



Central Hawke's Bay District Council
District Plan Review

Natural Features and Landscapes
Section 32 Topic Report

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Contents

Executive Summary	1
1 Introduction.....	1
2 Statutory & Policy Context.....	1
2.1 Resource Management Act.....	1
2.2 National Direction	2
2.3 Regional Policy Statement & Regional Plans	3
2.4 Local Policies, Plans & Strategies.....	5
2.5 Operative District Plan Approach	6
3 Approach to Evaluation	8
3.1 Background Research.....	8
3.2 Technical Information and Analysis.....	10
3.3 Analysis of Other District Plan Provisions	12
3.4 Consultation	15
3.5 Draft District Plan Feedback.....	16
3.6 Decision-Making.....	17
3.7 Resource Management Issues.....	19
4 Evaluation of Proposed Objectives.....	19
5 Evaluation of Proposed Provisions (Policies & Methods)	21
5.1 Identification of Other Reasonably Practicable Options.....	21
5.2 Evaluation of Proposed Policies and Methods	25
5.3 Adequacy of Information and Risks of Acting or Not Acting.....	31
5.4 Quantification.....	31
5.5 Summary	31
6 Overall Summary and Conclusion	31

REFERENCES

1 Introduction

This report contains a summary evaluation of the objectives, policies and methods applying across the District relating to natural features and landscapes in the Proposed Central Hawke’s Bay District Plan. It is important to read this report in conjunction with the Section 32 Overview Report which contains further information and evaluation about the overall approach and direction of the District Plan review and Proposed District Plan.

This report contains a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from implementing the proposed provisions.

The provisions of the Proposed Plan have been assessed against the relevant higher-order documents that have been prepared under the RMA.

For the purposes of this report, the terms ‘Outstanding Natural Feature’ (ONF), ‘Outstanding Natural Landscape’ (ONL), and ‘Significant Amenity Feature’ (SAF) have been applied to the natural features and landscapes identified on the planning maps and contained in the NFL-SCHED6 schedule.

2 Statutory & Policy Context

2.1 Resource Management Act

The RMA sets out in section 31 the functions of territorial authorities. The key function for the District Council is the integrated management of the use, development, or protection of land and associated natural and physical resources of the district. ‘Natural and physical resources’ includes natural landforms, buildings and structures.

Section 5 sets out the purpose of the RMA, which is to promote sustainable management of natural and physical resources and this is explained more in section 5(2).

In this Act, sustainable management means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety while –

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

Sections 6 and 7 of the Act set out principles of national importance and other matters in which the Council shall recognise and provide for, or have particular regard to, when reviewing the District Plan.

The key provisions of the RMA that need to be considered when addressing the issue of landscape significance are section 6(b) and section 7(c):

s6(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development

s7(c) the maintenance and enhancement of amenity values

However, landscape is an holistic subject that also draws on information gathered under other sections such as sections 6(c), (e) & (f):

s6(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna

s6(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga

s6(f) the protection of historic heritage from inappropriate subdivision, use, and development

Because the values of the landscape are contributed to by matters covered in these other sections, section 6(b) draws on information that is also identified under them. This does not over-ride or double up on the primary relevance of such information to these other sections, but simply draws on it to help inform a holistic view of the landscape.

Section 8 requires local authorities to take into account the principles of the Treaty of Waitangi. Tangata whenua, through iwi authorities have been consulted as part of the review process. This feedback has informed the s32 evaluation, and the obligation to make informed decisions based on that consultation is noted. Furthermore, the identification of the outstanding natural features and landscapes has been informed through this engagement with the iwi authorities.

Section 31 of the RMA further requires Councils to control any actual or potential effects of the use, development or protection of land.

All the above matters are relevant when considering how best to provide for natural features and landscapes in the District Plan.

2.2 National Direction

When considering natural features and landscape matters, the only national direction that applies is the New Zealand Coastal Policy Statement (2010). The format of all District Plan provisions is also subject to the National Planning Standards.

2.2.1 New Zealand Coastal Policy Statement (2010)

Under section 75(3)(b) of the RMA, the District Plan must give effect to any New Zealand Coastal Policy Statement (NZCPS). The NZCPS (2010) has a specific policy (15) to protect the natural features and natural landscapes of the coastal environment from inappropriate subdivision, use and development, and in so doing:

- (a) avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes in the coastal environment; and*
- (b) avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment; including by:*
- (c) identifying and assessing the natural features and natural landscapes of the coastal environment of the region or district, at minimum by land typing, soil characterisation and landscape characterisation and having regard to:*
 - i. natural science factors, including geological, topographical, ecological and dynamic components;*
 - ii. the presence of water including in seas, lakes, rivers and streams;*
 - iii. legibility or expressiveness – how obviously the feature or landscape demonstrates its formative processes;*
 - iv. aesthetic values including memorability and naturalness;*
 - v. vegetation (native and exotic);*
 - vi. transient values, including presence of wildlife or other values at certain times of the day or year;*
 - vii. whether the values are shared and recognised;*
 - viii. cultural and spiritual values for tangata whenua, identified by working, as far as practicable, in accordance with tikanga Māori; including their expression as cultural landscapes and features;*
 - ix. historical and heritage associations; and*
 - x. wild or scenic values; and*
- (d) ensuring that regional policy statements, and plans, map or otherwise identify areas where the protection of natural features and natural landscapes requires objectives, policies and rules; and*
- (e) including the objectives, policies and rules required by (d) in plans.'*

The Proposed District Plan identifies significant natural features and landscapes in the coastal environment, and contains provisions to protect and manage those that have been assessed as ‘outstanding’ and to manage other valued features.

2.2.2 National Planning Standards

The first set of National Planning Standards (NPS) were released in April 2019. Their purpose is to improve consistency in district plan and policy structure, format and content.

The District Plan Structure Standard (Standard #4) and the District-Wide Matters Standard (Standard #7, clause 21) direct that the provisions for outstanding natural features and landscapes shall be contained within the ‘NFL – Natural Features and Landscapes’ chapter under the ‘Part 2 Natural Environment Values’ heading. The ‘Schedule of Outstanding Natural Features and Landscapes and Significant Amenity Features’ (NFL-SCHED6) is also included in this chapter, as provided for in the Format Standard (Standard #10, clause 33).

The proposed provisions also use the standardised definitions from the Definitions Standard (Standard #14), where appropriate (e.g. definitions of building, gross floor area, height, earthworks, and subdivision).

2.3 Regional Policy Statement & Regional Plans

Under Section 75(3)(c) of the RMA, the District Plan must give effect to the Regional Policy Statement (RPS). The Hawke’s Bay Regional Policy Statement (RPS) is contained within the Regional Resource Management Plan. The Hawke’s Bay Regional Resource Management Plan makes no reference to outstanding natural features and landscapes and gives no direction on how these should be assessed or where they are located. The only reference to such matters within the regional planning framework is within the Regional Coastal Environment Plan (RCEP).

2.3.1 Hawke’s Bay Regional Coastal Environment Plan (Operative 8 November 2014)

Amongst other references, there is a specific objective and several policies (no rules) related to outstanding natural features and landscapes in Part B of the RCEP, and outlines the Pigeon Bay factors¹ and suggests Territorial Local Authorities can consider these when defining such features and landscapes within the coastal environment, as follows:

Issue 3.1

Inappropriate subdivision, use and development may degrade the physical integrity and aesthetic values of outstanding natural features and landscapes within the coastal environment.

Objective 3.1

Protection of outstanding natural features and landscapes within the coastal environment from inappropriate subdivision, use and development.

Policies

Policy 3.1 To recognise and provide for the protection of the visual coherence of the existing landscape, seascape and outstanding natural features in the coastal environment.

Policy 3.2 To recognise and provide for the avoidance, remediation or mitigation of adverse effects on significant landforms and significant geological features.

Policy 3.3 To ensure the visual quality and the physical and ecological integrity of outstanding natural features and landscapes within the coastal environment are maintained and that such areas be restored and rehabilitated where appropriate.

Policy 3.4 To protect physical and ecological values of existing wetlands, dune systems, lagoons, estuaries and river mouths in the coastal environment.

¹ Pigeon Bay Aquaculture Ltd and others v Canterbury Regional Council [1999] C32/99.

- Policy 3.5 *To ensure estuarine habitats and physical estuarine processes are used or developed in a way that avoids, remedies or mitigates adverse effects on the biological integrity of the estuarine system.*
- Policy 3.6 *To promote the restoration and rehabilitation of identified areas where outstanding natural features and landscapes within the Coastal Environment have been degraded by past activities or may be degraded by proposed activities.*
- Policy 3.7 *To implement the policies set out above predominantly in the following manner:*
- (a) *resource consents – the policies will primarily be used in the process of making decisions on resource consents in accordance with the RMA;*
 - (b) *regional rules – the policies have been incorporated into rules (including conditions, standards and terms) set out in Part E of this Plan and provide a basis for the level of regulation used;*
 - (c) *non-regulatory methods – the policies may also be implemented through non-regulatory methods where appropriate, including the provision of information, environmental monitoring and reporting, and liaison/consultation with resource users and territorial authorities.*

Explanation and reasons

Natural features and landscapes can be damaged or destroyed by a range of activities. Natural features are also constantly subject to change from natural erosion or depositional processes along the coast. Inappropriate subdivision, use and development which occurs above mean high water springs can have adverse effects on natural features and seascapes present in the coastal marine area. Protection of the values of outstanding natural features and landscapes in the coastal environment is a shared responsibility among HBRC and city and district councils. District Plans can manage activities which may have adverse effects on those landscapes and natural features above mean high water springs. Some district plans already identify outstanding natural features and landscapes above MHWS. The Regional Coastal Environment Plan (and other regional planning documents) establish objectives and policies which guide preparation and review of district plans. Inappropriate subdivision, use and development can degrade the physical integrity and aesthetic values of outstanding natural features and landscapes within the coastal environment.

Certain types of activities on landscape or seascape features will have far greater adverse visual and ecological effects than others. Some activities may destroy the natural elements that make up visual and/or ecological character and other activities may obscure or interrupt features with high visual or ecological qualities. There is a need for such activities to be carefully managed according to their likely potential effects.

Wetlands, coastal lagoons, estuaries and river mouths often feature intricate ecosystems which in turn possess high ecological value. The physical and ecological values of these waterways in the coastal environment need to be carefully managed. It should also be recognised that in some cases, development (such as to provide essential infrastructural services) may need to pass through areas with high values as outstanding landscapes or natural features.

