

SECTION 32 REPORT

Special Zone – Carrington Estate Zone

May 2022

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1 Executive Summary

The purpose of the Carrington Estate Zone (**CAR**) is to provide for residential and recreation development of a mixed typology, including a country club, golf course, accommodation and winery in accordance with the approved Carrington Estate Development Plan and Schedule. Carrington Estate is currently controlled as a Special Area in Chapter 18 of the Operative District Plan (**ODP**).

The management approach in the Proposed Far North District Plan (**PDP**) for CAR includes rules and standards that:

- Provide for the existing and proposed future development of the zone, whilst retaining and enhancing extensive areas of open space and protecting coastal and cultural values.
- Provide permitted activity rules that enable residential and recreational activities in accordance with the approved Carrington Estate Development Plan and Schedule.
- Apply controlled activity rules that enable relocated buildings where they are not within or adjoining the approved building footprint in the Carrington Estate Development Plan and Schedule.
- Apply standards to manage bulk and location of buildings and structures to ensure potential effects of built form within the zone does not adversely affect the amenity values and character of the surrounding locality. Including:
 - Maximum Height
 - Setbacks from boundaries
 - Size and location of relocated buildings
 - Building materials and finishes
 - Landscaping
 - Helicopters
- Apply restricted discretionary activity rules that enable the relocation, enlargement and extension of buildings and structures provided the building footprint is no more than 40% over the approved footprint in the Carrington Estate Development Plan and Schedule.
- Require resource consent where compliance cannot be achieved with the permitted activity rules or standards.

The main changes to the overall proposed management approach include:

- Specific references to the Carrington Estate Development Plan and Schedule.
- Noise, signs, earthworks and transport provisions will be located in the respective Noise, Signs, Earthworks and Transport Chapters to align with the National Planning Standards (**Planning Standards**).
- Provisions that align with the 'hybrid approach' of the PDP that focuses on effects and activity-based rules compared to the effects based approach in the ODP.

2 Introduction and Purpose

2.1 Purpose of report

- This report provides an evaluation undertaken by the Far North District Council (**Council**) in preparation of district plan provisions for the CAR in the PDP. This assessment is required under section 32 of the Resource Management Act 1991 (**RMA**).
- Section 32 of the RMA requires Councils to examine whether the proposed objectives are the most appropriate to achieve the purpose of the RMA and whether the provisions (i.e., policies, rules and standards) are the most appropriate way to achieve the objectives. This assessment

must identify and assess environmental, economic, social, and cultural effects, benefits and costs anticipated from the implementation of the provisions. Section 32 evaluations represent an on-going process in RMA plan development and a further evaluation under section 32AA of the RMA is expected throughout the review process in response to submissions received following notification of the PDP.

- The majority of the Special Purpose zones have been derived primarily from Chapter 18 and Appendix 6 of Council's ODP which are dedicated to 'Special Areas'.
- Special Areas are locations where detailed site assessment and development have been completed by way of a resource consent, development plan, structure plan or master plan to result in outcomes for the area, managed by way of area specific objectives, policies and methods. Each Special Area is unique, with individual circumstances, site constraints, surrounding environment, resource management issues and development potential.
- This report sets out the issues for the CAR, provides an overview of the statutory and policy context, and any specific consultation. The report also includes a review of the ODP and evaluation of alternatives to determine the most appropriate way(s) to achieve the purpose of the RMA in relation to the CAR.

2.2 Overview of topic

Carrington Estate is located north of Tokerau Bay on both sides of Matai Bay Road. The land within Carrington Estate is being developed for a mix of recreational and tourist facilities. The Country Club (golf course and visitor accommodation) is located to the west of Matai Bay Road, whilst the Karikari Estate Winery is located to the east of the Road, as shown in **Figure 1** below.

- The Carrington Estate Special Area, was introduced into the ODP, following the approval of numerous resource consent applications (RC1990480, RC1990480A and RC1990481), which established the Carrington Estate Development Plan and Schedule. The purpose of this chapter is to recognise and provide for development in accordance with the approved Carrington Estate Development Plan and Schedule.

The proposed changes to the provisions pertaining to the CAR are part of a consolidated review of the Far North District Plan. The proposed management approach is not dissimilar to the ODP, except that structure and format changes are proposed to align with the Planning Standards, the PDP hybrid plan approach and to ensure the CAR is consistent with the currently policy environment.



Figure 1: Aerial Image of Carrington Estate (outlined in pink) (Source Emaps)

Changes have been made to ensure alignment with the Regional Policy Statement for Northland (**RPS**) which includes, the application of district wide rules regarding the protection of significant natural areas (**SNA**), which are indicatively shown in **Figure 2**. The CAR is subject to a number of PDP Overlays and the provisions of each overlay apply to the mapped location. Each overlay has been evaluated within separate section 32 reports prepared by Council. The proposed CAR will not conflict with any of the relevant overlay provisions listed below:

- Outstanding Natural Landscape (**Figure 3**)
- Coastal Environment (**Figure 4**)
- High Natural Character (**Figure 4**)

