

SECTION 32 RE-EVALUATION SUMMARY 2009

INTRODUCTION

The notified Variation 14 in 2007 was subject to an extensive Section 32 evaluation. This re-evaluation in 2009 focuses on the Variation and whether those matters and the matters raised by submissions and further submissions to the Variation are still the most appropriate way to address the issues.

Under the Resource Management Act 1991,

Section 32(2)(a) states:

A further evaluation must also be made by-

- (a) a local authority before making a decision under clause 10 or clause 29(4) of the schedule 1.*

Section 32(3) states:

An evaluation must examine —

- (a) the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and*
- (b) whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives*

Section 32(4) states:

For the purpose of the examinations referred to in subsections (3) and (3A), an evaluation must take into account-

- (a) the benefits and costs of policies, rules or other methods; and*
- (b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.*

This document sets out the evaluation Council has made to satisfy Section 32 of the Act and should be read in conjunction with the original Section 32 evaluation and the proposed Variation document as revised to reflect the recommended changes set out in Appendix C of Volume II of the Hearing Report

In response to the matters raised in the submissions and further submissions it is recommended that Variation 14 be adopted with amendments to the notified version relating to the following:

- Structure Plan transport network
- Structure Plan reserves network
- Rule 6.3.3
- Staging provisions(Rule 6.9)
- Consequential amendments to Policy 4.1 and Rule 4.11.

AMENDMENTS TO THE PROPOSED DISTRICT PLAN

The proposed amendments which comprise Variation 14 have been broken into the following categories:

1. Amendments in relation to Rule 9.0 to incorporate the Peacocke Structure Plan 2007 and associated text
2. Amendment to Rule 6.3.3 relating to the subdivision standards for Future Urban Zone

3. Amendment to Rule 6.9 — Staging of development to incorporate Peacocke Staging Plan and Associated text.

The submissions and further submissions received request to either abandon the Variation, make specific changes or retain the Variation as notified. The following is an analysis of the options available to the council in addressing these requests.

Incorporation of Peacocke Structure Plan 2007

The primary purpose of the Variation is to incorporate the Peacocke Structure Plan 2007 into the Proposed District Plan. A visual representation of the Peacocke Structure Plan 2007 will be inserted into Rule 9.0 of the Proposed District Plan, along with a summary of the Structure Plan document. The Structure Plan sets out the development concept for long term growth in an area, integrating land uses, identifying key natural resources, critical urban design factors, transport and infrastructure requirements, potential constraints to development and management options to protect significant natural features.

The Structure Plan diagram sets out a transportation network, a parks and reserves network, and indicative locations of key land use elements. The summary briefly explains the rationale behind these features, and refers the reader to the full Structure Plan document for further information. Furthermore the summary highlights the key points from the Structure Plan document and sets out the urban design principles that will guide the future urban development of Peacocke.

Rule 6.3.3 Subdivisional Standards for Individual Zones — Future Urban Zone

Currently the Peacocke area is characterised by a mixture of rural activities and lifestyle rural-residential blocks. As a land resource, it is critical to the future of the city that development takes place in an orderly and coordinated manner. There is considerable pressure from land owners and developers to enable development to occur within these areas, either as interim development prior to full urban development occurring, or urban development in advance of the city's infrastructure programme as detailed in the Long Term Plan.

The general premise of the current Future Urban Zone provisions are that interim development is a type of development which requires control, rather than a type of development which is generally undesirable. The amount of interim subdivision that is possible within the Peacocke area does represent a serious risk to the ability of Council to manage this land resource for future urban purposes. This is particularly so given that infrastructure provision for the majority of the growth cell is not provided within the previous Long Term Plan 2006-2016 and recently adopted Long Term Plan 2009-2019, which is likely to fuel demand for interim development.

The existing Future Urban Zone subdivision standards that apply to Peacocke provide for a minimum net site area of two hectares and with a minimum road frontage of 80 metres (Rule 6.3.3a)). Where a subdivision application involves site sizes less than two hectares or compliance with the road frontage standard is not achieved provision is made for a discretionary subdivision application based on the provision of a concept plan.

The purpose of the concept plan is to demonstrate that any proposals shown on the Structure Plan have been given effect to, and demonstrate that the subsequent re-subdivision of the land is not compromised (Rule 6.3.3b)). The subsequent re-subdivision has to be at a density of at least 10 dwellings per hectare, and show that the location of future dwellings does not prejudice the future re-subdivision of the land.

Rule 6.3.3c) makes provision for subdivision for urban purposes where the concept plan provisions apply, and requirements for provision of infrastructure services and roading to an urban standard. Furthermore any such subdivision shall be required to connect to the city's infrastructure networks and meet the costs of that infrastructure development.

Rule 6.3.3d) provides for subdivision of existing allotments created prior to 24 July 1993 which is intended solely for the purpose of creating a single allotment for residential use.

The concept plan approach enables Council to ensure that the subdivision of a property involving lots smaller than two hectares in size does not prevent re-subdivision of that land. The issue arises however that the concept plan is ineffective in ensuring the quality of the future re-subdivision. Achieving high quality urban development that incorporates good practice urban design principles is severely compromised by the fragmentation of landholdings into blocks of less than two hectares in size.

