capacity that must be enabled to meet demand, along with the competitiveness margin, for the medium term; and
  - (b) for the long term, the amount of feasible, reasonably expected to be realised development capacity that must be enabled to meet demand, along with the competitiveness margin, for the long term.
- (4) The insertion of bottom lines must be done without using a process in Schedule 1 of the Act, but any changes to RMA planning documents required to give effect to the bottom lines must be made using a Schedule 1 process.

### **3.7 When there is insufficient development capacity**

- (1) If a local authority determines that there is insufficient development capacity (as described in clauses 3.2 and 3.3) over the short term, medium term, or long term, it must:
  - (a) immediately notify the Minister for the Environment; and
  - (b) if the insufficiency is wholly or partly a result of RMA planning documents, change those documents to increase development capacity for housing or business land (as applicable) as soon as practicable, and update any other relevant plan or strategy (including any FDS, as required by subpart 4); and
  - (c) consider other options for:
    - (i) increasing development capacity; and
    - (ii) otherwise enabling development.

## **Subpart 2 – Responsive planning**

### **3.8 Unanticipated or out-of-sequence developments**

- (1) This clause applies to a plan change that provides significant development capacity that is not otherwise enabled in a plan or is not in sequence with planned land release.
- (2) Every local authority must have particular regard to the development capacity provided by the plan change if that development capacity:
  - (a) would contribute to a well-functioning urban environment; and
  - (b) is well-connected along transport corridors; and
  - (c) meets the criteria set under subclause (3).

- (3) Every regional council must include criteria in its regional policy statement for determining what plan changes will be treated, for the purpose of implementing Policy 8, as adding significantly to development capacity.

## Subpart 3 – Evidence-based decision-making

### 3.9 Monitoring requirements

- (1) Every tier 1, 2, and 3 local authority must monitor, quarterly, the following in relation to each urban environment in their region or district:
  - (a) the demand for dwellings
  - (b) the supply of dwellings
  - (c) prices of, and rents for, dwellings
  - (d) housing affordability
  - (e) the proportion of housing development capacity that has been realised:
    - (i) in previously urbanised areas (such as through infill housing or redevelopment); and
    - (ii) in previously undeveloped (ie, greenfield) areas
  - (f) available data on business land.
- (2) In relation to tier 1 urban environments, tier 1 local authorities must monitor the proportion of development capacity that has been realised in each zone identified in clause 3.37(1) (ie, each zone with development outcomes that are monitored).
- (3) Every tier 1, 2, and 3 local authority must publish the results of its monitoring at least annually.
- (4) The monitoring required by this clause must relate to the relevant urban environments, but may apply more widely (such as, for example, where the relevant data is available only on a region or district-wide basis).
- (5) If more than one tier 1 or tier 2 local authority has jurisdiction over a tier 1 or tier 2 urban environment, those local authorities are jointly responsible for doing the monitoring required by this subpart.

### 3.10 Assessing demand and development capacity

- (1) Every local authority must assess the demand for housing and for business land in urban environments, and the development capacity that is sufficient (as described in clauses 3.2 and 3.3) to meet that demand in its region or district in the short term, medium term, and long term.
- (2) Tier 1 and tier 2 local authorities comply with subclause (1) in relation to tier 1 and tier 2 urban environments by preparing and publishing an HBA as required by subpart 5.



### **3.11 Using evidence and analysis**

- (1) When making plans, or when changing plans in ways that affect the development of urban environments, local authorities must:
  - (a) clearly identify the resource management issues being managed; and
  - (b) use evidence, particularly any relevant HBAs, about land and development markets, and the results of the monitoring required by this National Policy Statement, to assess the impact of different regulatory and non-regulatory options for urban development and their contribution to:
    - (iii) achieving well-functioning urban environments; and
    - (iv) meeting the requirements to provide at least sufficient development capacity.
- (2) Local authorities must include the matters referred to in subclause (1)(a) and (b) in relevant evaluation reports and further evaluation reports prepared under sections 32 and 32AA of the Act.

## **Subpart 4 – Future Development Strategy (FDS)**

### **3.12 Preparation of FDS**

- (1) Every tier 1 and tier 2 local authority must prepare, and make publicly available an FDS for the tier 1 or 2 urban environment:
  - (a) every 6 years; and
  - (b) in time to inform, or at the same time as, preparation of the next long-term plan of each relevant local authority.
- (2) The FDS must apply, at a minimum, to the relevant tier 1 and 2 urban environments of the local authority, but may apply to any wider area.
- (3) If more than one tier 1 or tier 2 local authority has jurisdiction over a tier 1 or tier 2 urban environment, those local authorities are jointly responsible for preparing an FDS as required by this subpart.
- (4) If a local authority that is not a tier 1 or 2 local authority chooses to prepare an FDS, either alone or with any other local authority, this subpart applies as if it were a tier 1 or 2 local authority, except that any reference to an HBA may be read as a reference to any other document that contains broadly equivalent information.
- (5) An FDS may be prepared and published as a stand-alone document, or be treated as part of any other document (such as a spatial plan).

### **3.13 Purpose and content of FDS**

- (1) The purpose of an FDS is:
  - (a) to promote long-term strategic planning by setting out how a local authority intends to:

- (i) achieve well-functioning urban environments in its existing and future urban areas; and
    - (ii) provide at least sufficient development capacity, as required by clauses 3.2 and 3.3, over the next 30 years to meet expected demand; and
  - (b) assist the integration of planning decisions under the Act with infrastructure planning and funding decisions.
- (2) Every FDS must spatially identify:
- (a) the broad locations in which development capacity will be provided over the long term, in both existing and future urban areas, to meet the requirements of clauses 3.2 and 3.3; and
  - (b) the development infrastructure and additional infrastructure required to support or service that development capacity, along with the general location of the corridors and other sites required to provide it; and
  - (c) any constraints on development.
- (3) Every FDS must include a clear statement of hapū and iwi values and aspirations for urban development.

### **3.14 What FDSs are informed by**

- (1) Every FDS must be informed by the following:
- (a) the most recent applicable HBA
  - (b) a consideration of the advantages and disadvantages of different spatial scenarios for achieving the purpose of the FDS
  - (c) the relevant long-term plan and its infrastructure strategy, and any other relevant strategies and plans
  - (d) Māori, and in particular tangata whenua, values and aspirations for urban development
  - (e) feedback received through the consultation and engagement required by clause 3.15
  - (f) every other National Policy Statement under the Act, including the New Zealand Coastal Policy Statement
  - (g) any other relevant national policy required by, or issued under, legislation.

### **3.15 Consultation and engagement**

- (1) When preparing or updating an FDS local authorities must use the special consultative procedure in section 83 of the Local Government Act 2002.
- (2) In order to prepare the draft required by that procedure, local authorities must engage with the following:
- (a) other local authorities with whom there are significant connections relating to infrastructure or community
  - (b) relevant central government agencies

- (c) relevant hapū and iwi
- (d) providers of additional infrastructure
- (e) relevant providers of nationally significant infrastructure
- (f) the development sector (to identify significant future development opportunities and infrastructure requirements).

### **3.16 Review of FDS**

- (1) Every tier 1 and tier 2 local authority must regularly review its FDS to determine whether it needs updating, and the review must be done in time to inform the next long-term plan (ie, every 3 years).
- (2) The review must:
  - (a) engage with the development sector and landowners to identify significant future development opportunities and associated infrastructure requirements; and
  - (b) consider the most recent HBA.
- (3) If, following the review, the local authority decides that the FDS does not need updating, that decision and the reasons for it must be publicly notified.
- (4) If, following the review, the local authority decides that the FDS is to be updated, the local authority must follow the same processes for consultation as apply to the preparation of an FDS, but only in relation to the aspects proposed to be updated.

### **3.17 Effect of FDS**

- (1) Every tier 1 and tier 2 local authority:
  - (a) must have regard to the relevant FDS when preparing or changing RMA planning documents; and
  - (b) is strongly encouraged to use the relevant FDS to inform:
    - (i) long-term plans, and particularly infrastructure strategies; and
    - (ii) regional land transport plans prepared by a local authority under Part 2 of the Land Transport Management Act 2003; and
    - (iii) any other relevant strategies and plans.

### **3.18 FDS implementation plan**

- (1) Every tier 1 and tier 2 local authority must prepare and implement an implementation plan for its FDS.
- (2) If a tier 1 or tier 2 local authority consists of more than one local authority, the implementation plan must be prepared as a single document by all the local authorities that jointly prepared the FDS.
- (3) Every implementation plan, or part of an implementation plan, must be updated annually.

- (4) An implementation plan or part of an implementation plan:
  - (a) is not part of the FDS to which it relates; and
  - (b) does not need to be prepared using the consultation and engagement requirements set out in clause 3.15; and
  - (c) does not have the effect of an FDS as described in clause 3.17.

## **Subpart 5 – Housing and Business Development Capacity Assessment (HBA)**

### **3.19 Obligation to prepare HBA**

- (1) Every tier 1 and tier 2 local authority must prepare, and make publicly available, an HBA for its tier 1 or tier 2 urban environments every 3 years, in time to inform the relevant local authority's next long-term plan.
- (2) The HBA must apply, at a minimum, to the relevant tier 1 or tier 2 urban environments of the local authority (ie, must assess demand and capacity within the boundaries of those urban environments), but may apply to any wider area.
- (3) If more than one tier 1 or tier 2 local authority has jurisdiction over a tier 1 or tier 2 urban environment, those local authorities are jointly responsible for preparing an HBA as required by this subpart.

### **3.20 Purpose of HBA**

- (1) The purpose of an HBA is to:
  - (a) provide information on the demand and supply of housing and of business land in the relevant tier 1 or tier 2 urban environment, and the impact of planning and infrastructure decisions of the relevant local authorities on that demand and supply; and
  - (b) inform RMA planning documents, FDSs, and long-term plans; and
  - (c) quantify the development capacity that is sufficient to meet expected demand for housing and for business land in the short term, medium term, and long term.

### **3.21 Involving development sector and others**

- (1) In preparing an HBA, every tier 1 and tier 2 local authority must seek information and comment from:
  - (a) expert or experienced people in the development sector; and
  - (b) providers of development infrastructure and additional infrastructure; and
  - (c) anyone else who has information that may materially affect the calculation of the development capacity.

### **3.22 Competitiveness margin**

- (1) A competitiveness margin is a margin of development capacity, over and above the expected demand that tier 1 and tier 2 local authorities are required to provide, that is required in order to support choice and competitiveness in housing and business land markets.
- (2) The competitiveness margins for both housing and business land are:
  - (a) for the short term, 20%
  - (b) for the medium term, 20%
  - (c) for the long term, 15%.

## **Housing**

### **3.23 Analysis of housing market and impact of planning**

- (1) Every HBA must include analysis of how the relevant local authority's planning decisions and provision of infrastructure affects the affordability and competitiveness of the local housing market.
- (2) The analysis must include an assessment of how well the current and likely future demands for housing by Māori and different groups in the community (such as older people, renters, homeowners, low-income households, visitors, and seasonal workers) are met, including the demand for different types and forms of housing (such as for lower-cost housing, papakāinga, and seasonal worker or student accommodation).
- (3) The analysis must be informed by:
  - (a) market indicators, including:
    - (i) indicators of housing affordability, housing demand, and housing supply; and
    - (ii) information about household incomes, housing prices, and rents; and
  - (b) price efficiency indicators.

### **3.24 Housing demand assessment**

- (1) Every HBA must estimate, for the short term, medium term, and long term, the demand for additional housing in the region and each constituent district of the tier 1 or tier 2 urban environment:
  - (a) in different locations; and
  - (b) in terms of dwelling types.
- (2) Local authorities may identify locations in any way they choose.
- (3) Local authorities may identify the types of dwellings in any way they chose but must, at a minimum, distinguish between standalone dwellings and attached dwellings.
- (4) The demand for housing must be expressed in terms of numbers of dwellings.

