

HEARING STREAM 1 – OPENING STATEMENT OF SECTION 42A REPORTING OFFICER

I am the reporting officer for the section 42A reports on Natural Features & Landscapes, and also for the Coastal Environment (which includes the coastal settlements contained within the Large Lot Residential Zone).

Natural Features and Landscapes Report

Firstly, I will outline the approach to natural features and landscapes in the Proposed District Plan.

As stated in the overview section of my section 42A report, there are currently no outstanding natural features or landscapes identified in the Operative District Plan.

The District Plan review process identified this gap, and a full district-wide landscape assessment was commissioned by the Council, which was carried out by John Hudson of Hudson Associates in 2018/19. Mr Hudson's assessment considered four overall matters: Abiotic, Biotic, Perceptual, and Associational – Associational includes Māori cultural values and historic associations.

The findings of his final report were presented to Council in 2019, and this report formed the basis for the creation of a Schedule and associated provisions for the Draft Plan, and ultimately in the NFL – Natural Features and Landscapes chapter of the Proposed Plan. His report also mapped the extent of the landscapes and features he identified, and these have been reproduced on the District Plan maps.

Mr Hudson identified one outstanding natural landscape (being the Ruahine Range) and 11 outstanding natural features – the difference between landscapes and features is a matter of scale, with features being smaller than landscapes.

Mr Hudson also identified a further 11 natural features that he deemed worthy of recognition for their significant amenity values, but that did not reach the level of 'outstanding'. All features and landscapes identified were adopted and incorporated in the Draft and, ultimately, the Proposed Plan – including the 12 amenity features, which were termed 'Significant Amenity Features' in the Proposed Plan.

Mr Hudson is a suitably qualified landscape expert and I remain satisfied that his assessment methodology adopted best practice and can be relied upon. I draw the Panel's attention to the process he carried out which is outlined in Appendix 1 to his statement, which is appended to my section 42A report. I also note that there is no alternate expert landscape evidence being presented to the Panel at this hearing.

24 parties made a total of 62 original submission points on this topic, and there were 61 further submissions points in support or opposition to those submissions. Of the 62 original submission points, 23 of these were in support – with the remainder seeking amendments or opposing various aspects of the relevant provisions in the Proposed Plan.

The submissions opposing various aspects, cover a broad range of matters from minor corrections, through to requests to delete various aspects of the Proposed Plan.

As a very broad summary, matters in contention include:

- the recognition of farming and existing land uses occurring on land identified as having landscape values, and the place of rural character;
- recognition of mana whenua aspirations for their whenua where it has been identified as having landscape values;
- the existence of a current but unimplemented water storage proposal that has been through a Board of Inquiry process, being located in an area that has since been identified as an ‘outstanding natural feature’ – being ONF-4 Mākāroro Gorge;
- the adoption of ‘Significant Amenity Features’ in the Proposed Plan;
- the extent of rules applying to land use activities within outstanding natural features and landscapes in the Proposed Plan;
- the accuracy of the Schedule of Outstanding Natural Features and Landscapes and Significant Amenity Features, and associated mapping;
- the identification of natural features and landscapes where these are over private land.

I don’t intend to traverse these matters in my opening statement, as they have each been addressed in my section 42A report, along with my recommendations in response – some of which were considered by Mr Hudson and covered in his statement attached to, and referenced in, my s42A report.

However, key aspects of the evidence and legal submissions received in advance of this hearing relate to Policy NFL-P5 relating to ‘ONF-4 Mākāroro Gorge’, to ‘Significant Amenity Features’, and to the role of ‘rural character’ in landscapes.

I have read these statements and submissions. I do not have anything to add at this point in time but anticipate returning to these matters in my formal reply following the hearing.

Coastal Environment Report

I now turn to the Coastal Environment topic. As stated in the overview section of my section 42A report, the coastal environment is only addressed in a cursory way in the Operative District Plan. The coastal environment is identified by a 'Coastal Margin' line on the Planning Maps and the underlying Rural Zone provisions apply accordingly, with some differences – exotic tree planting is limited to 1000m² per site over any 5 year period, gross floor area of buildings is limited to 200m² per site, and all subdivision within the coastal margin area of the Rural Zone is a Discretionary Activity (as opposed to Controlled, for subdivision in the remainder of the Rural Zone).

