

# Appendix 1

# Appendix 1: Strategic Policy Context

## Local Government Act 2002

The LGA 2002 marked a major reform to the New Zealand planning regime. It replaced the prescriptive LGA 1974, and carried on from the legislative amendments relating to financial management made in 1996. The LGA 2002 removes much of the detail about what councils can and cannot do by conferring a generalised power on all local authorities to have full capacity to do anything for the purpose of performing their role. That role is generalised as performing statutory responsibilities and giving effect, in their locality, to the purpose of local government. In turn, the purpose of local government is to:

- Enable democratic local decision-making and action by, and on behalf of, communities; and
- Promote the social, economic, environmental, and cultural wellbeing of communities (the 4 Wellbeings), in the present and for the future.

Local authorities exist under the new Act to promote the sustainable development of their respective districts/regions. Local authorities are tasked with identifying the outcomes that their communities' value, and identifying through consultation (which is more than a compliance process) which outcomes the council will assist in promoting and delivering, how will it do so, at what cost it will do so, and how that cost will be funded. The emphasis is away from local authorities as autonomous and discreet deliverers of services towards responsive, collaborative facilitators of community outcomes.

### **Long-Term Council Community Plan**

Rodney District Council has embarked on this journey with its community, formulating its first Long-Term Council Community Plan ("LTCCP") under the LGA 2002 in the 2004 year. This has been iterated upon for the 2005 year and then will be again in the 2006 year, in order to meet the step-compliance requirements of the Act. The community outcomes in this sense encapsulate what sustainable development means "on the ground" in the context of Rodney District. The community outcomes act as the normative "glue" to tie and bind the different roles, responsibilities, and functions of Council together to serve a common purpose and achieve a common goal.

The big challenge for Council in giving effect to the District's community outcomes will be in action and implementation across all divisions of Council; and across all strategies, policies, and processes – in short, the practice of integrated planning.

The community outcomes, associated actions and desired outputs, as relevant to Point Wells and Omaha Flats that Council has identified in its LTCCP are as follows:

## Rodney District Long-Term Council Community Plan 2004-2014

Community Outcome	Council Action	Desired Output
A country look and feel	Develop systems and tools to keep Rodney's open country feel	<ul style="list-style-type: none"> <li>The land is improved because people are able to care for it.</li> <li>Visitors see open countryside when they arrive in Rodney.</li> <li>Farmers still farm the land.</li> </ul>
	Use all means to keep greenbelts intact	<ul style="list-style-type: none"> <li>There is a visible green-belt around each town and village.</li> </ul>
	Develop tools that make rural livelihoods possible on or near the land	<ul style="list-style-type: none"> <li>Subdivision is not the only way of getting a return from the land.</li> <li>Vibrant community events are a feature of Rodney.</li> <li>New, innovative and profitable industries are an important part of Rodney's rural economy.</li> </ul>
	Plan and develop infrastructure in rural areas	–
Contained and distinctive towns and villages	Keep and build on every town's identity	<ul style="list-style-type: none"> <li>Every town has a blueprint for the future.</li> <li>Communities are proud of development in their town.</li> <li>People know where Rodney's towns are and what they are famous for.</li> </ul>
	Put an edge around every town and village	<ul style="list-style-type: none"> <li>There is a clear, visual break between the town and the countryside.</li> <li>There is no sprawl outside the town limits.</li> </ul>
Maintained lifestyles and environmental care	Plant more trees	<ul style="list-style-type: none"> <li>New developments look as if they have been there for years.</li> <li>People protect and plant trees out of choice.</li> <li>Rodney's transport corridors are well planted.</li> </ul>
Safe and healthy communities	–	–
Jobs and opportunity in Rodney	–	–
Locally determined futures	–	–

The development of the Matakana Village Sustainable Development Plan is part of this process at the more specific local level. However, there are many areas of common interest between the community outcomes the District's community as a whole wants, and those the local community of Matakana wants. Care will need to be taken by Council to focus on action and implementation at this local level, given the level of community consultation already undertaken at the District level as part of the LTCCP process and the development of the Matakana Village Sustainable Development Plan, and the expectation of the community for 'results on the ground' as a consequence.

## Resource Management Act 1991

The purpose of the RMA 1991 is to promote the sustainable management of natural and physical resources. This 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.

While this purpose is wide, in practice the application of the Act has often focussed on the 'natural and physical resources' mostly separated from the 'people and communities' who inhabit the 'environment' and the 'structures' they build or live in.