- (5) Every HBA must:
- (a) set out a range of projections of demand for housing in the short term, medium term, and long term; and
  - (b) identify which of the projections are the most likely in each of the short term, medium term, and long term; and
  - (c) set out the assumptions underpinning the different projections and the reason for selecting the most likely; and
  - (d) if those assumptions involve a high level of uncertainty, the nature and potential effects of that uncertainty.

### **3.25 Housing development capacity assessment**

- (1) Every HBA must quantify, for the short term, medium term, and long term, the housing development capacity for housing in the region and each constituent district of the tier 1 or tier 2 urban environment that is:
- (a) plan-enabled; and
  - (b) plan-enabled and infrastructure-ready; and
  - (c) plan-enabled, infrastructure-ready, and feasible and reasonably expected to be realised.
- (2) The development capacity must be quantified as numbers of dwellings:
- (a) in different locations, including in existing and new urban areas; and
  - (b) of different types, including standalone dwellings and attached dwellings.

### **3.26 Estimating what is feasible and reasonably expected to be realised**

- (1) For the purpose of estimating the amount of development capacity that is reasonably expected to be realised, or that is both feasible and reasonably expected to be realised, local authorities:
- (a) may use any appropriate method; but
  - (b) must outline and justify the methods, inputs, and assumptions used to arrive at the estimates.
- (2) The following are examples of the kind of methods that a tier 1 local authority could use to assess the amount of development capacity that is feasible and reasonably expected to be realised:
- (a) separately estimate the number of feasible dwellings (using a feasibility model) and the number of dwellings that can reasonably be expected to be realised (using building consents data on the number of sites and extent of allowed capacity that has been previously developed), for the short, medium and long term; compare the numbers of dwellings estimated by each method; then pick the lower of the numbers in each time period, to represent the amount of development capacity that is feasible and reasonably expected to be realised

- (b) estimate the number of feasible dwellings or sites, and then assess the proportion of these that can reasonably be expected to be developed in the short, medium and long term, using information about landowner and developer intentions
  - (c) integrate information about past development trends and future landowner and developer intentions into the feasibility model, which could mean modifying assumptions about densities, heights, and timing of development.
- (3) The following is an example of the kind of methods that a tier 2 local authority could use to assess the amount of development capacity that is feasible and reasonably expected to be realised:
- (a) assess the number of dwellings that can reasonably be expected to be developed (using building consents data on the number of sites and extent of allowed capacity that has been developed previously), for the short, medium and long term; and
  - (b) then seek advice from the development sector about what factors affect the feasibility of development.
- (4) Different methods may be appropriate when assessing the development capacity that is reasonably expected to be realised in different circumstances, such as:
- (a) in existing, as opposed to new, urban areas; and
  - (b) for stand-alone, as opposed to attached, dwellings.

### **3.27 Assessment of sufficient development capacity for housing**

- (1) Every HBA must clearly identify, for the short term, medium term, and long term, where there is sufficient development capacity to meet demand for housing in the region and each constituent district of the tier 1 or tier 2 urban environment.
- (2) The requirements of subclause (1) must be based on a comparison of:
  - (a) the demand for housing referred to in clause 3.24 plus the appropriate competitiveness margin; and
  - (b) the development capacity identified under clause 3.25.
- (3) If there is any insufficiency, the HBA must identify where and when this will occur and analyse the extent to which RMA planning documents, a lack of development infrastructure, or both, cause or contribute to the insufficiency.

## **Business land**

### **3.28 Business land demand assessment**

- (1) Every HBA must estimate, for the short term, medium term, and long term, the demand from each business sector for additional business land in the region and each constituent district of the tier 1 or tier 2 urban environment.
- (2) The demand must be expressed in hectares or floor areas.

- (3) For the purpose of this clause, a local authority may identify business sectors in any way it chooses but must, as a minimum, distinguish between sectors that would use land zoned for commercial, retail, or industrial uses.
- (4) The HBA for a tier 1 urban environment must:
  - (a) set out a range of projections of demand for business land by business sector, for the short term, medium term, and long term; and
  - (b) identify which of the projections is the most likely in each of the short term, medium term, and long term; and
  - (c) set out the assumptions underpinning the different projections and the reason for selecting which is the most likely; and
  - (d) if those assumptions involve a high level of uncertainty, the nature and potential effects of that uncertainty.
- (5) The HBA for a tier 2 urban environment must:
  - (a) set out the most likely projection of demand for business land by business sector in the short term, medium term, and long term; and
  - (b) set out the assumptions underpinning that projection; and
  - (c) if those assumptions involve a high level of uncertainty, the nature and potential effects of that uncertainty.

### **3.29 Business land development capacity assessment**

- (1) Every HBA must estimate the following, for the short term, medium term, and long term, for the region and each constituent district of the tier 1 or tier 2 urban environment:
  - (a) the development capacity (in terms of hectares or floor areas) to meet expected demand for business land for each business sector, plus the appropriate competitiveness margin; and
  - (b) of that development capacity, the development capacity that is:
    - (i) plan-enabled; and
    - (ii) plan-enabled and infrastructure-ready; and
    - (iii) plan-enabled, infrastructure-ready, and suitable for each business sector.
- (2) A local authority may define what it means for development capacity to be “suitable” in any way it chooses, but suitability must, at a minimum, include suitability in terms of location and site size.

### **3.30 Assessment of sufficient development capacity for business land**

- (1) Every HBA must clearly identify, for the short term, medium term, and long term, whether there is sufficient development capacity to meet demand for business land in the region and each constituent district of the tier 1 or tier 2 urban environment.



- (2) The requirements of subclause (1) must be based on a comparison of:
  - (a) the demand for business land referred to in clause 3.28 plus the appropriate competitiveness margin; and
  - (b) the development capacity identified under clause 3.29.
- (3) If there is any insufficiency, the HBA must identify where and when this will occur and analyse the extent to which RMA planning documents, a lack of development infrastructure, or both, cause or contribute to the insufficiency.

## Subpart 6 – Intensification in tier 1 urban environments

### 3.31 Tier 1 territorial authorities implementing intensification policies

- (1) Every tier 1 territorial authority must identify, by location, the building heights and densities required by Policy 3.
- (2) If the territorial authority considers that it is necessary to modify the building height or densities in order to provide for a qualifying matter (as permitted under Policy 4), it must:
  - (a) identify, by location, where the qualifying matter applies; and
  - (b) specify the alternate building heights and densities proposed for those areas.
- (3) The territorial authority must make the information required by subclauses (1) and (2) publicly available at the same time as it notifies any plan change or proposed plan change to give effect to Policy 3.

### 3.32 Qualifying matters

- (1) In this National Policy Statement, **qualifying matter** means any of the following:
  - (a) a matter of national importance that decision-makers are required to recognise and provide for under section 6 of the Act
  - (b) a matter required in order to give effect to any other National Policy Statement, including the New Zealand Coastal Policy Statement
  - (c) any matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure
  - (d) open space provided for public use, but only in relation to the land that is open space
  - (e) an area subject to a designation or heritage order, but only in relation to the land that is subject to the designation or heritage order
  - (f) a matter necessary to implement, or ensure consistency with, iwi participation legislation
  - (g) the requirement to provide sufficient business land suitable for low density uses to meet expected demand under this National Policy Statement
  - (h) any other matter that makes higher density development as directed by Policy 3 inappropriate in an area, but only if the requirements of clause 3.33(3) are met.

### **3.33 Requirements if qualifying matter applies**

- (1) This clause applies if a territorial authority is amending its district plan and intends to rely on Policy 4 to justify a modification to the direction in Policy 3 in relation to a specific area.
- (2) The evaluation report prepared under section 32 of the Act in relation to the proposed amendment must:
  - (a) demonstrate why the territorial authority considers that:
    - (i) the area is subject to a qualifying matter; and
    - (ii) the qualifying matter is incompatible with the level of development directed by Policy 3 for that area; and
  - (b) assess the impact that limiting development capacity, building height or density (as relevant) will have on the provision of development capacity; and
  - (c) assess the costs and broader impacts of imposing those limits.
- (3) A matter is not a qualifying matter under clause 3.32(1)(h) in relation to an area unless the evaluation report also:
  - (a) identifies the specific characteristic that makes the level of development directed by Policy 3 inappropriate in the area, and justifies why that is inappropriate in light of the national significance of urban development and the objectives of this National Policy Statement; and
  - (b) includes a site-specific analysis that:
    - (i) identifies the site to which the matter relates; and
    - (ii) evaluates the specific characteristics on a site-specific basis to determine the spatial extent where intensification needs to be compatible with the specific matter; and
    - (iii) evaluates an appropriate range of options to achieve the greatest heights and densities directed by Policy 3, while managing the specific characteristics.

### **3.34 Effects on consideration of resource consents**

- (1) Nothing in Policies 3 or 4 or this subpart precludes the consideration (under section 104 of the Act) of any actual or potential effects on the environment associated with building heights.

## **Subpart 7 – Development outcomes for zones**

### **3.35 Development outcomes for zones**

- (1) Every tier 1, 2 or 3 territorial authority must ensure that:
  - (a) the objectives for every zone in an urban environment in its district describe the development outcomes intended for the zone over the life of the plan and beyond; and

- (b) the policies and rules in its district plan are individually and cumulatively consistent with the development outcomes described in the objectives for each zone.

### **3.36 Development outcomes consistent with intensification policies**

- (1) Every tier 1 territorial authority must ensure that the development outcomes for zones in its tier 1 urban environments are consistent with the outcomes required by Policy 3.

### **3.37 Monitoring development outcomes**

- (1) Every tier 1 territorial authority must monitor the extent to which development is occurring in each of the following zones as anticipated by the development outcomes included in the objectives for the zone:
  - (a) city centre zones
  - (b) metropolitan centre zones
  - (c) town centre zones
  - (d) mixed use zones
  - (e) high density residential zones
  - (f) medium density residential zones
  - (g) general residential zones.
- (2) If monitoring under this clause indicates that development outcomes are not being realised, the territorial authority must, as soon as practicable:
  - (a) undertake an assessment to identify whether provisions of the district plan (individually and cumulatively), or any other factors (and if so, what factors), or both, are contributing to the failure to realise development outcomes; and
  - (b) give public notice (as defined in the Act) of the results of the assessment.
- (3) If the assessment indicates that provisions of a district plan are contributing to the failure to realise development outcomes, the territorial authority must change its district plan to address the deficiency.
- (4) If the assessment indicates that other factors are contributing to the failure to realise development outcomes, the territorial authority must consider alternative methods to improve the rate of realisation (such as the use of incentives for site amalgamation).
- (5) Any plan change required under subclause (3) must be notified as soon as practicable, and no later than 12 months after the assessment is publicly notified.

## **Subpart 8 – Car parking**

### **3.38 Car parking**

- (1) If the district plan of a tier 1, 2, or 3 territorial authority contains objectives, policies, rules, or assessment criteria that have the effect of requiring a minimum number of car parks to be provided for a particular development, land use, or activity, the territorial authority must change its district plan to remove that effect, other than in respect of accessible car parks.

- (2) Territorial authorities must make any changes required by subclause (1) without using a process in Schedule 1 of the Act.
- (3) Nothing in this National Policy Statement prevents a district plan including objectives, policies, rules, or assessment criteria:
  - (a) requiring a minimum number of accessible car parks to be provided for any activity; or
  - (b) relating to parking dimensions or manoeuvring standards to apply if:
    - (i) a developer chooses to supply car parks; or
    - (ii) when accessible car parks are required.

