

# SECTION 32 REPORT

## Special Purpose: Quail Ridge

May 2022

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## 1 Executive Summary

The purpose of the Quail Ridge zone (**QRZ**) is to provide for a residential and retirement development of a mixed typology as a country club or village in accordance with the Quail Ridge Concept Master Plan (**Master Plan**). Quail Ridge is currently provided for as a Special Area within the Operative District Plan (**ODP**).

The key resource management issues that relate to Quail Ridge are:

- Effective connections to the Kerikeri River, the township, golf course and the Heritage Bypass. These facilities whilst protecting the natural character and amenity values of the surrounding area is important.
- High demand for retirement village type facilities in the Kerikeri area and wider Far North District.
- The staging of the provision of the infrastructure services and community facilities for village residents while relating to wider Council initiatives for the greater Kerikeri area.
- Protection of significant landscape features, including large specimen trees, and the provision of landscaped open space areas to support an intensive residential development.
- Flexibility to account for changes in resident's building preferences and changing market conditions.

The main changes in the overall proposed management approach are:

- Establishment of a special purpose zone for Quail Ridge.
- Clear articulation of the anticipated outcomes and overall purpose of the zone, with clear policy direction.
- Noise and signs provisions will be located in the Noise and Lighting Chapters to align with the National Planning Standards (Planning Standards).
- Subdivision provisions to be located within the Subdivision Chapter to align with the Planning Standards.
- Specific reference to the Master Plan.

## 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 the district plan provisions for the QRZ for the Proposed Far North District Plan (**PDP**). This assessment is required by 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 the FNDC 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 the QRZ, 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 purport of the RMA in relation to the QRZ.

## 2.2 Overview of topic

QRZ is located in Kerikeri, at the southern end of Rainbow Falls Road, adjacent to the Kerikeri River scenic reserve (see **Figure 1** below).



**Figure 1:** Aerial image of QRZ (Source Emap)

Quail Ridge Special Area, was introduced into the Operative District Plan, following the approval of private Plan Change No.3 Kerikeri Falls Investments Limited in September 2010. The purpose of the QRZ is to provide for residential and retirement development of a mixed typology as a country club or village in accordance with the Master Plan.