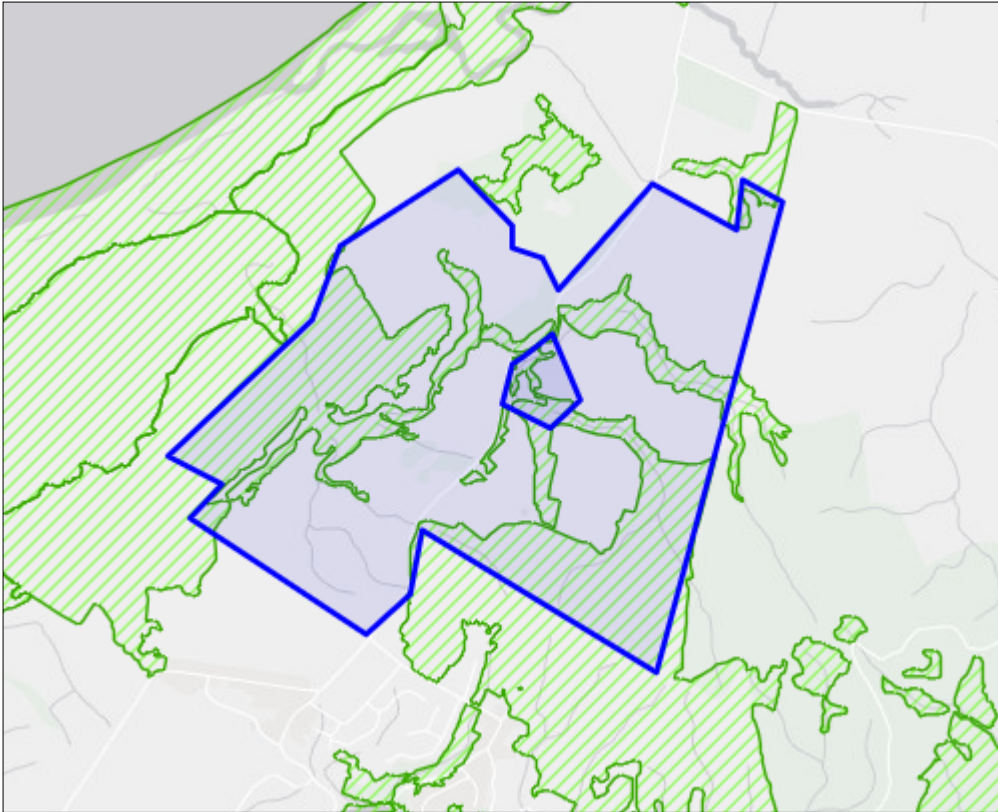


Figure 2: Significant Natural Areas FN614 Waimango Swamp; FN488 Taupiroroa Range Shrublands; FN157 Karikari Beach Vegetation (Source Draft District Plan)

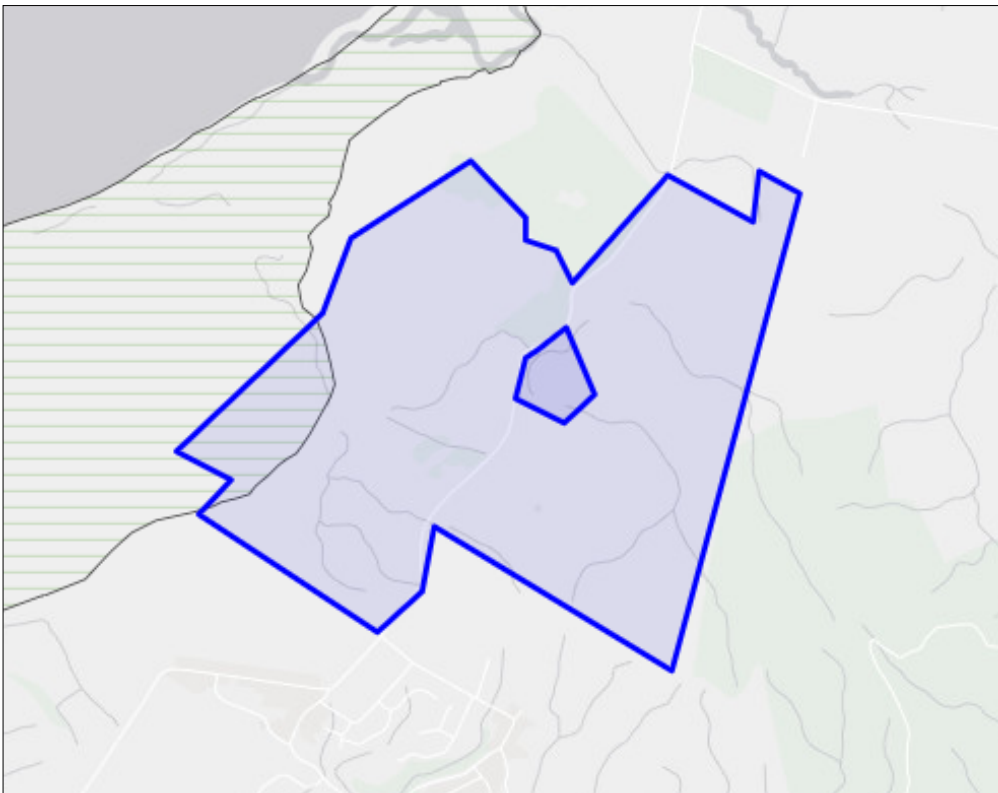


Figure 3: Outstanding Natural Landscape Outer Karikari Beach, Puheke and South Rangiputa Head (Source Draft District Plan)

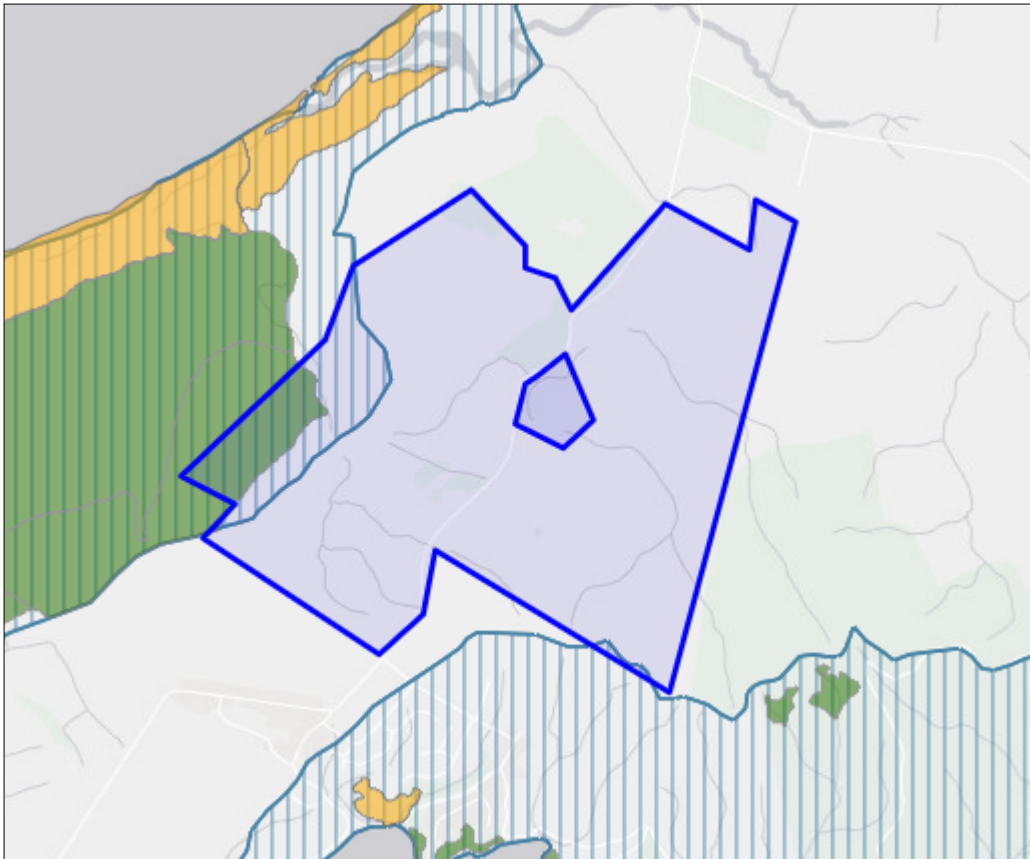


Figure 4: Coastal Environment (outlined blue) and High Natural Character SW Karikari Peninsula (highlighted green) (Source Draft District Plan)