### District Plan

Consistent with the requirements of the RMA 1991 Council has an 'effects-based' District Plan. The District Plan's approach to the implementation of land-use objectives and policies is the control/regulation of land-use through 'zoning' and effects based rules which largely consist of 'development controls' and 'performance standards'. In essence the objectives, policies, and rules of the District Plan set out what sustainable

management means 'on the ground' in Rodney District from an environmental perspective.

In essence, the various 'zones' that the District Plan divides the District up into, are a 'snapshot in time' of the land-uses and other activities which existed at the time the District Plan was promulgated. However, in order to provide more certainty for development into the long-term the District Plan utilises a two-tier approach to the management of future development through a 'Future Urban Zone' and 'Structure Plan Areas'.

### Future Urban Zone

The 'Future Urban Zone' has been developed in response to the metropolitan and urban growth policies formulated in the Auckland Regional Growth Strategy ('ARGS') and the Auckland Regional Policy Statement ('ARPS'). The 'Future Urban Zone' covers the following areas:

- Silverdale North
- Silverdale South
- Orewa West
- Orewa Business
- Western and Southern Warkworth
- Algies Bay
- Parakai
- Helensville South
- Huapai North
- Riverhead
- Northern Wellsford

The land in this zone has been identified as generally suitable and likely to be used for urban development, including residential, and in some instances business activity. However, the adverse effects on the environment of developing the land may not as yet be fully determined or be able to be dealt with because it is not appropriately served by roads, sewerage, stormwater or other utility services. In some instances servicing is unlikely to occur for 10 or even 20 years. This is because most services have relatively long construction 'lead-in' times, and also because it is generally more effective and efficient to service land immediately adjacent to areas already serviced. The rules relating to the "Future Urban Zone" aim to ensure that future coordinated development

is not jeopardised by the introduction of incompatible uses, or by undue fragmentation of existing land holdings. The range of activities and subdivision is accordingly restricted.

### Structure Plan Areas

The District Plan also incorporates (by plan change) structure plans Council has developed for specific growth areas in the District. Structure Plans completed and incorporated to in the District Plan to date, include:

- Silverdale North Structure Plan Area
- McKinney Road Structure Plan Area (Warkworth)
- Helensville South Structure Plan Area
- Huapai North Structure Plan Area
- Snells Beach-Algies Bay Structure Plan Area
- Silverdale South Structure Plan Area
- Wellsford Structure Plan Area

In contrast to the 'Future Urban Zone', the 'Structure Plan Areas' have had adverse effects on the environment of developing the land and necessary infrastructural servicing requirements more fully scrutinized as part of plan change processes, although development in these areas is likely to occur some years into the future.

In summary, the 'Future Urban Zone' and 'Structure Plan Areas' overlay and 'trump' underlying zoning that is in place for a given geographic area, which usually has a rural zoning.

## Resource Management and Electricity Legislation Amendment Bill 2004

In addition to these developments at the regional level, it is anticipated that the District Plan may need to be re-looked at due to pending national legislative changes set out in the Resource Management and Electricity Legislation Amendment Bill 2004 ('RM&E Bill 2004').

The changes the Bill heralds are the most substantial made to the RMA 1991 in over a decade and are designed, in part, to tackle the kind of difficulties Council has faced in its district planning, which are common to growth areas across the country. The changes focus on improving the quality of decisions and processes by increasing certainty and reducing delays, costs, and incorrect use of processes, while ensuring appropriate public participation and the meeting of environmental objectives.

The Bill has 6 main objectives:

- To enable central government to better express the national interest so decision makers have clear guidance on how to take national interest matters into account.
- To enable consent processes to be undertaken in a manner that is effective and efficient, and that provides certainty of process for applicants.
- To improve the effectiveness of planning documents, and to enable their timely development.
- To improve certainty of consultation requirements for resource management matters.
- To provide certainty over the allocation of natural resources.
- To provide for the environmental effects of high voltage electricity works in the road corridor to be managed using processes under the RMA(1991).

Of specific relevance to district planning is the streamlining of the plan-making process and measures to ensure the greater maintenance of locally developed outcomes. Clause 33 substitutes a new section 75. The new section reduces the content of district plans (leaving only policies and rules as mandatory requirements) and provides that they must give effect to regional policy statements.

In this light, the expanded power of regional councils by clause 9 amendments to section 30, in relation to urban form, land-use, infrastructure, and funding coordination is also a significant change for Council – it means that it must work together with the region in an integrated and collaborative manner in regard to urban form, land-use, infrastructure, and funding.

