

Central Hawke's Bay District Council

District Plan Review

Rural Environment Section 32 Topic Report

Date: May 2021 Status: FINAL

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1 Introduction

This report contains a summary evaluation of the objectives, policies and methods relating to the rural environment in the Proposed Central Hawke's Bay District Plan, including rural residential provisions. 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.

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.

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). Amongst other things, this includes sustaining the potential of natural resources to meet reasonably foreseeable future needs, and safeguarding the life-supporting capacity of soils.

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.

There are no specific section 6 matters of national importance relating to the rural environment or specifically addressing protection of highly productive land. However, values attributed to the rural environment do draw on information gathered under all the section 6 matters, including preservation of natural character and the protection of outstanding natural features and landscapes, areas of significant indigenous vegetation/habitats, historical heritage etc.

The following section 7 matters are relevant to the rural environment and highly productive land:

- s7(b) the efficient use and development of natural and physical resources
- s7(c) the maintenance and enhancement of amenity values
- s7(f) maintenance and enhancement of the quality of the environment
- s7(g) any finite characteristics of natural and physical resources

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.

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

2.2 National Direction

A number of national policy statements have particular application in the rural environment with regard to District Plans, including the proposed National Policy Statement for Highly Productive Land (NPS-HPL), the draft National Policy Statement on Indigenous Biodiversity (NPS-IB), and the New Zealand Coastal Policy Statement (NZCPS) for that part of the rural environment within the identified Coastal Environment Area.

The draft NPS-IB is primarily applicable to provisions relating to areas of significant indigenous vegetation and significant habitats of indigenous fauna, and therefore covered in the Section 32 Natural Environment (Ecosystems & Indigenous Biodiversity) Report. The final NPS-IB is anticipated for gazettal mid-2021.

The NZCPS is primarily applicable when considering the coastal environment, and therefore covered in the Section 32 Coastal Environment Report.

In addition, national environmental standards with particular application in the rural environment include the National Environmental Standards for Plantation Forestry (NES-PF), and the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS).

The NES-CS is primarily applicable to contaminated land, and is covered in the Section 32 Overview Report and in the Section 32 Remaining Chapters Report addressing the provisions in the Contaminated Land chapter.

The format of all District Plan provisions is also subject to the National Planning Standards.

2.2.1 Proposed National Policy Statement for Highly Productive Land (2019)

The proposed NPS-HPL was released by the Minister for the Environment and the Minister of Agriculture in August 2019 as a discussion document, open for public submissions.

The proposed NPS-HPL is in response to the following key issues recognised as impacting on the availability of highly productive land for primary production:

- Urban land expanding onto New Zealand's most productive land.
- The creation of urban lifestyle properties reducing the availability of highly productive land.
- Reverse sensitivity incompatible new land uses constraining established rural production activities.
- Lack of clarity in the Resource Management Act on how highly productive land should be managed.
- Absence of considered decision-making resulting in uncoordinated urban expansion and fragmentation of highly productive land when alternative locations and approaches may be available.

The proposed NPS-HPL focuses on maintaining the availability of highly productive land for future primary production, which can be identified using the Land Use Capability (LUC) classification system and considering a number of other factors. Land that has a Class 1 rating under the LUC system is identified as the most versatile and has the fewest limitations for its use, while Class 8 is identified as the least versatile with the highest number of limitations on its use.

Under the proposal, regional councils will need to identify the spatial extent of highly productive land in their region, as land that is classified as Class 1, 2 or 3 under the LUC system by default, until they are able to complete their own regional or district assessment. When undertaking the assessment of highly

productive land, councils will be able to consider a number of other factors to exclude some of this land, or to identify additional highly productive land that is not recognised under the LUC system.

The proposed NPS-HPL recognises that there are other key factors that contribute to whether land can be considered highly productive. While the LUC system is the primary indicator of versatility, there are also external factors that influence the versatility and productive capability of land, including:

- The size and cohesiveness of land properties to support primary production.
- The current or potential availability of water.
- Access to transport routes and appropriate labour markets.

The proposed NPS-HPL includes three proposed objectives as follows:

Objective 1: Recognising the benefits of highly productive land

To recognise and provide for the value and long-term benefits of using highly productive land for primary production.

Objective 2: Maintaining the availability of highly productive land

To maintain the availability of highly productive land for primary production for future generations.

Objective 3: Protection from inappropriate subdivision, use and development

To protect highly productive land from inappropriate subdivision, use and development, including by:

- avoiding subdivision and land fragmentation that compromises the use of highly productive land for primary production;
- avoiding uncoordinated urban expansion on highly productive land that has not been subject to a strategic planning process; and
- avoiding and mitigating reverse sensitivity effects from sensitive and incompatible activities within and adjacent to highly productive land.

The policies¹ in the proposed NPS-HPL would require district plans to:

- Identify highly productive land as identified by the relevant regional council (in accordance with criteria in Appendix A of the proposed NPS-HPL).
- Maintain the availability and productive capacity of highly productive land for primary production by:
 - a. Prioritising the use of highly productive land for primary production;
 - b. Considering giving greater protection to areas of highly productive land that make a greater contribution to the economy and community;
 - c. Identifying inappropriate subdivision, use and development of highly productive land; and
 - d. Protecting highly productive land from the identified inappropriate subdivision, use and development.
- Not locate urban expansion on highly productive land unless:
 - a. there is a shortage of development capacity to meet demand in accordance with the National Policy Statement on Urban Development (NPS-UD) methodologies and definitions; and
 - b. it is demonstrated there is an appropriate option based on a consideration of:
 - A cost-benefit analysis that explicitly considers the long-term costs associated with the irreversible loss of highly productive land for primary production;
 - Whether the benefits (environment, economic, social and cultural) from allowing urban expansion on highly productive land outweigh the benefits of the continued use of that land for primary production; and
 - The feasibility of alternative locations and options to provide for the required demand, including intensification of existing urban areas.

¹ Policies 1.2, 2, 3 and 4 of the PNPS.

- Manage rural subdivision to avoid fragmentation and maintain the productive capacity of highly productive land by:
 - a. setting minimum lot size standards for subdivision located on highly productive land to retain the productive capacity of that land;
 - b. incentives and restrictions on subdivisions to help retain and increase the productive capacity of highly productive land; and
 - c. directing new rural lifestyle development away from areas of highly productive land.