Case law has evolved and developed a set of robust criteria that can be used to define outstanding natural features and landscapes for district and regional planning purposes. The 'Pigeon Bay' criteria have been refined and include:

- Natural science factors – the geological, topographical, ecological and dynamic components of the landscape;*
- Its aesthetic values (including memorability and naturalness);*
- Its expressiveness (legibility); how obviously the landscape demonstrates the formative process leading to it;*
- Transient values; occasional presence of wildlife; or its values at certain times of the day or year;*
- Whether the values are shared and recognised;*
- Its value to tangata whenua;*
- Its historic associations.*

Anticipated environmental results

- AER 3.1 *Protection of outstanding natural features and landscapes from inappropriate subdivision, use and development within Hawke's Bay's coastal environment.*
- AER 3.2 *Restoration and rehabilitation of identified areas where outstanding natural features and landscapes within the coastal environment have been degraded by past activities.*
- AER 3.3 *Greater public awareness of the need to protect outstanding natural features and landscapes within the region's coastal environment.*
- AER 3.4 *Protection of the visual harmony of the existing landscape, seascape and outstanding natural features in the coastal marine area.*
- AER 3.5 *Avoidance, remediation or mitigation of adverse effects on significant landforms and significant geological features in the coastal marine area.*

The direction contained within the RCEP, in relation to Outstanding Natural Features and Landscapes, has been taken into account in the recent assessment of the District's natural features and landscapes and in the evaluation below.

2.4 Local Policies, Plans & Strategies

2.4.1 Iwi Environmental Management Plan

There are currently no iwi management plans relevant to Central Hawke's Bay District.

2.4.2 Statutory Acknowledgements

Heretaunga Tamatea and its hapū is one of six large natural groupings represented by He Toa Takatini who negotiated settlement of the historical Treaty of Waitangi claims of Ngāti Kahungunu, signed on the 26 September 2015. Settlement assets for Tamatea sit with the trustees of the Heretaunga Tamatea Settlement Trust, the post-settlement governance entity.

As part of the deeds of settlement are statutory acknowledgements. The statutory acknowledgements for the particular cultural, spiritual, historical, and traditional association of Heretaunga Tamatea and its hapū within Central Hawke's Bay District include its many natural features and landscapes. The statutory acknowledgement areas containing natural features and landscapes assessed as outstanding (ONF/ONL), or natural features having significant amenity value (SAF), are:

Statutory Acknowledgement Area			Identified Natural Feature or Landscape in the Proposed District Plan (ONL, ONF or SAF)
OTS Reference	Proposed Plan Reference	Deed Plans Title	
OTS-110-18	SA-7	Monckton Scenic Reserve	SAF-6 Tangarewai Stream
OTS-110-19	SA-8	Ngaruroro River and its tributaries within the Heretaunga Tamatea area of interest	ONL-1 Ruahine Range
OTS-110-21	SA-9	Ruahine Forest (East) Conservation Area	ONL-1 Ruahine Range
OTS-110-22	SA-10	Part of Ruahine Forest Park	ONL-1 Ruahine Range
OTS-110-26	SA-13	Māharakeke Stream and its tributaries	ONF-5 Northern end of Nga Kaihinaki-a-Whata & Te Whata Kokako
OTS-110-27	SA-14	Makāretu River and its tributaries within the Heretaunga Tamatea area of interest	ONL-1 Ruahine Range SAF-8 Makāretu River
OTS-110-29	SA-15	Tukipō River and its tributaries	ONL-1 Ruahine Range SAF-5 Tukipo River SAF-6 Tangarewai Stream

Statutory Acknowledgement Area			Identified Natural Feature or Landscape in the Proposed District Plan (ONL, ONF or SAF)
OTS Reference	Proposed Plan Reference	Deed Plans Title	
			SAF-7 Mangatewai River
OTS-110-30	SA-16	Tukituki River and its tributaries within the Heretaunga Tamatea area of interest	ONL-1 Ruahine Range ONF-6 Silver Range SAF-4 Tukituki River - Upper SAF-10 Lake Whatuma
OTS-110-31	SA-17	Waipawa River and its tributaries within the Heretaunga Tamatea area of interest	ONL-1 Ruahine Range ONF-1 W(h)akarara Range ONF-2 Mangamaui Stream & Upokororo Stream ONF-3 Mangaoho Stream (& tributaries) ONF-4 Mākāroro Gorge SAF-1 Mākāroro River SAF-2 Mangataura Stream SAF-3 Waipawa River - Upper SAF-9 Te Aute Limestone Crest
OTS-110-32	SA-18	Pōrangahau/Tāurekaitai and its tributaries within the Heretaunga Tamatea area of interest	ONF-10 Pōrangahau Fore-dune & Estuary ONF-11 Whangaehu Coastal Cliffs SAF-11 Pōrangahau Inland Dunes

2.5 Operative District Plan Approach

There are no provisions specifically relating to Outstanding Natural Features or Landscapes in the Operative District Plan. However, there are a number of references to landscape values in a more general sense within the Rural Zone provisions, and some assessment criteria (for consideration where a proposed subdivision or development triggers a resource consent under another rule in the Plan). The Operative District Plan also identifies 'Areas of Outstanding Landscape Views', which are scheduled in the District Plan and shown on the Planning Maps (for information purposes only).

The relevant provisions of the Operative District Plan are as follows:

4.4 ISSUE - Nature Conservation, Landscape Values, and Riparian Management

Conservation and landscape values and riparian areas need to be maintained or enhanced for future generations

Explanation

...

The District contains diverse landscapes, varying from the mountains of the Ruahines to rugged coastal seascapes and headlands. These landscapes are of significant value. Most experience of the landscape is gained from settlements and the main transport routes; however, an increasing number of visitors are exploring more remote locations. The landscapes are a drawcard for visitors. Accordingly, there is a need to protect the District's unique mixture of outstanding landscapes, for present and future generations.

Lakes, rivers, and the coast, and their margins are vital elements of the landscape and important habitats for indigenous flora and fauna...

...

Many people have a special attachment to lakes and rivers and their margins, Tangata Whenua hold both a practical and spiritual relationship with them through their wahi tapu, wahi taonga and mahinga kai. Lakes, rivers and the coast, and their margins are valued for their amenity, landscape and recreation values.

4.4.1 Objectives

1. Protection and enhancement of defined nature conservation areas, and outstanding landscapes views within the District.

...

4.4.2 Policies

...

6. To control certain activities which have the potential to adversely affect area identified as having major viewing points to some outstanding landscapes in the District.

...

4.4.3 Implementation Methods

To achieve policies 1-6 through:

...

2. controlling by way of rules building development and tree planting in areas of outstanding landscape views and in the coastal environment, and the modification of indigenous vegetation in sites of significant conservation value; and,

3. to establish an operations plan for Council that takes into account indigenous plants and animals and water quality, and landscape values when carrying out roading construction or maintenance.

4.4.4 Explanation and Reasons

...

The coast and several landscape vistas contribute to the amenity of the District. The coast is that part of the environment that is viewed from the sea, and in which the coast is a significant element; while, the identified landscape vistas are viewed from nearby public roads. These areas are identified on the Planning Maps. Rules are introduced to control building development and the planting of trees because they may obstruct the views of these landscape vistas or compromise the natural character of the coast.

...

4.5 ENVIRONMENTAL RESULTS ANTICIPATED

- Maintenance and enhancement of the District's landscape and conservation values.

The Operative District Plan contains one rule pertaining to the planting of trees or establishment of buildings in those identified areas of 'Outstanding Landscape Views', again in the Rural Zone provisions, as follows:

4.8 ACTIVITIES

4.8.2 CONTROLLED ACTIVITIES

...

(c) The planting of trees or the establishment of buildings in areas identified on the Planning Maps as having outstanding landscape views, where such trees or buildings will obstruct views from a public road.

The Council's has reserved control over the following matters:

- siting and layout of the tree planting;
- siting of the building.

**APPENDIX I - SCHEDULE OF AREAS OF OUTSTANDING
LANDSCAPE VIEWS (For Information Purposes Only)**

Reference Number	Map Number	Description
SV1	4	View of Waipawa River and valley
SV2	4	View of Waipawa River and valley
SV3	4	View of plains and ranges from Hardy Road
SV4	3	View down Pettits Valley
SV5	3	View of Tuki Tuki River and valley
SV6	8	View from Pukeora lookout
SV7	10	View of Silver Ridge
SV8	14	View of coast from Pourerere Road
SV9	19	View of sand dunes and beach from Blackhead Road
SV10	19	View of sand dunes and beach from Blackhead Road

These provisions do not address the need to recognise and provide for the protection of outstanding natural features and landscapes as required by section 6(b) of the RMA as a matter of national importance. This is not surprising as a natural landscape assessment of the District had not been carried out at the time of developing the Operative District Plan, and no natural features or landscapes had therefore been identified as outstanding (only outstanding landscape views).

3 Approach to Evaluation

3.1 Background Research

In 2017, a high-level scoping exercise was undertaken to determine what aspects of the Operative District Plan were in reasonable shape and identify areas for review and the general approach to be taken to review them². With respect to landscape values, this review concluded that by being buried in the Rural Zone provisions meant that the current provisions have a limited policy framework and provide a low level regulatory response to section 6 matters of national importance. Options considered were to retain the status quo (i.e. retain within the Rural Zone provisions without amendment), update the Rural Zone provisions, or to draft a new standalone chapter addressing aspects such as natural landscapes. A new standalone chapter to specifically address natural landscapes was recommended.

As part of the District Plan scoping exercise the following background reports and feedback were also noted.

3.1.1 ‘Central Hawke’s Bay District Council – District Plan Review – Coastal Zone Landscape Assessment’ (Final Draft), Terraforme Landscape Architecture, September 2013

This assessment included mapping the ‘Coastal Environment Area’ (the area considered to have natural character), natural features and amenity landscapes, and concluded that natural features of district significance include:

- The Kairakau Taupata limestone outcrops
- The Porongahau Parimahu dune system and longshore bar
- The Aramonana southern headland
- The Blackhead southern headland

The report makes particular note of the contribution to the landscape character of the estuary environments and associated stream/river outlets at Porongahau, Pourerere, Blackhead, Kairakau and Aramoana and a requirement for careful consideration of these areas in the District Plan.

² “Initial Section 32 Scoping Report – CHB District Plan Review 2017”, prepared by Sage Planning HB Ltd, dated 24 August 2017.

In addition to the Parimahu dune environment, sand dunes were considered to be a key contributor to the natural character of the coastal environment, and in the settlement areas the report considered it important to acknowledge their contribution to amenity landscapes and ensure their long-term protection.