The District Plan review process identified that coastal environment matters were out of date, and particularly needed an overhaul to give effect to the 2010 NZ Coastal Policy Statement. A review of the extent of the coastal environment, and a natural character assessment of the coastal environment, was commissioned by the Council, which was carried out by John Hudson of Hudson Associates in 2018/19. Mr Hudson's assessment considered three overall matters (Abiotic, Biotic, and Sensory) in terms of their condition i.e. the more pristine the higher the rating. I note that, unlike in landscape assessments, 'Associational' matters are not considered in assessing natural character values.

I take this opportunity to refer the Panel to Mr Hudson's statement, appended to my section 42A report, where he notes that the NZ Coastal policy Statement 'requires' areas within the coastal environment that have a High natural character (or greater) to be mapped or otherwise identified.

The findings of his final report were presented to Council in 2019, and this report formed the basis for the adoption of a revised 'Coastal Environment Area' (adopting the extent as mapped in the Hawke's Bay Regional Coastal Environment Plan). Mr Hudson did not identify any areas of outstanding natural character in the coastal environment – but did identify 8 Coastal Sectors with an overall natural character ranking of 'High' or 'Very High'.

These identified areas were adopted and formed the basis for the creation of a 'Schedule of Areas of High Natural Character' and associated provisions for the Draft Plan, and ultimately the CE – Coastal Environment chapter of the Proposed Plan. His report also mapped the extent of the areas of high natural character he identified, and these have been reproduced on the District Plan maps (giving effect to Policy 13(1)(c) of the NZ Coastal Policy Statement).

Mr Hudson is a suitably qualified landscape expert and I remain satisfied that his assessment methodology adopted best practice and can be relied upon. I draw the

Panel's attention to the process he carried out which is outlined in Appendix 1 to his statement, which is appended to my section 42A report. I also note that there is no alternate expert landscape evidence being presented to the Panel at this hearing.

In addition, this section 42A report covers the coastal settlements. The coastal settlements were contained within the Township Zone in the Operative District Plan, alongside the rural townships. The District Plan review identified that the coastal settlements had a unique character and amenity that was markedly different to the rural settlements of the District. The rural settlements largely service the rural communities and therefore exhibit more mixed use environments, including community facilities and some commercial service premises.

Conversely, the coastal settlements are almost exclusively residential in nature (largely holiday homes), with few amenities or community facilities, and very little commercial activity. For this reason, the coastal settlements have been differentiated in the Proposed Plan and given a 'Large Lot Residential Zone' zoning to reflect their residential character with mostly on-site servicing and associated larger lot sizes.

15 parties made a total of 77 original submission points on this topic, and there were 34 further submissions points in support or opposition to those submissions. Of the 77 original submission points, 32 of these were in support – with the remainder seeking amendments or opposing various aspects of the relevant provisions in the Proposed Plan.

The submissions opposing various aspects, cover a broad range of matters from minor corrections, through to requests to delete various aspects of the Proposed Plan.

As a very broad summary, matters in contention include:

- alignment and consistency with the NZ Coastal Policy Statement, which the RMA requires the District Plan to give effect to;
- the recognition of farming and existing land uses occurring on land identified as exhibiting high natural character values;
- 'rural character' versus 'natural character';
- recognition of mana whenua aspirations for their whenua where it has been identified as having high natural character values;
- recognition of activities with an operational or functional need to locate within a coastal environment;
- addressing public access to and along the coast, and over private land;
- the adoption of 'Areas of High Natural Character' in the Proposed Plan;
- the accuracy of the Schedule of Areas of High Natural Character, and associated mapping;

- zone provisions for the electricity network, emergency service activities and firefighting water supply, educational facilities, and camping grounds, in the coastal settlements.

Again, these matters have each been addressed in my section 42A report, along with my recommendations in response – some of which were considered by Mr Hudson and covered in his statement attached to, and referenced in, my s42A report.

Key aspects of the evidence and legal submissions received in advance of this hearing relate to the role of ‘rural character’ in assessing ‘natural character’, and a request to include a servicing standard and associated assessment matter to address firefighting water supply. The latter has been requested across all zones, not just the Large Lot Residential Zone.

I have read these statements and submissions. I do not have anything to add at this point in time but anticipate returning to these matters in my formal reply following the hearing.

Conclusion

To conclude, I anticipate the Panel may have additional questions of the reporting officers following the submitter presentations over the course of the next couple of days.

I note that Mr Hudson is also available to the Panel for questions.

Following this hearing, I will provide the Panel with a formal written reply on landscape and coastal matters raised during the hearing, where additional commentary is requested by the Panel, or where there are matters raised where a response would be helpful to the Panel.



Rowena Macdonald