The proposed NPS-HPL would set out timeframes for giving effect to certain policies, with other policies having immediate effect from the date the proposed NPS is gazetted. The proposed timeframes are as follows:

- Proposed Policy 1.1 and 2 regional councils must identify highly productive land no later than three years after the NPS is gazetted; and
- Proposed Policies 1.2, 2, 4 and 5 territorial authorities must implement these policies no later than two years after the relevant regional council identifies highly productive land in accordance with proposed Policy 1.1, or no later than five years after the NPS is gazetted.

The objectives and remaining policies in the proposed NPS-HPL would have immediate effect from the date the NPS is gazetted and would have to be implemented as soon as practicable after this date.

While the proposed NPS-HPL currently has no legal status, the above indicates the direction that the National Policy Statement will likely take when it eventually comes into force – anticipated mid-2021.

This District Plan Review was already addressing the issue of the protection of highly productive land. It is anticipated that the approach in the Proposed District Plan will likely achieve much of the objectives and policies in the proposed NPS-HPL.

2.2.2 National Environmental Standard for Plantation Forestry (2017, amended 2018)

The National Environmental Standard for Plantation Forestry (NES-PF) covers the majority of activities and effects associated with plantation forestry.

Plantation Forest or Plantation Forestry is defined in the NES-PF as:

- ¹ Plantation forest or plantation forestry is defined in the NESPF as follows:" means a forest deliberately established for commercial purposes, being—
 - (a) at least 1 ha of continuous forest cover of forest species that has been planted and has or will be harvested or replanted; and
 - b) includes all associated forestry infrastructure; but
 - (c) does not include—
 - a shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30 m;
 - (ii) forest species in urban areas; or
 - (iii) nurseries and seed orchards; or
 - (iv) trees grown for fruit or nuts; or
 - (v) long-term ecological restoration planting of forest species; or
 - (vi) willows and poplars space planted for soil conservation purposes"

Section 44A of the RMA requires all councils to remove plan rules that duplicate or conflict with the NES-PF. References/advisory notes directing plan users to the NES-PF can be added to plans.

The following summarises the status of the main plantation forestry activities that District Councils are responsible for under NES-PF:

- Afforestation Permitted provided:
 - o Council is given written notice of the location, proposed setbacks, dates on which it is planned to begin and end, the wilding tree risk calculator sheet and score (otherwise it is a Controlled Activity)
 - o It does not occur within a significant natural area or outstanding natural feature or landscape (otherwise it is a Restricted Discretionary Activity)

- o It does not occur within a visual amenity landscape (e.g. significant amenity landscape) if rules in the District Plan restrict forestry activities within that landscape (otherwise it's a Restricted Discretionary Activity)
- Meets minimum setbacks from adjoining property not in same ownership as forest, dwellings on other properties, land zoned for papakāinga or an urban area, and roads (otherwise it is a Restricted Discretionary Activity)
- Forestry Quarrying Permitted, subject to compliance with conditions relating to volume (limit of 200m³ in any calendar year) and provision of written notice of place where quarrying is to be carried out and dates when it will begin and end, visibility, setbacks from dwellings, papakāinga and urban areas, etc. (otherwise it is a Controlled Activity or Restricted Discretionary Activity).
- Harvesting Permitted, subject to compliance with condition requiring written notice of where harvesting will be carried out, and dates on which harvesting is planned to begin and end (otherwise it is a Controlled Activity control is reserved over the information on the activity required by the notice).
- Indigenous Vegetation Clearance Permitted, subject to compliance with conditions (otherwise it is a Restricted Discretionary Activity).
- Noise & Vibration Permitted subject to compliance with noise and vibration standards in the NES-PF (otherwise it is a Restricted Discretionary Activity).

Some relevant Regional Council responsibilities under the NES-PF of interest, are:

- <u>Earthworks</u> Permitted, subject to compliance with relevant conditions, but any consenting requirements are the responsibility of the regional council.
- Slash from pruning and thinning to waste Permitted, subject to conditions that slash must not be deposited into a waterbody, onto land that would be covered by water during a 5%AEP event, or into coastal water (otherwise, it is a Controlled Activity granted by the Regional Council)
- Harvest Plans for forestry within an area susceptible to erosion (as classified in the NES-PF) are required to be in place at least 20 working days before harvesting begins, and must be submitted to the Regional Council on request following written notice that harvesting is planned to be carried out
 - o Harvest Plans must identify the environmental risks associated with earthworks and provide operational responses to those risks to avoid, remedy or mitigate adverse effects on the environment.

A District Plan rule may be more stringent than the NES-PF where it:

- gives effect to any of Policies 11 (Indigenous Biological Diversity), 13 (Preservation of Natural Character), 14 (Restoration of Natural Character) and 22 (Sedimentation) of the New Zealand Coastal Policy Statement 2010, in relation to the Coastal Environment
- recognises and provides for the protection of outstanding natural features and landscapes from inappropriate use and development, or significant natural areas (being matters of national importance)
- manages any activities in unique and sensitive environments, e.g. upstream of the abstraction point of a drinking water supply

The Proposed District Plan does not contain provisions pertaining to plantation forestry activities covered by the NES-PF, or any rules more stringent that the NES-PF, but includes various advice notes to clearly direct plan users to the existence of the NES-PF, where relevant.

2.2.3 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) directs that if the Plan addresses any key strategic or significant resource management matters for the district that are not better located in other more specific chapters, they must each have their own chapter and be located under the 'Strategic Direction' heading within 'Part 2 District-Wide Matters', and must not contain any rules (Standard #7, clauses 1-4).

The significant concentration of highly productive land is a significant resource management matter for the District, and the Proposed District Plan has included a chapter titled 'RLR – Rural Land Resource' in the 'Strategic Directions' section, accordingly.

The District Plan Structure Standard (Standard #4, clause 6) directs that zone chapters must be included in the order shown under the 'Zones' heading within 'Part 3 Area-Specific Matters'.