The report determined the following amenity landscapes where there was a requirement to 'maintain and enhance the amenity values':

- Porangahau – Bridge and river
- Whangaehu – Settlement and associated coastal area
- Kairakau – Settlement
- Blackhead – Settlement and coastal margin
- Mangakuri – Settlement and coastal margin

The report was released as a 'final draft' subject to the outcome of engagement with tangata whenua, stakeholders, and the wider community on the review of the coastal provisions in the District Plan at that time, which was anticipated to result in changes. A final version of this report was not completed.

Since that time, the consultant has moved away from consultancy practice and, ultimately, became unavailable to progress the final draft and take any recommendations through the remainder of the District Plan review process.

3.1.2 'Central Hawke's Bay District Council – District Plan Review – Rural Landscape Assessment' (Final Draft), Terraforme Landscape Architecture, September 2016

This assessment included a desktop exercise identifying the Districts 'outstanding natural features' and 'outstanding natural landscapes' provisions in the Rural Zone.

The report identified and mapped the following 'landscape features':

- Waipawa River
- Tukituki River
- Porangahau River
- Lake Hatuma
- Pukeora Hill

However, the report identified no landscape features as having national significance, and none were identified as having district significance either.

The report was released as a 'final draft' subject to any outcomes of recommended consultation with tangata whenua, stakeholders, and the wider community, which was anticipated to result in changes. A final version of this report was not completed.

Since that time, the consultant has moved away from consultancy practice and, ultimately, became unavailable to progress the final draft and take any recommendations through the remainder of the District Plan review process.

3.1.3 'Project Thrive' Feedback (2017)

In April 2017, Council consulted with the local community on their long term goals for the District. The outcome of this process 'Project Thrive', has informed Council's strategic direction and investment since that time. A key theme identified by the community during this process included 'Nature Friendly' practices.

Feedback strongly indicated that the community placed value on landscape, outdoor environment/land/mountains, sand dunes and natural beauty, as well as iconic rivers and estuary,

beaches, and bush/forest parks (Lake Whatuma was specially mentioned)³. Specific feedback relevant to landscape issues included ‘lack of protection of natural beauty in the District Plan’.

3.1.4 ‘Central Hawke’s Bay District Plan Review – A Report on the Efficiency and Effectiveness of the Central Hawke’s Bay District Plan’, CHBDC, August 2017

This report identified that, in recognition of the significance of the matters of national importance encapsulated collectively as Nature Conservation, Landscape Values and Riparian Management, these matters could be separated into four individual issues rather than grouped together as a single issue (as currently in the Operative District Plan).

The four individual issues were considered to better reflect the matters covered in section 6 (a), (b), (c) and (d) of the RMA. This would allow each issue to be addressed in more appropriate detail as would reasonably be anticipated for matters of national importance. Treating the four separate matters individually would also enable the formulation of separate objectives and policies to be identified for each issue.

3.1.5 Issues Raised in Staff Interviews (2017)

Feedback from staff about their experiences with the Operative District Plan during interviews for the Initial Scoping Report, only raised one issue of relevance, as follows:

- View Shafts – setbacks and controls around that – location of buildings and planting of trees.

Staff questioned what the outstanding landscape views were there to achieve, had trouble understanding how to implement the provisions, and suggested they be dropped from the District Plan.

3.2 Technical Information and Analysis

3.2.1 ‘Central Hawke’s Bay District – Outstanding Natural Landscape Assessment’, Hudson Associates Landscape Architects, January 2019

During the process of reviewing the District Plan provisions around landscape values, Council commissioned another consultant (Hudson Associates, Landscape Architects) to pick up the assessment of the District’s natural features and landscapes, and to provide guidance on methods for meeting Council’s section 6 and section 7 responsibilities under the RMA in this respect.

In this situation, it was agreed that a new independent landscape assessment of the District was appropriate (as opposed to adoption of the previous assessments completed by another consultant). This new assessment, and resulting report below, was accepted and formerly adopted by Council and has informed the development of landscape provisions in the Draft District Plan and beyond.

The assessment methodology was based on case law and NZILA Best Practice Guide 10.1, and the District’s landscape was considered under the three components of Natural Science, Perceptual/ Experiential, Associational, and 12 sub-factors, being:

Landscape Assessment Components	Factors
Natural Science	<ul style="list-style-type: none"> – <i>Geology/ geomorphology</i> – <i>Ecology</i> – <i>Hydrology</i>
Perceptual / Experiential	<ul style="list-style-type: none"> – <i>Memorability</i> – <i>Legibility/Expressiveness</i> – <i>Transient</i> – <i>Aesthetic</i>

³ ‘Central Hawke’s Bay Blueprint - Appendices for Central Hawke’s Bay District Council’, Urbanism Plus Ltd, July 2017.

	– <i>Naturalness</i>
Associational	<ul style="list-style-type: none"> – <i>Shared and Recognised</i> – <i>Recreational</i> – <i>Historical</i> – <i>Tangata Whenua</i>

Outstanding natural landscapes (and/or features) were described in the report as being generally of high value in terms of natural science and perceptual criteria, with less human modification and greater aesthetic appeal. They may also rank highly in terms of associational values, such as historic or cultural values from past uses or events.

There were a number of areas that ranked highly in terms of the assessment factors – however, did not qualify as Outstanding. This is typically due to the level of modification which provides clear evidence of human intervention such as ongoing grazing, or reduced values in terms of natural science or perceptual values. These areas were identified as Significant Amenity Features, being worthy of recognition but not reaching the level required to be assessed as Outstanding.

The outcome of the report was the identification of the following natural features and landscapes as being outstanding, or as being worthy of recognition for their significant amenity values:

1. One Outstanding Natural Landscape (ONL), being the Ruahine Range
2. The following Outstanding Natural Features (ONF):
 - W(h)akarara Range
 - Mangamauku Stream and Upokororo Stream
 - Mangaoho Stream (and tributaries)
 - Mākāroro Gorge
 - Northern end of Nga Kaihinaki-a-Whata and Te Whata Kokako
 - Silver Range
 - Kairakau Coastline
 - Pourērere, Aramoana and Blackhead Coastline
 - Parimahu
 - Porangahau Foredune and Estuary
 - Whangaehu Coastal Cliffs
3. The following Significant Amenity Features (SAF):
 - Mākāroro River
 - Mangataura Stream
 - Waipawa River – Upper
 - Tukituki River – Upper
 - Tukipo River
 - Tangarewai Stream
 - Mangatewai River
 - Makāretu River
 - Te Aute Limestone Crest
 - Lake Whatuma
 - Pōrangahau Inland Dunes

The report assessed each of the above features/landscapes against the various factors above, and identified potential issues (threats) to the key landscape values identified for each, and potential responses to those threats.

For the most part, the land use activities causing the greatest potential adverse effects on the key landscape values of these features/landscapes were identified as (not all threats are relevant in all cases):

1. large scale buildings and structures,
2. large scale earthworks or landform modification,
3. clearance or degradation of native vegetation cover (where present),
4. establishment or spread of exotic plants, and
5. plantation forestry or tree cover (in some cases).

The above features and landscapes have formed the basis for mapping of, and inclusion of a schedule of, outstanding natural features/landscapes and significant amenity features in the Proposed District Plan, and the key values and threats have been considered in the development of accompanying objectives, policies and methods in the Natural Features and Landscapes chapter of the Plan.

3.3 Analysis of Other District Plan Provisions

Over time, and since the development of the Operative District Plan, many local authorities have engaged experts to carry out natural landscape assessments of their district (or region). As a result, there is now accepted best practice and case law⁴ around methodology and criteria to identify (spatially and descriptively) and assess natural features or landscapes.

A summary of approaches taken in other District Plans that were considered during the development of landscape provisions for the District Plan review, is provided below:

District Plan	Approach	
Hastings District Plan	Identified Landscapes:	
	Outstanding Natural Features and Landscapes (ONFLs)	Significant Amenity Landscapes (SALs)
	Te Mata Peak/ Te Mata Peak East Face	Cape Kidnappers Headland
	Mt Erin – Kahuranaki	Lake Tutira Basin
	Mt Erin – Kohinerakau	Maungahururu Tange, Titiokura, and Te Waka
	Cape Kidnappers & Rangaiika Coast	Roy's Hill - Hills surrounding Heretaunga Plains
	Whakaari Headland – Tangoio Bluff	Te Aute Valley including Lake Poukawa, Te Aute Hill, Raukawa Range and Kaokaoroa Range ⁵
	Maungahururu Range, Titiokura, and Te Waka	Te Mata Peak Surrounds
	Kaweka and Ruahine Ranges ⁶	Mount Erin - Kohinerakau Surrounds
	Motu O Kura - Bare Island and Waimarama Coast	Waitangi

⁴ Including;

- Pigeon Bay Aquaculture Ltd and others v Canterbury Regional Council [1999] C32/99
- Wakatipu Environmental Society v Queenstown Lakes District Council [2001] C075/2001
- Long Bay Okura Great Park Society Inc v North Shore City Council [2008] NZEnvC 078
- Upper Clutha Tracks Trust v Queenstown Lakes District Council [2010] NZEnvC 432.

⁵ Note: this SAL (Te Aute Valley including Lake Poukawa, Te Aute Hill, Raukawa Range and Kaokaoroa Range) in the Hastings District adjoins SAF-9 (Te Aute Limestone Crest) in the Central Hawke's Bay District.

⁶ Note: this ONFL (Kaweka and Ruahine Ranges) in the Hastings District adjoins ONL-1 (Ruahine Ranges), ONF-1 (Whakarara Bush), and also SAF-2 (Mangataura Stream) in the Central Hawke's Bay District.