3 Statutory and Policy Context

3.1 Resource Management Act 1991

- The **Section 32 Overview Report for the PDP** provides a summary of the relevant statutory requirements in the RMA relevant to the PDP. This section provides a summary of the matters in Part 2 of the RMA (purpose and principles) of direct relevance to this topic.
- Section 74(1) of the RMA states that district plans must be prepared in accordance with the provisions of Part 2. The purpose of the RMA is the sustainable management of natural and physical resources which is defined in section 5(2) of the RMA as:
 - “...sustainable management means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety while –
 - (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) *Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*
- To achieve the purpose of the RMA, all those exercising functions and powers under the RMA are required to:
 - Recognise and provide for the matters of national importance identified in section 6
 - Have particular regard to a range of other matters in section 7

- Take into account the principles of the Treaty of Waitangi in section 8 of the RMA.

The following section 6 matters are directly relevant to the CAR:

- a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development.
- b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development.
- c) The protection of significant indigenous vegetation and significant habitats of indigenous fauna.
- d) The management of significant risks from natural hazards

The CAR contains likely areas of SNA and contains outstanding natural landscapes across the zone and the western portion of the zone is identified within the coastal environment, which are all considered to be matters of national importance. Thus, some of the Section 6 matters are considered to be directly relevant to the CAR. The overlays identified in **Figures 3 and 4** above apply to CAR and will be appropriately managed by the relevant District-Wide Matter provisions in the PDP.

The following section 7 matters are directly relevant to the MIZ:

- (b) The efficient use and development of natural and physical resources:
- (c) The maintenance and enhancement of amenity values:
- (d) Intrinsic values of ecosystems:
- (f) Maintenance and enhancement of the quality of the environment:
- (i) The effects of climate change:

Particular regard has been given to the above matters due to the natural and amenity values associated with the CAR, and its location partially within the Coastal Environment.

Section 8 of the RMA requires that all persons exercising functions and powers under it take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), which have been considered in the preparation of the CAR.

3.2 Higher order planning instruments

Section 75(3) of the RMA requires district plans to give effect to higher order planning instruments – National Policy Statement (**NPS**), the New Zealand Coastal Policy Statement (**NZCPS**), National Planning Standards (**Planning Standards**), and the relevant Regional Policy Statement (**RPS**). The **Section 32 Overview Report** provides a more detailed summary of the relevant RMA higher order planning instruments relevant to the PDP. The sections below provide an overview of provisions in higher order planning instruments directly relevant to the CAR.

3.2.1 National Planning Standards

Section 75(3)(ba) of the RMA requires that district plans give effect to the Planning Standards. The Planning Standards were gazetted in April 2019 and the purpose is to assist in achieving the purpose of the RMA and improve consistency in the structure, format and content of RMA plans. The following standards and directions in the Planning Standards are of direct relevance to the CAR.

In accordance with Mandatory Direction 8.3, an additional special purpose zone must only be created when the proposed land use activities or anticipated outcomes of the additional zone meet all of the following criteria:

- a. Are significant to the district, region or country
- b. Are impractical to be managed through another zone
- c. Are impractical to be managed through a combination of spatial layers.

Carrington Estate is provided for as a Special Area in the ODP by way of specific provisions in accordance with the approved Carrington Estate Development and Schedule. It is impracticable to manage the development by way of spatial layer or through another zone proposed in the PDP. As such, the CAR is included in the PDP as a special purpose zone.

3.2.2 National Policy Statements

Section 75(3)(a) of the RMA requires that district plans give effect to any NPS and the NZCPS must be given effect to under section 75(3)(b). The NZCPS is of particular relevance to the CAR. The purpose of the NZCPS is to state policies regarding the management of natural and physical resources in the coastal environment, to achieve the purpose of the RMA in relation to the coastal environment of New Zealand. Local authorities are required by the RMA to give effect to the NZCPS through their plans and policy statements. The NZCPS emphasises ‘appropriate’ use of the coastal environment, CAR is only partially located within the coastal environment.

With respect to the NZCPS, the following key provisions will be given effect to in the CAR:

NZCPS	
Policy 6	Activities in the coastal environment
Policy 11	Indigenous biological diversity (biodiversity)
Policy 13	Preservation of natural character
Policy 14	Restoration of natural character
Policy 15	Natural features and natural landscapes

The NZCPS emphasises ‘appropriate’ use of the coastal environment. Objectives and policies focus on, for example, the protection of natural character and the management of the coastal environment from inappropriate use and development while enabling people and communities to provide for their social, economic and cultural well-being. It is acknowledged that inappropriate use and development within the coastal environment can result in adverse effects on the coastal environment and identified outstanding natural landscapes and features and well as SNA. In this case, the NZCPS is of particular relevance as Carrington Estate is located partially within the coastal environment and with the potential for urban activities to establish within the zone, therefore it is necessary to consider the NZCPS. Further, parts of the zone are mapped as within areas of Outstanding Natural Landscapes (**ONL**), High Natural Character (**HNC**) and potential SNA.

The proposed provisions are designed to give effect to the relevant provisions of the NZCPS identified above. In particular, the proposed objectives and policies seek to strike an appropriate balance between providing for development in accordance with the Carrington Estate Development Plan and Schedule, whilst preserving and protecting the natural character of the coastal environment. Further, the implementation of the district-wide overlays that relate to the natural values will ensure the appropriate protection and management of these natural character values.

3.2.3 National Environmental Standards

Under section 74(1)(f) of the RMA, a district plan must be prepared in accordance with any regulations, which includes NES. Section 44A of the RMA requires local authorities to recognise NES by ensuring plan rules do not conflict with or duplicate provisions in a NES. In this case, there are no national environmental standards considered directly relevant to the consideration of the proposed CAR.

3.2.4 Regional Policy Statement for Northland

Section 75(3)(c) of the RMA requires district plans to ‘give effect’ to any regional policy statement. The RPS was made operative on 14 June 2018. The table below outlines the provisions in the RPS that are directly relevant to the CAR.