The purpose of the Structure Plan is to set the overarching structure and pattern of development, and to detail an infrastructure programme for the eventual development of the growth cell. While the concepts are flexible in their application to some extent, there are critical elements of infrastructure that must be provided for, and often within defined corridors. Furthermore the Peacocke urban design strategy relies on a pattern of land use with features in particular areas based on proximity to physical features such as the Riverbank, or the location relative to neighbourhood commercial centres and key development nodes. Therefore the ability to achieve the mix of land uses promoted by the Structure Plan becomes very difficult with no control over interim development.

Even if the provision of a concept plan results in infrastructure such as collector roads, and trunk main pipes being provided in some form, the probability of the key urban design concepts of the Structure Plan being brought to fruition decreases exponentially as the size of allotments decreases below two hectares. Blocks of two hectares or less will simply not be able to achieve the critical mass required to enable neighbourhood centres, or different residential densities to be developed, in a coherent and orderly manner. Essentially this means that the directions charted by the Structure Plan may become unachievable if large-scale subdivision of blocks below two hectares occurs. Given the market demand that appears to exist, the result is likely to be a highly fragmented pattern of land ownership that threatens the ability to implement the Peacocke Structure Plan.

The principal issues are as follows:

- Interim development has the potential to make later conversion to full urban development difficult;
- The urban design outcomes Council is seeking to achieve in Peacocke become much more difficult to achieve if interim development occurs;
- Interim development can result in reverse sensitivity issues for existing rural activities such as dairy farms that 'push out' these activities;
- Ad hoc development that is 'out of sequence' with Council's infrastructure programme undermines the comprehensive planning being carried out in the Peacocke Structure Plan 2007;
- Key environmental and landscape features can be disturbed or destroyed incrementally preventing these features being used as structuring elements in the future urban development of an area;
- Interim development of less than two hectares also has the potential to create localised pockets of a particular character or amenity with an in-built resistance to change;

- Interim development reduces the capacity of future development (i.e. the yield of lots decreases), and increases the costs associated with financing the provision of major new infrastructure.

Given this context, it is considered that interim development in Peacocke is undesirable and the provisions contained within the Proposed District Plan need to be amended to reflect that.

The policy response is to limit the opportunity for further interim development by ensuring a minimum lot size that ensures this process occurs in a coordinated manner. A new 10 hectare minimum lot size and 180 metre minimum frontage provisions is proposed to manage the transition from rural to full urban development. To achieve this, effectively Rule 6.3.3 b) and c) will be suspended in respect of the Peacocke area; while Rule 6.3.3 d) would remain, allowing allotments created prior to 24 July 1993 to separate a single additional allotment intended solely for residential purposes that has a minimum net site area of 2,500m².

Given the above considerations this approach will provide a more coherent and coordinated response to the interim development pressures that exist, and provide the optimum platform to manage these issues for the long term benefit of the city. This step sets a clear threshold that ensures that the interim development that does occur is based on allotment sizes greater than 10 hectares and does not threaten the city's objective of achieving a high quality future urban form in the Peacocke area.

Rule 6.9 Staging of Development

The provisions of Rule 6.9 set out the mechanisms for co-ordinating development with the staging of roading and infrastructure services. The intention is to ensure that development proceeds in an orderly sequence but to provide a degree of flexibility in the interim subject to additional costs to the community being avoided. This is particularly important given the infrastructure programme within the previous Long Term Plan 2006-2016 and the recently adopted Long Term Plan 2009-2019 relates only to Stage 1 Peacocke with no infrastructure programme for the remainder of the growth cell. Accordingly, any urban development within the remainder of the growth cell would be in advance of a Council infrastructure programme being formulated and therefore cannot be considered as merely 'out of sequence' as the sequence of infrastructure development has not been established. Accordingly ad hoc urban development proposals should be resisted as it is likely to compromise the urban form being sought through the Peacocke Structure Plan, and be dependent on interim infrastructure provision.

The Variation proposes to insert a staging plan for the Peacocke growth cell that reflects the infrastructure programme in the Long Term Plan 2009-2019 with explanatory text.

RE-EVALUATION INTRODUCTION

When formulating the Variation in 2007, an extensive Section 32 evaluation was prepared. This re-evaluation in 2009 focuses on whether the Variation as amended in response to the matters raised by submissions and further submissions to the Variation is the most appropriate way to address the issues.

Section 32(3) (a) the extent to which each objective is the most appropriate way to achieve the purpose of this Act

Council has already determined that it is necessary to manage activities in the City's Future Urban areas to ensure that they do not compromise eventual urban use. The general policy

approach established by the District Plan and complemented by Variation 14 provides a policy context that anticipates urban expansion whilst protecting critical environmental values such as landscapes and natural features. In terms of future land use the policy framework provides for a Stage 1 expansion of residential development and provides context for the development of retail and community facilities that will be needed to service new communities beyond Stage 1.

Section 32(3)(b) whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives

From the detail given above it is considered that the Peacocke Structure Plan is still the most appropriate manner for achieving the objectives of the Peacockes growth cell in terms of the purpose of the Act.