District Plan	Approach
	<p>HDC approach is outlined as follows:</p> <ul style="list-style-type: none"> • Protection of the iconic landscape factors, values, and associations of <i>Te Mata Peak</i> by <i>Prohibiting buildings associated with residential activities and visitor accommodation above and including the 240 metre contour line of the Peak.</i> • Protection of the present landscape factors, values and associations of <i>outstanding natural features and landscapes</i> by classifying <i>buildings and other significant activities, and subdivision</i> in these areas as <i>Discretionary or Non-Complying Activities.</i> • Maintenance and enhancement of the present landscape values of <i>Significant Amenity Landscape</i> by classifying <i>buildings in Rural Residential Zones and other significant activities, and subdivision</i> in these areas as <i>Controlled Activities.</i> • Maintenance of the present landscape values of <i>Rural and Coastal Landscape Character Areas</i> by classifying <i>subdivision</i> in these areas as a <i>Controlled Activity.</i> The assessment of subdivision applications in these Character Areas will have reference to: <i>"The Guide - Good Practice Landscape Guidelines for Subdivision and Development in the Hastings District"</i> - August 2005. <p>Other Methods</p> <ul style="list-style-type: none"> • Provision of a Design Guide – for building development, earthworks and subdivision in the rural landscape including possible design solutions for avoiding or mitigating adverse visual and landscape effects associated with building, earthworks, and subdivisions. These guidelines assist applicants for resource consent to achieve the objectives and policies for landscapes and natural features. They also promote improved landscape outcomes for activities that do not require resource consent. • Information on managing plantations in the Hawke's Bay landscape – HDC to work with industry groups to identify appropriate forestry and shelter planting practices that avoid or mitigate adverse visual and landscape effects and disseminate best practices to parties. • Land and Project Information Memoranda – Where a LIM or PIM is requested, existing and prospective owners of land comprising the ONF/ONL and SAF areas are informed of the nature and significance of those features and the types of activity, including building development, earthworks and plantations that would have an adverse visual effect on them. • Heritage New Zealand Pouhere Taonga Act 2014 – Applicants are advised to contact Heritage New Zealand Pouhere Taonga if any activity such as earthworks, fencing or landscaping may modify damage or destroy any archaeological site. • Voluntary methods – informing existing and prospective landowners of ONF's/ONL's and SAF's of voluntary methods available for protecting those features. In particular, the Council will seek to negotiate protective covenants with landowners, to achieve legal and physical protection of the outstanding features.
<p>Manawatu District Plan</p> 	<p>This Plan identifies two ONF's, the rest are identified in the respective RPS (One Plan).</p> <p>Objective 4.3.3</p> <p>LU9) To protect and where appropriate enhance the quality of the District's outstanding landscapes, namely:</p> <ol style="list-style-type: none"> <i>Pohangina River and river valley.</i> <i>Oroua River and river valley upstream of the Mangoira Stream confluence.</i> <i>Rangitikei River and river valley upstream of Putorino.</i> <i>The ridgeline of the Ruahine ranges.⁷</i> <i>The Ruahine State Forest Park.</i> <i>Pukepuke lagoon.</i> <i>The coastline of the District, including the dune areas immediately adjacent to the sea.</i> <i>The vistas from Stormy Point lookout and the Mt Stewart Memorial.</i> <p><i>(Issue 11) (Refer also: Objectives HV 1, LU 5, LU 8 and LU 23).</i></p> <p>The District Outstanding Landscapes (with the exception of Stormy Point & Mt Stewart) are recognised by the Regional Policy Statement. Recognises that the Ruahine Ranges and Pukepuke Lagoon are already protected by having reserve status and have management plans that protect their ecological values for the long-term.</p>

⁷ Note: this ONL (the ridgeline of the Ruahine ranges) in the Manawatu District adjoins ONL-1 (Ruahine Ranges) in the Central Hawke's Bay District.

District Plan	Approach
	<p>The Plans’ rules require that the special qualities of the Pohangina, upper Rangitikei and upper Oroua valleys be taken into account when assessing any discretionary subdivisions or land use consents within these areas.</p> <p>The Plan also places additional controls over the location of dwellings in the Pohangina Valley. Seek to limit the density of dwellings and the number of houses which can be built along the prominent terrace edges and in the open spaces which are an important part of the character of the Valley. Where proposal fail to meet these standards application for a restricted discretionary activity is required. There are no specific earthworks rules for activities within outstanding landscapes.</p> <p>Other methods</p> <ul style="list-style-type: none"> • Covenants for specific areas (Stormy Point & Mt Stewart & significant community vistas in the Pohangina Valley as identified on the Planning Maps) • Design guidelines for new houses and other building in the Pohangina Valley • Guidelines for forestry plantings which minimise landscape impacts • Reserve Management Plans for specific areas including Ruahine State Forest Park
<p>Taupo District Plan</p>	<p>Taupo District Council (TDC) have defined two distinct landscape areas – ‘Outstanding Landscape Areas (OLAs)’ (section 6(a) matters) & ‘Amenity Landscape Areas (ALAs)’ (section 7(c) matters). These are identified in a Schedule & shown on the Planning Maps:</p> <ul style="list-style-type: none"> - 43 x OLAs - 20 x ALAs <p>Outstanding Landscape Area (OLA) rules</p> <p>Permitted – structures and earthworks, subject to standards.</p> <p>Restricted discretionary - structures /earthworks within limits (if it does not meet these standards reverts to a discretionary activity).</p> <p>Discretionary Activity - subdivision in OLA’s (subject to standards)</p> <p>Other Methods</p> <ul style="list-style-type: none"> • Other provisions of the Plan e.g. the Foreshore Protection Area and rules relating to the underlying environment • Education and provision of information • Utilising Design Guidelines. • Monitoring OLA and Amenity Areas to identify where unacceptable change is occurring. • Other legislation - National Parks Act 1980, Conservation Act 1987 and Reserves Act 1977. • The implementation of any Joint Management Agreement between Council and Iwi. • Collaboration with groups that operate in the Taupō District with aligned Landscape Values management goals.
<p>Proposed New Plymouth District Plan</p>	<p>The District Plan Identifies Outstanding Natural Features & Landscapes on the maps and schedule.</p> <p>Rules</p> <ul style="list-style-type: none"> • No rules for areas already protected under the National Parks Act 1980 or Reserves Act 1977 • Customary activities and conservation activities in specified areas – permitted • Demolition and removal of buildings in specified areas – permitted • Buildings for activities associated with undertaking, erecting maintaining or upgrading natural hazard mitigation activities, network utilities poles and mast supporting lines across a waterbody and post wire and fence in specified areas – permitted • Buildings not otherwise provided for – discretionary • Earthworks in specified areas subject to quantity/time limits (25m³ area or volume per site in any 12-month period) • Clearance of exotic / indigenous vegetation in specified areas subject to limits – permitted • Subdivision of 1 x 20 ha allotment provided for as a discretionary activity, otherwise subdivision is non-complying. <p>Other Methods</p> <p>None specified</p>

District Plan	Approach
South Taranaki District Plan	<p>Implementation methods</p> <ul style="list-style-type: none"> • Identification of ONF's and ONL's and other important features on Planning Maps • Rules relating to subdivision, buildings, structures, earthworks, indigenous vegetation clearance in the ONF/ONL provisions. • Rules relating to buildings near Lake Rotorangi to maintain the values of the lake. • Use of conditions on resource consents to ensure the adverse effects of subdivision, use and development on ONF/ONL and other important natural features and landscapes are avoided, remedied or mitigated. • Use of protection mechanisms under other legislation such as Reserve Management Plans under the Reserves Act 1977, particularly for Mount Taranaki, Whanganui National Park and Lake Rotokare. • Education, advocacy and information sharing to raise community awareness of the attributes and values of ONF/ONL, their contribution to community identity, and the need to protect these from inappropriate subdivision, use and development. • Provide guidance and advice to assist in the protection of landscape character, including advice on restoration and rehabilitation of indigenous vegetation. • Liaise and collaborate with landowners, interest groups and agencies with interests in the protection of Outstanding Natural Features/Landscapes and other important natural areas, features and landscapes.

3.4 Consultation

3.4.1 Landowner Consultation

Consultation with potentially affected landowners included:

- A district wide mailout letter (April 2019) and accompanying map to all landowners identified as having outstanding or significant natural features/landscapes on their property, inviting them to meetings with Council staff and consultants to discuss, and/or to provide feedback at the meetings or via email/phone message.
- A series of landowner meetings were held in May 2019 – Waipawa Municipal Theatre (8 May), Tikokino Hall (9 May), and Porangahau Hall (10 May) – to advise of the implications of having outstanding or significant natural features/landscapes on their property and providing the chance to discuss mapping with Council's consultant landscape architect. The opportunity to provide written feedback was encouraged.
- Resulting feedback was received and reviewed by Council's consultant landscape architect, with a small number of follow-up site visits taking place involving outstanding or significant natural features/landscapes. No changes were made to the identification or mapping of any of these natural features/landscapes as a result of the landowner feedback received.

3.4.2 Stakeholder Consultation

Consultation with key stakeholders included:

- A mailout letter to key stakeholders (April 2019), inviting them to meetings with presentations from Council staff and consultants to discuss the implications of identified significant natural areas and identified outstanding and significant natural features/landscapes.
- A meeting was held on 6 May 2019 at the Waipawa Municipal Theatre to advise of the impending inclusion of, and implications of, significant natural areas and outstanding or significant natural features/landscapes in the District Plan, and providing the chance to discuss with Council's consultant ecologist and consultant landscape architect.

3.4.3 Iwi Consultation

Meetings were held as follows with iwi and hapu to outline (among other District Plan matters) proposed identification of outstanding and significant natural features and landscapes:

- Hui at Taiwhenua o Tamatea (Waipukurau) – John Hudson (Council’s Consultant Landscape Architect) presented draft Landscape Assessment for discussion (7 May 2018) – associational values for tangata whenua were discussed, and a field trip with Paul Sciascia, as well as contacting Hawke’s Bay historian and author, Mr Pat Parsons, were recommended to the Consultant.
- Field trip – John Hudson met with Paul Sciascia to walk over identified landscape areas around Porangahau/Parimahu (11 May 2018).
- Meeting with Pat Parsons – John Hudson met with Pat Parsons (local historian, author of several publications, and custodian of Maori history) to further develop understanding of the deep associational values of the identified landscapes to tangata whenua (16 May 2018).

The above discussions were instrumental in completing the associational component (both historical and tangata whenua) of the Hudson Associates ‘Outstanding Natural Landscape Assessment’ final report.

The final report incorporates extensive summaries of the historical and tangata whenua association with the outstanding natural features and landscapes and significant amenity features identified, and Mr Pat Parsons is credited in the report as having contributed generously with his time and expertise.

- Hui to present and seek general feedback on the Draft District Plan, Rongomaraeroa Marae, Porangahau (6 June 2019).
- Hui at Taiwhenua o Tamatea (Waipukurau) to present and seek general feedback on the Draft District Plan (20 June 2019).

3.4.4 Wider Community Consultation

- Public notification of the Draft District Plan, inviting members of the community to attend drop-in meetings, and calling for submissions – 3 June 2019.
- Public drop-in meetings were held to present the Draft District Plan, which included presentation of the identified outstanding and significant natural features and landscapes:
 - Waipukurau Club – 4 June 2019
 - Ōtāne Hall – 11 June 2019
 - Porangahau Hall – 12 June 2019
 - Takapau Hall – 18 June 2019
 - Tikokino Hall – 19 June 2019
 - Waipawa Municipal Theatre – 25 June 2019
- Informal hearings for submitters to present their submissions on the Draft District Plan to the District Plan Committee – 3 February to 21 February 2020.