### Strategic Implementation of Growth Management

However, it is still up to Council to ensure strategic implementation of growth management at the district-level through structure plans and plan changes that are sufficiently integrated with the provision and funding of infrastructure necessary for development to take place. This means thinking about implementation methods that co-exist alongside structure planning and proposed plan changes to the District Plan, including:

LGA 2002 Instruments (expressly provided for in the statute)

- The LTCCP, particularly the Funding and Financial Policy which includes:
  - Revenue and financing policy
  - Development contributions policy (or financial contributions policy)
  - Policy on partnerships with the private sector
  - Rates remission / postponement policy
  - Funding impact statement (including rating mechanisms)
- Annual Plans
  - Funding impact statement (including rating mechanisms)
- Annual Reports
- Triennial Agreements (with the other local authorities within the Auckland Region)

Policy Instruments for Assisting with the Implementation of the LGA 2002

- District Growth Management Strategy
- Asset/Activity Management Plans
- Structure Plans
- District Economic Development Strategy
- Design guidelines

Section 32 of the RMA 1991 requires that Council look at these alternatives as part of the section 32 process as part of a proposed plan change.

- Operative Regional Policy Statement and Plan Change 6

The RPS sets out the statutory planning framework within which RDC must plan and in particular the RPS addresses growth management strategies within the region. As a consequence of the LGAAA 2004 a Plan Change (PC 6) has recently been proposed to achieve the statutory obligations set out in the LGAAA 2004.

The Local Government (Auckland) Amendment Act 2004 Section 39 required that:

*Each Auckland local authority must, by 31 March 2005, prepare and publicly notify proposed land use changes to its Auckland planning documents.*

The purpose of Plan Change 6 is to integrate the land transport and land use provisions and make those consistent with the Auckland Regional Growth Strategy. (Section 3)

Section 40 (LGAAA) describes such changes as:

- *A land transport and land use change is a change or variation to an Auckland planning document by including issues, objectives, policies, and descriptions of methods for the purpose of –*
  - a) *giving effect, in an integrated manner, to the growth concept in the Auckland Regional Growth Strategy prepared under section 37SE of the Local Government Act 1974; and*
  - b) *contributing, in an integrated manner, to the matters specified in Schedule 5.*

Plan Change 6 states that;

“An overview of the issues arising in the Region leads to the conclusion that to achieve the purposes of the RM Act and Local Government (Auckland) Amendment Act 2004 it is necessary to:

- contain expansion of Auckland’s urban development while still providing for population and economic growth;

- require that town centres and transport nodes and corridors within the metropolitan urban limits are the focus for accommodating urban growth through intensification;
- provide restricted opportunities for greenfields development through limited movement of the metropolitan urban limits;
- Require that rural towns and settlements are an important focus for accommodating rural growth in a contained compact form;
- direct urban rural and coastal settlement development and countryside living in directions to areas in a form which are is efficient in terms of travel patterns and energy use, supports infrastructure investment and avoid, remedies, or mitigates adverse effects on the Region's natural and physical resources including existing infrastructure;
- guide the providers of urban infrastructure and transport facilities or services so that they plan and programme their facilities or services so as to support urban development being contained within urban limits and growth being accommodated through intensification at selected locations;
- remedy or mitigate degraded natural resources which are life-supporting (air, water, soils and ecosystems), and protect those significant natural and physical resources which provide for the foreseeable needs of future generations;
- guide Councils to plan for the regeneration of existing sub regional and town centres to maximise opportunities for public and private investment.

PC 6 also states:

2.6.2. Limited extensions may be made to the metropolitan urban limits shown on Map Series 1 and to the limits of rural and coastal settlements from time to time, but only where:

- i. The strategic direction of containment and intensification is not compromised. In particular the extension does not compromise intensification within the areas identified in Schedules 1A and 1B;
- ii. Areas with significant environmental, heritage or landscape values and areas with high natural character, including areas identified in Appendix B are avoided;
- iii. It can be demonstrated that infrastructure and services, including utility

services, roading and public transportation facilities and services, and community and health services, such as schools, libraries, public open spaces can be provided;

- iv. The extension is contiguous with existing urban development and can be efficiently connected to existing physical infrastructure;
  - v. Areas prone to the impact of natural hazards such as flooding or land instability and areas which if urbanised are likely to induce flooding or instability elsewhere, are avoided;
  - vi. The new boundary provides a clear differentiation between urban and rural areas including through the use of water catchment boundaries and or visual catchment boundaries in order to reduce pressure for future urban expansion;
  - vii. Conflicts or incompatibilities between adjoining land uses are avoided;
  - viii. Areas of prime agricultural land are avoided; and
  - ix. It is demonstrated that there is insufficient capacity including both vacant land and redevelopment opportunities, available within the metropolitan urban limits to cater for anticipated growth.
3. In deciding the location of any future extension consideration will be given to whether the extension makes use of, or brings development closer to, boundaries that provide a defensible long term limit to urban development.
  4. Countryside living is subject to constraints as to location, scale, extent. (refer to Strategic Policies – Rural Development Control).