RPS	
Objective 3.4	Indigenous ecosystems and biodiversity
Objective 3.5	Enabling economic wellbeing
Objective 3.11	Regional Form
Objective 3.13	Natural hazard risk
Objective 3.14	Natural character, outstanding natural features, outstanding natural landscapes and historic heritage
Objective 3.15	Active Management
Policy 4.5.1	Identification of the coastal environment, outstanding natural features and outstanding natural landscapes and high and outstanding natural character
Policy 4.5.2	Application of the Regional Policy Statement – Maps
Policy 4.6.1	Managing effects on the characteristics and qualities natural character, natural features and landscapes
Policy 4.7.1	Promote active management
Policy 5.1.1	Planned and coordinated development
Policy 5.1.2	Development in the coastal environment
Policy 7.1.1	General risk management approach

The RPS covers the management of natural and physical resources across the Northland Region. The provisions within the RPS give guidance at a higher planning level in terms of the significant regional issues.

In summary, the PDP approach gives effect to the relevant objectives and policies of the RPS through the following management measures:

- District wide overlays that direct the approach to the management of these nationally important natural environment values.
- Regulatory controls that provide for use, development and subdivision which should be designed, located and built in a planned and co-ordinated manner.
- Provisions that will ensure compliance with the Carrington Estate Development Plan and Schedule, which will be provided for integrated development, giving effect to the RPS policy direction.

3.3 Regional Plan for Northland

Section 75(4)(b) of the RMA states that any district plan must not be inconsistent with a regional plan for any matter stated in section 30(1) of the RMA. Section 74(2)(a) of the RMA states that when preparing or changing a district plan, a territorial authority shall have regard to any proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4 of the RMA. The operative Northland Regional Plans and proposed Northland Regional Plan are summarised in the **Section 32 Overview Report**. The table below provides an overview of regional plan provisions directly relevant to the CAR:

Proposed Regional Plan	
Objective F.1.3	Indigenous ecosystems and biodiversity
Objective F.1.5	Enabling economic well-being
Objective F.1.10	Natural hazard risk
Objective F.1.12	Natural character, outstanding natural features, historic heritage and places of significance to tangata whenua
Policy D.2.1	Rules for managing natural and physical resources
Policy D.2.2	Social, cultural and economic benefits of activities
Policy D.2.17	Managing adverse effects on natural character, outstanding natural landscapes and outstanding natural features
Policy D.2.18	Managing adverse effects on indigenous biodiversity
Policy D.2.20	Precautionary approach to managing effects on significant indigenous biodiversity

The Proposed Regional Plan combines the operative Regional Plans (coastal, air quality, water and soil) into one plan. The provisions of the Proposed Regional Plan relating to coastal water quality, land disturbance, stormwater discharges, vegetation clearance, water quality and quantity will be relevant for any proposed development. The relevant objectives and policies have been taken into consideration in the drafting of the proposed CAR Chapter.

3.4 Iwi and Hapū Environmental Management Plans

When preparing and changing district plans, Section 74(2A) of the RMA requires Council to take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district. At present there are 14 iwi planning documents accepted by Council which are set out and summarised in the **Section 32 Overview Report**.

The key issues in these plans that have been taken into account in the preparation of the provision for the CAR are as follows:

- Protecting wāhi tapu and sites of cultural and historical significance;
- Protecting mauri of coastal waters; and
- Recognising the importance of protecting cultural landscape.

The CAR does not contain identified wāhi tapu or sites of historical and cultural significance but is located within close proximity to the coast and is within proximity to areas of cultural significance outside the zone boundaries. The proposed provisions of the CAR will ensure sufficient setback of future site development to afford a level of protection to the surrounding coastal areas to ensure appropriate management is undertaken. Further, land disturbance and development within the identified overlays, such as the coastal environment and outstanding natural landscape each contain provisions within the district wide chapter that will ensure appropriate management of the natural environment with respect to tangata whenua values.

3.5 Other Legislation and Policy Documents

When preparing or changing a district plan, section 74(2)(b)(i) of the RMA requires council to have regard to management plans and strategies prepared under other Acts to the extent that it has a bearing on resource management issues of the district. The **Section 32 Overview Report** provides a more detailed overview of strategies and plans prepared under legislation that are relevant to PDP.

There are no other strategies or plans that are directly relevant to the CAR.

4 Current State and Resource Management Issues

This section provides an overview of the relevant context for the current approach to manage Carrington Estate through the ODP, and key issues raised through consultation. It concludes with a summary of the key resource management issues for CAR to be addressed through the PDP.

4.1 Context

- The CAR provides for the specific development of recreational and tourist facilities in accordance with the approved Carrington Estate Development Plan and Schedule.
- Includes provision for a country club, golf course and winery and accommodation, which will contain a mix of residential units adjacent to the golf course and 113 visitor accommodation units at the country club.
- The development is staged and will have a maximum of 343 residential and visitor accommodation units across the zone.

4.2 Operative District Plan Approach

4.2.1 Summary of current management approach

The CAR is contained within Chapter 18 Special Areas of the ODP and was established as part of the approval of numerous resource consent applications, including RC1990480, RC1990480A and RC1990481). The provisions of the ODP chapter generally seek to recognise and provide for development in accordance with the Carrington Estate Development Plan and Schedule, which is a statutory document that was prepared and established in accordance with the RMA.

The following summarises the current management approach:

- The relevant objectives, policies and provisions for management the Carrington Estate are contained within Part 3 – District wide provisions under Chapter 13 of the ODP.
- The Carrington Estate Development Plan and Schedule is contained within Appendix 6E of the ODP, with Part 4 – Appendices.
- The provisions allow the Carrington Estate development to be progressively established in accordance with the Carrington Estate Development Plan and Schedule, including winery, golf course and country and sets a framework under which any future changes to the approved built form, servicing and access arrangements can be fully assessed with respect to environmental effects.
- The zone based rules for subdivision within the Carrington Estate are contained within Chapter 13 Subdivision.
- The provisions related to traffic, earthworks, signs and noise are addressed and managed in accordance with the Carrington Estate Development Plan and Schedule.
- The CAR recognises the relevant provisions contained within other district wide chapters, particularly Chapter 12 'Natural and physical resources. Where a rule in Part 3 and rule in the CAR address the same issue, the rules in the CAR chapter take precedence.

4.2.2 Limitation with current approach

Council has reviewed the current ODP approach, which has been informed by technical advice, internal workshops and feedback from the community and stakeholder feedback.