3.5 Draft District Plan Feedback

Fourteen submitters made 37 submission points on the provisions of the Landscape Values section (formerly contained within Chapter 8) of the Draft District Plan.

Overall there was general support for identification of / provisions relating to Outstanding Natural Landscapes (ONL) and Features (ONF), and some support for Significant Amenity Features (SAF),

however two rural sector submitters did not support SAF's and sought that all reference to these be deleted.

One submitter opposed any identification of Landscape Features.

Three submitters sought the inclusion of two additional landscapes being:

- Te Awaputahi, an 'iconic' peak located in southern Central Hawke's Bay, and
- the coastline from Paoanui Point to Mangakuri including the eroded serpentine cliffs.

Te Awaputahi and the coastal sections of the district were investigated by John Hudson as part of his Landscape and Natural Character Assessments. In his view these did not meet the tests for inclusion as outstanding natural features/landscapes or significant amenity features.

The Department of Conservation sought a number of clarifications / new provisions to better reflect Policy 15 of the New Zealand Coastal Policy Statement (NZCPS).

The various network utility sector submitters were generally in support of the landscape provisions as drafted.

The remaining submissions related to minor amendments or inclusions to the provisions of this chapter.

As a result of feedback to the Draft District Plan, there were no changes to the ONL, ONFs or SAFs identified in the relevant schedule and on the Planning Maps. However, minor changes to the wording of some provisions in the Landscape Values section of the Plan were made, including:

- amending the draft issue to clarify that the issue is the loss of those values that contribute to the District's landscape, rather than loss of the features/landscapes themselves;
- amending a couple of the draft policies to reflect the policy direction of the NZCPS more accurately, in terms of avoiding adverse effects on outstanding natural features and landscapes within the coastal environment; and
- insertion of text in the draft Principal Reasons (formerly 'Explanation and Reasons') noting that many of the landscapes identified are on private land and that any public access to these remains at the discretion of the landowner.

3.6 Decision-Making

A series of presentations, discussion documents and reports have been presented to the District Plan Committee on the Natural Features and Landscapes Topic during the preparation of Draft / Proposed District Plan provisions, as follows:

Meeting	Document	Overview and Direction
6 March 2018	Powerpoint Presentation & Discussion Document	<p>Outlined the operative District Plan approach to this Topic advising that there was no reference to section 6 'matters of national importance' and the need to give effect to the NZCPS (Policy 15 Natural Features and Landscapes) and Hawke's Bay Regional Coastal Environment Plan.</p> <p>Identified the need to strengthen the District Plan approach to better address section 6 & 7 matters and recommended a new District Wide activity for this purpose.</p> <p>Presented the draft landscape assessments by Terraforme Ltd, which identified natural features within the District and some significant amenity landscapes.</p> <p>Presented a draft issue and draft objectives and suggested direction for policies, methods, and anticipated environmental results for the Committee's consideration.</p>

		<i>Note: Terraforme landscape architect no longer available to take matter through remainder of District Plan review. Subsequent commissioning of replacement landscape architect, Hudson Associates Ltd.</i>
26 February 2019	Powerpoint Presentation & Discussion Document	Presented the findings of Hudson Associates Ltd’s final ‘Outstanding Landscape Assessment’ of the District (dated January 2019). Presented schedule of outstanding natural features and landscapes, and significant amenity features based on outcome of Hudson Associates assessment. Presented re-drafted issues, objectives and policies for the Committee’s consideration. Presented a threats/methods matrix for the various identified ONL/ONF/SAFs, indicating methods and approaches to respond to the threats identified (both District Plan methods and through other regulatory mechanisms). Presented a summary of the approach to protection of landscapes in adjoining District Plans, and other sample districts.
27 March 2019	Powerpoint Presentation & Discussion Document	Presented revised policy framework following previous meeting. Presented proposed rules (based on addressing current gaps identified in the revised threats/methods matrix).
9 April 2019	Draft District Plan	Presented completed draft Landscape Values provisions, and consequential additional rules and assessment matters in the draft Coastal Environment, Network Utilities, Earthworks, and Subdivision chapters, for final adoption by the Committee. Recommendation to Council to adopt full Draft District Plan for public notification.
10 April 2019	Draft District Plan	Draft District Plan adopted by Council for public notification.
3 - 20 February 2020	District Plan Committee Hearing of informal submissions on the Draft District Plan	Hearing of submissions specifically relating to coastal environment, indigenous biodiversity, and landscape values (20 February 2020)
16 March 2020	Recommendation Report on informal submissions	Report presented to District Plan Committee addressing informal submissions relating to coastal environment and landscape provisions, with recommendations for amendments.
15 December 2020	National Planning Standards version of District Plan	Presented draft Proposed District Plan in National Planning Standards format.
28 April 2021	Proposed District Plan	Proposed District Plan presented to District Plan Committee for final adoption by the Committee. Recommendation to Council to adopt Proposed District Plan for public notification.
27 May 2021	Proposed District Plan	Proposed District Plan adopted by Council for public notification.

3.7 Resource Management Issues

The table below details the key issue for Natural Features and Landscapes:

Operative District Plan
<p>Issue 4.4 – Nature Conservation, Landscape Values, and Riparian Management Conservation and landscape values and riparian areas need to be maintained or enhanced for future generations</p> <p>...The District contains diverse landscapes, varying from the mountains of the Ruahines to rugged coastal seascapes and headlands. These landscapes are of significant value. Most experience of the landscape is gained from settlements and the main transport routes; however, an increasing number of visitors are exploring more remote locations. The landscapes are a drawcard for visitors. Accordingly, there is a need to protect the District's unique mixture of outstanding landscapes, for present and future generations...</p> <p><i>Comment:</i> <i>This does not meet the threshold required by section 6(b) of the RMA which is to recognise and provide for the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development, and is somewhat lost due to being combined with nature conservation values and riparian management issues. Thus, the following separate issue is proposed:</i></p>
Proposed District Plan
<p>NFL-I1 Loss of Landscape Values The loss of those values that contribute to the unique characteristics of the District's landscape as a result of inappropriate subdivision, land use or development.</p> <p>Explanation</p> <p>The District's landscape generally reflects a 'working' rural or coastal landscape, where human activity, including subdivision and development, has significantly shaped its present-day character. The character of the District's landscape is also generally open and free of urbanisation.</p> <p>Over time, many of the District's natural features and landscapes have been modified and, in particular, much of its indigenous vegetation and natural habitats have been lost to agricultural and other land use activities, including urban development.</p> <p>The following outlines some of the land use activities that can adversely affect landscape values:</p> <ol style="list-style-type: none"> 1. Buildings and structures; 2. Earthworks; 3. Loss of indigenous vegetation cover; and 4. Exotic plantation forestry. <p>Subdivision and the above land use activities need to be managed in a way that recognises and protects values that contribute to those natural features and landscapes that are outstanding in the District or have significant amenity.</p>

4 Evaluation of Proposed Objectives

Section 32(1)(a) requires an evaluation to examine the extent to which the objectives proposed are the most appropriate way to achieve the purpose of the RMA.

There are three objectives proposed for the District Plan relating to natural features and landscapes – three objectives in the Natural Features and Landscapes chapter, and one in the Subdivision chapter.

The following evaluates the extent to which those proposed objectives are the most appropriate way to achieve the purpose of the RMA with respect to the protection of outstanding natural features and landscapes and the maintenance and enhancement of amenity values, and the issue identified in the previous section, being the loss of those values that contribute to the unique characteristics of the District's landscape:

Proposed Objectives	
<p><u>Natural Features and Landscapes:</u> NFL-O1 – Outstanding natural features and landscapes that are important to the identity of the District are retained and protected from inappropriate subdivision, use and development NFL-O2 – The qualities and values of significant amenity features identified within the District are recognised and provided for, and considered when undertaking new subdivision, use and development</p> <p><u>Subdivision:</u> SUB-O1 - Subdivision of land that is consistent with the objectives and policies of the relevant zones and district-wide matters in the District Plan, including those relating to:</p> <ol style="list-style-type: none"> 1. ... 2. the protection of areas identified as Outstanding Natural Landscapes and Features, Significant Natural Areas, areas of significant indigenous vegetation and significant habitats of indigenous fauna, and High Natural Character Areas from the adverse effects of inappropriate subdivision... <p>...</p>	
Comment	<p>These objectives respond directly to the resource management issue of relevance to natural features and landscapes identified in the Proposed District Plan.</p> <p>The objectives recognise differing landscape values, both in terms of the identified outstanding natural features and landscapes in the District and additional landscape features identified more for their significant amenity value, and what is sought to be achieved in relation to these.</p>
Appropriateness (relevance, usefulness, achievability, reasonableness)	<p><u>Natural Features and Landscapes</u> Proposed Objectives NFL-O1 and NFL-O2 respond to Issue NFL-I1. Objective NFL-O1 implicitly responds to section 6(b) of the RMA in relation to the protection of the Outstanding Natural Landscape (ONL) and 11 Outstanding Natural Features (ONF) identified across the District which must be recognised and provided for as a matter of national importance. Objective NFL-O2 implicitly responds to section 7(c) of the RMA, in having regard to the maintenance and enhancement of amenity values associated with the 11 Significant Amenity Features (SAF) identified across the District in the Proposed District Plan.</p> <p><u>Subdivision</u> Proposed Objective SUB-O1 responds in part to Issue NFL-I1 with respect to addressing the adverse effects of inappropriate subdivision through referencing the need to be consistent with the relevant district-wide objectives and policies relating to outstanding natural features and landscapes.</p> <p><u>Summary</u> In addressing the protection of outstanding natural features and landscapes and the maintenance and enhancement of significant amenity features, these objectives are relevant, and are considered useful, achievable and reasonable, and therefore appropriate in achieving the purpose of the RMA – particularly in relation to section 5(2) around managing the use, development, and protection of natural resources, and avoiding or mitigating adverse effects of activities on those natural features and landscapes (section 5(2)(c) of the RMA). These objectives are in line with Council’s functions under section 31 of the RMA, including establishment of objectives to achieve integrated management of the effects of the use, development, and protection of land and associated natural and physical resources of the District, and give effect to relevant Part 2 matters. Given the above, the proposed suite of objectives is deemed appropriate in terms of achieving the purpose of the RMA being the sustainable management of natural and physical resources, and the protection of outstanding natural features and landscapes in particular.</p>

<p>Other Alternatives Considered</p>	<p>Maintaining the status quo – being retention of the following objective addressing landscape matters in the Operative District Plan:</p> <p>Part 4 Rural Zone</p> <p>Objective 4.4.1(1) ‘Protection and enhancement of defined nature conservation areas, and outstanding landscapes views within the District’</p>
<p>Preferred Option & Reasons</p>	<p>The Operative District Plan identifies outstanding landscape views in the District but does not identify or contain any provisions addressing natural features and landscapes themselves. Therefore, the proposed suite of objectives is the preferred option.</p> <p>The proposed objectives have been through a thorough review process, including scrutiny by Council’s District Plan Committee, and were subject to a publicly notified Draft District Plan process involving presentation and consideration of informal submissions which resulted in amendments.</p> <p>The proposed objectives are deemed the most appropriate way to achieve sustainable management of the natural and physical resources (the purpose of the RMA) as it relates to natural features and landscapes (the protection of outstanding natural features and landscapes as a matter of national importance, in particular).</p>

5 Evaluation of Proposed Provisions (Policies & Methods)

Section 32(1)(b) requires an evaluation of whether the proposed provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions.