# Part 4: Timing

## 4.1 Timeframes for implementation

- (1) Every tier 1, 2, and 3 local authority must amend its regional policy statement or district plan to give effect to the provisions of this National Policy Statement as soon as practicable.
- (2) In addition, local authorities must comply with specific policies of this National Policy Statement in accordance with the following table:

Local authority	Subject	National Policy Statement provisions	By when
Tier 1 only	Intensification	Policies 3 and 4 (see Part 3 subpart 6)	Proposed plan or plan change notified no later than 2 years after the commencement date
Tier 2 only (other than a tier 2 territorial authority required by section 80F of the Act to prepare an IPI)	Intensification	Policy 5	Proposed plan or plan change notified no later than 2 years after the commencement date
Tiers 1 and 2	First FDS made publicly available after the commencement date	Policy 2 (see Part 3 subpart 4)	In time to inform the 2024 long-term plan
Tiers 1 and 2	HBA so far as it relates to housing	Policy 2 (see Part 3 subpart 5)	By 31 July 2021
Tiers 1 and 2	HBA relating to both housing and business land	Policy 2 (see Part 3 subpart 5)	In time to inform the 2024 long-term plan
Tiers 1, 2, and 3	Car parking	Policy 11(a) (see clause 3.38)	No later than 18 months after the commencement date

# Appendix: Tier 1 and tier 2 urban environments and local authorities

**Table 1**

Tier 1 urban environment	Tier 1 local authorities
Auckland	Auckland Council
Hamilton	Waikato Regional Council, Hamilton City Council, Waikato District Council, Waipā District Council
Tauranga	Bay of Plenty Regional Council, Tauranga City Council, Western Bay of Plenty District Council
Wellington	Wellington Regional Council, Wellington City Council, Porirua City Council, Hutt City Council, Upper Hutt City Council, Kāpiti Coast District Council
Christchurch	Canterbury Regional Council, Christchurch City Council, Selwyn District Council, Waimakariri District Council

**Table 2**

Tier 2 urban environment	Tier 2 local authorities
Whangārei	Northland Regional Council, Whangarei District Council
Rotorua	Bay of Plenty Regional Council, Rotorua District Council
New Plymouth	Taranaki Regional Council, New Plymouth District Council
Napier Hastings	Hawke's Bay Regional Council, Napier City Council, Hastings District Council
Palmerston North	Manawatū-Whanganui Regional Council, Palmerston North City Council
Nelson Tasman	Nelson City Council, Tasman District Council
Queenstown	Otago Regional Council, Queenstown Lakes District Council
Dunedin	Otago Regional Council, Dunedin City Council

## Schedule 3A

### MDRS to be incorporated by specified territorial authorities

s 77G

Schedule 3A: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

#### Part 1

#### General

Schedule 3A Part 1: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

#### 1 Interpretation

- (1) In this schedule, unless the context otherwise requires,—
- construction** includes construction and conversion, and additions and alterations to an existing building
- density standard** means a standard setting out requirements relating to building height, height in relation to boundary, building setbacks, building coverage, outdoor living space, outlook space, windows to streets, or landscaped area for the construction of a building
- subdivision** means the subdivision of land, as defined in section 218(1).
- (2) Terms used in this schedule that are defined in section 77F have the same meaning in this schedule as they do in that section.
- (3) Terms used in this schedule that are defined in the national planning standards have the same meaning in this schedule as they do in those standards.

Schedule 3A clause 1: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

#### 2 Permitted activities

- (1) It is a permitted activity to construct or use a building if it complies with the density standards in the district plan (once incorporated as required by section 77G).
- (2) There must be no other density standards included in a district plan additional to those set out in Part 2 of this schedule relating to a permitted activity for a residential unit or building.

Schedule 3A clause 2: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

#### 3 Subdivision as controlled activity

Subdivision requirements must (subject to section 106) provide for as a controlled activity the subdivision of land for the purpose of the construction and use of residential units in accordance with clauses 2 and 4.

Schedule 3A clause 3: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

#### **4 Restricted discretionary activities**

A relevant residential zone must provide for as a restricted discretionary activity the construction and use of 1 or more residential units on a site if they do not comply with the building density standards in the district plan (once incorporated as required by section 77G).

Schedule 3A clause 4: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

#### **5 Certain notification requirements precluded**

- (1) Public notification of an application for resource consent is precluded if the application is for the construction and use of 1, 2, or 3 residential units that do not comply with 1 or more of the density standards (except for the standard in clause 10) in the district plan (once incorporated as required by section 77G).
- (2) Public and limited notification of an application for resource consent is precluded if the application is for the construction and use of 4 or more residential units that comply with the density standards (except for the standard in clause 10) in the district plan (once incorporated as required by section 77G).
- (3) Public and limited notification of an application for a subdivision resource consent is precluded if the subdivision is associated with an application for the construction and use of residential units described in subclause (1) or (2).

Schedule 3A clause 5: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

#### **6 Objectives and policies**

- (1) A territorial authority must include the following objectives in its district plan:
  - Objective 1*
  - (a) a well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future:
    - Objective 2*
    - (b) a relevant residential zone provides for a variety of housing types and sizes that respond to—
      - (i) housing needs and demand; and
      - (ii) the neighbourhood's planned urban built character, including 3-storey buildings.
- (2) A territorial authority must include the following policies in its district plan:



*Policy 1*

- (a) enable a variety of housing types with a mix of densities within the zone, including 3-storey attached and detached dwellings, and low-rise apartments:

*Policy 2*

- (b) apply the MDRS across all relevant residential zones in the district plan except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga):

*Policy 3*

- (c) encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance:

*Policy 4*

- (d) enable housing to be designed to meet the day-to-day needs of residents:

*Policy 5*

- (e) provide for developments not meeting permitted activity status, while encouraging high-quality developments.

Schedule 3A clause 6: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

*Subdivision requirements*

Heading: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

**7 General subdivision requirements**

Any subdivision provisions (including rules and standards) must be consistent with the level of development permitted under the other clauses of this schedule, and provide for subdivision applications as a controlled activity.

Schedule 3A clause 7: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

**8 Further rules about subdivision requirements**

Without limiting clause 7, there must be no minimum lot size, shape size, or other size-related subdivision requirements for the following:

- (a) any allotment with an existing residential unit, if—
- (i) either the subdivision does not increase the degree of any non-compliance with the density standards in the district plan (once incorporated as required by section 77G) or land use consent has been granted; and
  - (ii) no vacant allotments are created:

- (b) any allotment with no existing residential unit, where a subdivision application is accompanied by a land use application that will be determined concurrently if the applicant for the resource consent can demonstrate that—
- (i) it is practicable to construct on every allotment within the proposed subdivision, as a permitted activity, a residential unit; and
  - (ii) each residential unit complies with the density standards in the district plan (once incorporated as required by section 77G); and
  - (iii) no vacant allotments are created.

Schedule 3A clause 8: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

## **9 Rules about common walls**

For the purposes of clause 8(a)(i), if a subdivision is proposed between residential units that share a common wall, the requirements as to height in relation to boundary in the district plan (once incorporated as required in section 77G) do not apply along the length of the common wall.

Schedule 3A clause 9: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

## **Part 2 Density standards**

Schedule 3A Part 2: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

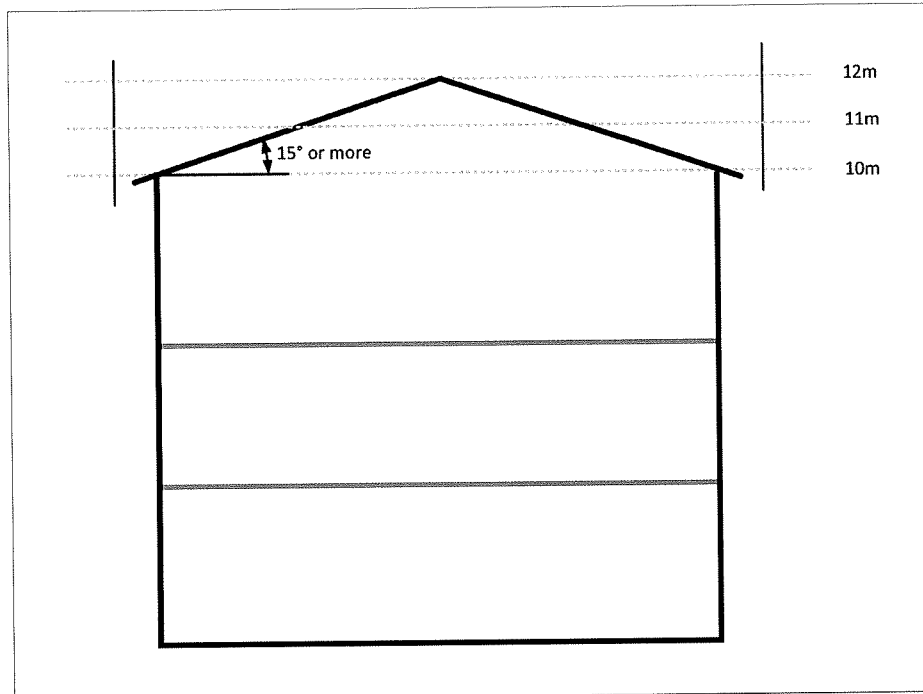
## **10 Number of residential units per site**

There must be no more than 3 residential units per site.

Schedule 3A clause 10: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

## **11 Building height**

Buildings must not exceed 11 metres in height, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more, as shown on the following diagram:

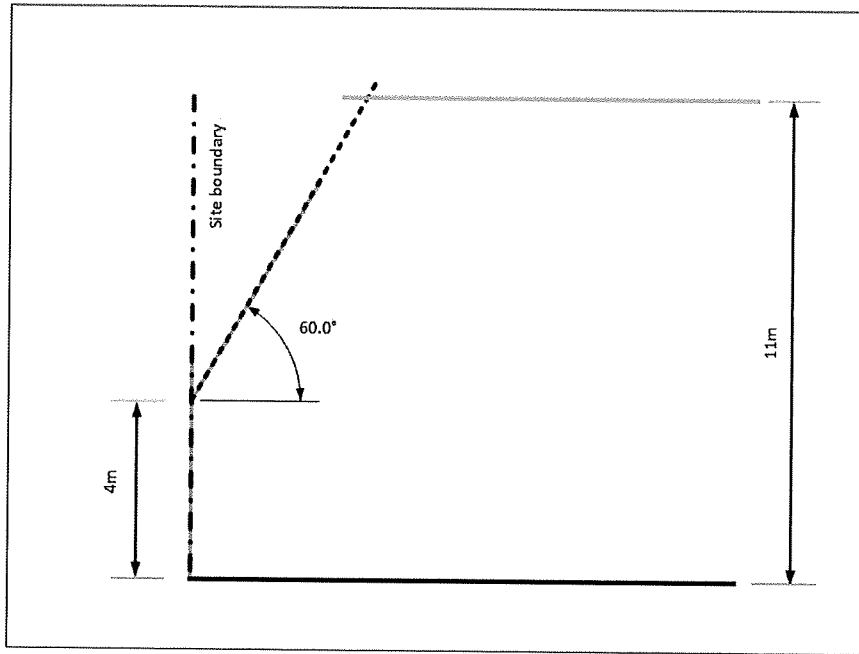


Schedule 3A clause 11: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

## 12 Height in relation to boundary

- (1) Buildings must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown on the following diagram. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to

boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.



- (2) This standard does not apply to—
- (a) a boundary with a road:
  - (b) existing or proposed internal boundaries within a site:
  - (c) site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

Schedule 3A clause 12: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

### 13 Setbacks

- (1) Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:

Yard	Minimum depth
Front	1.5 metres
Side	1 metre
Rear	1 metre (excluded on corner sites)

- (2) This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

Schedule 3A clause 13: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

**14 Building coverage**

The maximum building coverage must not exceed 50% of the net site area.