The District Plan must only contain the zones listed in the Zone Framework Standard consistent with the description of those zones (Standard #8, clause 1), the District's highly productive land is zoned in the Proposed District Plan as 'RPROZ — Rural Production Zone', areas set aside for rural residential development are zoned as 'RLZ — Rural Lifestyle Zone', with the remaining rural area of the District zoned as 'GRUZ — General Rural Zone'. The description of these zones most closely matches the character and amenity of those rural areas.

The proposed provisions also use the standardised definitions from the Definitions Standard (Standard #14), where appropriate (e.g. primary production).

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) and, under section 75(4)(b), must not be inconsistent with a regional plan. The Hawke's Bay Regional Policy Statement (RPS) is contained within the Hawke's Bay Regional Resource Management Plan (RRMP).

2.3.1 Hawke's Bay Regional Resource Management Plan, including the Regional Policy Statement (Operative 28 August 2006)

Chapter 3.1B, as part of the Regional Policy Statement section of the Hawke's Bay Regional Resource Management Plan (RRMP) has identified a regionally significant issue being the adverse effects from urban development encroaching on versatile land, as follows:

ISS UD2 The adverse effects from urban development encroaching on versatile land (particularly in the Heretaunga Plains sub-region where the land supports regionally and nationally significant intensive economic activity), and ultimately the adverse effects of this on the economic wellbeing of the Region's people and communities both now and for future generations.

Explanation

The Heretaunga Plains sub-region contains areas with a high proportion of very high value versatile land. There are competing demands for this valuable finite resource. The diversity and intensity of horticultural and viticultural production on the Heretaunga Plains, for instance, creates a high demand for land which is in short supply, whilst the same land is highly desirable for urban and rural lifestyle development. The versatile land of the region, particularly in the Heretaunga Plains sub-region is a regionally, if not nationally, significant resource for primary production and ultimately underpins the economy of the Region. Therefore, pressure from urban development encroaching on this resource is a regionally significant issue. Pressure for urban expansion on to agricultural land continues unless controlled, because the financial incentives are strong. The increased market value of land developed for urban use is considerable and beyond agricultural returns to sustain. Once developed, the economic value of urban and industrial infrastructure

typically means this land is permanently removed from primary production. In short, within agriculture, land use conflicts occur between short-term economic incentives and the future sustainability of the soils. Subdivision for urban development removes land from agricultural production but also impacts on the productivity of other land, in particular through reverse sensitivity. The concentration of highly versatile soils in conjunction with significant concentration of the Region's population on the Heretaunga Plains, reinforces the focus of urban growth policy in the Regional Policy Statement on the Heretaunga Plains subregion at this time.

Whilst referring particularly to the Heretaunga Plains, the explanation above specifically identifies the versatile land of the region as being a regionally, if not nationally, significant resource for primary production and that it underpins the Region's economy, and therefore, pressure from urban development encroaching on this resource is a regionally significant issue, and is a regional policy directive.

The Anticipated Environment Results for this chapter, states:

AER UD1 Availability of sufficient land to accommodate population and household growth, as and where required, while retaining versatile land for existing and foreseeable future primary production.

The RPS acknowledges that 'many of the policies in this chapter will be given effect to by territorial authorities through inclusion of appropriate provisions in district plans and in decisions on resource consents and designations'. This clearly directs Council to address the adverse effects of urban development encroaching on versatile land through appropriate provisions within the Central Hawke's Bay District Plan.

In addition, Chapter 3.5 of the RPS has also identified 'the effects of conflicting land use activities' as a regionally significant issue, as follows:

ISSUE

The occurrence of off site impacts or nuisance effects, especially odour, smoke, dust, noise, vibrations, agrichemical spray drift and increased traffic, caused by the location of conflicting land use activities.

The accompanying objectives and policies are as follows:

OBJECTIVES

- OBJ 16 For future activities, the avoidance or mitigation of off site impacts or nuisance effects arising from the location of conflicting land use activities.
- OBJ 17 For existing activities (including their expansion), the remedy or mitigation of the extent of off site impacts or nuisance effects arising from the present location of conflicting land use activities.
- OBJ 18 For the expansion of existing activities which are tied operationally to a specific location, the mitigation of off site impacts or nuisance effects arising from the location of conflicting land activities adjacent to, or in the vicinity of, areas required for current or future operational needs.

Explanation and Reasons

Where different land uses are located adjacent to each other there is always the potential for conflict. This is particularly the case where, for example, there is residential development adjacent to industrial or rural activities, or the use or disposal of organic material associated with rural activities. The proximity of these land uses to one another can cause conflict, predominantly in relation to odour, smoke, dust, noise and agrichemical spray drift (note that the issue of agrichemical use is discussed more fully in section 3.6).

The RMA, through the specification of functions of regional councils and territorial local authorities, has created an overlap in functions which complicates the issue. Section 30 of the RMA sets out regional council functions, including the control of the discharge of contaminants into or onto land, air, or water. Intimately related to this are the section 31 land use functions of territorial local authorities. Section 31 accords these organisations the responsibility of controlling the actual and potential effects of the use, development, or subdivision of land. Given that the effects of the land use activity are controlled by the territorial local authority, and any discharge associated with that activity by the regional council, there is often the situation where responsibility shifts from territorial local authority to regional council in terms of function. The control

of the emission of noise and the mitigation of the effects of noise are a function of territorial authorities (except in the Coastal Marine Area). In the Coastal Marine Area this has been transferred to the territorial authorities from the regional council.

Coupled with this is the need to recognise that the effects of an activity vary according to its location and the surrounding land use activities, e.g. an orchard may not cause any adverse effects to neighbouring orchards and farms, but may cause adverse effects to neighbouring residential areas. Regional Council staff respond to a large number of complaints related to discharges from activities sited in incompatible locations.

It is important that local authorities work together to resolve present issues and to ensure that predicaments surrounding conflicting land use activities do not arise from inappropriate planning decisions. This can be most efficiently and effectively achieved through the District Plan development process through techniques involving regulation such as zoning and buffering or the use of separation distances; or the use of non-regulatory methods such as information provision about the potential nuisances likely to arise.

Of particular concern to industries and rural businesses are complaints about existing activities made by new neighbours. The viability of existing business activities may be threatened as a result of effects which were not perceived as a problem when the activities were first established. Commonly this occurs when rural lifestyle subdivisions are allowed in traditional farming areas. Odours, noise, agrichemical and fertiliser applications, and dust may be considered to be incompatible with the new adjacent activity. Similar situations arise when residential areas encroach onto industrial areas.