The assessment must identify and assess the benefits and costs of environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must, if practicable, quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

5.1 Identification of Other Reasonably Practicable Options

The other options considered reasonably practicable for achieving the above objectives of the Proposed Plan in relation to natural features and landscapes matters, are:

- Retaining the Status Quo – rely on the policies and methods currently contained in the Operative District Plan.
- Stringent Regulatory Approach – regulate all activities within identified natural features and landscapes.
- Non-Regulatory Approach – include policies around protecting identified natural features and landscapes but rely only on non-regulatory methods (no rules or standards).

5.1.1 Evaluation of Option 1 – Status Quo

The status quo in the Operative District Plan involves:

1. Retention of identified ‘Areas of Outstanding Landscape Views’, scheduled in the District Plan and shown on the Planning Maps.
2. Retention of a rule controlling the planting of trees or establishment of buildings in the identified ‘Areas of Outstanding Landscape Views’.
3. Retention of general references to landscape values and views towards outstanding landscapes within one of the Rural Zone objectives and an associated policy, with a general

assessment criterion around the maintenance and enhancement of the District’s landscape and conservation values.

From the summary of provisions above, the District’s natural features and landscapes are only mentioned in the Operative District Plan in broad general terms, and the method adopted is identification of ‘outstanding landscape views’ and light management of the activities that may impact on these ‘views’ (as opposed to the features themselves).

Whilst retaining the status quo would be efficient and economically beneficial in terms of administrative simplicity and cost savings associated with minimal regulation for plan users, it could lead to environmental and cultural ‘costs’ through affording only relatively low-level protection for the District’s outstanding natural features and landscapes and landscape amenity generally.

Given the status of outstanding natural features and landscapes and the need to recognise and provide for their protection as a matter of national importance in the RMA (section 6(b)), and subsequent specific interpretation and direction in the 2010 NZCPS in terms of outstanding natural features and landscapes within the coastal environment (Policy 15), this approach is dated and is unlikely to be effective in terms of current expectations around best practice.

For the above reasons, this option is not considered effective and is therefore not the most appropriate way to achieve the proposed objectives.

5.1.2 Evaluation of Option 2 – Stringent Regulatory Approach

The stringent regulatory approach involves:

1. Identifying and mapping the District’s outstanding natural features and landscapes and other significant natural features on the Planning Maps.
2. A set of clear policies specifically applying to protection of the District’s identified outstanding natural features and landscapes, and maintenance and enhancement of landscape amenity values more generally.
3. Blanket rule requiring resource consent for any activity within the District’s identified landscapes with full discretion, enabling all activities to be assessed on a case-by-case basis.

A generic ‘discretionary’ activity status for all activities within identified natural features and landscapes may be effective in achieving the proposed objectives and is easily understood, but is highly inefficient as it imposes significant costs (in time and money) associated with having to apply for resource consent (including potential costs of obtaining accompanying expert assessments) regardless of the level of threat posed by the activity, or the scale or significance of potential effects on the environment. It also imposes significant demand on scarce Council staff resources to process a high volume of applications (i.e. any activity within the feature/landscape would generate a resource consent requirement), which may not be practical or feasible for a small local authority such as Central Hawke’s Bay District Council.

‘Any activity’ could include those that pose little or no threat to the landscape values assigned to a particular natural feature or landscape, or place the same emphasis regardless of the relative sensitivity of the individual feature in terms of what level of effect it can absorb (e.g. a building can have a greater or lesser impact on a natural feature or landscape depending on where it is located on the feature, its scale relative to the feature, or whether the particular natural feature is ranked as ‘outstanding’ or not etc). This approach creates a high level of uncertainty and lack of flexibility for land developers and the community in terms of understanding what activities are likely to be acceptable or not. This could be particularly onerous for the carrying out of routine rural land use activities, as all the identified landscapes in the District are within the rural environment.

The success of this option would likely rely heavily on the provision of substantial and clear guidance within the policy framework outlining the values specific to each landscape that are to be protected etc, to guide decision-makers.

In addition, there are other existing mechanisms already in place that assist in addressing some of the specific threats identified, such as the National Environmental Standard for Plantation Forestry which makes afforestation within outstanding natural features or landscapes a Restricted Discretionary Activity, rules controlling plant pests in the Hawke’s Bay Regional Council’s Pest Management Plan, rules in the Hawke’s Bay Regional Resource Management Plan and Regional Coastal Environment Plan managing damming and drainage activities, and the requirements of the Heritage New Zealand Pouhere Taonga Act 2014 relating to modification or destruction of archaeological sites. Adding a further layer of regulation to address these same potential threats would introduce unnecessary duplication, with corresponding unwarranted additional economic costs.

For the above reasons, whilst this option is likely very effective and simple to apply, it is not efficient and imposes significant social and economic costs (both in time and monetary costs) on subdivision, use and development, regardless of the scale and significance of adverse effects on the environment. This is likely to be unacceptable to the community, as well as politically unacceptable.

Therefore, this option is not considered the most appropriate way to achieve the proposed objectives.

5.1.3 Evaluation of Option 3 – Non-Regulatory Approach

The non-regulatory approach involves:

1. Identifying and mapping the District’s outstanding natural features and landscapes on the Planning Maps.
2. Reliance on underlying zone land-use rules only (General Rural & Rural Production Zones) for activities within identified natural features and landscapes (i.e. no specific landscape rules), with only assessment matters addressing the maintenance and enhancement of landscape values if resource consent is triggered – and, otherwise, reliance on non-regulatory methods such as information sharing, advocacy, design guides etc promoting consideration of landscape and amenity values etc.

Reliance on non-regulatory methods to achieve the proposed objectives for the District’s identified outstanding landscape features and landscapes and other significant amenity features would reduce compliance costs associated with subdivision, land use and development, but imposes additional economic and social costs on Council staff and resources. There are considerable costs to engaging meaningfully with the community and finding ways to effectively promote the protection of such landscapes, and the preparation of best practice design guides etc.

Some accepted activities that are appropriately permitted under the zone rules could have potentially significant adverse effects when occurring within an outstanding landscape, such as large-scale earthworks or large buildings or structures. Without specific rules in place, there is little ability to prevent or halt significant adverse effects on such features, and their impact may not be easily reversed. This may undermine public confidence in the ability of the District Plan (and Council) to respond to subdivision and development pressures on the District’s outstanding landscapes, as they arise. Therefore, this option is potentially ineffective in achieving the proposed objectives.

Given the status of outstanding natural features and landscapes in the RMA (section 6(b)), and the policy framework outlined in Policy 15 of the NZCPS in terms of those located within the coastal environment, a non-regulatory approach is unlikely to be sufficiently effective in terms of current expectations around best practice and in terms of achieving the proposed objectives adopted in the Proposed District Plan.

For the above reasons, whilst this option is administratively efficient (both in time and monetary costs) for subdivision, use and development, it is likely ineffective and could result in potentially significant adverse effects on the environment, with the subsequent potential social, economic, and cultural costs that degraded natural features and landscapes could have on people and communities. This is likely to be unacceptable to the community, as well as politically unacceptable.

Therefore, this option is not considered the most appropriate way to achieve the proposed objectives.

5.1.4 Summary

The evaluation above concludes that the current approach in the Operative District Plan is not compliant with the RMA (or Policy 15 of the NZCPS), and is not effective in achieving the Proposed District Plan objectives. Similarly, a non-regulatory approach that applies the underlying rural zoning, and only addresses landscape matters through assessment matters and by way of information sharing, advocacy and provision of design guides, is also not sufficiently effective in achieving the proposed objectives. Both these options could lead to loss or degradation of natural landscape values associated with the District's identified outstanding natural features and landscapes or significant amenity values.

A fully regulatory approach that requires a resource consent for any activity within an identified landscape, whilst somewhat effective, imposes significant economic costs and uncertainty on plan users as well as pressure on Council staff resources. It also applies the same level of regulation regardless of scale and significance of potential effects on the environment. Such a stringent regulatory approach is likely unacceptable, both to the community and politically.

The preferred approach is one that imposes a tailored approach to regulation for those specific activities that have been identified as posing a threat to the values contained within the District's various outstanding natural features and landscapes (and not otherwise covered by other means), and a non-regulatory approach to other natural features identified as having significant amenity values. This achieves the objectives of the Proposed District Plan (and gives effect to Policy 15 of the NZCPS), without duplicating other legislative requirements and Regional Council functions, and without imposing unnecessary red tape for activities that are appropriate within the rural environment and where the scale and significance of their effects are likely to be low.

5.2 Evaluation of Proposed Policies and Methods

Building on the approach to evaluation in Section 3 of this report, including background research, analysis and technical assessments, and iterative process including public feedback on informal submissions to the Draft District Plan, this section of the report provides a summary evaluation of the provisions in terms of assessing their efficiency and effectiveness in achieving the objectives.

In undertaking this assessment, the emphasis is on the issue(s), and the policies and methods proposed to achieve the objective(s) surrounding the issue.

As per section 32(1)(c), the evaluation below contains a level of detail that corresponds to the scale and significance of the effects that are anticipated from the implementation of the provisions.