Schedule 3A clause 14: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

**15 Outdoor living space (per unit)**

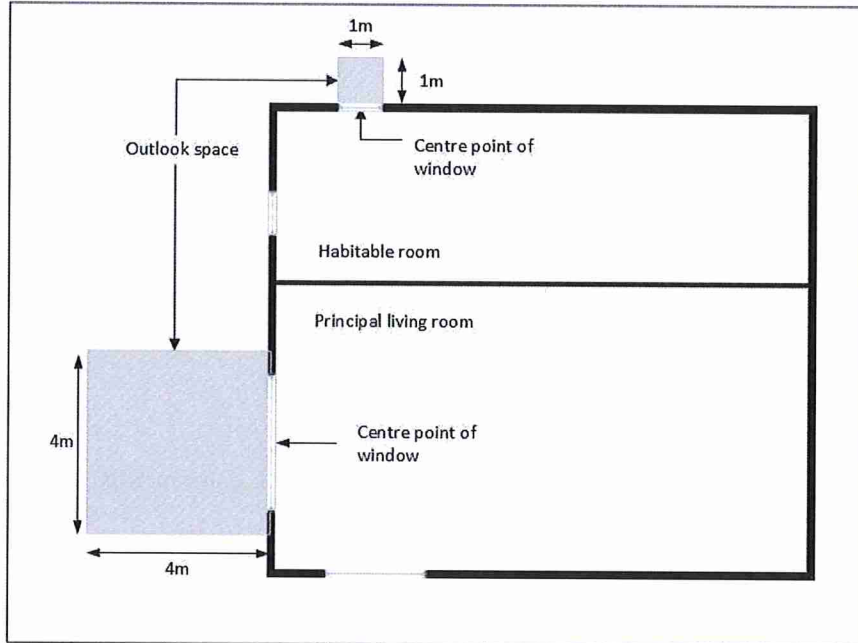
- (1) A residential unit at ground floor level must have an outdoor living space that is at least 20 square metres and that comprises ground floor, balcony, patio, or roof terrace space that,—
- (a) where located at ground level, has no dimension less than 3 metres; and
  - (b) where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres; and
  - (c) is accessible from the residential unit; and
  - (d) may be—
    - (i) grouped cumulatively by area in 1 communally accessible location; or
    - (ii) located directly adjacent to the unit; and
  - (e) is free of buildings, parking spaces, and servicing and manoeuvring areas.
- (2) A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that—
- (a) is at least 8 square metres and has a minimum dimension of 1.8 metres; and
  - (b) is accessible from the residential unit; and
  - (c) may be—
    - (i) grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
    - (ii) located directly adjacent to the unit.

Schedule 3A clause 15: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

**16 Outlook space (per unit)**

- (1) An outlook space must be provided for each residential unit as specified in this clause.

- (2) An outlook space must be provided from habitable room windows as shown in the diagram below:



- (3) The minimum dimensions for a required outlook space are as follows:
- (a) a principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
  - (b) all other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
- (4) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
- (5) Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
- (6) Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.
- (7) Outlook spaces may be under or over a balcony.
- (8) Outlook spaces required from different rooms within the same building may overlap.
- (9) Outlook spaces must—
- (a) be clear and unobstructed by buildings; and
  - (b) not extend over an outlook space or outdoor living space required by another dwelling.

Schedule 3A clause 16: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

**17 Windows to street**

Any residential unit facing the street must have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors.

Schedule 3A clause 17: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

**18 Landscaped area**

(1) A residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them.

(2) The landscaped area may be located on any part of the development site, and does not need to be associated with each residential unit.

Schedule 3A clause 18: inserted, on 21 December 2021, by section 17 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).





## Bay of Plenty Regional Policy Statement Objective & Policy Assessment

### Natural Hazards (Ōmokoroa Stage 3 and Seddon Street Te Puke)

<p><b>Objective 31</b> Avoidance or mitigation of natural hazards by managing risk for people's safety and the protection of property and lifeline utilities</p> <p>[Note also refer to assessment against Method 18 (ha): Structure plans for land use changes].</p>		
Policy		Response
Policy NH 1B: Taking a risk management approach	✓	<p><u>Ōmokoroa Stage 3 and Seddon Street (Te Puke)</u></p> <p>A risk management approach has been taken.</p>
Policy NH 2B: Classifying risk		<p><u>Ōmokoroa Stage 3 and Seddon Street (Te Puke)</u></p> <p>Natural hazard risk has been classified by following the steps in Appendix L of the RPS.</p>
<p>Policy NH 3B: Natural hazard risk outcomes</p> <p>And</p> <p>Policy NH4B: Managing natural hazard risk of land subject to urban development</p>	✓	<p><u>Ōmokoroa Stage 3</u></p> <p>The development site includes not only the areas of the structure plan which are being developed but also the balance of the land within the structure plan which is not being developed i.e. the gullies. Therefore, the risk assessment applies to the identification of natural hazards (natural hazard assessment areas) within the entire development site / structure plan area including the areas development and gullies.</p> <p>Following the completion of the risk assessment for each of the natural hazard assessment areas, the outcome is that the</p>

	<p>structure plan will achieve low risk for buildings, lifelines and health and safety with respect to all identified natural hazard assessment areas. This results in a low natural hazard risk overall for the development of the structure plan.</p> <p>The risk assessment is contained in three separate Tonkin + Taylor reports relating to liquefaction, land instability (landslide) and flooding (along with other hazards). A summary of the Tonkin + Taylor natural hazards risk assessment is provided under the headings below along with additional commentary on existing or proposed District Plan rules as required.</p> <p>Liquefaction</p> <p>As part of this risk assessment, Tonkin + Taylor also completed the susceptibility mapping. This generally shows that “liquefaction damage is unlikely” within the areas of development and that “liquefaction damage is possible” within the gullies (where development is to be avoided).</p> <p>Low risk can be achieved for buildings. This is subject to avoiding development in the gullies and requiring geotechnical assessments to address liquefaction risk at time of subdivision and development in other areas.</p> <p>Low risk can be achieved for lifelines and utilities. This is provided that lifelines and utilities are appropriately located and designed. This includes avoiding areas where moderate-severe liquefaction is possible, using ground improvement techniques,</p>
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	<p>designing utilities to be readily repairable, using ductile materials for pipe networks and ensuring utility connections take into account how buildings may shift relative to the surrounding ground.</p> <p>Low risk is achieved for health and safety. There are no suggested mitigation measures.</p> <p>The Plan Change proposes new liquefaction provisions in Section 8 – Natural Hazards for both subdivision and land use to achieve low natural hazard risk within Ōmokoroa Stage 3. The provisions include specific requirements to obtain resource consent, provide information and to use a suitably qualified geotechnical expert to complete liquefaction assessments and propose required risk reduction measures.</p> <p>Land Instability / Landslide</p> <p>As part of this risk assessment, Tonkin + Taylor also completed the high level mapping exercise for rainfall induced land instability (landslide). The hazard susceptibility area is confined to the gullies and adjoining land within close proximity.</p> <p>Low risk is achieved for buildings. This is because the hazard susceptibility area only covers a small portion of the structure plan area and therefore the number of buildings to be functionality compromised (even if all buildings were functionally compromised) would be sufficiently low. The hazard is also localised and unlikely to occur over the full hazard susceptibility area at the same time, meaning the risk would be further reduced.</p>
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	<p>The Tonkin + Taylor report does not assess the level of risk for lifelines or for health and safety. However, low risk will be achieved for both.</p> <p>The existing provisions of Section 12 – Subdivision and Development require building sites to be free from slippage. The Plan Change is proposing a new Section 14A Ōmokoroa and Te Puke Medium Density Residential which would require resource consent for all subdivision and any development of four or more dwellings, allowing geotechnical issues to be investigated. The Plan Change is also proposing a new Natural Open Space Zone which would avoid residential development within Ōmokoroa Stage 3’s gully systems.</p> <p>Flooding</p> <p>Tonkin + Taylor’s risk assessment was based on the susceptibility maps prepared by BECA.</p> <p>Low risk can be achieved for buildings. This is based on meeting the regulatory controls of the NZ Building Code, in which case, no buildings are predicted to be functionally compromised in the 2% AEP (1 in 50 Year) and 1% AEP (1 in 100 year) events and only 0.5% of buildings are predicted to be functionally compromised in a 0.2% (1 in 500 year event). There is potential to further reduce risk at design stage by establishing easements for overland flowpaths or locating these within road corridors and by removing areas of ponding.</p> <p>Further to Tonkin &amp; Taylor’s assessment, the District Plan also requires minimum floor levels</p>
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	<p>to be imposed (with freeboard of 500mm for dwellings, 300mm for commercial buildings and 200m for sheds/garages). The District Plan also already requires an assessment of effects on ponding and flowpaths.</p> <p>The Tonkin + Taylor report does not assess the level of risk for lifelines or for health and safety. However, low risk will be achieved for both.</p> <p>Lifelines and utilities are to be avoided within the gullies which is primarily where the flooding hazard is identified. There is potential to further reduce risk by avoiding lifelines within other areas where flooding is identified.</p> <p>In terms of health and safety, no deaths or injuries would occur from flooding in the 2% AEP (1 in 50 year) or 1% AEP (1 in 100 year) events given no buildings would be functionally compromised. Also, no deaths or injuries would be expected from a 0.2% AEP (1 in 500 year) event where only 0.5% of buildings are expected to be functionally compromised.</p> <p>Existing provisions of Section 8 – Natural Hazards which would apply to the new floodable areas in Ōmokoroa Stage 3 would require minimum floor levels to be imposed (with freeboard of 500mm for dwellings, 300mm for commercial buildings and 200m for sheds/garages). This Section also requires an assessment of effects on ponding and flowpaths for buildings and earthworks. These would further ensure low risk.</p> <p>Other natural hazards</p>
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		<p>Susceptibility mapping was also carried out for coastal erosion (Tonkin + Taylor), coastal inundation (NIWA), tsunami (e-Coast) and active faults (GNS Science).</p> <p>Tonkin + Taylor highlight that these hazards do not affect the areas of proposed development within the development site. As a result, no risk assessment has been undertaken.</p> <p>However, the development site includes the gullies and because coastal inundation and tsunami are identified within these gullies, a risk assessment is needed for these hazards. Low risk would be achieved for buildings, lifelines and health and safety with respect to all of these natural hazards as development is not provided for within areas subject to these natural hazards. A natural open space zone has been created in these areas to preclude development and manage stormwater and coastal inundation.</p> <p>No active faults were identified within the structure plan area.</p> <p><u>Seddon Street (Te Puke)</u></p> <p>See the report entitled "Natural Hazards Risk Assessment for Seddon Street Development, Te Puke, Western Bay of Plenty (S&amp;L – 2022).</p>
<p><i>Policy NH 5B: Avoiding increasing and encouraging reducing natural hazard risk in the coastal environment</i></p>	<p>✓</p>	<p><u>Ōmokoroa Stage 3</u></p> <p>The Ōmokoroa Stage 3 structure plan will avoid increasing natural hazard risk in the coastal environment over the next 100 by avoiding development in areas which are subject to natural hazards (largely confined to gullies).</p>