Similar concerns are held by the regions infrastructure providers, given that some types of infrastructure can, by their very nature, produce adverse effects which are considered unacceptable by existing activities and the community. For example, infrastructure can cause emissions or vibrations which go beyond the boundaries of the site; or activities associated with the land use may create adverse effects on nearby land, such increased traffic or noise.

Such effects need to be planned and managed in an effective manner to ensure established infrastructure is not compromised by the location of sensitive activities nearby, and that existing land uses are not adversely affected by the use and development of new infrastructure.

These issues form the justification for management on the basis of "reverse sensitivity". The Environment Court has defined the term "reverse sensitivity" as the effects of the existence of sensitive activities on other activities in their vicinity, particularly by leading to restraints in the carrying on of those activities. The crux of this principle is that where an existing activity produces a situation that a new activity would likely regard as noxious, dangerous, offensive or objectionable, then the new activity should not be sited next to the existing one. Alternatively, safeguards should be put in place to ensure that the new activity does not curtail the existing one.

The principle of reverse sensitivity is receiving increasing recognition in RMA case law, e.g. McQueen v Waikato District Council (A045/94), Auckland Regional Council v Auckland City Council (A10/97), RDM Consultants Limited v Manawatu Wanganui Regional Council (W91/98), and Coeur Gold NZ and Others v Waikato Regional Council (A97/98).

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POL 6 PROBLEM-SOLVING APPROACH - FUTURE LAND USE CONFLICTS

To recognise that the future establishment of potentially conflicting land use activities adjacent to, or within the vicinity of each other is appropriate provided no existing land use activity (which adopts the best practicable option or is otherwise environmentally sound) is restricted or compromised. This will be primarily achieved through liaison with territorial authorities and the use of mechanisms available to territorial authorities, which recognise and protect the ongoing functioning and operation of those existing activities.

Explanation and Reasons

Policy 6 sets out an approach to avoid the existing level of problems arising from incompatible land uses becoming worse as a result of future decisions. In particular, this policy seeks to encompass the notion of "reverse sensitivity", recognising the rights of existing lawfully established activities.

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The direction contained within the Regional Policy Statement, in relation to the rural environment, has been taken into account 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 acknowledgement Deeds Plans for the particular cultural, spiritual, historical, and traditional association of Heretaunga Tamatea and its hapū within Central Hawke's Bay District encompass much of the District's rural environment.

2.5 Operative District Plan Approach

2.5.1 Rural Zone

The rural environment currently lies wholly within a single Rural Zone in the Operative District Plan. The Rural Zone is also the underlying zone for the coastal environment (i.e. 'Coastal Margin') – addressed in the Section 32 Coastal Environment Report, along with the various coastal settlements.

The Rural Zone contains three issues, with corresponding objectives and policies, as follows:

ISSUE - Protecting the Rural Amenity and Quality of the Rural Environment

Rural activities unless properly managed can cause unpleasant conditions for rural residents, and adversely affect the quality of the rural environment.

Explanation

The Council supports the diversification or intensification of rural activities which enable people to provide for both their economic, social and cultural well being. To this end the Council supports a range of farming, forestry, residential, and other business activities in the rural area.

The Council is aware that diversification or intensification of farming, forestry, residential or other business activities in the rural area can result in adverse effects on amenity values. These values include scenery, ease of access, and low noise. Factory farming can be a problem because of odour from the disposal of livestock effluent. Other businesses have the potential to cause noise, dust or odour unless properly managed.

Land based gravel extraction has taken place despite the need to use gravel from some of the rivers to mitigate flood risk.

ISSUE - Soil Erosion

Bad land management practices can lead to increased land instability and soil erosion

Explanation

Much of the District's hill country is unstable. Soil erosion increased considerably earlier this century when forest and bush was cleared. Government concern about the increased erosion led to various statutes, such as the Water and Soil Conservation Act, to tackle the problem. The District should foster land management practises that reduce soil erosion. Wind erosion caused by cultivation of volcanic and alluvial soils is also an issue.

ISSUE - Nature Conservation, Landscape Values, and Riparian Management Conservation and landscape values and riparian areas need to be maintained or enhanced for future generations

The Rural Zone provisions provide for the following as Permitted Activities:

- farming
- factory farming (with limits on stock, and with setbacks from urban zones)

- forestry activities
- community activities
- service activities
- commercial activities
- recreational activities
- residential activities
- visitor accommodation
- home occupations
- gravel extraction
- licensed premises (subject to hours of operation limits).

With the following as Controlled Activities:

- industrial activities
- the keeping of more than 3 goats, chinchilla and mustelids
- the planting of trees or establishment of buildings in areas identified as having outstanding landscape views, where they will no obstruct views from a public road

The only Non-Complying Activity identified in the Rural Zone is 'factory farming within 500m of a Residential, Business or Township Zone'. All other activities within the Rural Zone are Discretionary Activities.

Environmental results anticipated for the Rural Zone are:

- The development and implementation, over time, of good land management practices and a corresponding decline in accelerated soil erosion.
- Retention of a lower density of development in the general rural area, without undue levels of complaints or conflicts relating to rural amenity.
- Retention of the amenities, quality, and character of the different rural environments within the District.
- Maintenance of ground and surface water quality with respect to the discharge of domestic effluent and earthworks.
- Maintenance and enhancement of the District's landscape and conservation values.

2.5.2 Subdivision

Subdivision in the Rural Zone is a Controlled Activity down to a minimum lot size of 4000m² (subject to performance standards around general matters such as lot dimensions, property access, and servicing).

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.

The District Plan was assessed as being light on the preservation of the natural character of the coastal environment, and the various other values present in that environment, and subsequently there are potential gaps in the policy framework and subsequent rules and performance standards to sustainably manage the coastal environment.

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

Significantly, the Rural Zone provisions were seen as touching across numerous section 6 'matters of national importance' identified in the Resource Management Act, all within one chapter, and that this has resulted in these matters (such as the natural character of the coastal environment, rivers and lakes (s6a), landscapes and features (s6b), indigenous vegetation and habitats of indigenous fauna (s6c), and public access to the coast, rivers and lakes (s6d)) being given only cursory policy attention, and low level regulatory responses in the Operative District Plan.