Section 32(4)(a) the benefits and costs of policies, rules or other methods;

Through the re-evaluation of the proposed amendment following consideration of the matters raised in the submissions and further submissions to the Variation it is concluded that the original Section 32 evaluation remains current, however it has been strengthened through the further policy directions (i.e. CityScope, Hamilton Urban Growth Strategy) adopted by Council since the notification of the Variation.

How Efficient, Effective and Appropriate are the Options in Achieving the Objectives?

In the light of the submissions and further submissions other possible means of achieving the Purpose of the Act need to be considered. The following is the evaluation of whether the Variation is still relevant or not.

Identification of Alternative Options

The following alternative means or methods have been considered in terms of addressing the resource management issues and achieving the purpose of the Act.

A three tiered approach was developed for the original Section 32 to evaluate Variation 14. This progresses from high level strategic issues through to detailed provisions. The steps are as follows:

- Tier 1: STRATEGIC APPROACH:- Examines the high level strategic approach for the Peacocke area, including how best to provide for future urban development
- Tier 2: STRUCTURE PLAN SUBSTANCE:- Examines the preparation and various components of the Structure Plan
- Tier 3: INTERIM DEVELOPMENT APPROACH:- Deals with Interim development (staging and associated rule changes to the subdivision standards for the Future Urban Zone)

This methodology enables each of the alternative options for the management of the Peacocke growth cell to be considered. The benefits and costs of each option are identified followed by an assessment of its efficiency, effectiveness and appropriateness in achieving the purpose of the RMA.

TIER 1: STRATEGIC APPROACH

The Peacocke Structure Plan 2007 is considered to be the most effective and efficient means of ensuring that the Peacocke area will become a high quality urban environment incorporating ideas of design excellence, social well-being, and environmental responsibility. The vision is that the urban development of the Peacocke area respects and responds positively to its

surroundings, becomes a series of sustainable mixed use communities based on an urban parkland concept, that has great connectivity between the communities as well as with the existing City and sits comfortably with adjacent rural areas. Option 2:-'Preparation of a Structure Plan for Peacocke' as identified in the original Section 32 report still represents the approach with the greatest ability to facilitate these outcomes and is therefore the most appropriate.

On assessment of the information by submissions and further submissions, "Preparation of a Structure Plan for Peacocke" is still the preferred approach for the following reasons:

Council's current approach to the Future Urban Zone in other areas of the City is to prepare Structure Plans to guide urban development. This is considered to be the most effective and efficient means of ensuring that an adequate supply of land is maintained within the City to meet the future demands of the City's growing population. Furthermore this approach provides development certainty and meets the community's needs and expectations for creating quality urban environments.

Preparation of a Structure Plan for Peacocke represents the approach with the greatest ability to deliver these outcomes and is therefore the most appropriate in terms of the RMA and Proposed District Plan objectives and policies.

TIER 2: STRUCTURE PLAN SUBSTANCE

On analysis of the further information provided by the submissions and further submissions, "Peacocke Structure Plan July 2007" is still the preferred approach for the following reasons:

- It is consistent with and gives effect to the purpose and principles of the Resource Management Act 1991 by providing a comprehensive and holistic framework for managing urban development of the area.
- This option is consistent with the Proposed District Plan objectives and policies. More specifically Section 3.0 Natural Environment, 4.0 Development Environment and 6.0 Business Environment.
- It is consistent with and gives effect to the Community Outcomes for Hamilton City, as set out in the previous Long Term Plan 2006-2016 and recently adopted Long Term Plan 2009-2019.
- It is socially more acceptable and equitable to have a clear and transparent Structure Plan approach that clearly sets out the vision being sought for Peacocke and how that will be achieved.
- The Structure Plan has evolved through a process of various alternatives to reach the Peacocke Structure Plan 2007 version.
- It takes into account the aspirations of council strategies particularly CityScope.
- Takes into account the Southern Links Strategy Study and Peacocke Area Structure Plan Rooding Background Document.

However submissions have proposed a number of changes to the Peacocke Structure Plan to better address the aspirations of Cityscope. These changes are as follows:

- Enlargement of the Waikato River Reserve.
- The amendment of the collector road along the Waikato River edge.

These two changes are assessed below along with alternative options.

Enlargement of the Waikato River Reserve

Options

Two options were considered in relation to the enlargement of the reserve along the Waikato River.

Option	Explanation
1: Do nothing (Status Quo)	Retain the proposed Waikato River reserve as originally proposed in the Peacocke Structure Plan 2007.
2: Enlargement of the River reserve	Increase the River Reserve to protect the Waikato River ecology and enable better access to the River.