ALSO IN 2.6.3 METHODS PC 6 STATES;

5. Each TA shall set out within its District Plan issues, objectives, policies and methods for enabling the management, development and growth of rural and coastal settlements and Countryside living. This shall:
  - a) be an integrated consideration of the relevant issues;
  - b) be integrated with the urban and rural components of the District Plan;
  - c) Include matters raised in Appendix A and in Policy 2.6.2.2 and Method 2.6.3.3 above.

ALSO PC 6 STATES;

#### 2.6.9 Methods - Urban Design

1. Strategic Policy: Urban Design shall be given effect through the provisions of any relevant regional plan, changes to the RPS, district plans, and the RLTS, and should be reflected in the LTCCP process and any relevant strategic planning process.
2. TAs shall identify in District Plans explicit urban design outcomes to be achieved. This could be achieved through rules and /or guidelines on urban design. These guidelines should also consider, via consultation with ARTA, the design of the road space and road network and the siting and design of buildings and appropriate land uses adjacent to transport corridors,
3. Significant new areas proposed for urban development, existing urban areas proposed for significant redevelopment, or new areas proposed for Countryside Living purposes are to be provided through the structure planning process that as a minimum meets the requirements of Appendix A Structure Planning.
4. The ARC will encourage and support all Councils to establish urban design panels.
5. The ARC will sign up to the New Zealand Urban Design Protocol and will develop a set of actions appropriate to the Auckland Region to implement this commitment, and will monitor and report annually on the actions.
6. The ARC will encourage central government and local government to locate public buildings and community facilities within the Urban Area, and within or close to high density centres and corridors and close to public transport services.
7. The ARC and TAs will encourage improvements to urban structure, urban design and amenity through reference to relevant good practice guidelines such as:
  - i. "Structure Planning: Regional Practice and Resource Guide 2005";
  - ii. "New Zealand Urban Design Protocol";
  - iii. "ARC Low Impact Design Manual"
  - iv. "People, Places and Spaces"
8. The ARC will implement relevant aspects of the "Auckland Regional Open Space Strategy" and encourage the Department of Conservation and other territorial authorities to do so.
9. TAs shall include in their District Plans rules and other methods to manage adverse effects of development (including adverse effects arising from development on adjoining sites) on heritage buildings including its setting or curtilage. Rules and other methods should ensure development is in keeping with the characteristics and heritage values of the significant heritage places. Other methods include conservation management plans and transferable rights.
10. The ARC will encourage interdisciplinary approaches to the management of urban land use and transport systems.
11. The ARC will advocate for and support initiatives to improve understanding across disciplines of integrated urban design outcomes, the importance of interdisciplinary approaches to achieving sound design outcomes, and the contributions different disciplines have to make.
12. The ARC will work with other agencies, including Transit, LTNZ, the Ministries of Transport and the Environment, on improving the contribution that transport and land use make to integrated urban design outcomes, both at a regional and local level.
13. The ARC will advocate for and support initiatives to improve:
  - i. the liveability and sustainability of building outcomes,
  - ii. energy, water and materials efficiency and conservation,
  - iii. the appropriate management of mixed use and medium and high density work and living spaces.

## Land Transport Management Act 2003

The purpose of this Act is to contribute to the aim of achieving an integrated, safe, responsive, and sustainable land transport system. To contribute to that purpose, this Act:

- a) provides an integrated approach to land transport funding and management; and
- b) improves social and environmental responsibility in land transport funding, planning, and management; and
- c) changes the statutory objectives of Transfund and Transit to broaden the focus of each entity; and
- d) improves long-term planning and investment in land transport; and
- e) ensures that land transport funding is allocated in an efficient and effective manner; and
- f) improves the flexibility of land transport funding, including provisions enabling new roads to be built on a tolled or concession agreement basis or on a basis involving a combination of those methods; and
- g) amends the Local Government Act 1974, the Transit New Zealand Act 1989, and the Land Transport Act 1998, and repeals the Auckland Transport Board Act 1928.