		<p>These same gullies will also be used for stormwater management purposes.</p> <p><u>Seddon Street (Te Puke)</u></p> <p>Not applicable as not in the coastal environment.</p>
<p><i>Policy NH 6B: Exemptions from the natural hazard risk management approach</i></p>	<p>✓</p>	<p><u>Ōmokoroa Stage 3 and Seddon Street (Te Puke)</u></p> <p>This provides an exemption from risk mitigation (not risk assessment) for activities which have significant social, economic, environmental or cultural benefit or which are lifelines, provided that these have a functional need for a location. Because low natural hazard risk is achieved for all natural hazard assessment areas, there is no need for an exemption in this case.</p>
<p><i>Policy NH 7A: Identifying areas susceptible to natural hazards</i></p>	<p>✓</p>	<p><u>Ōmokoroa Stage 3</u></p> <p>Natural hazard susceptibility mapping and risk assessment has been undertaken for all relevant natural hazards being flooding, coastal erosion, coastal inundation, land instability (landslide), liquefaction and tsunamis. This has incorporated the current accepted knowledge on climate change over at least the next 100 years as required by the New Zealand Coastal Policy Statement and Bay of Plenty RPS.</p> <p><u>Seddon Street (Te Puke)</u></p> <p>Natural hazard susceptibility mapping and risk assessment has been undertaken for all relevant natural hazards being flooding, land</p>

		instability (landslide) and liquefaction. This has incorporated the current accepted knowledge on climate change over at least the next 100 years as required by the Bay of Plenty RPS.
<i>Policy NH 8A: Assessment of natural hazard risk at the time of plan development</i>	✓	<p><u>Ōmokoroa Stage 3 and Seddon Street (Te Puke)</u></p> <p>Assessment of natural hazard risk is not triggered by this Policy because planning for a specific development site is not considered to be “plan development”. Rather, plan development would capture the likes of a District-wide review of how development can occur within an entire natural hazard or hazards.</p>
<i>Policy NH 9B: Assessment of natural hazard risk at the time of subdivision, or change or intensification of land use before Policies NH 7A and NH 8A have been given effect to</i>	✓	<p><u>Ōmokoroa Stage 3 and Seddon Street (Te Puke)</u></p> <p>Assessment of natural hazard risk is triggered under this Policy because the Structure Plans for these areas are a change / intensification of land use on an urban site of 5ha or more.</p> <p>A risk assessment has been prepared for both and concludes a low risk for all natural hazards within the structure plan areas.</p>
<i>Policy NH 10B: Assessment of natural hazard risk at the time of subdivision, or change or intensification of land use after Policies NH 7A and NH 8A have been given effect to</i>	N/A	<p><u>Ōmokoroa Stage 3 and Seddon Street (Te Puke)</u></p> <p>Not relevant for this Plan Change. This applies to subdivision and development which will occur after WBOPDC gives effect to Policies NH7A and NH 8A. This Plan Change does not give effect to Policy NH 8A because this policy</p>



		requires natural hazard risk assessment at the time of Plan development (which this is not).
<i>Policy NH 11B: Providing for climate change</i>	✓	<p><u>Omokoroa Stage 3</u></p> <p>Natural hazard susceptibility mapping and risk assessment has been undertaken for all relevant natural hazards being flooding, coastal erosion, coastal inundation, land instability (landslide), liquefaction and tsunami. This has incorporated the current accepted knowledge on climate change over at least the next 100 years as required by the New Zealand Coastal Policy Statement and Bay of Plenty RPS.</p> <p><u>Seddon Street (Te Puke)</u></p> <p>Natural hazard susceptibility mapping and risk assessment has been undertaken for all relevant natural hazards being flooding, land instability (landslide) and liquefaction. This has incorporated the current accepted knowledge on climate change over at least the next 100 years as required by the Bay of Plenty RPS.</p>
<i>Policy NH 12A: Managing natural hazard risk through regional, city and district plans</i>	✓	<p><u>Omokoroa Stage 3</u></p> <p>Section 8 – Natural Hazards of the District Plan already has provisions in place for managing natural hazard risk for relevant natural hazards for this area including flooding and coastal inundation. It is proposed that these existing provisions are retained and that new provisions be added for managing risk with regard to liquefaction. It is proposed that the District Plan Maps be amended to include updated flooding</p>

		<p>maps and new coastal inundation and liquefaction maps. It is not proposed to add provisions or maps for tsunami as risk is to be managed by methods outside of the District Plan.</p> <p><u>Seddon Street (Te Puke)</u></p> <p>Section 8 – Natural Hazards of the District Plan already has provisions in place for managing natural hazard risk for relevant natural hazards for this area being flooding and land instability (landslide). It is proposed that these existing provisions are retained and that new provisions be added for managing risk with regard to liquefaction. It is proposed that the District Plan Maps be amended to include updated flooding maps and new liquefaction maps.</p>
<p><i>Policy NH 13C: Allocation of responsibility for natural hazard identification and risk assessment</i></p>	<p>✓</p>	<p><u>Ōmokoroa Stage 3</u></p> <p>WBOPDC and Regional Council have worked together to meet the requirements for natural hazard identification and risk assessment in accordance with each Council's responsibilities under this Policy.</p> <p><u>Seddon Street (Te Puke)</u></p> <p>See the report entitled "Natural Hazards Risk Assessment for Seddon Street Development, Te Puke, Western Bay of Plenty (S&amp;L – 2022).</p>
<p><i>Policy NH 14C: Allocation of responsibility for land use control for natural hazards</i></p>	<p>✓</p>	<p>WBOPDC will avoid controls in the coastal marine area which is the responsibility of the Regional Council.</p>

## Air Quality

Objective		Response
<p><b>Objective 1</b> <i>The adverse effects of odours, chemical emissions and particulates are avoided, remedied or mitigated so as to protect people and the environment.</i></p>	✓	<p>Individual land uses that may produce adverse effects in this regard are controlled by Regional Plan provisions and related best practice guidance.</p> <p>The plan change includes different zones such as industrial zones and residential based zones to separate potentially non-compatible activities.</p> <p>For Ōmokoroa Stage 3 there is a logic development sequence which will allow transition from horticulture/orchard activities to urban activities.</p>

## Coastal Environment

Objective		Response
<p><i>Objective 1 Achieve integrated management of the coastal environment by:</i></p> <p><i>(a) Providing a consistent, efficient and integrated management framework;</i></p> <p><i>(b) Adopting a whole of catchment approach to management of the coastal environment;</i></p> <p><i>(c) Recognising and managing the effects of land uses and freshwater-based activities (including discharges) on the coastal marine area;</i></p> <p><i>(d) Enabling the exercise of kaitiakitanga</i></p>	✓	<p>The Ōmokoroa Stage 3 Structure Plan and related planning provisions provide an integrated management approach to the whole area including the coastal environment.</p> <p>As part of the Structure Plan and related provisions it is aimed to restore and enhance the waterways within the Stage.</p> <p>The Council is renewing the comprehensive stormwater consent that currently applies to Ōmokoroa in the near future. This will provide the key management of stormwater including avoiding potential effects on the coastal environment. The supporting assessment will incorporate detailed ecological assessments.</p> <p>The proposed plan change includes the provision of a new Natural Open Space Zone which includes provisions designed to maintain and enhance the natural character, ecological, cultural, recreational and amenity values of the</p>

<p><i>(e) Planning for and managing:</i>  <i>(i) cumulative effects; and (ii) the effects of climate change;</i></p> <p><i>(f) Promoting the sustainable management of the Bay of Plenty coastal fisheries; and</i></p> <p><i>(g) Providing for the future urban growth management areas identified in Appendix E of the RPS without compromising other regionally significant values of the coastal environment</i></p>		<p>Tauranga Harbour coastal margins and inland gully systems within the area.</p> <p>Urban development provisions have been designed to minimise land disturbance and to encourage land development to utilise the existing contour as far as practicable.</p> <p>Ōmokoroa is a recognised urban growth area in the RPS. The “roll-out” of the next stage of urbanisation has been designed around a structure plan process and related zoning and designed to allow for urbanisation without compromising other regionally significant values of the coastal environment.</p>
<p><i>Objective 2 Protect the attributes and values of: (a) Outstanding natural features and landscapes of the coastal environment; and</i></p> <p><i>(b) Areas of high, very high and outstanding natural character in the coastal environment; from inappropriate subdivision, use, and development, and restore or rehabilitate the natural character of the coastal environment where appropriate.</i></p>	<p>✓</p>	<p>The Ōmokoroa Stage 3 Structure Plan and related planning provisions provide an integrated management approach to the whole area including the coastal environment.</p> <p>As part of the Structure plan and related provisions it is aimed to restore and enhance the waterways within the Stage as allowable under the NPS-FM.</p> <p>Urban development provisions have been designed to minimise land disturbance and to encourage land development to utilise the existing contour as far as practicable.</p> <p>Esplanade reserves, a proposed new natural open space zone and limitations on development in proximity to the coastal edge protect the values of this area.</p>
<p><i>Objective 3 Safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems by:</i></p> <p><i>(a) Protecting Indigenous Biological Diversity Areas A,</i></p>	<p>✓</p>	<p>The Ōmokoroa Stage 3 Structure Plan and related planning provisions provide an integrated management approach to the whole area including the coastal environment.</p> <p>As part of the Structure plan and related provisions it is aimed to restore and enhance the waterways within the Stage.</p>

<p><i>(b) Maintaining Indigenous Biological Diversity Areas B;</i></p> <p><i>(c) Promoting the maintenance of indigenous biodiversity in general; and (d) Enhancing or restoring indigenous biodiversity where appropriate.</i></p>		<p>Esplanade reserves, a proposed new natural open space zone and limitations on development in proximity to the coastal edge protect the values of this area. The proposed expanded coastal reserve area provides the opportunity for enhancement and restoration of indigenous biodiversity.</p>
<p><i>Objective 4 Prevent the further loss of the quality and extent of rare and threatened habitats in the coastal environment of the region. These include coastal forest, seagrass beds, saltmarsh wetlands and sand dunes</i></p>		<p>Esplanade reserves, a proposed new natural open space zone and limitations on development in proximity to the coastal edge protect the values of this area. The proposed expanded coastal reserve area provides the opportunity for enhancement and restoration of indigenous biodiversity.</p> <p>The Council is renewing the comprehensive stormwater consent that currently applies to Ōmokoroa in the near future. This will provide the key management of stormwater including avoiding potential effects on the coastal environment. The supporting assessment will incorporate detailed ecological assessments.</p> <p>The proposed plan change includes the provision of a new Natural Open Space Zone which includes provisions designed to maintain and enhance the natural character, ecological, cultural, recreational and amenity values of the Tauranga Harbour coastal margins and inland gully systems within the area.</p>
<p><i>Objective 5 Enable the restoration and rehabilitation of the natural heritage of the coastal environment, including:</i></p> <p><i>(a) Kaimoana resources; (b) Natural heritage landforms or features that would increase resilience to natural hazards, and (c) Degraded cultural sites which tangata whenua wish to restore</i></p>	<p>✓</p>	<p>Esplanade reserves, a proposed new natural open space zone and limitations on development in proximity to the coastal edge protect the values of this area. The proposed expanded coastal reserve area provides the opportunity for enhancement and restoration of indigenous biodiversity.</p> <p>The Council will work with iwi/hapu to further enhance this area as may be appropriate.</p>

<p><i>for natural heritage and cultural reasons.</i></p>		
<p><i>Objective 11 Integrated and comprehensive management of stormwater within a catchment or sub-catchment framework.</i></p>	<p>✓</p>	<p>The Ōmokoroa Stage 3 Structure Plan and related planning provisions provide an integrated management approach to the whole area including the coastal environment.</p> <p>As part of the Structure Plan and related provisions it is aimed to restore and enhance the waterways within the Stage.</p> <p>The Council is renewing the comprehensive stormwater consent that currently applies to Ōmokoroa in the near future. This will provide the key management of stormwater including avoiding potential effects on the coastal environment. The supporting assessment will incorporate detailed ecological assessments.</p> <p>The proposed plan change includes the provision of a new Natural Open Space Zone which includes provisions designed to maintain and enhance the natural character, ecological, cultural, recreational and amenity values of the Tauranga Harbour coastal margins and inland gully systems within the area.</p>
<p><i>Objective 13 Take into account the principles of the Treaty of Waitangi and provide for partnerships with the active involvement of tangata whenua in management of the coastal environment when activities may affect their taonga, interests and values</i></p>	<p>✓</p>	<p>The Council has actively engaged with Pirirakau hapu who hold mana whenua for the area. This has included the creation of an Urban Design Cultural Overlay by Pirirakau which has been used to guide the structure plan process. It includes recognition of cultural values, restoring Pirirakau's relationship with the land and future planning initiatives.</p> <p>Specific provisions have been included within the Plan Change and structure plan and linked initiatives to restore degraded water courses and linked wetlands, earthworks controls and a linked cultural earthworks protocol.</p>
<p><i>Objective 14 Tangata whenua are able to undertake customary activities in the coastal marine</i></p>	<p>✓</p>	<p>The Council has actively engaged with Pirirakau hapu who hold mana whenua for the area. This has included the creation of an</p>