Option 1: Do nothing (Status Quo)

Benefits of Option 1	Costs of Option 1	Efficiency, effectiveness and appropriateness
<p>✓ Economic Benefit No further costs to council and landowner</p> <p>✓ Social Benefit The establishment of amenity values along the River</p> <p>✓ Environmental Benefits Provide a buffer between the urban environment and the Waikato River edge</p>	<p>× Economic Costs Costs in the acquisition of reserve land.</p> <p>× Social Costs Access to the River would be limited to those in close proximity to the River. Limited recreational value of the Rivers edge.</p> <p>× Environmental Costs Limited protection of the delicate ecology along the Waikato River and within Hammond Park. Hammond Bush and the Waikato River margins contain regionally significant flora and fauna which are adversely affected by urban development near the River.</p> <p>Bank stability impact on development along the River.</p>	<p>The provision of a reserve along the River would provide recreational and ecological protection.</p> <p>However, the extent of the reserve along the River does not allow the full use of the potential recreational and amenity values of the River edge.</p> <p>The location of the reserve along the River is the most appropriate use of the area ensuring better use and access to the River by the community.</p>

Option 2: Enlargement of the River reserve

Benefits of Option 2	Costs of Option 2	Efficiency, effectiveness and appropriateness
<p>✓ Economic Benefit Provide a high level of certainty to developers, the council and affected parties regarding the costs and intended layout of development along the River</p> <p>✓ Social Benefit The creation of larger areas of reserve along the River would enable the establishment of recreational nodes that would be accessible by a larger portion of the population.</p> <p>The creation of a better living environment for all within the Peacocke growth cell</p> <p>✓ Environmental Benefits Create a bigger buffer around areas that have been identified as being ecologically sensitive such as Hammond Bush and the Waikato River margins. These areas contain regionally significant flora and fauna which need to be protected from urban development.</p> <p>Ability to address bank stability issues.</p>	<p>× Economic Costs The cost of acquiring additional land for the enlarged reserve.</p> <p>× Social Costs Change in assumption of land use and future uses.</p> <p>× Environmental Costs Widening and opening up of the River reserve will provide more opportunities for recreational use, which may have adverse effects of ecology.</p> <p>Bat roosts may still be adversely affected by urban development.</p>	<p>The increase in the River reserve, while having an economic cost, would ensure a greater protection of the ecology of the area and provide a better recreational environment along the River.</p> <p>Ensure the better use of the River margins and link the Peacocke area with the existing recreational network to the north.</p>

SUMMARY

The Peacocke Structure Plan 2007 is still considered to be the most effective and efficient means of ensuring that the Peacocke area will become a high quality urban environment incorporating ideas of design excellence, social well-being, and environmental responsibility. However, a number of amendments to the Waikato River reserve have been proposed to ensure that the Structure Plan better meets the aspirations of its urban design principles and enhance the fragile ecology associated with the Waikato River. Taking this into account option 2 Enlargement of the River reserve would best facilitate these outcomes, protecting the regionally-significant flora and fauna which this area provides habitat for, and enhancing recreational opportunities. In essence, these amendments would ensure that the Peacocke growth cell vision of a high quality urban environment responding positively to its surroundings is realised.

Amendment to the collector road along the Waikato River edge

Options

Three options were considered in relation to the amendment to the collector road along the Waikato River edge.

Option	Explanation
1. Do nothing (Status Quo)	Retain the roading network as indicated on the notified Peacocke Structure Plan.
2. Amend the roading network along Waikato River edge	Amend the roading network to show a local road along the Waikato River.
3. Remove road along the Waikato River from the roading network.	Remove the collector road from along the Waikato River and make access to the River by foot or cycle only.

Option 1: Do nothing (Status Quo)

Benefits of Option 1	Costs of Option 1	Efficiency, effectiveness and appropriateness
<p>✓ Economic Benefit Open up the Waikato River for development and provides certainty for land owners and developers.</p> <p>✓ Social Benefit Create access to the Rivers edge for the general public</p> <p>✓ Environmental Benefits None</p>	<p>× Economic Costs Increase costs in the provision of a collector road along the River</p> <p>× Social Costs The provision of a collector road along the River would create a barrier between the residential areas and the River reserve/ pedestrian and cycle routes.</p> <p>Reduce amenity of the Waikato River, a principal natural feature of the Peacocke area.</p> <p>× Environmental Costs The location of a high volume collector road along the River margin would a have negative impact on the ecology of the River margins and Hammond Park areas, particularly bats which are sensitive to light.</p> <p>Bank stability issues impact on development along the Rivers edge.</p>	<p>The costs outweigh the benefits of this option. While a road is still considered appropriate, The introduction of a collector road in this environment with the volume of traffic envisaged to use the road would increase the potential for there to be adverse effects on the surrounding environment.</p> <p>This option is not appropriate in achieving an integrated form of development within the Peacocke Growth Cell by creating barriers between the urban areas and the potential recreational value of the River reserve..</p>

Option 2: Local road along Waikato River edge

Benefits of Option 2	Costs of Option 2	Efficiency, effectiveness and appropriateness
<p>✓ Economic Benefit Open up the Waikato River to development and provide certainty for land owners and developers.</p> <p>Reduce the overall length of the collector roads requires thus reducing costs of constructing an access road along the River edge.</p> <p>✓ Social Benefit Allow for better access to the River for both pedestrian/Cycle and vehicles.</p> <p>Ensure a better link between the surrounding residential areas and the River reserve by reducing volumes and speed along the road.</p> <p>Passive surveillance of reserve by slow moving traffic</p> <p>✓ Environmental Benefits By reducing the volume of traffic within the area would have a positive impact on the surrounding environment.</p>	<p>× Economic Costs Impact on land owners regarding the relocation of the proposed collector roads and the requirements of developers to carry the costs of the construction of the local road along the River front</p> <p>× Social Costs Creation of a physical barrier to River reserve.</p> <p>× Environmental Costs Bank stability issues impact on development. Minor effects on ecology, particularly bats.</p>	<p>The use of a local road is efficient and effective. It still allows for public access, certainty for developers while reducing the impact of traffic in the area with the reduced costs.</p> <p>A local road along the Waikato River edge is appropriate in that it achieves the vision and urban design outcomes for the area.</p> <p>The introduction of a local road would reduce the adverse effects on the surrounding environment by limiting traffic volumes and restricting speeds.</p>