Very few limitations with the current ODP approach have been identified through this process, those that have been identified include:

- The ODP structure and drafting is not consistent with the high-level direction provided in the Planning Standards, or preferred electronic plan format.
- The ODP provisions do not align with the hybrid approach which encompasses an effects and activities-based plan, as opposed to the effects-based plan that is reflected within the ODP.

4.3 Key issues identified through consultation

The **Section 32 Overview Report** provide a detailed overview of the consultation and engagement Council has undertaken with tangata whenua, stakeholders and communities throughout the district to inform the development of the PDP and the key issues identified through this consultation and engagement. This section provides an overview of key issues raised through consultation in relation to the CAR and a summary of advice received from iwi authorities on this topic.

4.3.1 Summary of issue raised through consultation

There was a low level of interest in Carrington Estate from the community through consultation and engagement of the Draft Plan. No key issues were raised through consultation, however an individual submitter expressed support for the inclusion of the CAR in the PDP. The PDP has addressed by this retaining the CAR as a special purpose zone.

4.3.2 Summary of advice from iwi authorities

Section 32(4A)(a) of the RMA requires that evaluation reports include a summary of advice on a proposed plan received from iwi authorities. The **Section 32 Overview Report** provides an overview of the process to engage with tangata whenua and iwi authorities in the development of the PDP and key issues raised through that process. No feedback from iwi authorities was received in relation to the CAR. Section 3.4 above provided a summary of the key concerns and issues raised in hapū and iwi environmental management plans.

Section 5 of this report outlines how the proposed management approach responds to this advice in accordance with section 32(4A)(b) of the RMA.

4.4 Summary of Resource Management Issues

Based on the analysis of relevant context, current management approach, and feedback from consultation, the key resource management issues for the CAR Chapter to be addressed through the PDP are:

- **Coastal Management** - There is a conflict between the need to preserve and protect the natural character of the coastal environment and provide for appropriate land use, subdivision and access to and along the coastal environment. The CAR enables a range of residential, tourist and recreation facilities, this has the potential to impact the coastal environment values.
- **Indigenous Biodiversity** - There is inadequate legal protection and active management of the District's significant areas of indigenous biodiversity, resulting in part from a lack of sufficient information on its location and quality. There is tension between the public benefit provided by indigenous biodiversity and the private cost of its protection and active management. Insufficient information and resources limits the ability of private landowners to manage indigenous biodiversity. The CAR recognises the importance of areas of indigenous biodiversity within the surrounding environment and provides a policy framework intended to protect indigenous biodiversity with the zone.
- **Outstanding Natural Landscapes:** There is a conflict between the requirement to manage and protect outstanding natural landscapes from inappropriate land use and development while providing landowners with the ability to develop their land. The CAR chapter has been drafted to ensure development can be provided for in accordance with the Carrington Estate Development Plan, whilst ensuring appropriate levels of protection for the ONL that is partially

within the site, which is also managed and protective under the respective PDP resource overlay chapter.

5 Proposed District Plan Provisions

The proposed provisions are set out in the CAR of the PDP. These provisions should be referred to in conjunction with this evaluation report.

5.1 Strategic Objectives

The PDP includes a strategic direction section which is intended as high level direction for the PDP and guidance on how best to implement the Council's community outcomes set out in Far North 2100 and its Long Term Plan. The strategic objectives of direct relevance to the CAR are:

Social prosperity:

- Objective 3: Encourage opportunities for fulfilment of our cultural, spiritual, environmental, and economic wellbeing.

Environmental prosperity:

- Objective 1: A culture of stewardship in the community that increases the District's biodiversity and environmental sustainability.
- Objective 3: Active management of ecosystems to protect, maintain and increase indigenous biodiversity for future generations.

5.2 Proposed Management Approach

This section provides a summary of the proposed management approach for the CAR focusing on the key changes from the ODP. The **Section 32 Overview Report** outlines and evaluates general differences between the PDP provisions and ODP, includes moving from an effects-based plan to a 'hybrid plan' that includes effects and activities-based planning and an updated plan format and structure to align with the Planning Standards.

The main changes in the overall proposed management approach are:

- The PDP articulates the anticipated outcome and overall purpose of the zone, with clear policy direction.
- The noise, earthworks, signs and transport provisions will be located within the respective Noise, Earthworks, Signs and Transport chapters to align with the Planning Standards.
- The proposed approach incorporates the relevant PDP overlays, including outstanding natural landscape and coastal environment, that are partially within the zone.

The sections below provide a high-level summary of the objectives, policies, and rules and other methods for the CAR.

5.3 Summary of proposed objectives and provisions

This section provides a summary of the proposed objectives and provisions which are the focus of the section 32 evaluation in section 7 and 8 of this report.

5.3.1 Summary of objectives

The proposed management approach for CAR includes objectives that seek to:

- Provide for land use and subdivision development in general accordance with the Carrington Estate Development Plan and Schedule, including the provision of residential units and recreational activities associated with the golf club, winery and country club.

- Enable development that is carried out in a manner that recognises and protects the landscape, amenity, cultural, heritage and ecological values of the site and surrounding area.

5.3.2 Summary of provisions

For the purposes of section 32 evaluations, 'provisions' are the *"policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change"*.

The proposed management approach for CAR includes policies that:

- Enable development in accordance with the approved Carrington Estate Development Plan and Schedule.
- Ensure that the land identified for open space and recreation activities within Carrington Estate is retained for those purposes.
- Ensure that new buildings and additions and alterations to existing buildings are of scale, design and layout that are consistent with the approved Carrington Estate Development Plan and Schedule.
- Ensure minimal land disturbance when undertaking development or activities in the CAR to ensure the preservation and protection of existing vegetation, character and natural landform.
- Protect historic heritage and cultural sites of significance from inappropriate use, development and subdivision to avoid any adverse effects on heritage and cultural values.
- Provide for the relocation of buildings within the CAR provided:
 - The relocated building is within or adjoining the approved building footprint in the Carrington Estate Development Plan and Schedule;
 - The size of the footprint does not increase; and
 - The building footprint remains 800m or more landward from Mean High-Water Springs.

The proposed management approach for CAR includes rules and standards that:

- Provide for the existing and proposed future development of the zone, whilst retaining and enhancing extensive areas of open space and protecting coastal and cultural values.
- Permitted activity rules that enable residential and recreational activities in accordance with the approved Carrington Estate Development Plan and Schedule.
- Controlled activity rules that enable relocated buildings where they are not within or adjoining the approved building footprint in the Carrington Estate Development Plan and Schedule.
- Standards to manage bulk and location of buildings and structures to ensure potential effects of built form within the zone does not adversely affect the amenity values and character of the surrounding locality. Including:
 - Maximum Height
 - Setbacks from boundaries
 - Size and location of relocated buildings
 - Building materials and finishes
 - Landscaping
 - Helicopters
- Restricted discretionary activity rules that enable the relocation, enlargement and extension of buildings and structures provided the building footprint is no more than 40% over the approved footprint in the Carrington Estate Development Plan and Schedule.
- Where compliance cannot be achieved with the permitted activity rules or standards, resource consent is required as a discretionary or restricted discretionary activity.