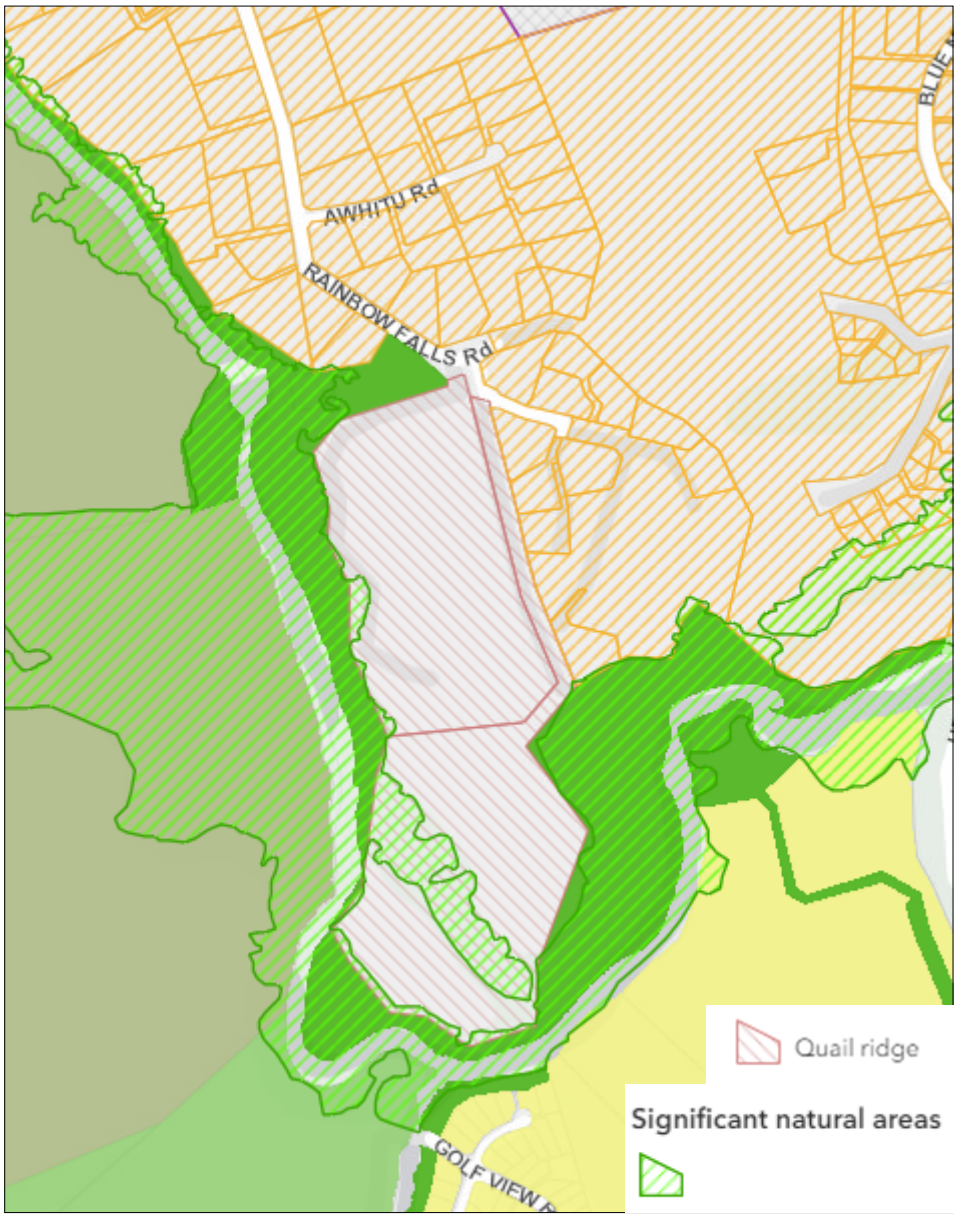
The changes in provisions pertaining to the QRZ Chapter are part of a consolidated review of the Far North District Plan. The provisions proposed in this assessment have modified the existing provisions

in the Operative District Plan to ensure the QRZ is consistent with the drafting of the PDP and the current policy environment, including the Regional Policy Statement for Northland (RPS).