<p>Issue(s)</p>	<p>NFL-I1 Loss of Landscape Values</p> <p>The loss of those values that contribute to the unique characteristics of the District’s landscape as a result of inappropriate subdivision, land use or development.</p> <p>Explanation The District’s landscape generally reflects a ‘working’ rural or coastal landscape, where human activity, including subdivision and development, has significantly shaped its present-day character. The character of the District’s landscape is also generally open and free of urbanisation.</p> <p>Over time, many of the District’s natural features and landscapes have been modified and, in particular, much of its indigenous vegetation and natural habitats have been lost to agricultural and other land use activities, including urban development.</p> <p>The following outlines some of the land use activities that can adversely affect landscape values:</p> <ol style="list-style-type: none"> 1. Buildings and structures; 2. Earthworks; 3. Loss of indigenous vegetation cover; and 4. Exotic plantation forestry. <p>Subdivision and the above land use activities need to be managed in a way that recognises and protects values that contribute to those natural features and landscapes that are outstanding in the District or have significant amenity.</p>	
<p>Associated Objective(s)</p>	<p>NFL-O1 and SUB-O1</p>	
<p>Proposed Suite of Provisions</p>	<p style="text-align: center;">Effectiveness and Efficiency</p>	
<p>Policies:</p> <p>NFL-P1 To identify the District’s outstanding natural features and landscapes having regard to the following criteria:</p> <ol style="list-style-type: none"> 1. natural science factors such as geology, biology, ecology and hydrology, including its rarity and variability; 2. perceptual factors, including legibility/expressiveness (such as how obviously the landscape demonstrates the formative processes leading to it), transient values (including the occasional presence of wildlife or 	<p>Environmental:</p> <p>The ONL/ONFs in Central Hawke’s Bay District are identified and the proposed provisions will assist in protecting these features and landscapes from inappropriate subdivision, use or development.</p>	<p>Environmental:</p> <p>There are some potential environmental costs arising due to activities which fall within the ‘permitted’ envelope set by the activity rules and standards (e.g. minor buildings and minor earthworks, track maintenance etc). It is considered that the proposed rules and standards</p>

<p>NFL-P2</p>	<p>other values at certain times of the day or year) and aesthetic values (including memorability and naturalness); and</p> <p>3. associational factors, including historical associations, value to tangata whenua, and whether the values are shared and recognised.</p>	<p>The identification of ONL/ONFs has significant environmental benefits in terms of landscape amenity values and taking into account the biophysical values of each area.</p>	<p>will ensure that any such costs are at most minor. In addition, this will be considerably less than currently under the Operative District Plan which does not identify such features and their respective values at all.</p>
<p>NFL-P3</p>	<p>To allow activities within the District’s outstanding natural features and landscapes where they are for existing land uses, for conservation purposes and customary activities.</p>	<p>The proposed policies and rules will ensure that these values will be appropriately recognised and provided for, including making subdivision of land containing an ONL/ONF a discretionary activity.</p>	
<p>NFL-P4</p>	<p>To protect the District’s outstanding natural features and landscapes by:</p> <ol style="list-style-type: none"> 1. avoiding adverse effects from inappropriate activities, including subdivision, which compromise the values of the outstanding natural landscape in the coastal environment; 2. avoiding, remedying or mitigating adverse effects from inappropriate activities, including subdivision, which compromise the values of all other outstanding natural landscapes or features; 3. ensuring the erection of structures, earthworks and/or clearance of indigenous vegetation and/or exotic plantation forestry within outstanding natural features and landscapes, do not compromise the values present; and 4. recognising the role of tangata whenua as kaitiaki over those outstanding natural features and landscapes which have cultural association. 	<p>Rules controlling the size and scale of buildings (NFL-R1) and earthworks within ONL/ONFs (EW-S2, EW-S3 & EW-S7) will avoid or mitigate potential adverse effects on or degradation of those values.</p> <p>Potentially inappropriate activities will be managed through the resource consent process to ensure environmental effects on the District’s ONL/ONFs are assessed through consideration of effects of subdivision, use and development on outstanding landscape values.</p>	
<p>NFL-P5</p>	<p>To require that buildings, structures or earthworks locating within the District’s outstanding natural landscapes or features avoid adverse visual effects in the coastal environment, and avoid, remedy or mitigate adverse visual effects in all other outstanding natural landscapes or features by:</p> <ol style="list-style-type: none"> 1. ensuring the scale, design and materials of the building and/or structure are appropriate in the location; 2. integrating landform and context into the design and through the use of naturally occurring building platforms and sympathetic materials; 3. limiting the prominence or visibility of built form, including by integrating it into the outstanding natural landscape or feature; and 4. restoring or reinstating the site following earthworks. 	<p>Other methods also recognise that conservation activities can maintain and enhance the values of these areas, such as for pest and weed control (NFL-M5), and protection of areas of significant indigenous vegetation (provided for in Rules ECO-R2 to ECO-R6) and via other means such as protective covenants (NFL-M6) etc.</p>	
<p>SUB-P1</p>	<p>To recognise the regional, social and economic significance of water storage within ONF-4 (Mākāroro Gorge).</p>	<p>Economic:</p>	<p>Economic:</p>
<p>SUB-P8</p>	<p>To establish standards for minimum lot sizes for each zone in the District.</p>	<p>No obvious economic benefits associated with the proposed policies and methods, other than potential indirect economic benefits to local recreation and tourism ventures from protection of the District’s ONL/ONFs.</p>	<p>Requiring resource consent for new buildings, significant earthworks, and subdivision of land containing ONL/ONFs that exceed the permitted standards, may result in higher costs (including time and uncertainty) for landowners involved in obtaining resource consents.</p>
<p>SUB-P12</p>	<p>To encourage innovative subdivision design consistent with the maintenance of amenity values.</p>		
<p>SUB-P12</p>	<p>To avoid or mitigate any adverse visual and physical effects of subdivision and development on the environment, including the appropriate underground reticulation of energy and telecommunication lines in order to protect the visual amenities of the area.</p>		

<p>SUB-P15 To ensure that earthworks associated with constructing vehicle access, building platforms or services on land being subdivided will not detract from the visual amenities of the area, or have significant adverse environmental effects, such as dust, or result in the modification, damage or destruction of heritage items, archaeological sites or sites and areas of significance to Māori, cause natural hazards, or increase the risk of natural hazards occurring.</p>		<p>Some rural landowners may perceive development options are constrained for the land within an ONL/ONF.</p>
<p>Methods</p> <p>NFL-M1 Identification and Mapping of Outstanding Natural Features and Landscapes Identifying, and describing the values associated with, Outstanding Natural Features (ONFs) and Landscapes (ONLs) in NFL-SCHED6 in the District Plan and showing them on the relevant Planning Maps.</p> <p>NFL-M2 District Plan Rules</p> <ol style="list-style-type: none"> 1. District Plan rules make subdivision of land containing an ONL or ONF a discretionary activity. <i>Rules SUB-R1, SUB-R4, & SUB-R5</i> <i>Assessment Matter SUB-AM16</i> 2. Specific District Plan rules and performance standards controlling earthworks and built form in the District’s ONL/ONFs (including network utilities locating within ONL/ONFs). <i>Standards EW-S2, EW-S3, & EW-S7</i> <i>Rule NFL-R1</i> 3. District Plan rules and performance standards relating to Significant Natural Areas (SNAs) and the clearance of significant indigenous vegetation or significant habitats of indigenous fauna, which can also act to protect against loss of indigenous vegetation cover where located within outstanding landscapes containing such vegetation. <i>Rules ECO-R2 to ECO-R6</i> 4. District Plan rules and performance standards protecting wāhi tapu, wāhi taonga and sites of significance, which can also assist with protecting those associational values attributed to outstanding landscapes by tangata whenua, where located within identified outstanding landscapes. <i>Rules SASM-R3, SASM-R4, SASM-R5, & SASM-R6</i> 	<p>Social:</p> <p>Protecting outstanding natural features and landscapes provides for the community’s social wellbeing by maintaining features that help to define the identity of the District, and by the maintenance of amenity values that arise from the presence of these features.</p> <p>Appropriate protection of landscape values is important for recreation values within the District.</p> <p>Provides certainty to resource users and the District community about which are the most valued natural features and landscapes in the District, and why.</p>	<p>The District’s ONL/ONFs are all on rural land and are represented by challenging areas, often rugged and steep and on or near the coastal escarpments and generally face little pressure for development or significant change, which reduces the degree of exposure to economic cost. In addition, much of the land covered by ONL/ONF is administered by HBRC or DoC and thus has limited or no development potential.</p> <p>Social:</p> <p>No obvious social costs associated with the proposed provisions.</p> <p>There may be some perceived public ‘ownership’ of ONFs on private land, and an associated expectation of ability to access these areas. It is recognised that public access to these areas remains at the discretion of the landowner(s) – Note: this is expressly stated in the Principal Reasons section within the NFL chapter.</p>
<p>NFL-M3 Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017</p> <p>Afforestation (new plantation forestry) within an outstanding natural feature or landscape is a Restricted Discretionary Activity pursuant to the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</p> <p>NFL-M4 Hawke’s Bay Regional Resource Management Plan and Hawke’s Bay Regional Coastal Environment Plan</p> <p>Hawke’s Bay Regional Resource Management Plan and Regional Coastal Environment Plan rules and performance standards controlling drainage of wetlands and inundation/damming of rivers.</p> <p>NFL-M5 Hawke’s Bay Regional Pest Management Plan and Biosecurity Act 1993</p>	<p>Cultural:</p> <p>Cultural associational values (including cultural significance to Māori) form a major component of the landscape assessment identifying the District’s ONL/ONFs. Therefore, identification and protection of these natural landscapes and features provide significant cultural benefits, including recognition of the relationship of tangata whenua to the land.</p>	<p>Cultural:</p> <p>There is considerable Māori-owned land located in and around the coastal areas of the District, which includes areas identified as ONF (e.g. Kairakau coastline (ONF-7) and Parimahu (ONF-9). While the proposed provisions aim to protect the cultural associational values of the ONL/ONF, they may be perceived as constraining the ability of</p>