5.3.3 Responding to advice from iwi authorities

Section 32(4A) of the RMA requires evaluation reports to summarise advice received from iwi authorities on a proposed plan and the response to that advice, including any provisions that are

intended to give effect to the advice. Section 4.3.2 of this report identified that no feedback from iwi authorities was received in relation to the CAR.

6 Approach to Evaluation

6.1 Introduction

The overarching purpose of section 32 of the RMA is to ensure all proposed statements, standards, regulations, plans or changes are robust, evidence-based and are the most appropriate, efficient and effective means to achieve the purpose of the RMA. At a broad level, section 32 requires evaluation reports to:

- Examine whether the objectives in the proposal are the most appropriate to achieve the purpose of the RMA.
- Examine whether the provisions are the most appropriate way to achieve the objectives through identifying reasonably practicable options and assessing the efficiency and effectiveness of the provisions, including an assessment of environment, economic, social and cultural benefits and costs.

These steps are important to ensure transparent and robust decision-making and to ensure stakeholders and decision-makers can understand the rationale for the proposal. There are also requirements in section 32(4A) of the RMA to summarise advice received from iwi authorities on the proposal and the response to that advice through the provisions.

6.2 Evaluation of Scale and Significance

Section 32(1)(c) of the RMA requires that evaluation reports contain a level of detail that corresponds with the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of this proposal. This step is important as it determine the level of detail required in the evaluation of objectives and provisions so that it is focused on key changes from the status quo.

The scale and significance of the environmental, economic, social and cultural effects of the provisions for CAR are evaluated in the table below.

Criteria	Comment	Assessment
Raises any principles of the Treaty of Waitangi	<p>It is acknowledged that there are iwi and hapū interests within the surrounding coastal environment, seeking to protect wāhi tapu values and areas of cultural and historical significance.</p> <p>The PDP chapter has been drafted ensure that the provisions provide for the ongoing protection of vegetation and the natural character values of the surrounding area, particularly those within the coastal environment, outstanding natural landscape, SNA and high natural character areas. It is considered that the proposed provisions will not raise any issues in relation to the Treaty of Waitangi.</p> <p>In this context of this evaluation, the scale and significance of the objective is considered to be</p>	Low

Criteria	Comment	Assessment
	low.	
Degree of change from the Operative Plan	Carrington Estate will be provided for in the PDP by way of a Special Zone, consistent with the Special Areas of the ODP. Amendments have been made to reflect the Planning Standards and electronic plan format.	Low
Effects on matters of national importance	SNA have been indicatively identified across the CAR as well as mapped areas of outstanding natural landscape, high natural character and the coastal environment identified across the western portion of the zone. The resource overlays will ensure appropriate protection and heightened protection and management is not required within the zone chapter.	Low
Scale of effects – geographically (local, district wide, regional, national).	The proposed zone applies to approximately 1,214ha of land within the Carrington Estate located to the north of the Karikari Peninsula. As such, the scale of geographical effects is considered to be low given the effects are confined to a defined zone/area.	Low
Scale of people affected – current and future generations (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?).	The proposed zone applies to approximately 1,214ha of land enabling a maximum of 343 residential and visitor accommodation units. The scale of people affected in current and future generations will be limited to multiple landowners and leases, as such the scale and significance of effects is considered to be low.	Low
Scale of effects on those with specific interests, e.g., Tangata Whenua	The proposed zone is within close proximity to the Karikari Peninsula and coastline to the east, west and south of the site. The PDP chapter and relevant PDP overlays have been drafted to appropriately recognise, manage and protect specific interests, such as iwi and hapū. As such, the scale and significance of effects are considered to be medium.	Medium
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects	Overall, the PDP approach aligns with the Planning Standards and RPS, with many of the changes attributed to consequential format, structure and definition changes. The zone is considered to pose low policy risk due to the isolated site-specific location of the zone within the Karikari Peninsula and the comprehensive design of the Carrington Estate Development	Low

Criteria	Comment	Assessment
addressed by other standards/commonly accepted best practice?	Plan and Schedule.	

6.3 Summary of scale and significance assessment

Overall, the scale and significance of the effects from the proposal is assessed as being low. Consequently, a low level of detail is appropriate for the evaluation of the objectives and provisions for Carrington Estate in accordance with section 32(1)(c) of the RMA. This evaluation focuses on key changes in the proposed management approach from the ODP - minor changes to provisions for clarification and to reflect new national and regional policy direction are not included in the evaluation in section 7 and 8 below.

7 Evaluation of Objectives

Section 32(1)(a) of the RMA requires that the evaluation report examine the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA. The assessment of the appropriateness of the objectives for Carrington Estate is against four criteria to test different aspects of 'appropriateness' as outlined below.

Criteria	Assessment
Relevance	<ul style="list-style-type: none"> Is the objective directly related to a resource management issue? Is the objective focused on achieving the purpose of the RMA?
Usefulness	<ul style="list-style-type: none"> Will the objective help Council carry out its RMA functions? Does the objective provide clear direction to decision-makers?
Reasonableness	<ul style="list-style-type: none"> Can the objective be achieved without imposing unjustified high costs on Council, tangata whenua, stakeholders and the wider community?
Achievability	<ul style="list-style-type: none"> Can the objective be achieved by those responsible for implementation?

Section 32 of the RMA encourages a holistic approach to assessing objectives rather than necessarily looking each objective individually. This recognises that the objectives of a proposal generally work inter-dependently to achieve the purpose of the RMA. As such, the objectives have been grouped in the evaluation below.

7.1 Evaluation of existing objectives

Objective(s):	
18.6.3.1 To provide for the previously approved development and activities at Carrington Estate within an established development concept.	
18.6.3.2 To ensure that Development within the Estate is carried out in a manner that recognises the attractive and prominent landscape features and retains and protects the natural character and cultural values of the adjoining environment.	
18.6.3.3 To provide for the continued maintenance and enhancement of the Estate facilities	
Relevance	These objectives aim to provide for development and continued maintenance and enhancement of facilities within the Carrington Estate whilst protecting natural character, landscape features and cultural values within the adjoining environment.