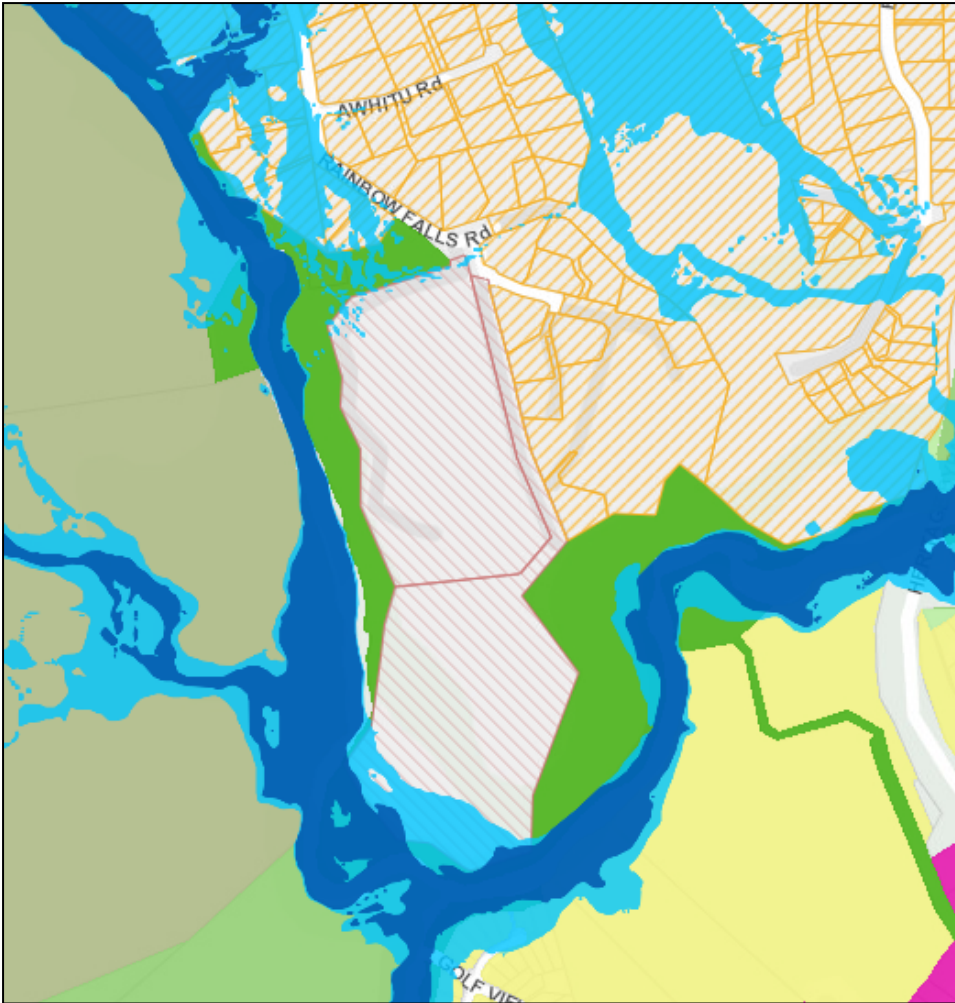
The QRZ is subject to district wide rules regarding the protection of significant natural areas, which are indicatively shown in **Figure 3**. Overlays have been evaluated within separate section 32 reports. The proposed QRZ will not conflict with the relevant overlay provisions.



**Figure 2:** Zone map of Quail Ridge (Source Draft District Plan)



**Figure 2:** Significant natural area, FN163 Kerikeri River Forest and Scrub (Source PDP)



**Figure 4:** Rivers 1 in 10 and 1 in 100 year flood hazard area (Source Draft District Plan)

### 3 Statutory and Policy Context

#### 3.1 Resource Management Act

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 QRZ has areas of significant vegetation around the edge of the zone, which is considered to be a matter of national importance under section 6(c) protection of areas of significant indigenous vegetation and significant habitats. The PDP includes provisions within District-wide Matters which provide for this matter of national importance.

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

- (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:

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 QRZ.

## 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 statements, the New Zealand Coastal Policy Statement, Planning Standards, and the relevant regional policy statement. 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 QRZ.

### 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 QRZ.

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.

The QRZ will provide for a significant development within the township of Kerikeri. Quail Ridge development is provided for in the ODP by way of a complicated set of site-specific provisions linked directly to a master plan. It is impracticable to manage the development by way of spatial layer or through another zone proposed in the PDP. It is considered appropriate to create a special zone for Quail Ridge.

### 3.2.2 National Policy Statements

Section 75(3)(a) of the RMA requires that district plans give effect to any National Policy Statement (NPS).



### **National Policy Statement for Urban Development 2020**

While the National Policy Statement for Urban Development does not directly apply to the QRZ, it does provide indirect references to the importance of providing for urban development to meet demand.

### **National Policy Statement for Freshwater Management 2020**

The National Policy Statement for Freshwater Management (**NPS-FM**) seeks to ensure that natural and physical resources are managed in a way that prioritises:

- (a) first, the health and well-being of water bodies and freshwater ecosystems
- (b) second, the health needs of people (such as drinking water)
- (c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

Northland Regional Council has majority of the obligations under the NPS-FM, while the National Environmental Standard for Freshwater implement the NPS-FM. The Northland Regional Council has not yet amended the Northland Regional Policy Statement to give effect to the NPS-FM.

The proposed QRZ zone is located adjacent to the Kerikeri River, the proposed provisions and compliance with the Master Plan will give effect to the NPS-FM.