Option 3: Remove road altogether

Benefits of Option 3	Costs of Option 2	Efficiency, effectiveness and appropriateness
<p>✓ Economic Benefit Reduce over cost of the provision of roading within the area.</p> <p>✓ Social Benefit No physical road barrier to access reserve.</p> <p>✓ Environmental Benefits Protect the sensitive River margins and associated flora and fauna from adverse effects.</p>	<p>× Economic Costs Uncertainty from land owners and developers regarding access to the River and roading provision along the River.</p> <p>× Social Costs Limit public access to the River reserve. Strong possibility of the privatisation of the River edge and development turning its back on the River</p> <p>× Environmental Costs Limited control over urban development on the River and River margin</p>	<p>This option is not effective as it does not provide any certainty to developers; limits public access to the River Reserve with the possibility of privatisation of the River.</p> <p>This option is not appropriate as it does not achieve the Structure Plan urban design principles for the Peacockes area of providing a public edge to the River.</p>

SUMMARY

The Peacocke Structure Plan 2007 is considered to be the most effective and efficient means of ensuring that the Peacocke area will become a high quality urban environment incorporating ideas of design excellence, social well-being, and environmental responsibility. The vision is that the urban development of the Peacocke area respects and responds positively to its surroundings, becomes a series of sustainable mixed use communities based on an urban parkland concept, that has great connectivity internally and with the existing City as well as sitting comfortably adjacent the surrounding rural areas. The proposed retention of a local level road represents the approach with the greatest ability to facilitate these outcomes and is therefore the most appropriate.

TIER 3: INTERIM DEVELOPMENT APPROACH

On analysis of the further information provided by the submissions and further submissions the modification to the Proposed District Plan rules is still the preferred approach to ensure land is maintained within the city to meet the future demands of the city's growing population for the following reasons:

- It is considered to be the option most consistent with and that best gives effect to the purpose and principles of the Resource Management Act 1991 by providing a comprehensive and holistic framework for managing urban development of the area.
- This option is consistent with the Proposed District Plan objectives and policies. More specifically:
 - Objective 4.1.1 Development in Future urban Areas, Policies c) and d)
 - Objective 4.1.2 Sustainable New Growth, Policies a) and b)
- It is consistent with and gives effect to the Community Outcomes desired for Hamilton City, as set out in the Long-Term Plan 2009-2019.
- Is consistent with the infrastructure programme as set out in the Long-Term Plan 2009-2019.
- It provides an effective approach to managing natural and physical resources within the subject area, for better long term outcomes, that cannot be provided through the other option.
- The costs associated with preparing, implementing and administration of a Variation to incorporate the changes are outweighed by the absence of rules to control interim development in the Peacocke area.
- Provides the integration of development with the provision of infrastructure.

However submissions have proposed a number of changes to the Interim Development Rules and Staging, to better ensure that land within Peacocke is maintained to allow for future urban development. These changes are as follows:

1. Amendment to Rules for Interim Development.
2. Amendment to Stage 1

Rules for Interim Development

Three principal options have been evaluated for managing and controlling interim development within the Peacocke growth Cell. These being:

Option	Explanation
1. Status Quo-Continue with Rules as notified	Implement the proposed rule changes to Rule Section 6.0 Subdivision and Development to prevent urban development within the Peacocke Growth Cell as a whole.
2. Modification to proposed amendments to Proposed District Plan Rules	Modify Rule Section 6.0 Subdivision and Development- to allow development to occur in Stage 1 while still controlling development within the remainder of the Peacocke Growth Cell.
3. Remove proposed amendments to Proposed District Plan Rules	Apply the existing rules from the Proposed District Plan. Rule 6.3.3 applies to Peacocke in its entirety.