Options considered were to:

- 1. retain the status quo,
- 2. update the Rural Zone provisions, or
- 3. re-draft the Rural Zone provisions, and associated subdivision provisions relating to the Rural Zone, including considering the requirement for additional rural zones.

The third option above was recommended.

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

3.1.1 'Rural Zone Discussion Document – District Plan Review', CHBDC, February 2012

This document was released for public discussion as part of the rolling District Plan review. It identified and sought feedback on a range of issues relating to subdivision and land use in the Rural Zone, Reverse Sensitivity/Farming Activities, Significant Landscapes, Noise, Earthworks, Climate Change and Natural Hazards.

35 submissions were received in response to the discussion document, including submissions from New Zealand Transport Agency, Heritage New Zealand, Hawke's Bay Regional Council, Hastings District Council, Te Taiwhenua O Tamatea, Department of Conservation, Fonterra, Horticulture New Zealand & Hawkes Bay Federated Farmers. The following issues were identified:

- Reverse sensitivity effects between rural productive land use activities and rural-residential development within the Rural Zone.
- Reverse sensitivity effects of subdivision and development (including earthworks) on the National Grid and the need for the District Plan to refer to the National Policy Statement on Electricity Transmission.
- Need to control planting of trees near electricity transmission lines refer to the Electricity (Hazards from Trees) Regulations 2003.
- Need to review setback requirements in the District Plan for trees (including shelterbelts) from boundaries and residential activities (in relation to Rules 4.9.10, 14.15 and 14.4 (NB: this issue was raised by only one submitter).
- Concerns about use of rural land for heavy industrial and commercial activities in the Rural Zone.
- Proliferation of industrial uses locating in the Rural Zone along State Highway 2 corridor, especially south of Waipukurau – need to consider effects of development on the strategic importance of road network infrastructure.
- Need to protect versatile soils from sporadic rural residential development.
- Need for harmonisation between the CHBDC District Plan and the HDC /NCC District Plans for noise standards and earthworks.

- Need for clear direction on the location of rural residential development.
- Subdivision rules in the Rural Zone should be flexible enough to meet rural production use needs, including housing for farmers.
- Need for the Rural Zone rules to provide for activities ancillary to rural production activities e.g.
 packing and processing sheds and contractors' depots.
- Natural hazards need to identify and map flooding areas.
- Earthworks rules in the Rural Zone should not restrict productive farming activities, including digging silage pits, offal pits, forming and maintaining farm tracks, etc.

3.1.2 Draft 'Urban Growth Strategy – Waipawa and Waipukurau', Central Hawke's Bay District Council, n.d.

The Draft Urban Growth Strategy (prepared in 2016) identified that 'the relatively permissive standards in the district plan relating to subdivision in the rural zone have enabled a de facto rural/residential zone to establish' around the established urban areas of Waipukurau and Waipawa (pg 21).

The draft Strategy raised the idea of a formal rural/residential zone to provide for rural residential living as a way to prevent the ad hoc, unplanned spread of residential activity in proximity to the established urban areas of Waipawa and Waipukurau. The Strategy identified several potential areas for further consideration as a proposed rural residential zone, as follows:

Waipawa:

- Area 1 (Rural Residential): comprising 46.8ha near Waipawa that could accommodate approximately 40 rural-residential lots (based on an average lot size of 1 hectares).
- Area 5 (Rural Residential): comprising 345 ha of Rural Zone land near Ireland and Homewood Roads. No yield determined.
- Area 6 (Rural Residential): comprising approximately 44ha of Rural Zone land in the vicinity of White Road and White Road Extension, located between Waipawa and Ōtāne. No yield determined.

Waipukurau:

- Area 1 (Rural Residential): comprising 92 ha of Rural Zone land on the western boundary of Waipukurau, including land in the Mangatarata Road area. No yield determined.
- Area 5 (Rural Residential): comprising 153.5 ha of Rural Zone land on the western boundary of Lake Hatuma and extending to the east to include land between and adjacent to the Racecourse and Porangahau Roads. No yield determined.
- Area 6 (Rural Residential): comprising 155.7 ha of Rural Zone land in an area defined by Kyle and Takapau Roads and includes Hatuma Heights and JG Wilson Drive. No yield determined.

The Draft Urban Growth Strategy also identified **Area 3 (Residential)** in Waipukurau, being an area of approximately 27.4 ha within the Rural Zone near Racecourse Road on the western boundary.

No areas for rural residential development were identified near Ōtāne.

3.1.3 'Central Hawke's Bay Blueprint - Appendices for Central Hawke's Bay District Council', Urbanism Plus Ltd, July 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 Councils 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, in order to maximize a prosperous District, the community placed value on:

- the natural assets of the District (natural beauty), the quality of soils, preservation of fertile soils (LUC);
- the need to protect the agricultural sector and ability to farm; and
- the need to support new environmentally sustainable ways of producing food (e.g. sustainable land management, organic farming, GE-Free).

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 the following in relation to the rural provisions of the Operative District Plan (in summary):

Land Use Provisions

- The existing rural provisions of the District Plan do not actively promote the protection of highly productive land.
- The Operative District Plan currently includes only one rural zone which applies to all of the rural land in the District. The minimum lot size permitted in the Plan as a controlled activity is 4,000m².
- A minimum lot size of this standard applied across the complete rural area is effectively encouraging fragmentation and as a consequence has the potential to undermine the potential productivity of high quality soils, increase fragmentation and create significant reverse sensitivity issues. An additional effect may be an adverse impact on rural amenity values.
- The Council is aware that relaxed controls on industrial and commercial development in the rural zone have the potential to compromise the availability of land for industrial and/or commercial activity in the urban centres.
- Development of appropriate objectives and policies to address the proposed issue will be required. Amendments to related sections of the District Plan, e.g., Subdivision and Land Development, will also be necessary to incorporate and reflect amendments to subdivision standards introduced through the review.