Following the reforms heralded by the LGA 2002, and anticipating those to be brought about by the RM&E Bill 2004, the LTMA 2003 signals a new era for the planning and operation of the nation's transport infrastructure. The Act has close links with the consultation provisions of the LGA 2002, and also introduces "environmental sustainability" and "integration" as criteria by which transport programmes and projects must be considered against.

The legislation aims to achieve greater consistency in long-term planning of the networks, a more integrated transport infrastructure, a multi-modal approach to the sector, and will provide new mechanisms for funding roads.

Under the Act, Council must prepare a land transport programme for each financial year, unless it includes the matters that must be included in that plan in its LTCCP or Annual

Plan. Which ever option it chooses the manner in which it addresses these matters must be consistent with the Regional Land Transport Strategy ("RLTS"). The RLTS prepared by Auckland Regional Council for the Auckland Region "feeds into" national considerations and funding of land transport by Land Transport NZ in its National Land Transport Programme, and Transit NZ in its 10-Year State-Highway Plan.

As with the amendments proposed by the RM&E Bill 2004 regarding urban form, land-use, infrastructure, and funding coordination, this means that Council must work together with the region in an integrated and collaborative manner in regard to land transport in the District, in order to achieve weighting at national level decision-making by Land Transport NZ and Transit NZ. For this to occur in an effective manner, Council is challenged with taking a sufficiently wide spatial view of the District's growth, including the cumulative effects of development and the relationship between the different settlements.

## Summary

In summary, the planning context provided by the:

- LGA 2002 (including the LGAAA 2004)) – LTCCP, ARGS
- RMA 1991 – Proposed District Plan ("Future Urban Zone" and "Structure Plan Areas"), ARPS
- LTMA 2003 - RLTS

All call upon Council to take a sufficiently wide spatial view of the District's growth, including the cumulative effects of development and the relationship between the different settlements. This needs to be borne 'top of mind' by Council as it progresses the Pt Wells/Omaha Flats Sustainable Development Plan.

# Appendix 2

## Appendix 2: Consultation Summary

### Consultation Process

#### November

23rd November 2004	Letter sent to Iwi representatives inviting them to be involved in the process
Late November	Postcard to residents and property owners inviting them to be involved in the process

#### December

8th December 2004	Matakana Community Meeting 1
9th December 2004	Omaha Flats and Point Wells Community Meeting 1

#### January

8th January 2005	Open Day Matakana Village Farmers Market
------------------	------------------------------------------

#### February

2nd February 2005	Matakana Community Meeting 2
3rd February 2005	Omaha Flats and Point Wells Community Meeting 2
23rd February 2005	Ngati Manuhiri (MOKO Trust) Meeting
17th February 2005	Matakana Community Reference Group Meeting 1
24th February 2005	Omaha Flats and Point Wells Community Reference Group Meeting 1
26th February 2005	Landowner Meeting Day (ongoing)

#### March

1st March 2005	Auckland Regional Council Meeting
1st March 2005	Greg McDonald(Iwi)
12th March 2005	Community Planning Day
15th March 2005	Business Reference Group Meeting 1
21st March 2005	Matakana Community Reference Group Meeting 2

#### March cont.

22nd March 2005	Omaha Flats and Point Wells Community Reference Group Meeting 2
-----------------	-----------------------------------------------------------------

#### April

4th April 2005	Matakana Community Meeting 3
5th April 2005	Omaha Flats and Point Wells Community Meeting 3
21st April 2005	Business Reference Group Meeting 2
27th April 2005	Ngati Manuhiri (MOKO Trust) Meeting

#### May

10th May 2005	Presentation to Ngati Whatua Nga Rima
---------------	---------------------------------------

#### June

28th June 2005	Ngati Manuhiri (MOKO Trust) Meeting
----------------	-------------------------------------

#### July

1st July 2005	Department of Conservation Meeting
5th July 2005	Auckland Regional Council Meeting

#### October 2005

Draft SDP released for public submissions

#### December 2005

Submissions Closed

#### January – April 06

Further consultation including Rural Focus Group

#### April 2006

Hearing of Submissions

#### May/June 2006

Decisions on Submissions





**Main Council Office**  
Rodney District Council  
50 Centreway Road  
Orewa  
Auckland

**Postal Address**  
Rodney District Council  
Private Bag 500  
Orewa  
Auckland

**Contact**  
Telephone:  
**0800 426 5169**  
Fax:  
**09 426 7280**

**Internet**  
Website:  
**[www.rodney.govt.nz](http://www.rodney.govt.nz)**  
Email:  
**[info@rodney.govt.nz](mailto:info@rodney.govt.nz)**