Option 1. Status Quo-Continue with Rules as notified

Benefits of Option 1	Costs of Option 1	Efficiency, effectiveness and appropriateness
<p>✓ Economic Benefits Safeguard future urban land and the Structure Plans vision from being compromised by interim development below 2 ha.</p> <p>Will restrict sporadic interim development can effectively make further conversion to full urban development uneconomic, and compromises providing infrastructure.</p> <p>✓ Social Benefits Limiting the fragmentation of the growth cell will provide social benefits in the future when urban development takes place. It will enable a holistic approach to the provision of community facilities, green space, linkages, infrastructure and other key features. Also, it will be key in achieving successful urban design outcomes that will in turn provide economic, environmental and social benefits.</p> <p>Will improve the ability to achieve the Community Outcomes and the aspirations of CityScope.</p>	<p>× Economic Costs Will restrict the lot size of subdivision in the Future Urban Zone and therefore the potential for economic gain to existing landowners through this type of development.</p> <p>The costs incurred by those who lodged a submission to the Variation.</p> <p>× Social Costs Smaller lots are unable to be subdivided further therefore limiting opportunities for rural residential housing and this form of lifestyle.</p> <p>2ha minimum lot size will constrain good urban design outcomes.</p> <p>× Environmental Costs Less flexibility in terms of activities that can be undertaken in Peacocke.</p>	<p>This option is effective, as it will assist in achieving the vision for Peacocke: that it will become a high quality urban environment that is based on design excellence, social well-being, and environmental responsibility.</p> <p>The staging objectives are:</p> <ul style="list-style-type: none"> • Contribute to the strategic growth of the City by maintaining a balanced supply of land • Enable the market to respond to changing demographic needs • Enable the integration of development with infrastructure availability <p>(refer to Peacocke Structure Plan Report July 2007)</p> <p>This option is effective in achieving the above objectives.</p>

<p>✓ Environmental Benefits Key environmental and landscape features can be retained and used as structuring elements in the future urban development if interim development is controlled. Longer term benefits for the amenity of the Peacocke Area.</p>	<p>Limit further rural residential activities taking place.</p> <p>Provision of Structure Plan elements (roads, reserves) will be constrained by allowing fragmentation of land down to 2ha blocks.</p> <p>Proliferation of 2ha lots may compromise key environmental and landscape features.</p> <p>Potential for increased reverse sensitivity issues with surrounding operations.</p>	
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Option 2: Modification to Proposed District Plan Rules

Benefits of Option 2	Costs of Option 2	Efficiency, effectiveness and appropriateness
<p>✓ Economic Benefit Safeguard future urban land and the Structure Plans vision from being compromised by interim development below 10 ha, while allowing full urban development to occur in Stage 1 to cater for present housing needs in the south.</p> <p>✓ Social Benefit Provision of much needed housing in the southern part of Hamilton as well as assist in the revitalisation on the southern suburbs.</p> <p>The ability to provide urban development in Stage 1 will ensure the sustainability of the surrounding community facilities and infrastructure.</p> <p>Limiting the fragmentation of the growth cell will provide social benefits in the future when urban development takes place. It will enable a holistic approach to the provision of community facilities, green space, linkages, infrastructure and other key features. Also, it will be key in achieving successful urban design outcomes that will in turn provide economic, environmental and social benefits. Will improve the ability to achieve the Community Outcomes and the aspirations of CityScope.</p> <p>✓ Environmental Benefits</p>	<p>× Economic Costs Will restrict the lot size of subdivision in the Future Urban Zone and therefore the potential for economic gain to existing landowners through this type of development.</p> <p>The requirement to provided for infrastructure costs.</p> <p>× Social Costs Smaller lots are unable to be subdivided further therefore limiting opportunities for rural residential housing and this form of lifestyle.</p>	<p>The benefits of this option outweigh the costs as allowing interim development will compromise the whole purpose of having a Structure Plan and some provision for staging is required to provide for market choice.</p> <p>This option is the most appropriate as it will provide for the sustainable management of the natural and physical resources of the Peacocke area.</p>

<p>Key environmental and landscape features can be retained and used as structuring elements in the future urban development if interim development is controlled.</p> <p>Retain rural use until full urban development is appropriate.</p>	<p>× Environmental Costs Less flexibility in terms of activities that can be undertaken in Peacocke.</p> <p>Urban development will a impact on the existing natural environment of the area as well as impact on the adjacent Gully system.</p>	
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Option 3: Remove proposed amendments to Proposed District Plan Rules

Benefits of Option 3	Costs of Option 3	Efficiency, effectiveness and appropriateness
<p>✓ Economic Benefits Landowners can subdivide below 2ha if they provide a concept plan (see Rule 6.3.3 b)).</p> <p>✓ Environmental Benefits There will be the continuation of rural residential activities.</p> <p>✓ Social Benefits The current rules provide an opportunity for 'lifestyle block' development to meet this aspect of market demand. Maintenance of long established rural community network.</p>	<p>× Economic Costs Interim subdivision and development may compromise the quality and purpose of what is to be achieved by the Structure Plan.</p> <p>× Environmental Costs Key environmental and landscape features may be disturbed or destroyed, preventing these features being used as structuring elements in the future urban development.</p> <p>Interim development can result in reverse sensitivity issues for existing rural activities such as dairy farms that 'push out' these activities.</p> <p>Cumulative effect on the ability for Council to provide for comprehensive urban development.</p> <p>Urban development takes place incoherently, inefficiently and uneconomically</p> <p>× Social Costs The urban design outcomes Council is seeking to achieve become much more difficult to achieve if interim development occurs.</p> <p>Interim development of less than 2ha has the potential to create localised pockets of a particular character or amenity with an in-built resistance to change.</p> <p>May compromise the ability to achieve the Community Outcomes and the aspirations of CityScope.</p>	<p>The effectiveness of the vision for the Peacocke Area will be compromised detrimentally by this option. As the vision is for a high quality urban environment that is based on design excellence, social well-being, and environmental responsibility will not be achieved.</p> <p>The costs of this option outweigh the benefits as uncoordinated interim development has the ability to compromise the purpose of the Structure Plan. Also, not providing any indication of staging programme reduces certainty to property owners and developers and also delivery choices. For these reasons this option is inefficient.</p> <p>Reduced certainty about Councils intentions and preferred delivery choice.</p>

Stage 1

Three principal options have been evaluated for managing and controlling interim development in Stage 1. These being:

Option	Explanation
1. Status Quo-Continue with staging as notified	Retain Stage 1 as notified
2. Modification to Proposed District Plan Stage 1	Amendment of Rule 6.9 staging diagram to increase Stage 1
3. No Staging	Allow development to be managed through the existing District Plan provisions.