Usefulness	The objectives provide clear direction with respect to development in accordance with the established development concept for Carrington Estate, but does not specify the name of the Development Plan, which could result in interpretation issues, especially given this zone was established via multiple approved resource consents.
Reasonableness	Compliance costs are generated through developer compliance with the Carrington Estate Development Plan and Schedule with the ODP provisions. All costs incurred by Council will be via the on-going monitoring compliance costs.
Achievability	These objectives are achievable, subject to improved specificity with respect to the Carrington Estate Development Plan and Schedule.
Overall evaluation	
The existing objectives address the resource management issues relevant to Carrington Estate and provide for development in accordance with the approved resource consents. Usefulness of the objectives could however be improved by increased specificity of which Carrington Estate Development Plan and Schedule is referenced.	

7.2 Evaluation of proposed objectives

Objective(s):	
<p>CAR-O1 Land use and subdivision of Carrington Estate is undertaken in general accordance with the approved Carrington Estate Development Plan and Schedule.</p> <p>CAR-O2 Land use and subdivision within the Carrington Estate Zone is carried out in a manner that recognises and protects:</p> <ol style="list-style-type: none"> the natural character of the coastal environment; historic heritage and cultural values; natural watercourses; existing vegetation; areas of the site subject to an SNA, ONL or high natural character area. 	
Relevance	These objectives provide for development that is undertaken in accordance with the approved Carrington Estate Development Plan and Schedule, whilst managing and protecting the natural character values of the surrounding environment. The objectives also recognise and provide for the character of the coastal environment, areas subject to ONL, HNC and potential SNA, as well incorporating appropriate protections for historic heritage and cultural values.
Usefulness	The objectives provide clear policy direction and specify that development should be undertaken in accordance with the Carrington Estate Development Plan and Schedule, which avoids any potential interpretation issues. Further, the proposed objectives recognise the significance of the PDP overlays within the zone, including the coastal environment, ONL, SNA and HNC, which aligns with the focus of the Natural Environment Values Overlays.
Reasonableness	As above, any compliance costs incurred by Council relate to the resources, time and costs associated with in on-going maintenance of the Carrington Estate.
Achievability	These objectives are achievable as they provide clear policy direction in accordance with the approved Carrington Estate Development Plan and Schedule. The objectives provide clear links to the relevant PDP overlays which provides cohesion with other PDP chapters and
Overall evaluation	
The proposed objectives address the relevant resource management issues relevant to the Carrington Estate	

and clearly set out the policy direction and outcomes anticipated for the zone, in accordance with the approved Carrington Estate Development Plan and Schedule. The objectives seek to achieve a balance between recognising and providing for development in accordance with the Carrington Estate Development Plan and Schedule, whilst managing and protecting the natural character values and amenity of the surrounding environment to ensure any potential effects are appropriately managed. The objectives provide clear links to the relevant PDP overlays which provides cohesion with other PDP chapters and ensures the appropriate management and protection of these overlays with respect to current and future development.

8 Evaluation of Provisions to Achieve the Objectives

8.1 Introduction

Section 32(1)(b) of the RMA requires the evaluation report to examine whether the provisions are the most appropriate way to achieve the objectives by:

- (i) *identifying other reasonably practicable options for achieving the objectives; and*
- (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
- (iii) *summarising the reasons for deciding on the provisions.*

When assessing the efficiency and effectiveness of the provisions in achieving the objectives, section 32(2) of the RMA requires that the assessment:

- (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
 - (i) *economic growth that are anticipated to be provided or reduced; and*
 - (ii) *employment that are anticipated to be provided or reduced; and*
- (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*
- (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

This section provides an assessment of reasonably practicable options and associated provisions (policies, rules and standards) for achieving the objectives in accordance with these requirements. This assessment of options is focused on the key changes from the status quo as outlined in the 'proposed management approach' in section 5.2 of this report.

Each option is assessed in terms of the benefits, costs, and effectiveness and efficiency of the provisions, along with the risks of not acting or acting when information is uncertain or insufficient. For the purposes of this assessment:

- **effectiveness** assesses how successful the provisions are likely to be in achieving the objectives and addressing the identified issues
- **efficiency** measures whether the provisions will be likely to achieve the objectives at the least cost or highest net benefit to society.

The sections below provide an assessment of options (and associated provisions) for achieving the objectives in accordance with sections 32(1)(b) and 32(2) of the RMA.

8.2 Quantification of benefits and costs

Section 32(2)(b) of the RMA requires that, where practicable, the benefits and costs (environmental, economic, social and cultural) of a proposal are quantified. The requirement to quantify benefits and costs if practicable recognises it is often difficult and, in some cases, inappropriate to quantify certain costs and benefits through section 32 evaluations, particularly those relating to non-market values.

As discussed in section 6.2, the scale and significance of the effects of proposed changes for the CAR are assessed as being low. Therefore, exact quantification of the benefits and costs of the different options to achieve the objectives is not considered to be necessary or practicable for this topic. Rather this evaluation focuses on providing a qualitative assessment of the environmental, economic, social and cultural benefits and costs anticipated from the provisions.