<p><i>area, and access to sites used for cultural practices gathering kaimoana, mahinga mātaītai and areas of cultural significance is maintained or enhanced</i></p>		<p>Urban Design Cultural Overlay by Pirirakau which has been used to guide the structure plan process. It includes recognition of cultural values, restoring Pirirakau’s relationship with the land and future planning initiatives.</p> <p>The Council has also engaged with other iwi/hapu who have interests in the area.</p> <p>Specific provisions have been included within the Plan Change and structure plan and linked initiatives to restore degraded water courses and linked wetlands, earthworks controls and a linked cultural earthworks protocol.</p>
<p><i>Objective 24 Maintain and enhance integrated access to the coastal environment to support people’s recreational activities, safe ocean and harbour access for recreational boats and enjoyment of coastal open space and natural heritage qualities, unless vehicle access restrictions are necessary in accordance with Policy 20 (1) of the NZCPS, which sets out when to control use of vehicles on beaches, foreshore, seabed and adjacent public land.</i></p>	<p>✓</p>	<p>The Ōmokoroa Stage 3 Structure Plan includes multi-modal access linking to the coast. The proposed expanded coastal reserve area provides the opportunity for public access which may include opportunities for boat launching.</p> <p>As part of the Stage 3 Structure Plan and related plan provisions the coastal margins have been identified as proposed reserve areas. In large parts of the structure plan area the coastal edge is currently esplanade reserve or a marginal strip. In regard to the western interface it is planned to widen this area to create a more substantive reserve area.</p> <p>Reserve management plans will be developed to ensure that natural and cultural values are enhanced. The structure plan includes an integrated public walkway system linking the coast with the gully system, active sports fields, school and town centre.</p> <p>The proposed plan change includes the provision of a new Natural Open Space Zone which includes provisions designed to provide open space, maintain and enhance the natural character, ecological, cultural, recreational and amenity values of the Tauranga Harbour</p>

	<p>coastal margins and inland gully systems within the area.</p> <p>In the proximity of the new development areas there are existing esplanade reserves that are adjacent to the Waipapa Estuary and the Mangawhai Bay coastline.</p> <p>The wider peninsula area has existing widespread esplanade reserves.</p>
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Also refer to assessment under NZCPS.

### Energy and infrastructure

<b>Objective</b>		<b>Response</b>
<i>Objective 5 Provide for energy efficiency and conservation and promote the use and development of renewable energy sources</i>	✓	<i>The Plan Change is designed to increase residential density and for Ōmokoroa to provide business opportunities within the area. A denser population base supports public transport and other design initiatives such as walkways and cycleways facilitate non-motorised people movement. Specific provision is made for a park and ride facility in Ōmokoroa to minimise dependence on private motor vehicles for commuting purposes. With the proximity of the existing rail network on the northern boundary of the stage the potential for future utilisation of this network exists.</i>
<i>Objective 6 Provide for the social, economic, cultural and environmental benefits of, and the use and development of nationally and regionally significant infrastructure and renewable energy</i>	✓	<i>A key part of the development of this stage is the road linkage to State Highway 2 (SH2) and the upgrade of SH2 between Ōmokoroa and Tauranga. This work has commenced (Stage 1) and designations are in place to allow for the work to proceed and will ensure the benefits of the strategic transport network are enjoyed. To support housing in the more immediate future interim improvements to the intersection between State Highway 2 and Ōmokoroa Road are proposed.</i>



<p><i>Objective 7 Provide for the appropriate management of: (a) any adverse environmental effects (including effects on existing lawfully established land uses) created by the development and use of infrastructure and associated resources; (b) any reverse sensitivity effects on established, consented or designated infrastructure.</i></p>	<p>✓</p>	<p><i>For new growth areas such as Ōmokoroa Stage 3, the plan change includes different zones such as industrial zones and residential based zones to separate potentially non-compatible activities.</i></p> <p><i>For Ōmokoroa Stage 3 there is a logic development sequence which will allow transition from horticulture/orchard activities to urban activities.</i></p> <p><i>There are existing roading designations that clearly signal future major transportation infrastructure. This should be updated as soon as practicable to safeguard possible future transport corridors noting the proposal for an interim Ōmokoroa Road / State Highway intersection upgrade.</i></p>

### Integrated resource management

Objective		Response
<p><i>Objective 10 Cumulative effects of existing and new activities are appropriately managed</i></p>	<p>✓</p>	<p><i>Structure plan processes are being utilised to ensure integrated management.</i></p> <p><i>For new growth areas such as Ōmokoroa Stage 3, the plan change includes different zones such as industrial zones and residential based zones to separate potentially non-compatible activities.</i></p> <p><i>For Ōmokoroa Stage 3 there is a logic development sequence which will allow transition from horticulture/orchard activities to urban activities.</i></p>

<i>Objective 11 An integrated approach to resource management issues is adopted by resource users and decision makers</i>	✓	Structure plan process being utilised to ensure integrated management.
<i>Objective 12 The timely exchange, consideration of and response to relevant information by all parties with an interest in the resolution of a resource management issue</i>	✓	The development of the Ōmokoroa Stage 3 Structure Plan has gone through a number of public and specific interest group engagement to ensure views and information are freely exchanged to inform decision making.

### Iwi Resource Management

Objectives		Response
<i>Objective 13 Kaitiakitanga is recognised and the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) are systematically taken into account in the practice of resource management</i>	✓	<p><u>Ōmokoroa</u></p> <p>The Council has actively engaged with Pirirakau hapu who hold mana whenua for the area. This has included the creation of an Urban Design Cultural Overlay by Pirirakau which has been used to guide the structure plan process. It includes recognition of cultural values, restoring Pirirakau's relationship with the land and future planning initiatives.</p> <p>Specific provisions have been included within the Plan Change and structure plan and linked initiatives to restore degraded water courses and linked wetlands, earthworks controls and a linked cultural earthworks protocol.</p> <p>The application of the MDRS across the wider residential zoning is unlikely to result in any major changes that may affect this relationship being confined to existing residential areas. Any redevelopment will be subject to the requirements of the Heritage New Zealand Pouhere Taonga Act 2014.</p>

		<p>The land at the northern end of Prole Road, adjacent the Waipapa Estuary, was gifted by Pirirakau to Ngati Haua in pre-European times in recognition of the close ties between the two. The land is in kiwifruit and it in consultation with Ngati Haua it is proposed to be zoned Rural until such time as Ngati Haua seek to change its use.</p> <p><u>Te Puke</u></p> <p>The application of the MDRS across the wider residential zoning is unlikely to result in any major changes that may affect this relationship as the MDRS changes are confined to existing residential areas (and limited areas of Future Urban and Rural zone underway with development plans).</p> <p>Council has a policy of engagement and consultation with tangata whenua within this rohe on plan changes and other resource management processes.</p> <p>Any land development will be subject to the requirements of the Heritage New Zealand Pouhere Taonga Act 2014 in relation to archaeology.</p>
<p><i>Objective 14 Partnerships between Bay of Plenty Regional Council, district and city councils and iwi authorities</i></p>	<p>✓</p>	<p>WBOPDC operates in partnership with the Regional Council, Tauranga City Council and iwi authorities.</p>
<p><i>Objective 15 Water, land, coastal and geothermal resource management decisions have regard to iwi and hapū resource management planning documents</i></p>	<p>✓</p>	<p>WBOPDC works closely with local iwi and hapu and actively seeks engagement and has regard to iwi and hapū resource management planning documents.</p> <p>In regard to the Ōmokoroa component of this project WBOPDC have worked collaboratively with Pirirakau Incorporated Society, who claim mana whenua of Ōmokoroa, and who have developed an Ōmokoroa Urban Design Cultural</p>

		<p>Overlay to inform and influence the Ōmokoroa Stage 3 structure plan.</p> <p>Council has engaged with other iwi/hapu including Tapuika and Waitaha in the Te Puke context and considered the relevant iwi management plans.</p>
<p><i>Objective 16 Multiple-owned Māori land is developed and used in a manner that enables Māori to provide for their social, economic and cultural wellbeing and their health and safety, while maintaining and safeguarding its mauri</i></p>	<p>✓</p>	<p>As part of the consultation with iwi/hapu aspirations for multiple-owned Māori land were discussed. Due to the timeframes in the Te Puke context these opportunities will be further explored as part of the wider District Plan review or through an interim plan change.</p> <p>In the new growth area of Ōmokoroa there is one parcel of land which is identified as Māori Freehold Land. Direct consultation with those landowners has been undertaken and agreement on zoning reached.</p>
<p><i>Objective 17 The mauri of water, land, air and geothermal resources is safeguarded and where it is degraded, where appropriate, it is enhanced over time</i></p>	<p>✓</p>	<p>As part of the Ōmokoroa Stage 3 Structure plan and related provisions it is aimed to restore and enhance the waterways within the Stage.</p> <p>The Council is renewing the comprehensive stormwater consent that currently applies to Ōmokoroa in the near future. This will provide the key management of stormwater including avoiding potential effects on the coastal environment. The supporting assessment will incorporate detailed ecological assessments.</p> <p>The Council also holds a comprehensive stormwater consent for Te Puke and specific stormwater management requirements are being proposed.</p> <p>The proposed plan change includes the provision of a new Natural Open Space Zone which includes provisions designed to maintain and enhance the natural character, ecological, cultural, recreational and amenity values of the Tauranga Harbour coastal margins and inland gully systems within the area.</p>

	Urban development provisions have been designed to minimise land disturbance and to encourage land development to utilise the existing contour as far as practicable.
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### Matters of national importance

Refer to assessment of Matters of National Importance under Section 10.1. of the main report.

### Water quality and land use

Objectives		Response
<i>Objective 27 The quality and mauri of water in the region is maintained or, where necessary to meet the identified values associated with its required use and protection, enhanced</i>	✓	As part of the Ōmokoroa Stage 3 Structure plan and related provisions it is aimed to restore and enhance the waterways within the Stage.  The Plan change includes specific stormwater management requirements and the overall stormwater management is subject to the plan change areas respective comprehensive stormwater consents.
<i>Objective 28 Enhance the water quality in the lakes of the Rotorua district and other catchments at risk</i>		N/A
<i>Objective 28 Enhance the water quality in the lakes of the Rotorua district and other catchments at risk</i>		N/A

### Water quantity

Objective		Response
<i>Objective 30 The quantity of available water. (a) provides for a range of uses and values; (b) is allocated and used efficiently;</i>	✓	Through Council's Water Conservation Strategy and Asset Management Plan initiatives are included to measure and manage the supply, reduce losses and demand on water sources.

*(c) safeguards the mauri and life supporting capacity of water bodies; and (d) meets the reasonably foreseeable needs of future generations.*

To this end, all water sources and customer connections are metered throughout the District. This gives Council the ability to accurately monitor and report on water usage and pro-actively plan for growth, future source, storage and reticulation infrastructure

To serve the Ōmokoroa Stage 3 area and other nearby areas a new reservoir is planned. This will be subject to a resource consent process which will include the need to establish its efficient use and environmental and cultural safeguards.

With minor upgrades the Plan Change has no significant effect in the Te Puke context.

## Regional Natural Resources Plan

The relevant key sections are: "Tauranga Harbour", "Integrated Management of Land and Water" and "Wetlands".