#### **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 instance, there are no national environmental standards considered directly relevant to the consideration of the proposed QRZ.

#### **3.2.4 Regional Policy Statement for Northland**

Section 75(3)(c) of the RMA requires district plans to 'give effect' to any RPS. The RPS was made operative on 14 June 2018. The policies and methods contained in the RPS contain guidance for territorial authorities for plan making. The table below outlines the provisions in the RPS that are directly relevant to QRZ:

<b>RPS</b>	
<b>Objective 3.4</b>	Indigenous ecosystems and biodiversity
<b>Objective 3.11</b>	Regional form
<b>Objective 3.13</b>	Natural hazard risk
<b>Policy 4.7.1</b>	Promote active management
<b>Policy 4.7.2</b>	Support landowner and community efforts
<b>Policy 5.1.1</b>	Planned and coordinated development
<b>Policy 7.1.1</b>	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 provisions that direct the approach to management of 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 Master Plan which will provide 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 Proposed Regional Plan provisions directly relevant to the QRZ:

Proposed Regional Plan	
<b>Objective F.1.3</b>	Indigenous ecosystems and biodiversity
<b>Objective F.1.5</b>	Enabling economic well-being
<b>Objective F.1.10</b>	Natural hazard risk
<b>Policy D.2.1</b>	Rules for managing natural and physical resources
<b>Policy D.2.18</b>	Managing adverse effects on indigenous biodiversity

The Proposed Regional Plan combines the operative Regional Plans (coastal, air quality, water and soil) into one plan. The subject site is not located within the coastal environment, however provisions of the Proposed Regional Plan relating to land disturbance, stormwater discharges, vegetation clearance, water quality and quantity will be relevant for any proposed development. The relevant objectives and policies on the Proposed Regional Plan have been taken into consideration in the drafting of the proposed QRZ 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 are as follows:

- Ngati Rehia Environmental Management Plan 2018 and Ngati Rangi Hapu Management Plan 2016 both recognise the importance of the Kerikeri river and basin, seeking to protect destruction and modification of wahi tapu sites of historical and cultural significance and require consultation, involvement and collaboration prior to development.

The QRZ zone does not contain identified wahi tapu or sites of historical and cultural significance but is located adjacent to the Kerikeri River. The proposed provisions of QRZ will ensure sufficient setback of future site development to afford a level of protect to the Kerikeri River consistent with the outcomes sought in the above referenced management plans.

### 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.

This section provides an overview of other strategies and plans directly relevant to Quail Ridge.

#### 3.5.1 Kerikeri -Waipapa Structure Plan

The original Kerikeri - Waipapa Structure Plan (2007) identifies the Quail Ridge locality as being part of an "Urban (Medium Intensity) Residential 4 policy area (**UR4**)", which lies between the Kerikeri River, Waipapa Road and the Heritage Bypass. All of the land in the UR4 area is shown as being within the "Wastewater Reticulation Area of Benefit 2006-2016 LTCCP".

The Structure Plan also acknowledges that there is a trend towards an increasingly ageing population in the Kerikeri area, and that development and growth is required to support this trend. The UR4 area is identified in the Structure Plan as having a 'medium priority' for rezoning.

Due to affordability of waste water reticulation, the service catchment has been paired back to cover only the existing Kerikeri urban area, as such reticulation of Quail Ridge is unlikely in the foreseeable future.

## 4 Current State and Resource Management Issues

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

### 4.1 Context

- The QRZ covers an area of approximately 16.9ha at the southern end of Rainbow Falls Road and is adjacent to the Kerikeri River scenic reserve and walkway which is managed by the Department of Conservation.
- The QRZ provides for a specific site development as detailed in the Master Plan, providing for a country club or village and will contain a mix of residential units including individual units, duplexes, small groups of townhouses, and multi-storey apartments.
- The units will be staged over a number of years and will be developed to a maximum of 238 residential units (within onsite wastewater system) and 273 residential units, including those within the care facility where council owned reticulated wastewater is available and connections provided.