Rural Lifestyle

- The location of dwellings and other structures in the rural zone without any relationship to the use of productive land contributes to fragmentation and also reverse sensitivity as new people moving into the rural area complain or are intolerant to the effects of rural production activities established in compliance with the District Plan rules.
- Lifestyle development could be contained in identified rural residential zones to protect the productivity of the rural zone(s). Urban styles of development can erode the viability of rural productivity and can create reverse sensitivity impacts on productive uses through the visual effect of large scale buildings and ancillary structures, increased traffic generation, and loss of amenity including privacy. Areas including White Road and Homewood Road are examples of this type of development. Other areas which are already highly fragmented could be investigated as to their suitability for rural-residential zoning.
- Historic subdivision patterns have resulted in more highly fragmented land tenure pattern in some areas of the district. In order to achieve the best environmental outcomes it is considered necessary to reflect the existing rural lifestyle character and amenity of the identified areas through zoning that acknowledges the existing development pattern and provides for changes in future land uses as well as some limited growth where appropriate. Enabling lifestyle

development to occur on an ad hoc basis throughout the rural area will not achieve sustainable management of natural and physical resources because of effects such as reverse sensitivity, cumulative effects and scattered development compromising the efficient use of the land resource.

- Introduction of this issue recognises the existing level of fragmentation and provides for performance standards with an appropriate level of development for future growth and development. This issue can in part be addressed through the introduction of a proposed rural/residential zone. The basis for this new zone would be that the Council wishes to encourage non-rural based dwellings away from productive or potentially productive land into a specific Rural Residential zone.
- Development of appropriate objectives and policies to address the proposed issue will be required. Amendments to related sections of the District Plan, e.g. Subdivision and Land Development, will also be necessary to incorporate and reflect amendments to subdivision standards introduced through the review.

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, raised the following issues of relevance:

- ➤ Concern about activities that 'morph' semi-industrial activities in rural areas v home occupations. Industrial activities in the Rural Zone should be controlled/regulated.
- ➤ What you can do with home occupations in the Rural Zone? There needs to be more clarification around what is allowed as a Home Occupation. Definition needs tightening up for clarity.
- Setback from roads in Rural Zone any other building less than 10m² (e.g. water tanks/sheds) not captured (Rule 4.9.4), but still need some sort of setback.
- Subdivisions are fairly spread out across the District. A bit of subdivision currently happening around Ōtane.
- ➤ Majority of the rural subdivisions are boundary adjustments or carving off surplus rural dwellings.
- ➤ Generally, there are 60-70 consents per year for the entire District probably 50% land use consents, 50% subdivision consents (will probably be bit higher this year (already at 70 consents in August) because development appears to have increased.
- ➤ Big proportion of land use consents over the last four years have been for relocated buildings (all restricted discretionary discretion restricted to visual amenity) mix of rural and urban based locations, and mostly residential buildings. Most of the buildings are coming from out of town
- More building consents for new dwellings recently. At present, new dwellings are mostly in urban subdivisions, but some are in rural areas (Mt Herbert, Bellgrove and River Road).
- There are no non-complying activities under the subdivision rules, which is unusual need to consider whether this should be changed.

3.2 Technical Information and Analysis

3.2.1 The Contribution of Soils to New Zealand Society

The Parliamentary Commissioner for the Environment's report 'Growing for Good: Intensive Farming, Sustainability and New Zealand's Environment'³ states in relation to soils / land resources, that New Zealand is in the business of '...exporting our foods, fibres, wines, films and delivering great visitor

³ 'Growing for Good: Intensive Farming, Sustainability and New Zealand's Environment', Parliamentary Commissioner for the Environment, 2004.

experiences. New Zealanders are highly dependent on our natural capital – our waters, soils and biodiversity – for sustaining these wealth generating capabilities'. And goes further, expounding 'soils - the central engine room'.

According to the Sustainable Land Use Research Initiative (SLURI)⁴, 17% of New Zealand's GDP depends on the top 15cm of soil, and that failure to sustain our soil and water resources will put \$2.16 billion of the country's total GDP at risk. New Zealand's primary sector is the most productive sector, earning the majority of the nation's merchandise export earnings. Protecting productive soils for present and future generations is therefore paramount to New Zealand's ongoing prosperity.

According to Landcare Research, 'all classes of productive land in New Zealand are under pressure from competing uses. In particular, opportunities for productive use of that land decline as urban areas expand and rural land is subdivided into smaller parcels. Such trends are particularly evident for highly capable land. Just over 5% of the New Zealand's land area (about 1.39 million ha) is classified as having high capability land (Rutledge et al. 2010), defined as land with Land Use Capability classes I or II (Lynn et al. 2009; Stephens et al. 1996). LUC classes I, II and III have experienced the highest rates of conversion to urban uses as a percentage of original area (5.6%, 3.9% and 2.3% respectively) over the period 1985—2002 (Rutledge et al. 2010). Conversion of LUC class I and II land to urban uses raises concerns because of the comparatively high productive capability of this land as well as its limited extent'⁵.

The role of soils is not limited to just 'being productive' in terms of primary food and fibre outputs, but they also support rural communities, encompass the vast majority of our natural and cultural heritage capital and ecosystems, and provide amenity services in terms of landscape and recreation. Soils also support urban development, in terms of their role in providing a platform for residential development and construction and home food production services.

3.2.2 'Assessment on the Need for a New Rural Zone for Subdivision in the Central Hawke's Bay District', LandVision Ltd, January 2018

During the process of reviewing the District Plan provisions in relation to the rural environment, Council commissioned LandVision Ltd to assess the value of the rural land resource in Central Hawke's Bay, which included:

- 1. looking at the definition of versatile land and the factors needed to be taken into consideration when classifying land as such; and
- 2. carrying out a versatile land assessment with particular emphasis around the Ruataniwha Plains, to determine whether the 'Plains' is a versatile land resource of local, regional or national significance requiring additional District Plan protection.

The following summarises the outcomes and conclusions of that Technical Report, and further interprets those in terms of the implications for the District Plan review.

3.2.2.1 Versatile Soils in Central Hawke's Bay

The LandVision Report summarised the importance of 'versatile soils', and the presence of 'versatile soils' in Central Hawke's Bay, as follows:

"5.1.2 Versatile Soils

The best soils in New Zealand are coined to be "versatile" or "high-class". Hewitt (2017) states, versatile soils are critical for the supply of nutrients required for optimum plant and food growth. A versatile soil is

⁴ The SLURI Initiative acts as a National Centre for maintaining and managing New Zealand's soil resources and protecting valuable ecosystems services that soils provide. It is a partnership between 3 CRI's: Plant & Food Research, AgResearch and Landcare Research. www.sluri.org.nz.