Option 1. Status Quo-Continue with staging as notified

Benefits of Option 1	Costs of Option 1	Efficiency, effectiveness and appropriateness
<p>✓ Economic Benefits Provides certainty around development and infrastructure.</p> <p>The timing of the release of Stage 1 is aimed at balancing the provision of sufficient land to meet the level of demand, with the infrastructure programme to provide a managed and predictable land release. The infrastructure programme is detailed in the Long-Term Plan 2009-2019. There are two distinct stages of development planned for the Peacocke area with Stage 1 being a 55 hectare area located at Dixon Road and timed for development in 2009/10. Infrastructure provision for the remainder of the Peacocke growth cell will be dependant on future decisions of Council.</p> <p>✓ Social Benefits Contributes to the strategic growth of the city, by</p>	<p>× Economic Costs Stage 1 may infer that trunk services are available immediately.</p> <p>The costs incurred by those who may lodge a submission to the Variation.</p> <p>Stage 1 is not available for development without resource consent until a rezoning Variation is introduced.</p> <p>× Social Costs Council's expectations for each stage will be identified. Restricts potential for alternative infrastructural approaches to be implemented.</p> <p>× Environmental Costs Effect of infrastructure provision on the natural resources of Peacocke.</p>	<p>This option is not the most effective, in that it only indicates development and does not allow for it. Furthermore it does not take account of the natural landforms which will result in reverse sensitivity.</p> <p>This option is not appropriate as it will not provide for sustainable management of the natural and physical resources in the Peacocke area.</p>

<p>maintaining a balanced supply of land suitable for development over the medium term. Enables the market to respond to changing demographic needs and demands, including lifestyle choices as infrastructure is rolled out.</p> <p>For Stage 1 stormwater and water supply services can be provided relatively easily, and there is an existing network of parks and reserves, commercial services, and community facilities such as schools, conveniently located within Glenview that can be accommodate Stage 1 development.</p> <p>Will improve the ability to achieve the Community Outcomes and the aspirations of CityScope.</p> <p>✓ Environmental Benefits Identifies the proposed infrastructure layout for Peacocke in the context of its environment therefore enables adverse effects on the environment to be avoided, remedied and mitigated.</p>	<p>Does not take account of the natural landforms and possibility of reverse sensitivity with existing land uses.</p>	
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Option 2: Modification to Proposed District Plan Stage 1

Benefits of Option 2	Costs of Option 2	Efficiency, effectiveness and appropriateness
<p>✓ Economic Benefits Provides certainty around the ability to develop within Stage 1 and certainty regarding infrastructure.</p> <p>The timing of the release of Stage 1 is aimed at balancing the provision of sufficient land to meet the level of demand, with the infrastructure programme to provide a managed and predictable land release. The infrastructure programme is detailed in the Long-Term Plan 2006-2016. There are two distinct stages of development planned for the Peacocke area with Stage 1 being a 40 hectare area located at Dixon Road and timed for development in 2008/09. Infrastructure provision for the remainder of the Peacocke growth cell will be dependant on future decisions of Council.</p> <p>The ability to develop within Stage 1 without requiring further resource consents.</p> <p>✓ Social Benefits Contributes to the strategic growth of the city, by maintaining a balanced supply of land suitable for development over the short term.</p> <p>Enables the market to respond to changing demographic needs and demands, by allowing urban development to proceed within Stage 1</p> <p>The proposal to allow urban development to occur within Stage 1, stormwater and water supply</p>	<p>× Economic Costs Stage 1 may infer that trunk services are available immediately.</p> <p>The costs incurred by those who lodged submissions to the Variation.</p> <p>× Social Costs Council's expectations for each stage will be identified. Restricts potential for alternative infrastructural approaches to be implemented.</p> <p>Reverse sensitivity issues from surrounding agricultural activities</p> <p>× Environmental Costs Effect of infrastructure provision on the natural resources of Peacocke.</p> <p>Impact of full urban development on the existing rural nature of the area.</p>	<p>Provided more certainty for development of Stage 1 within the desired urban context. Allowing development urban development to occur while having control over the urban design outcomes.</p> <p>The amendment to the rules and staging would allow for the immediate release of land in Peacocke for urban development.</p> <p>This option is the most appropriate as it will provide for the sustainable management of the natural and physical resources of the Peacocke area.</p>