<p>Control of animal and plant pests affecting indigenous vegetation cover across the District, where located within identified significant and outstanding landscapes, through rules and implementation methods in the Hawke’s Bay Regional Council’s ‘Regional Pest Management Plan’ and through enforcement of the Biosecurity Act 1993.</p> <p>NFL-M6 Other Protection Mechanisms Other protection mechanisms, such as the protection of public reserve land under the Conservation Act 1987 and Reserves Act 1977, retiring land under QEII covenant, and protection through Ngā Whenua Rāhui kawenata (covenants) on Māori-owned land, where located within identified significant and outstanding landscapes.</p> <p>NFL-M7 Education, Advocacy, and Information Sharing Promoting education, advocacy and information sharing to raise community awareness of the attributes and values of the District’s important natural features and landscapes including their contribution to community identity, and the need to have regard to them when undertaking subdivision, use and development activities.</p> <p>NFL-M8 Liaison and Collaboration Liaising and collaborating with landowners, interest groups and agencies with an interest in protecting, maintaining, or enhancing the District’s identified significant and outstanding landscapes.</p>		<p>Māori to self-determine the use, development and protection of their ancestral lands as kaitiaki.</p>
<p>Associated Objective(s)</p>	<p>NFL-O2</p>	
<p>Proposed Suite of Provisions</p>	<p>Effectiveness and Efficiency</p>	
<p>Policies:</p> <p>NFL-P6 To identify the District’s significant amenity features, being features where the landscape characteristics or values are significant but do not meet the threshold for outstanding natural features.</p> <p>NFL-P7 To avoid, remedy or mitigate potential adverse effects of subdivision, use and development on the District’s significant amenity features, including having regard to the following matters:</p> <ol style="list-style-type: none"> 1. any specified values and/or management issues identified for the particular amenity feature; 2. the character or degree of modification, damage, loss or destruction that will result from the activity; 3. the duration and frequency of the effect of the activity (for example long-term or recurring effects); 4. the magnitude or scale of effect of the activity (for example the number of sites affected, spatial distribution, landscape context); 5. the cumulative effects (for example the loss of multiple features or values); and 6. the need for, or purpose of, the works having regard to the underlying zoning, noting that many significant amenity features comprise working farms. 	<p>Environmental:</p> <p>The SAFs in Central Hawke’s Bay District are identified, and the proposed policies and methods will enable greater regard to be had to landscape amenity values associated with the District’s SAFs, with associated environmental benefits in terms of maintaining and enhancing amenity values.</p> <p>Other methods also recognise that conservation activities can maintain and enhance the values of these areas, such as for pest and weed control (NFL-M5), and protection of areas of significant indigenous vegetation (provided for in Rules ECO-R2 to ECO-R6) and via other means such as protective covenants (NFL-M6) etc.</p>	<p>Environmental:</p> <p>There are some environmental costs associated with activities which fall within the ‘permitted’ envelope set by applicable zone and district-wide activity rules and standards, which may enable the potential loss of landscape values to continue to occur. However, this will be considerably less than currently under the Operative District Plan which does not identify such features and their respective values at all.</p>

<p>NFL-P8 To identify opportunities to enhance natural values associated with significant amenity features, and to recognise the positive effects where enhancement is offered.</p> <p>Methods</p> <p>NFL-M1 Identification and Mapping of Outstanding Natural Features and Landscapes Identifying, and describing the values associated with, Outstanding Natural Features (ONFs) and Landscapes (ONLs) and Significant Amenity Features (SAFs) in NFL-SCHED6 in the District Plan and showing them on the relevant Planning Maps.</p>	<p>Economic:</p> <p>No obvious economic benefits associated with the proposed policies and methods.</p>	<p>Economic:</p> <p>A non-regulatory approach to the protection of SAFs minimises any potential economic costs (such as resource consent costs) on landowners.</p>
<p>NFL-M2 District Plan Rules</p> <ol style="list-style-type: none"> 1. Assessment matters for subdivision of land containing an SAF. <i>Assessment Matter SUB-AM16</i> 2. District Plan rules and performance standards relating to Significant Natural Areas (SNAs) and the clearance of significant indigenous vegetation or significant habitats of indigenous fauna, which can also act to protect against loss of indigenous vegetation cover where located within SAFs containing such vegetation. <i>Rules ECO-R2 to ECO-R6</i> 3. District Plan rules and performance standards protecting wāhi tapu, wāhi taonga and sites of significance, which can also assist with protecting those associational values attributed to natural landscapes by tangata whenua, where located within identified SAFs. <i>Rules SASM-R3, SASM-R4, SASM-R5, & SASM-R6</i> 	<p>Social:</p> <p>Identification and recognition of SAFs provides for the community’s social wellbeing by helping to define the identity of the District.</p> <p>The proposed provisions provide certainty to resource users and the District community about which are the most valued natural features and landscapes in the District, and why.</p>	<p>Social:</p> <p>No obvious social costs associated with the proposed provisions.</p> <p>There may be some perceived public ‘ownership’ of SAFs on private land, and an associated expectation of ability to access these areas. It is recognised that public access to these areas remains at the discretion of the landowner(s) – Note: this is expressly stated in the Principal Reasons section within the NFL chapter.</p>
<p>NFL-M4 Hawke’s Bay Regional Resource Management Plan and Hawke’s Bay Regional Coastal Environment Plan</p> <p>Hawke’s Bay Regional Resource Management Plan and Regional Coastal Environment Plan rules and performance standards controlling drainage of wetlands and inundation/damming of rivers.</p> <p>NFL-M5 Hawke’s Bay Regional Pest Management Plan and Biosecurity Act 1993</p> <p>Control of animal and plant pests affecting indigenous vegetation cover across the District, where located within identified significant and outstanding landscapes, through rules and implementation methods in the Hawke’s Bay Regional Council’s ‘Regional Pest Management Plan’ and through enforcement of the Biosecurity Act 1993.</p> <p>NFL-M6 Other Protection Mechanisms</p> <p>Other protection mechanisms, such as the protection of public reserve land under the Conservation Act 1987 and Reserves Act 1977, retiring land under QEII covenant, and protection through Ngā Whenua Rāhui kawenata (covenants) on Māori-owned land, where located within identified significant and outstanding landscapes.</p> <p>NFL-M7 Education, Advocacy, and Information Sharing</p> <p>Promoting education, advocacy and information sharing to raise community awareness of the attributes and values of the District’s important natural features and landscapes including their contribution to community identity, and the need to have regard to them when undertaking subdivision, use and development activities.</p> <p>NFL-M8 Liaison and Collaboration</p>	<p>Cultural:</p> <p>Cultural associational values (including cultural significance to Māori) form a major component of the landscape assessment identifying the District’s SAFs. Therefore, identification of these natural landscapes and features provide cultural benefits, including recognition of the relationship of tangata whenua to the land.</p>	<p>Cultural:</p> <p>No obvious cultural costs associated with the proposed provisions.</p>

<p>Liaising and collaborating with landowners, interest groups and agencies with an interest in protecting, maintaining, or enhancing the District’s identified significant and outstanding landscapes.</p>		
<p>Opportunities for economic growth and employment</p>		
<p>The provisions enable ‘appropriate’ activities to continue to occur within the identified landscapes. This includes farming activities. There is limited opportunity for additional economic growth and employment associated with increased tourism and marketing opportunities.</p>		
<p>Summary of efficiency and effectiveness of the provisions in achieving the objectives</p>		
<p>Overall, it is considered that the proposed provisions will be both an effective and efficient means of achieving the proposed landscape objectives (NFL-O1...). The full scope of the objectives is addressed by the provisions, and the activity status set out in the rules give appropriate scope for decision makers to ensure that ONL/ONFs are effectively protected and that SAFs are effectively maintained or enhanced.</p> <p>The approach is practical and pragmatic (“fit for purpose”) as it applies measurable and enforceable standards relating to activities which pose a threat to the values of ONL/ONFs. The rules and standards have been targeted so that they address only potentially ‘inappropriate’ activities, taking into account the assessment of threats in the Central Hawke’s Bay District Landscape Assessment. It is considered that the significant environmental, social, and cultural benefits of the proposed provisions outweigh the potential small environmental, social, and cultural costs. Decision-makers can make an informed decision based on detailed policy guidance, and on the effects on the values of the particular feature or landscape.</p>		

5.3 Adequacy of Information and Risks of Acting or Not Acting

Section 32(2)(c) states that an evaluation report must assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

The location, extent and values associated with the District’s outstanding and significant landscapes and features (ONL, ONFs and SAFs) in the Proposed Plan are clearly set out in the ‘Central Hawke’s Bay District – Outstanding Natural Landscape Assessment’. The landscape assessment was carried out by a suitably qualified and experienced landscape expert, and the methodology applied reflects current best practice.

On that basis, it is considered the Council has sufficient information about the subject matter of the provisions. Therefore, there is no assessment of risk associated with acting or not acting in respect of these associated provisions in the Proposed District Plan.

5.4 Quantification

Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified.

Exact quantification of the costs and benefits was not considered practicable, given the application of the provisions across the District and the differing circumstances that will apply through the life of the Plan. Any attempt at quantifying the costs and benefits would therefore be speculative and would not provide any real assistance in assessing the proposed provisions.

5.5 Summary

Given the evaluation above, the proposed provisions (policies and methods) are deemed the most appropriate way to achieve the objectives relative to the other reasonably practicable options considered.

The proposed policies and methods give effect to section 6(b) and 7(c) matters in a way that achieves the proposed objectives, through:

- identifying the District’s outstanding natural landscapes and features, and significant amenity features, on the Planning Maps and in a dedicated schedule (NFL-SCHED6);
- incorporating an NFL – Natural Features and Landscapes chapter with policies and methods specifically addressing the protection of outstanding features and landscapes, as well as significant amenity features;
- applying rules for new buildings within the identified outstanding natural features and landscapes in the NFL – Natural Features and Landscapes chapter;
- applying Discretionary Activity status for subdivisions involving the identified outstanding natural features or landscapes in the SUB – Subdivision chapter;
- applying specific permitted earthworks thresholds for the identified outstanding natural features or landscapes in the EW – Earthworks chapter.

On balance, the evaluation indicates that the benefits of the proposed District Plan provisions far outweigh the costs.

6 Overall Summary and Conclusion

This evaluation has been undertaken in accordance with section 32 of the RMA to examine the extent to which the proposed objectives in the Proposed District Plan are the most appropriate way to achieve the purpose of the RMA, and whether the provisions (policies and methods) are the most appropriate way to achieve the objectives, with respect to the District’s natural features and landscapes.

The evaluation identifies other reasonably practicable options, assesses the efficiency and effectiveness of the selected suite of provisions (including benefits and costs and opportunities for economic growth and employment), and contains a level of detail that corresponds to the scale and significance of the effects anticipated from their implementation.

The evaluation demonstrates that the proposed objectives and supporting provisions are the most appropriate, as:

- The proposed objectives address the identified resource management issues for Central Hawke’s Bay’s natural features and landscapes, in providing for the protection of the identified outstanding natural features (ONFs) and landscape (ONL Ruahine Range) of the District from inappropriate subdivision, use and development, in line with section 6(b) of the RMA as a matter of national importance, as well as have regard to the identified significant amenity features (SAFs) within the District in responding to section 7(c) matters around maintenance and enhancement of amenity values.
- The proposed policies and methods give further effect to section 6(b) and 7(c) matters in terms of managing those activities that have been identified as posing a particular threat to such natural landscape values (such as the adverse effects of prominent buildings and large-scale earthworks etc), in a way that achieves the proposed objectives.

REFERENCES

'Central Hawke's Bay District – Outstanding Natural Landscape Assessment', Hudson Associates
Landscape Architects, January 2019