⁵ 'National Guidelines for Monitoring and Reporting Effects of Land Fragmentation', Rutledge D, Price R & Hart G, Landcare Research, February 2015.

one that is "capable of many uses, needs to be deep, fine-textured, moist, free-draining, loamy, and have organic-rich topsoil. These properties best enable plant roots to take up nutrients, water and oxygen, and get enough support for rapid growth. Fertility is highest in soils young enough not to have been leached and old enough to have built up organic matter. They are also derived from parent rocks that are well supplied with essential nutrients."

Versatile soils in New Zealand are rare (found in only 5.5% of New Zealand) and are therefore of very high value for food and crop production. These soils should be protected from the development of urban areas and instead reserved for agriculture and horticulture use." 6

"7.1 Classifying "Versatile Soils" in the CHB

The most comprehensive description of soils for the Central Hawkes Bay is that by Griffith (2001) where the dominant soils (29 soils in total) of the Ruataniwha are described along with some small scale (1:50,000) soil maps. The Griffith report also included other information such as texture, structure, drainage, water holding capacity and susceptibility to erosion are provided to give recommendations and management guidelines for cultivation, drainage, and irrigation.

7.1.1 Highly versatile soils with high productive value

The most versatile soils of the Central Hawkes Bay are found on the flat to rolling country formed from alluvium, loess and tephra. These soils support a range of intensive primary production activities and include:

- The deep free draining alluvial soils (>45 cm) with high natural fertility and mostly silty, and/or fine sandy loam textures. Soils include: Manawatu silt loam, the Twyford series and Hastings series
- The deep alluvial soils with high natural fertility, but slow natural drainage in the subsoils. With appropriate drainage a wide range of crops can be grown. Typical soils include the Kairanga silt loam
- Moderately deep soils (45-90 cm of alluvium overlying gravels). Soils are light textured and slightly more susceptible to summer drought. With adequate soil moisture, summer irrigation and conservation methods to alleviate slight wind erosion potential, a wide range of crops can be grown. Soils include the Kopua series.
- Well drained deep soils formed from tephric loess overlying gravels. Topsoils are light textured silt loams which are susceptible to wind erosion when cultivated. With adequate soil conservation methods a wide range of the crops can be grown.

7.1.2 Less versatile soils with high productive value

There are a number of soils in Central Hawke's Bay with lower versatility because of limitations such as wetness, soil impediments, and susceptibility to drought. These soils are still of high productive value but require an increased level of management, including artificial drainage and irrigation, to achieve yields similar to highly versatile soils. Soils of this type include: Takapau series and Waipukurau sandy loam.

The Central Hawke's Bay also includes very low versatility soils but with high economic viticulture values. These soils are very patchy (<15cm deep) with numerous boulders throughout the profile and on the surface. This makes them unsuitable for intensive crop production; however vineyards do thrive on these soils. These soils include the Tukituki series."⁷

The conclusion from this was that the flat to rolling country formed from alluvium, loess and tephra represents the most versatile soils of the District supporting a range of intensive primary production activities, but that there are also areas comprising less versatile soils with high productive value.

3.2.2.2 Versatile Land in Central Hawke's Bay

The LandVision Report noted that 'the terms "soil" and "land" are often misinterpreted and misused interchangeably. There are numerous different definitions and opinions of each of these words but in short, soil is only one factor of land'⁸.

In the case of *Canterbury Regional Council v Selwyn District Council* [W142/96], Environment Court Judge Treadwell presented a comprehensive list of factors that need to be taken into consideration

⁶ Pg 6, LandVision Report.

⁷ Pgs 12/13, LandVision Report.

⁸ Pg 6, LandVision Report.

when labelling land 'versatile'. These are listed below, and essentially include a range of soil, climate, and water characteristics; transport and industrial services; labour; and other resources as well as absence of conflicts. These are all factors that need to be considered when identifying versatile land.

- Soil texture
- Soil structure
- Soil water holding capacity
- Soil organic matter stability
- Site's slope
- Sites drainage
- Temperature of the site
- Aspect of the site
- Storm water movements
- Flood plain matters
- Wind exposure
- Shelter planted
- Availability of irrigation water

- Transport, both ease and distance
- Effect of use on neighbours
- Effects of the neighbours on the use
- Access from the road
- Proximity to airport
- Proximity to port
- Supply of labour
- Previous cropping history
- Relevant contamination
- Sunlight hours
- Electricity supply
- District scheme
- Economic and resale factors

Table 1. A list of factors in determining versatile land (Treadwell, 1997) ⁹

In essence, the term versatile land 'is not limited to land that has versatile soils but instead it includes a number of different physical and social factors. Versatile land is land "which supports the production and management of a wide range of crops. It is characterised by certain soil and physical characteristics, which have few to no limitations like poor drainage, low soil nutrient status or slope instability. In the agriculture sense versatile land is also characterised by its proximity to services and transport" Chapman (2010)' 10.

Environment Court judgements and expert evidence, where soil is relevant to the determination, variously concludes:

- A single policy focus on soil is not likely to provide legal protection for their productive capability nor support their productive capacity, in an economic sense.
- While a particular soil may be capable of producing food, other factors need to be available for the land to be used for productive capacity, leading to the importance of a 'fuller consideration of factors' as espoused by Judge Treadwell in the Selwyn case.

Primary Sector advisors also argue that there must be a production system comprising growers and their operations, in addition to suitable soils, for economic benefits to be realised for a District. However, even without a wider production system in place, there needs to be recognition and protection of the productive potential of versatile land (as a finite resource) for future generations.

The LandVision Report summarised the most highly productive land and soil versatility in the District as follows¹¹:

Category	Area (ha)
Highly productive land and highly versatile soils	21,805
Highly productive land and lower versatile soils	61,076
Subtotal of highly productive land	82,881

⁹ Pg 8, LandVision Report.

¹⁰ Pg 7, LandVision Report.

¹¹ Pg 18, LandVision Report.