### 4.2 Operative District Plan Approach

#### 4.2.1 Summary of current management approach

The QRZ is contained within Chapter 18 Special Areas of the ODP and was established as part of private Plan Change No.3, Kerikeri Falls Investments Limited in September 2010. The provisions of the ODP chapter generally seek to recognise and provide for development in accordance with the MasterPlan.

The current management approach for Quail Ridge relies on the use of a Special Area with provisions to manage onsite development, infrastructure servicing, access while protecting surrounding ecological, heritage and landscape values:

- The relevant objectives, policies and provisions for managing Quail Ridge are contained within Part 3 – District-wide Provisions, Special areas of the ODP.

- The provisions allow the development to be progressively established in accordance with the Master Plan and sets a framework under which any future changes to the built form, access and servicing can be fully assessed in terms of environmental effects.
- The Quail Ridge Country Club zone is similar to the Residential zone with various forms of residential and low impact recreational facilities provided for. The maximum number of units on the site is limited to the number (273) shown on the Master Plan, however this maximum could only be realised with public reticulation of wastewater, in the absence of reticulation of total number of units is limited to 238. A 'general' building height limit of 8m applies, with provision for higher buildings in the three defined locations, where the two-storey care facility (9m high) and the two three-storey apartment (11.5m high) buildings are planned. The zone has rules on building setbacks, impermeable surfaces and landscaping that take into account the site setting and form of development.
- There is no rule on traffic intensity. The rules on the design of internal roads and provision of parking reflect the low speed, largely 'retirement' nature of the village.
- There are no zone based rules on subdivision.

#### 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.

A number of limitations with the current operative district plan approach have been identified through this process, including:

- The ODP structure and drafting does not comply with the Planning Standards or an electronic plan format.

### 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 MIZ and a summary of advice received from iwi authorities on this topic.

#### 4.3.1 Summary of issues raised through consultation

There was a low level of interest in Quail Ridge zone and no issues were raised through consultation.

#### 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. One piece of feedback was received in relation to the KCZ. In summary the feedback sought:

- Acknowledgement of the important relationship and association tangata whenua has with the Quail Ridge zone in the overview of the chapter.

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 QRZ Chapter to be addressed through the PDP are:

- Effective connections to the Kerikeri River, the township, golf course and the Heritage Bypass. these facilities whilst protecting the natural character and amenity values of the surrounding area is important.
- High demand for retirement village type facilities in the Kerikeri area and wider Far North District.
- The staging of the provision of the infrastructure services and community facilities for village residents while relating to wider Council initiatives for the greater Kerikeri area.
- Protection of significant landscape features, including large specimen trees, and the provision of landscaped open space areas to support an intensive residential retirement development.
- Flexibility to account for changes in resident's building preferences and changing market conditions.

## 5 Proposed District Plan Provisions

The proposed provisions are set out in the QRZ 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.

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 QRZ 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:

- Clear articulation of the anticipated outcomes and overall purpose of the zone, with clear policy direction.
- Noise and signs provisions will be located in the Noise and Lighting Chapters to align with the Planning Standards.
- Subdivision provisions to be located within the Subdivision chapter to align with the Planning Standards.

- Specific reference to the Master Plan.

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

### 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 QRZ includes objectives that seek to:

- Provide for development in general accordance with the Master Plan including provision of a pedestrian bridge/walkways and roads/footpaths.
- Development is carried out in a manner that protects the ecological, heritage, landscape and amenity 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 QRZ includes policies that:

- Enable development that is in accordance with the Master Plan where it can be served by on-site infrastructure, or reticulated infrastructure where available.
- Ensure that multi-storey buildings are generally confined to the locations shown in Stage 2 shown on the Master Plan.
- Ensure that buildings, roads and other facilities are constructed and designed in a manner that recognises the zone purpose as a retirement village located in a rural residential area adjacent to a public reserve with high ecological, heritage, landscape and amenity values.
- Ensure that significant areas of the site are retained as landscaped open space and for recreational activities in accordance with the Master Plan.
- Provide for the relocation of buildings, roads and other activities within the QRZ provided:
  - The total number of buildings does not increase;
  - The same environmental outcomes are achieved as anticipated by the qrz and the master plan;
  - The timing of the pedestrian bridge/walkway and the upgrading of rainbow falls road does not alter.
- Protect the ecological integrity of the surrounding public reserve by limiting the number of domestic pets and their access to the reserve by:
  - Prohibiting the keeping of mustelids or operating a boarding or breeding kennel, a cattery or intensive farming;
  - Creating a pets policy that is incorporated into the license to occupy for any residential activity;
  - Erecting signage at the entry and exit points of the department of conservation managed reserves prohibiting dog entry;
- Provide for boundary adjustments within the QRZ to avoid fragmentation of the site.

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

- Provide permitted activity rules that enable retirement village activities (use, repair and maintenance of land and buildings).
- Controlled activity rules that enable buildings and structures in accordance with the Master Plan.

- 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
  - Height
  - Height in relation to boundary
  - Setbacks
  - Coverage
  - Fencing and landscaping
  - Restricted discretionary activity rules that provide for clubhouse and buildings used for recreational purposes and accessory buildings, apartments and care facility buildings.
  - Where compliance cannot be achieved with the permitted activity rules or standards, resource consent is required either as a discretionary or non-complying 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 provides a summary of advice received from iwi authorities on the QRZ.

Te Runanga O Ngāti Rēhia provided feedback on the Draft District Plan KCZ chapter:

- *Acknowledgement should be made of the important relationship and association tangata whenua has with the MIZ in the overview of the chapter.* Section 3.4 of the report identifies that the QRZ does not contain identified wāhi tapu or sites of historical and cultural significance. Further, no detail has been provided with respect to the details around the cultural significance and the relationship with tangata whenua in association with Quail Ridge. It is needed to be understood or articulated before inclusion.

## 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 economic 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 determines 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 QRZ are evaluated in the table below.

Criteria	Comment	Assessment
Raises any principles of the Treaty of Waitangi	It is acknowledged that there are iwi and hapu interests in the Kerikeri River and Basin, seeking to protect wahi tapu and historical heritage.  The PDP chapter has been drafted to ensure the ongoing protection of the vegetation surrounding the site and the Kerikeri River. It is considered that the provisions will not raise any issues in relation to the Treaty of Waitangi. In the context of this evaluation, the scale and significance of the objective is considered to be low.	Low
Degree of change from the Operative Plan	Quail Ridge 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	Areas of Significant Natural Area have been mapped around the edge of the Quail Ridge location. The resource overlays will ensure appropriate protection and heightened protection and management is not required.	Low
Scale of effects – geographically (local, district wide, regional, national).	The proposed zone applies to approximately 16.9ha of land within Kerikeri. Scale of effects is considered to be low due to the small scale of the site and zoning.	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 will apply to approximately 16.9ha of land enabling a maximum of 238 residential units (273 should public reticulation of wastewater be possible in the future). The scale of people affected current and future are considered to be multiple landowners and leases.	Low
Scale of effects on those with specific	The proposed zone is directly adjacent to the Kerikeri River and Department of Conservation	Low



Criteria	Comment	Assessment
interests, e.g., Tangata Whenua	land.	
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?	The proposed zone does not involve management of effects that have been addressed in higher order documents. The zone is considered to pose low policy risk due to the isolated site-specific location of the zone and the comprehensive design of the Master Plan.	Low

### 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 Quail Ridge 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 Quail Ridge has been undertaken against four criteria to test different aspects of ‘appropriateness’ as outlined below.