<p>services can be provided relatively easily, and there is an existing network of parks and reserves, commercial services, and community facilities such as schools, conveniently located within Glenview that are presently underutilised and easily accessible.</p> <p>Will improve the ability to achieve the Community Outcomes and the aspirations of CityScope.</p> <p>✓ Environmental Benefits Identifies the proposed infrastructure layout for Peacocke in the context of its environment therefore enables adverse effects on the environment to be avoided, remedied and mitigated.</p> <p>Provided provisions that would limit the effect urban development would have on the environment.</p>		
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Option 3: No staging

Benefits of Option 3	Costs of Option 3	Efficiency, effectiveness and appropriateness
<p>✓ Economic Benefits Development not necessarily bound to certain locations, if services can be met then there may be potential for development in several areas of Peacocke.</p> <p>✓ Social Benefits Retention of rural neighbourhood character and lifestyle.</p>	<p>× Economic Costs No certainty about which area of the Growth Cell will be realised for urban development and when.</p> <p>An ad hoc approach to infrastructure provision would be far less efficient than a co-ordinated staged approach and could delay development programmes.</p> <p>Increases the potential for out of sequence development.</p>	<p>Contrary to the objectives and policies of the Proposed District Plan (See Objective 4.1.1, 4.1.2 and 4.1.3)</p> <p>This option is inappropriate in achieving the sustainable management of the natural and physical resources (RMA) of the Peacocke area.</p>

<p>✓ Environmental Benefits There will be less pressure on the gullies and Waikato River margin from development.</p>	<p>Retaining the existing rules signals that development can take place but the provision of infrastructure is not clearly provided for.</p> <p>× Social Costs May compromise the ability to achieve the Community Outcomes and the aspirations of CityScope.</p> <p>Uncoordinated provision of infrastructure could lead to inadequately serviced new lots with environmental issues and therefore not meeting expectations of the community.</p> <p>Have little control over the reverse sensitivity issue that may occur with the introduction of fragmented development within the area.</p> <p>× Environmental Costs Further development without adequate infrastructure provision may result in adverse effects on the environment e.g. land contamination and liability issues.</p>	
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On analysis of the information, Option 2, "Modification to the Proposed District Plan rules" and "modification of Stage 1") are the preferred approaches for the following reasons:

- It is considered to be the option most consistent with and that best gives effect to the purpose and principles of the Resource Management Act 1991 by providing a comprehensive and holistic framework for managing urban development of the area.
- This option is consistent with the Proposed District Plan objectives and policies. More specifically:
 - Objective 4.1.1 Development in Future urban Areas, Policies c) and d)
 - Objective 4.1.2 Sustainable New Growth, Policies a) and b)
- It is consistent with and gives effect to the Community Outcomes desired for Hamilton City, as set out in the Long-Term Plan 2009-2019.
- Is consistent with the infrastructure programme as set out in the Long-Term Plan 2009-2019.
- It provides an effective approach to managing natural and physical resources within the subject area, for better long term outcomes, that cannot be provided through the other option.
- The costs associated with preparing, implementing and administration of a Variation to incorporate the changes are outweighed by the absence of rules to control interim development in the Peacocke area.
- Provides the integration of development with the provision of infrastructure.
- Allows for development within Stage 1 prior to rezoning and gives affect to the strategies set out in the Hamilton Urban Growth Strategy.

Amending the notified Future Urban Zone Subdivision Rules for the Peacocke area and including a revised staging diagram within the Proposed District Plan is considered to be the most effective and efficient means of ensuring land is maintained within the city to meet the future demands of the city's growing population while still allowing for some development to occur within Stage 1. Option 2 represents the approach with the greatest ability to deliver these outcomes and is therefore the most appropriate.

CONCLUSION

Variation 14: Peacocke Structure Plan is a critical element of Council's long term growth strategy, ensuring a land supply for high quality development in the south of the City. The Structure Plan provides a framework for long term development, and identifies proposals for land use that will have a significant role to play in the future development of the City. The Variation makes provision for a Stage 1 land release within the context of this Structure Plan. The extent and terms of the land release are directly affected by constraints on available network capacity. The Plan provisions seek to enable development that will achieve specific outcomes, particularly in relation to recognising local landscape character and promoting quality urban design outcomes that will increase the attraction and use of public space and community focal points.

The analysis undertaken in this re-evaluation of this report identified the following as Council's preferred options:

- Tier 1, Strategic Approach - Option 2: Formulate a Structure Plan for the Peacocke growth cell
- Tier 2, Structure Plan Substance: The following options were proposed.
 - Enlargement of the Waikato River Reserve - Option 2: Enlargement of River reserve
 - The amendment of the collector road along the Waikato River edge — Option 2: Local Road along Waikato River edge.
- Tier 3, Interim Development Approach: the following options were proposed
 - Rules for Interim Development - Option 2: Modification to proposed amendments to proposed District Plan
 - Stage 1- Option 2: Modification to Proposed District Plan Stage 1

These options and amendments are essential to achieve the purpose and principles of the Resource Management Act 1991, objectives and policies of the Proposed District Plan, the aspirations of CityScope, the infrastructure programme in Council's Long-Term Plan 2009-19, and the vision for Peacocke. The 2009 amendments to the Structure Plan are crucial to protect ecology, provide a coordinated approach to development in the cell, and enhance public enjoyment of the Waikato River. In essence, the Structure Plan and associated amendments will allow the vision of Peacocke as a high quality urban environment to be realised.