Objectives/Policies		Response
<p><i>Objective 18 - Achieve the sustainable management of riparian margins (excluding artificial watercourses, and ephemeral flowpaths), which may include retirement, in the following priority catchment:</i></p> <p><i>(a) Tauranga Harbour</i></p> <p><i>(i) Harbour margins – 100% by 2010. (ii) Rivers and streams in the Tauranga Harbour catchment – 80% by 2020</i></p> <p><i>Objective 8 - Integrated management of land and water resources</i></p> <p><i>Objective 10 - Stewardship of natural resources which:</i></p> <p><i>(a) Sustains the life-supporting capacity of soil, water and ecosystems.</i></p> <p><i>(b) Maintains, and where appropriate, protects cultural, ecological, amenity, natural character and landscape values through management practices that avoid, remedy or mitigate adverse effects.</i></p> <p><i>Policy 21 - To manage land and water resources in the Bay of</i></p>	<p>✓</p>	<p>As part of the Ōmokoroa Stage 3 Structure plan and related proposed district plan provisions it is aimed to restore and enhance the riparian margins and waterways within the Stage in particularly.</p> <p>The Council is renewing the comprehensive stormwater consent that currently applies to Ōmokoroa in the near future. This will provide the key management of stormwater including avoiding potential effects on the coastal environment. The supporting assessment will incorporate detailed ecological assessments.</p> <p>The proposed plan change includes the provision of a new Natural Open Space Zone which includes provisions designed to maintain and enhance the natural character, ecological, cultural, recreational and amenity values of the Tauranga Harbour coastal margins and inland gully systems within the area.</p> <p>In the Te Puke context the proposed medium density residential plan provisions provide for residential activities in locations that have already been identified as appropriate for development (either existing residential zones or land identified as appropriate for residential development).</p> <p>The application of the MDRS across the wider residential zoning is unlikely to affect the status quo.</p> <p>The Natural Environment section of the District Plan contains existing provisions that address activities in identified ecological areas.</p>

<p><i>Plenty within an integrated catchment management framework to.....</i></p> <p><i>(k) Promote and encourage the adoption of sustainable land management practices that are appropriate to the environmental characteristics and limitations of the site to:</i></p> <p><i>(i) Protect the soil and avoid, remedy or mitigate the adverse effects of erosion.</i></p> <p><i>(ii) Maintain the health of the region's soil resources for future generations.</i></p> <p><i>(iii) Achieve the appropriate management of riparian areas, including the retirement and planting of riparian areas of streams, rivers, lakes, wetlands and estuaries.</i></p> <p><i>(iv) Avoid, remedy or mitigate adverse effects on water quality in the receiving environment.</i></p> <p><i>(v) Take into account the assimilative capacity of the soil.</i></p> <p><i>(vi) Recognise and provide for heritage values of the site.</i></p> <p><i>(vii) Maintain or improve the protective function of coastal sand dunes.</i></p> <p><i>(viii) Control sediment entering estuaries and harbours from use and development activities.</i></p>	<p>Urban development provisions have been designed to minimise land disturbance and to encourage land development to utilise the existing contour as far as practicable.</p>
<p>Wetlands</p>	<p>✓ Specific provisions have been included within the Plan Change in regard to Ōmokoroa Stage 3 and associated structure plan and linked initiatives to enable (subject to compliance</p>



<p><i>Objective 73 – The preservation of the remaining wetlands in the Bay of Plenty.</i></p> <p><i>Objective 74 – The enhancement of the values and functions of degraded wetlands where enhancement is viable.</i></p> <p><i>Objective 75 – Creation of new wetland habitats where appropriate and practicable.</i></p> <p><i>Objective 76 The adverse effects of any necessary maintenance in wetlands, or sustainable use of wetlands, on the ecological values, water quality, water quantity, or natural character of the wetland are avoided, remedied or mitigated.</i></p> <p><i>Policy 133 – To protect existing wetlands, including small wetlands, to maintain their natural functions.</i></p> <p><i>Policy 134 – To maintain or enhance migratory pathways to wetlands, and ecological sequences that include wetlands.</i></p> <p><i>Policy 135 To maintain or enhance the values of existing wetlands by encouraging landowners and the community to:</i></p> <p><i>(a) Maintain or improve water quality in wetlands, while recognising that wetlands themselves are natural water filtering systems.</i></p> <p><i>(b) Maintain or improve the hydrological regime, including enhancing water quantity and</i></p>	<p>with the NPS-FM and related standards) the restoration of degraded water courses and linked wetlands.</p> <p>The proposed plan change includes the provision of a new Natural Open Space Zone which includes provisions designed to maintain and enhance the natural character, ecological, cultural, recreational and amenity values of the Tauranga Harbour coastal margins and inland gully systems within the area.</p> <p>There is an existing ecological feature (U14/135 – Mangawhai Bay Inlet) overlay over a significant area within/adjacent to Ōmokoroa Stage 3 which requires activities in that area to meet the requirements of the Natural Environment section of the District Plan.</p> <p>In the Te Puke context the proposed medium density residential plan provisions provide for residential activities in locations that have already been identified as appropriate for development (either existing residential zones or land identified as appropriate for residential development).</p> <p>The application of the MDRS across the wider residential zoning is unlikely to affect the status quo.</p> <p>The NPS-FM has the following requirements:</p> <p>3.22 Natural inland wetlands</p> <p>(1) Every <u>regional council</u> must include the following policy (or words to the same effect) in its regional plan(s):</p> <p><i>“The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted, except where:</i></p> <p><i>(a) the loss of extent or values arises from any of the following:</i></p>
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<p>flows, providing for flood retention, and fluctuations of water levels.</p> <p>(c) Maintain or improve soil conservation values.</p> <p>(d) Maintain or improve aquatic and terrestrial indigenous biodiversity of flora and fauna.</p> <p>(e) Maintain or enhance cultural values.</p> <p>(f) Maintain or enhance amenity values. These are to be applied relative to the type of wetland and specific values of individual wetlands.</p> <p>Policy 136 To prioritise action to enhance wetlands where:</p> <p>(a) The wetland has significant heritage values, including ecological values.</p> <p>(b) The hydrology is sufficient to sustain wetland species and habitat.</p>	<p>(i) the customary harvest of food or resources undertaken in accordance with tikanga Māori</p> <p>(ii) restoration activities</p> <p>(iii) scientific research</p> <p>(iv) the sustainable harvest of sphagnum moss</p> <p>(v) the construction or maintenance of wetland utility structures (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020)</p> <p>(vi) the maintenance or operation of specified infrastructure, or other infrastructure (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020</p> <p>(vii) natural hazard works (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020); or</p> <p>(b) the regional council is satisfied that:</p> <p>(i) the activity is necessary for the construction or upgrade of specified infrastructure; and</p> <p>(ii) the specified infrastructure will provide significant national or regional benefits; and</p> <p>(iii) there is a functional need for the specified infrastructure in that location; and</p> <p>(iv) the effects of the activity are managed through applying the effects management hierarchy.”</p> <p>3.23 Mapping and monitoring natural inland wetlands</p> <p>(1) Every <u>regional council</u> must identify and map every natural inland wetland in its region that is:</p>
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	<p><i>(a) 0.05 hectares or greater in extent; or</i></p> <p><i>(b) of a type that is naturally less than 0.05 hectares in extent (such as an ephemeral wetland) and known to contain threatened species.</i></p> <p><i>(2) However, a regional council need not identify and map natural inland wetlands located in public conservation lands or waters (as that term is defined in the Conservation General Policy 2005 issued under the Conservation Act 1987).</i></p> <p>There is a 10 year period to complete this.</p> <p>The key matter from a District Plan perspective is the following (4):</p> <p><i>3.5 Integrated management</i></p> <p><i>(1) Adopting an integrated approach, ki uta ki tai, as required by Te Mana o te Wai, requires that local authorities must:</i></p> <p><i>(a) recognise the interconnectedness of the whole environment, from the mountains and lakes, down the rivers to hāpua (lagoons), wahapū (estuaries) and to the sea; and</i></p> <p><i>(b) recognise interactions between freshwater, land, water bodies, ecosystems, and receiving environments; and</i></p> <p><i>(c) manage freshwater, and land use and development, in catchments in an integrated and sustainable way to avoid, remedy, or mitigate adverse effects, including cumulative effects, on the health and well-being of water bodies, freshwater ecosystems, and receiving environments; and</i></p> <p><i>(d) encourage the co-ordination and sequencing of regional or urban growth.</i></p> <p><i>(2) Every regional council must make or change its regional policy statement to the</i></p>
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	<p><i>extent needed to provide for the integrated management of the effects of:</i></p> <p><i>(a) the use and development of land on freshwater; and</i></p> <p><i>(b) the use and development of land and freshwater on receiving environments.</i></p> <p><i>(3) In order to give effect to this National Policy Statement, local authorities that share jurisdiction over a catchment must co-operate in the integrated management of the effects of land use and development on freshwater.</i></p> <p><i>(4) Every territorial authority must include objectives, policies, and methods in its district plan to promote positive effects, and avoid, remedy, or mitigate adverse effects (including cumulative effects), of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments</i></p>
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## Regional Coastal Environment Plan

[note this section does not address Natural Hazards as substantially assessed earlier in this report].

Objectives		Response
<p><i>Integrated Management</i></p> <p><i>Objective 1 Achieve integrated management of the coastal environment by:</i></p> <p><i>(a) Providing a consistent, efficient and integrated management framework;</i></p> <p><i>(b) Adopting a whole of catchment approach to</i></p>	✓	<p>The Council holds comprehensive stormwater consents for both Te Puke and Ōmokoroa.</p> <p>The Council is renewing the comprehensive stormwater consent that currently applies to Ōmokoroa in the near future. This will provide the key management of stormwater including avoiding potential effects on the coastal environment. The supporting assessment will incorporate detailed ecological assessments.</p>

<p><i>management of the coastal environment;</i></p> <p><i>(c) Recognising and managing the effects of land uses and freshwater-based activities (including discharges) on the coastal marine area;</i></p> <p><i>(d) Enabling the exercise of kaitiakitanga; Issues and objectives for the coastal environment</i></p> <p><i>(e) Planning for and managing:</i></p> <p><i>(i) cumulative effects; and</i></p> <p><i>(ii) the effects of climate change;</i></p> <p><i>(f) Promoting the sustainable management of the Bay of Plenty coastal fisheries; and</i></p> <p><i>(g) Providing for the future urban growth management areas identified in Appendix E of the RPS without compromising other regionally significant values of the coastal environment.</i></p>		<p>The proposed plan change includes the provision of a new Natural Open Space Zone which includes provisions designed to maintain and enhance the natural character, ecological, cultural, recreational and amenity values of the Tauranga Harbour coastal margins and inland gully systems within the area.</p> <p>The Natural Environment section of the District Plan contains existing provisions that address activities in identified ecological areas.</p>
<p><i>Natural Heritage</i></p> <p><i>Objective 2 - Protect the attributes and values of: (a) Outstanding natural features and landscapes of the coastal environment; and (b) Areas of high, very high and outstanding natural character in the coastal environment; from inappropriate subdivision, use, and development, and restore or rehabilitate the natural character of the coastal environment where appropriate</i></p>	<p>✓</p>	<p>For the new growth area in Ōmokoroa esplanade reserves, a proposed new natural open space zone and limitations on development in proximity to the coastal edge protect the values of this area. The proposed expanded coastal reserve area provides the opportunity for enhancement and restoration of indigenous biodiversity.</p> <p>There are existing esplanade reserves that are adjacent to the Waipapa Estuary and the Mangawhai Bay coastline.</p> <p>There is an existing ecological feature (U14/135 – Mangawhai Bay Inlet) overlay over a</p>