8.3 Evaluation of options

8.3.1 Option 1: Rural Residential Zoning

<i>Option 1: Rural Residential Zoning, apply the RRZ to the Carrington Estate site including objectives, policies and provisions.</i>		
Benefits	Costs	Risk of acting / not acting
<ul style="list-style-type: none"> Residential development, including residential units and visitor accommodation is enabled across the site which is consistent with the surrounding environment, particular general residential zone to the south. The bulk and location standards ensure a consistent level of residential amenity and character, including maximum height and setback from boundaries provisions. The site adjoins the General Residential zone to the south and is located at the fringe of the Rural Production Zone, this is considered an appropriate site for the Rural Residential zoning. The objectives, policies and provisions seek to maintain and protect the character and amenity values of the coastal environment, which is relevant given part of the site is subject to the coastal environment PDP resource overlay, thus affording appropriate protection of the coastal environment. The Rural Residential Zone is identified as a Special Purpose zone in the PDP, thus will be contained within Part 3 of the PDP and will have a similar structure and principle to other special zones. 	<ul style="list-style-type: none"> Provision of comprehensive site design and development will not be enabled. Lack of enforcement of the Carrington Estate Development Plan and Schedule will result in reduced on-site amenity, recreational areas, residential development and recreational areas. Recreation activities including golf courses and other activities such as the country club and Karikari Estate winery are not provided for within the Rural Residential zone, which contradicts the essence and intent of the Carrington Estate. Inefficient use of land due to the larger lot size and residential density permitted under the zone. Loss of connectivity, on-site landscaping and consistent building design and materials in keeping with the character of the area, due to the absence of the Carrington Estate Development Plan. 	<ul style="list-style-type: none"> Option 1 presents a medium risk of acting, due to the inability to provide for recreational, tourist and residential facilities within the PDP framework which is the intent, essence and purpose of the Carrington Estate. The Rural Residential zone is proposed to be zoned on the settlements, providing a transition into the Rural Production zone, which is appropriate in this case given the site is on the fringe of the Rural Production Zone and adjoins the General Residential Zone to the south. However, given the absence of any objectives, policies or provisions that require compliance with the Carrington Estate Development Plan and Schedule, this approach is inappropriate and will not give effect or fulfil the purpose of the Carrington Estate.
<p><u>Effectiveness</u></p> <ul style="list-style-type: none"> The Rural Residential zone provisions include measures to protect rural residential amenity providing for a managed level of residential development, whilst maintaining the natural character and amenity values of the surrounding environment. While the proposed Rural Residential zone provisions are considered to be effective, the provisions will not afford the 	<p><u>Efficiency</u></p> <ul style="list-style-type: none"> The Rural Residential zone provisions are effective in achieving the Rural Residential zone objectives, however overall, the proposed Rural Residential Zone will not effectively implement the comprehensive development within the location compared to what is provided for and anticipated by the Carrington 	

level of comprehensive development within the location that what is provided for and anticipated by the Carrington Estate Development Plan and Schedule.	Estate Development Plan and Schedule.
<p>Overall evaluation</p> <p>On balance this option is not considered to be the most appropriate option to achieve the objectives because:</p> <ul style="list-style-type: none"> • The proposed Rural Residential zone provisions do not specifically recognise or provide for recreational and tourist facilities, including the country club and golf course, which are the fundamental purpose and intent of activities and land development in this location. • The Rural Production zone does not give effect to the existing policy framework for Carrington Estate and does not provide for development in accordance with the approved Carrington Estate Development Plan and Schedule. 	

8.3.2 Option 2: Special Purpose Carrington Estate Zone – preferred approach

<p><i>Option 2: The proposed Carrington Estate Zone seeks to provide for development in the Carrington Estate in accordance with the approved Carrington Estate Development Plan and Schedule. The approach retains the majority of the ODP provisions for the Carrington Estate Special Area whilst resolving implementation inconsistencies and ensuring compliance with the Planning Standards.</i></p>		
Benefits	Costs	Risk of acting / not acting
<ul style="list-style-type: none"> • Introduces provisions that give effect to the RPS and aligns with the directions of the Planning Standards. • Introduces objectives, policies and provisions within a refined framework that is consistent with the ‘hybrid approach’ adopted in the PDP which provides an effects and activities-based plan structure and content. • Implements comprehensive site design, open space, landscaping, residential density and building design provided for in the Carrington Estate Development Plan and Schedule. • Enables residential development that is in keeping with the residential character of the adjoining general residential zone to the south. • Tailored rules, effects performance standards and assessment matters provide a clear framework to manage development within the zone and seek to strike a balance between efficient site development and 	<ul style="list-style-type: none"> • There are still compliance and administrative costs associated with this approach for the developers, community and Council. • Enables areas of intensive residential development within a part of the Karikari Peninsula that is out of character with the surrounding Rural Production and Māori Special Purpose Zones. • Development within the zone could result in effects on the PDP resource overlays that overlap the zone, including SNA, ONL, HNC and the coastal environment. 	<ul style="list-style-type: none"> • There is a low risk associated with Option 1 as the proposed special purpose CAR is consistent to the implementation of the Carrington Estate Special Zone from the ODP which was established via numerous resource consent processes (RC1990480, RC1990480A and RC1990481).

<p>avoiding or minimise any adverse effects on the surrounding environment.</p> <ul style="list-style-type: none"> • Provides increased clarity and certainty regarding the types of residential and recreational facilities anticipated in the zone, with particular regard to the scale and nature of the activity and development anticipated. • Enables effective management as development is in accordance with the approved Carrington Estate Development Plan and Schedule. • Provides a similar policy framework and implementation to the ODP which provides a familiar approach for the local community and developers to interpret and understand. 		
<p><u>Effectiveness</u></p> <ul style="list-style-type: none"> • The proposed rules and standards are effective as they recognise and provide for development in accordance with the Carrington Estate Development Plan, whilst balancing the need to protect the natural character values and amenity of the surrounding environment, with relevant thresholds that trigger the need for resource consent. This, in turn, offers increased certainty and clarity for the developer and surrounding community. 	<p><u>Efficiency</u></p> <ul style="list-style-type: none"> • The proposed option is an efficient method for achieving the CAR objectives and efficiently implementing the Carrington Estate Development Plan and Schedule. 	
<p><u>Overall evaluation</u></p> <p>On balance this option is considered to be the most appropriate option to achieve the objectives because:</p> <ul style="list-style-type: none"> • The provisions comply with the Planning Standards and electronic format of the PDP. • The proposed provisions effectively respond to the site features and constraints, and ensure that development is in general accordance with the Carrington Estate Development Plan and Schedule. 		

9 Summary

An evaluation of the proposed objectives and provisions for the CAR Chapter has been carried out in accordance with section 32 of the RMA. This evaluation has concluded that the objectives are the most appropriate way to achieve the purpose of the RMA and the provisions are the most appropriate way to achieve the objectives for the following reasons:

- The CAR objectives give effect to Part 2 of the RMA and the relevant National and RPS policy direction.
- The CAR provisions provide for existing and future development of the zone, whilst retaining and enhancing extensive areas of open space and protecting coastal and cultural values.
- The CAR provisions will ensure amenity values and qualities of the surrounding environment are maintained with appropriate rules and standards to ensure the protection of the natural character and amenity values of the environment, including areas identified partially as ONL, HNC and potential SNA.
- The CAR provisions will provide for an appropriate level of development for recreational and tourist facilities in accordance the approved Carrington Estate Development Plan and Schedule.
- Where compliance cannot be achieved, resource consent as a controlled, restricted discretionary or discretionary activity is required. This will ensure a suitable level of scrutiny can be applied when resource consent is sought for activities that have the potential to compromise the development of Carrington Estate.

Overall, it is considered that the proposed provisions are the most appropriate given that the benefits outweigh the costs, and there are considerable efficiencies to be gained from adopting the preferred provisions.

10 Appendices

10.1 Appendix 1: Carrington Estate Development Plan and Schedule