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

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

<b>Objective(s):</b>	
<p><b>18.9.3.1</b> To provide for the staged development of a residential village in accordance with a Concept Master Plan and provision of a pedestrian bridge/walkways, road and utility services linked to future development of the surrounding area.</p> <p><b>18.9.3.2</b> To ensure that residential and other development of the site is carried out in a manner that protects and enhances the ecological, heritage, landscape and amenity values of the site and surrounding area.</p>	
<b>Relevance</b>	These objectives aim to enable residential and retirement development while ensuring provision of connections, roading and services while protecting the surrounding environment.
<b>Usefulness</b>	The objectives provide clear direction with respect to development in accordance with a Master Plan, but does not specify which concept plan, with could result in interpretation issues.
<b>Reasonableness</b>	Compliance costs are generated through developer compliance with the Master Plan and with the provisions. Cost to Council will occur via on-going monitoring of compliance.
<b>Achievability</b>	The objectives are achievable, subject to improved specificity with respect to the Master Plan.
<b>Overall evaluation</b>	
The existing objectives address the resource management issues relevant to Quail Ridge. Usefulness of the objectives could be improved by increased specificity of which Master Plan is being referenced.	

## 7.2 Evaluation of proposed objectives

<b>Objective(s):</b>	
<p><b>QRZ-O1</b> The Quail Ridge zone is a staged development in general accordance with the Quail Ridge Concept Master Plan, including the provision of pedestrian bridge/walkways, roads/footpaths and utility services linked to future development of the surrounding area.</p> <p><b>QRZ-O2</b> Development in the Quail Ridge zone is carried out in a manner that protects and enhances the ecological, heritage, landscape and amenity values on the site and surrounding area.</p>	
<b>Relevance</b>	These objectives aim to enable the efficient residential and retirement development while ensuring provision of connections, roading and services while protecting the surrounding environment.
<b>Usefulness</b>	The objectives provide clear direction with respect to development in accordance with the Quail Ridge Concept Master Plan and the values that need to be protected and enhanced in doing so.
<b>Reasonableness</b>	Compliance costs are generated through developer compliance with the Master Plan and with the provisions. Cost to Council will occur via on-going monitoring of compliance.
<b>Achievability</b>	The objective is achievable, subject to improved specificity with respect to the Master Plan.
<b>Overall evaluation</b>	
The objectives address the resource management issues relevant to Quail Ridge.	

## 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 QRZ 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 with some indicative quantitative benefits and costs provided where practicable.

## 8.3 Evaluation of options

### 8.3.1 Option 1: Rural Residential Zoning

<i>Option 1: Rural Residential Zone (RRZ), apply the RRZ to the subject site, including objectives, policies and provisions.</i>		
<b>Benefits</b>	<b>Costs</b>	<b>Risk of acting / not acting</b>
<ul style="list-style-type: none"> <li>Residential development onsite is enabled consistent with the surrounding environment.</li> <li>The bulk and location provisions ensure a consistent level of residential amenity and character.</li> <li>Intensive onsite waste water disposal is not enabled, reducing potential risk to surrounding sensitive environment.</li> </ul>	<ul style="list-style-type: none"> <li>Lack of enforcement of the Master Plan, site-specific design will result in reduced onsite amenity, open spaces and recreational area.</li> <li>Intensive onsite development will not occur until such time as reticulated wastewater capacity is available.</li> <li>Provision of comprehensive site design and development will not be enabled.</li> <li>Loss of connectivity, onsite landscaping and housing choice without.</li> <li>Inefficient use of land, due to larger lot size and residential density.</li> </ul>	<ul style="list-style-type: none"> <li>Option 1 presents a medium risk of acting, due to the inability to provide additional residential development if ability and capacity to connect to reticulated services was to be available in the future. RRZ is proposed to be zoned on the fringe of settlements, providing a transition into the Rural Production Zone. The zone is not intended to be serviced by reticulated waste water systems.</li> </ul>
<p><b><u>Effectiveness</u></b></p> <ul style="list-style-type: none"> <li>The RRZ provisions include measures to protect rural residential amenity providing for a managed level of residential development while maintaining the ability to undertake rural activities. While the proposed RRZ provisions are considered to be effective, the provisions will not afford the level of comprehensive development within the location what is provided for and anticipated by the Master Plan.</li> </ul>		<p><b><u>Efficiency</u></b></p> <ul style="list-style-type: none"> <li>The RRZ provisions are effective in achieving the RRZ objectives, however the proposed RRZ will not effectively implement the comprehensive development within the location what is provided for and anticipated by the Master Plan.</li> </ul>

**Overall evaluation**

On balance this option is not considered to be the most appropriate option to achieve the objectives because:

- There is a lack of protection of onsite features and amenity.
- Lack of flexibility to enable increased residential development if reticulated services are available.
- The RRZ objectives do not specifically address the resource management issues relevant to Quail Ridge.
- The comprehensive design, development, open spaces and landscaping, connectivity and road upgrading enabled by the Master Plan will not be implemented.