		<p>significant area which is in the vicinity of the new development area in Ōmokoroa.</p> <p>The Natural Environment section of the District Plan contains existing provisions that address activities in identified ecological areas.</p>
<p><i>Objective 3 – Safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems by:</i></p> <p><i>(a) Protecting Indigenous Biological Diversity Areas A,</i></p> <p><i>(b) Maintaining Indigenous Biological Diversity Areas B;</i></p> <p><i>(c) Promoting the maintenance of indigenous biodiversity in general; and</i></p> <p><i>(d) Enhancing or restoring indigenous biodiversity where appropriate.</i></p> <p><i>Objective 4 Prevent the further loss of the quality and extent of rare and threatened habitats in the coastal environment of the region. These include coastal forest, seagrass beds, saltmarsh wetlands and sand dunes.</i></p> <p><i>Objective 5 Enable the restoration and rehabilitation of the natural heritage of the coastal environment, including:</i></p> <p><i>(a) Kaimoana resources;</i></p> <p><i>(b) Natural heritage landforms or features that would increase resilience to natural hazards, and</i></p> <p><i>(c) Degraded cultural sites which tangata whenua wish to restore</i></p>	<p>✓</p>	<p>Esplanade reserves, a proposed new natural open space zone and limitations on development in proximity to the coastal edge protect the values of this area. The proposed expanded coastal reserve area provides the opportunity for enhancement and restoration of indigenous biodiversity.</p> <p>The proposed plan change includes the provision of a new Natural Open Space Zone which includes provisions designed to maintain and enhance the natural character, ecological, cultural, recreational and amenity values of the Tauranga Harbour coastal margins and inland gully systems within the area.</p> <p>There are existing esplanade reserves that are adjacent to the Waipapa Estuary and the Mangawhai Bay coastline.</p> <p>There is an existing ecological feature (U14/135 – Mangawhai Bay Inlet) overlay over a significant area. The Natural Environment section of the District Plan contains existing provisions that address activities in identified ecological areas.</p> <p>WBOPDC works closely with local iwi and hapu and actively seeks engagement and has regard to iwi and hapū resource management planning documents. In regard for Ōmokoroa, WBOPDC have worked collaboratively with Pirirakau Incorporated Society, who claim mana whenua of Ōmokoroa, and who have developed an Ōmokoroa Urban Design Cultural Overlay to inform and influence the Stage 3 structure plan.</p>

*for natural heritage and cultural reasons*

*Policy NH1 In relation to the natural heritage of the coastal environment, activities may be considered appropriate if they contribute to the restoration and rehabilitation of natural heritage or cultural values associated with natural heritage (including kaimoana resources and cultural landscape features), or if: (*

*1) (e) Will not, by themselves or in combination with effects of other activities, have significant adverse effects on the natural processes or ecological functioning of the coastal marine area; or Involve the operation, maintenance, or upgrading of existing regionally significant infrastructure; and*

*(2) They will not have unacceptable adverse effects on the values and attributes of an Outstanding Natural Feature and Landscape (ONFL), an area of Outstanding Natural Character (ONC) or an Indigenous Biological Area A (IBDA A) identified in Policy NH 5;*

*Policy NH 5 Adverse effects must be avoided on the values and attributes of the following areas: Outstanding Natural Character areas (as identified in Appendix I to the RPS); Outstanding Natural Features and Landscapes (as identified in Schedule 3); Any Indigenous Biological Diversity Area A (as identified in Schedule*

2, Table 1); and Adverse effects must be avoided on taxa that meet the criteria listed in Policy 11(a)(i) or (ii) of the NZCPS.

Policy NH 6 When assessing the extent and consequence of any adverse effects on the values and attributes of the areas listed in Policy NH 5 and identified in Schedules 2 and 3 to this Plan and Appendix I to the RPS:

Recognise the existing activities that were occurring at the time that an area was assessed as having Outstanding Natural Character, being an Outstanding Natural Feature and Landscape or an Indigenous Biological Diversity Area A; Recognise that a minor or transitory effect may not be an unacceptable adverse effect; Recognise the potential for cumulative effects that are more than minor; Have regard to any restoration and enhancement of the affected attributes and values, and Have regard to the effects on the tangata whenua cultural and spiritual values of ONFLs, working, as far as practicable, in accordance with tikanga Māori.

Policy NH 7 Consider providing for subdivision, use and development proposals that will adversely affect the values and attributes associated with the areas listed in Policy NH 5 where: After an assessment of a proposal in accordance with Policy NH 6, transient or minor adverse effects on the attributes and values are



*found to be acceptable; or The proposal: (i) Relates to the operation, maintenance, or protection of existing regionally significant infrastructure or upgrading regionally significant infrastructure provided that the scale and intensity of any long term adverse effects of the proposal are the same or similar as those arising from the existing infrastructure; or(ii) Relates to the construction, operation, maintenance, protection or upgrading of the National Grid; or (iii) Relates to the provision of access to offshore islands, or use and development, as set out in Schedule 15 to this Plan; or (iv) Relates to the operation, maintenance and protection of an existing River Scheme or Land Drainage Scheme; or (v) Relates to the continuation of a use that was lawfully established on or before 22 June 2014, provided there has been no change to the scale and significance of effects associated with an activity; or (vi) Provides for the restoration or rehabilitation of indigenous biodiversity, natural features and landscapes or the natural character of the coastal environment in a manner that maintains or enhances the values and attributes associated with the areas listed in Policy NH 5; or (vii) Provides for public walking, cycling or boating access to and along the coastal marine area in a manner that maintains or enhances the values and*

<p><i>attributes associated with the areas listed in Policy NH 5.</i></p> <p><i>The Regional Coastal Plan identifies Waipapa Estuary (IBDA A19) as being a regionally significant area as an Indigenous Biological Diversity Area (A) and Mangawhai Bay (IBDA B9), Mangawhai Bay Inlet IBDA B10 and Tauranga Harbour are identified Indigenous Biological Diversity Areas (B).</i></p> <p><i>Te Awanui Tauranga Harbour is recognised as being an Outstanding Natural Feature and Landscape and an area of significant cultural value.</i></p>		
<p><i>Iwi Resource Management</i></p> <p><i>Objective 13 Take into account the principles of the Treaty of Waitangi and provide for partnerships with the active involvement of tangata whenua in management of the coastal environment when activities may affect their taonga, interests and values.</i></p> <p><i>Objective 14 Tangata whenua are able to undertake customary activities in the coastal marine area, and access to sites used for cultural practices gathering kaimoana, mahinga mātaītai and areas of cultural significance is maintained or enhanced.</i></p> <p><i>Objective 15 The recognition and protection of those taonga, sites, areas, features, resources,</i></p>	<p>✓</p>	<p>WBOPDC works closely with local iwi and hapu and actively seeks engagement and has regard to iwi and hapū resource management planning documents. In regard to this project WBOPDC have worked collaboratively with Pirirakau Incorporated Society, who claim mana whenua of Ōmokoroa, and who have developed an Ōmokoroa Urban Design Cultural Overlay to inform appropriate cultural responses to the urbanisation of the area and identifies opportunities to ensure the cultural heritage of the area is identified, respected and celebrated.</p> <p>This includes initiatives such as waterway restoration, waka landing areas, and harvest areas</p> <p>Reserve management plans will be developed to ensure that natural and cultural values are enhanced. It is anticipated that these will be prepared in partnership with the relevant</p>

<p><i>attributes or values of the coastal environment (including the Coastal Marine Area) which are either of significance or special value to tangata whenua (where these are known).</i></p> <p><i>Objective 16 The restoration or rehabilitation of areas of cultural significance, including significant cultural landscape features and culturally sensitive landforms, mahinga mātaītai, and the mauri of coastal waters, where customary activities or the ability to collect healthy kaimoana are restricted or compromised.</i></p> <p><i>Objective 17 Where appropriate, cultural health indicators are used that recognise and express Māori values, and tangata whenua are involved in monitoring the state of the coastal environment and impacts of consented activities.</i></p> <p><i>Objective 18 Appropriate mitigation or remediation is undertaken when activities have an adverse effect on the mauri of the coastal environment, areas of cultural significance to tangata whenua or the relationship of tangata whenua and their customs and traditions with the coastal environment.</i></p>		<p>hapu/iwi as has been undertaken in Stage 2 of the Ōmokoroa development.</p> <p>The Council has engaged with Tapuika and Waitaha in regard to the Te Puke area and will continue to collaborate with these iwi as part of the wider District Plan review to further develop appropriate initiatives.</p>
<p><i>Water Quality</i></p> <p><i>Objective 6 - Development and implementation of a framework for enhancement of coastal water quality where it has deteriorated so that it is having a significant</i></p>	<p>✓</p>	<p>The Council holds comprehensive stormwater consents for both Te Puke and Ōmokoroa.</p> <p>The Council is renewing the comprehensive stormwater consent that currently applies to Ōmokoroa in the near future. This will provide</p>

*adverse effect on ecosystems, natural habitats, or water based recreational activities, or is restricting existing uses (including cultural activities) and remedying or mitigating adverse effects on areas of coastal waters that are identified as being of particular interest to tangata whenua.*

*Objective 7 - Sediment accumulation in harbours and estuaries resulting from land use and accelerated erosion is minimised and reduced over time compared to 2014 levels.*

*Objective 8 - Discharges of contaminants to the coastal marine area are managed to meet the following goals:*

*(a) After reasonable mixing, discharges of contaminants meet the water quality classification of the receiving water bodies as a minimum; and have no more than minor adverse effects on aquatic life, habitats, and recreational uses.*

*(b) Discharges of contaminants occur in a manner that recognises and provides for the cultural values of mana whenua acknowledged for that area.*

*(c) Cumulative effects of discharges are managed in a way that recognises the sensitivity and assimilative capacity of the receiving environment.*

*Policy WQ - 1 To manage land and water resources, including*

the key management of stormwater including avoiding potential effects on the coastal environment. The supporting assessment will incorporate detailed ecological assessments.

The proposed plan change includes the provision of a new Natural Open Space Zone which includes provisions designed to maintain and enhance the natural character, ecological, cultural, recreational and amenity values of the Tauranga Harbour coastal margins and inland gully systems within the area.

*coastal waters, in the Bay of Plenty within an integrated catchment management framework that is consistent with Policy 21 of the Bay of Plenty Regional Water and Land Plan, Policies CE 10B, WL 2B, WL 3B, WL 4B, WL 5B, WL 7B and WL 8B of the RPS and gives effect to Policies 4, 21, 22, 23 and 24 of the NZCPS.*

*Policy WQ 3 - Manage stormwater in coastal catchments so that stormwater discharges do not cause estuarine and harbour water quality to fail the standards set in Schedule 10, or cause accumulation of contaminants in harbour or estuary sediment at levels which have significant adverse effects on marine life. The following techniques should be considered and applied where appropriate:*

*(a) Source control;*

*(b) Integrated management of whole stormwater catchments;*

*(c) Minimising the total area of impermeable catchment surfaces;*

*(d) Maximising, to the extent practicable, disposal of stormwater to ground, except where this would cause flooding, instability or groundwater contamination;*

*(e) Minimising the possibility of cross contamination of stormwater systems with sewage;*

*(f) The installation of stormwater treatment devices in new or upgraded stormwater systems;*

*(g) Ensuring that the layout of subdivision and services facilitates the retention and enhancement of riparian margins and wetlands; and*

*(h) Development of new wetlands to assist with management of stormwater run-off.*

*Policy WQ 4 - Promote the use of catchment based solutions to prevent or mitigate sediment runoff and increasing sedimentation of harbours and estuaries in preference to the use of methods to reverse the effects of sedimentation in harbours and estuaries, such as mangrove removal and dredging. However, the use of methods to reverse the effects of sedimentation may be appropriate when undertaken as part of a catchment based management plan and where necessary to:*

*(a) Provide for maintenance of existing navigation channels;*

*(b) Provide for the ecological integrity of existing indigenous habitats;*

*(c) Provide for restoration of existing indigenous habitats, amenity or cultural and customary values; or*

*(d) Provide for existing surface water flow paths.*

<p><i>Policy WQ 6 Where reasonable to do so, activities that contribute additional sediment load to Tauranga and Ōhiwa Harbour will be subject to a requirement to mitigate the effect by undertaking catchment based sediment mitigation controls if adverse effects of increased sedimentation in the coastal marine area cannot be avoided.</i></p>	
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