**8.3.2 Option 2: Special purpose Quail Ridge Zone – preferred approach**

*Option 2: The proposed QRZ seeks to provide for development within the Quail Ridge site in accordance with the Quail Ridge Concept Master Plan. The approach retains the majority of the ODP provisions for the Quail Ridge Special Area while resolving implementation inconsistencies and ensuring compliance with National Planning Standards.*

<b>Benefits</b>	<b>Costs</b>	<b>Risk of acting / not acting</b>
<ul style="list-style-type: none"><li>• Implements comprehensive site design, intensive retirement village, open space, landscaping and connectivity provided for in the Master Plan.</li><li>• Provides flexibility to increase residential development if future capacity is enabled by upgrades of reticulated wastewater system.</li><li>• Enables retirement village development to occur within a surrounding rural residential environment.</li><li>• Provides increased certainty and clarity to facilities regarding the nature and scale of onsite activity and development anticipated.</li><li>• Tailored rules, effects standards and assessment matters provide a clear framework to manage facilities and seek to strike a balance between efficient site development and avoiding or minimising adverse effects on surrounding areas.</li><li>• Introduces provisions that aligns with directions in the Planning Standards.</li></ul>	<ul style="list-style-type: none"><li>• Intensive development onsite adjacent to Kerikeri River, potential to result in effects on the surrounding indigenous habitat and vegetation and the water quality of the Kerikeri River.</li><li>• Increased cost of compliance and administrative costs associated with compliance with the Master Plan.</li></ul>	<ul style="list-style-type: none"><li>• There is low risk associated with Option 2, the proposed special purpose QRZ is a consistent implementation of the Quail Ridge Special Area from the ODP which has been through a fairly recent Private Plan Change process.</li></ul>

<p><b><u>Effectiveness</u></b></p> <ul style="list-style-type: none"> <li>• The proposed rules and standards are effective as they recognise and provide appropriate protection of the site features, enables onsite intensive development with relevant thresholds that trigger the need for resource consent. This, in turn, offers increased clarity and certainty for the developer and surrounding community.</li> </ul>	<p><b><u>Efficiency</u></b></p> <ul style="list-style-type: none"> <li>• The proposed option is also an efficient method of achieving the QRZ zone objectives, efficiently implementing the Master Plan.</li> </ul>
<p><b><u>Overall evaluation</u></b></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"> <li>• The proposed provisions effectively respond to the site constraints and features and introduces a framework to provide for residential and retirement development in accordance with the Master Plan.</li> <li>• The proposed provisions comply with the Planning Standards and electronic format of the PDP.</li> <li>• Provides flexibility to provide increase residential and retirement development based upon infrastructure capacity providing for efficient use of land.</li> </ul>	

## 9 Summary

An evaluation of the proposed objectives and provisions for the QRZ zone 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 QRZ objectives give effect to Part 2 of the RMA and the relevant National Policy Statement and RPS policy direction.
- The QRZ provisions will ensure amenity values and qualities of surrounding environments are maintained with appropriate rules and standards that ensure indigenous vegetation will be protected, connections to adjacent reserves will be established and amenity maintained by way of fencing and landscaping.
- The QRZ provisions will provide for an appropriate level of residential and retirement development in accordance with the Master Plan.
- Where compliance cannot be achieved, resource consent as a controlled, restricted discretionary, discretionary or non-complying 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 Quail Ridge.

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 – Quail Ridge Concept Master Plan**