Stony soils with low versatility but high productive value for grapes	6,427
Total area of highly productive land plus land suited to grapes	89,308
Total area of land in the district (includes all land)	332,644

In addition, the LandVision Report noted other factors that make the productive and versatile land and soils of the district, a particular 'resource of significance':

'7.5.1 Proximity to services (towns, airport, port)

The productive and versatile land and soils within the district are all within close proximity (<50 km) to urban centres or towns (Waipukurau and Waipawa) available to supply services and within commuting distance to Napier port or Napier or Palmerston North airport.

7.5.2 Transport – both ease and distance

The productive and versatile land and soils is well connected to main urban centres and service towns by a number of State Highways and rural roads. These include:

- State Highway 2 (SH2) Runs from Dannevirke to the South of the District to Napier/Hastings to the North (approximately 122 km). SH2 runs along the eastern section of the plains and through the main urban settlements of Waipukurau and Waipawa. Highway contains sealed roading and the transport of primary products along this section is considered easy.
- State Highway 50 (SH50) Separates from SH2 just south of Takapau and runs through to
 Hastings in the North (approximately 90 km). SH50 runs along the western section of the plains
 and through the small service towns of Ongaonga and Tikokino. Highway contains sealed
 roading and is a major link road for the transport of primary products from the area to other
 districts.
- Rural Roads Other rural roads are just as important as the State Highways in the area. In
 particular are Tikokino Road (linking Tikokino and Waipawa), Ongaonga Road (linking
 Ongaonga and Waipawa) and Ongaonga-Waipukurau Road linking the two named towns. These
 are important as not only do they dissect the plains they link the two state highways together.
 These roads are important as there is a considerable ease of transport of primary goods away
 from source to other sections of the district and beyond.

7.5.3 In summary

Given the areas setting, inclusion of versatile soils, high productivity, and its ease of access of all parts to services and transport, areas of highly productive/highly versatile soils and highly productive/lower versatile soils must be classified as "versatile land".'12

The conclusion from this, was that there are considerable productive and versatile land and soils in the District, which provide a significant base for arable, finishing, dairying, and viticulture land uses which can be collectively defined as 'versatile land'.

3.2.2.3 Protection of Versatile Soils and Land in Central Hawke's Bay

Land has been identified as 'a critical and finite resource for the future of New Zealand' meeting various competing demands (Bloomer, 2011), and the conversion rate of productive land to non-productive uses (such as urban expansion) is highest for those most versatile soils (Class I and II land) (Rutledge, 2008 and Palmer, undated)¹³.

The LandVision Report identified land fragmentation as a significant issue:

8.2.2 Land Fragmentation issues

In New Zealand versatile land is under pressure from a range of competing uses. In particular, highly versatile land is becoming increasingly fragmented, mostly as a result of rural subdivision. Rural subdivision is where a "single parcel of rural land is divided into two or more parcels". The resulting smaller land parcels can often "prevent the use of land for many types of primary production" therefore affecting that particular piece of lands versatility.

¹² Pg 18/19, LandVision Report.

¹³ Pg 19, LandVision Report.

Land fragmentation is the "division of a land resource that changes the current or future range of possible activities and thereby alters the actual or potential uses of that land resource across a number of scales" (Hart et al., 2013). ...

A number of councils in New Zealand, including the Central Hawke's Bay, have recognised the issues related to land fragmentation. Loss of versatility and the productive capability of rural land was the key issue noted by many councils. This can happen through a number of processes which include:

- Land use change from productive to non-productive (urban development)
- Reverse sensitivity effects where productive land becomes socially unacceptable (productive land has traditionally been a rural or productive landscape)
- Property values increasing to the point that makes productive land uses unprofitable
- Productive land uses become unprofitable because small lot sizes limit management options.
- Other issues relate to land fragmentation have been highlighted by a number of councils and are described in Table 5 below.

Table 5. Issues identified by councils related to land fragmentation (Hart et al., 2014)

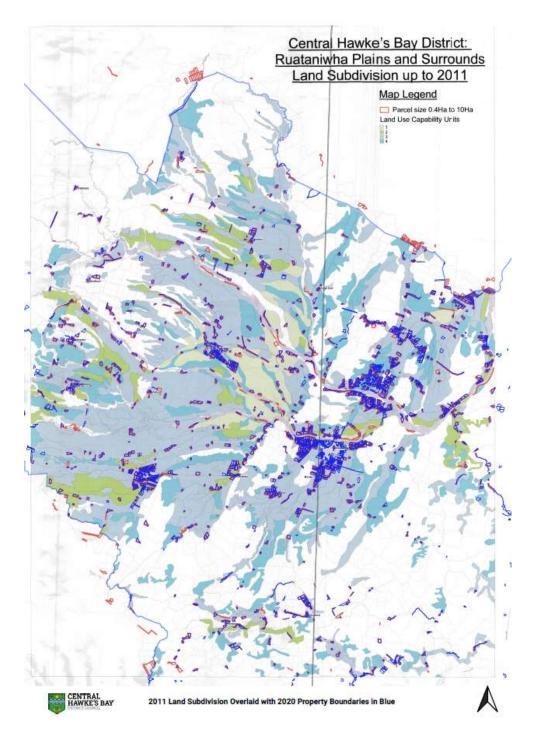
Issue	Number of councils
Loss of land (especially highly 'versatile' or 'high quality' soils.	14
Reverse sensitivity effects.	10
Social and economic impacts of a changing rural landscape (both positive and negative	10
impacts, e.g. loss of rural open space).	
Infrastructure provision (e.g. expense of servicing remote and very low density	9
development).	
Decreasing options for productive land use (i.e. due to smaller title size and/or	6
increasing property values in traditionally productive/rural land areas).	
Increased water supply/allocation pressure.	3
Regional sustainability (i.e. unsustainable land uses, where cumulative effects of	3
development put food production at risk).	
Increased pressure on water quality (e.g. as a result of increasing septic tank numbers).	3
Land contamination problems (depending on the land use adopted at new sites).	3
Increasing hazard risk (e.g. increased storm water pressures with increased impervious	3
surface area).	
Loss of access to regionally important resources (e.g. mineral extraction potential).	1
Degradation of soil ecosystem services.	1
Inefficient development of rural land.	1
Impacts on biodiversity.	1

Of key concern are a number of negative social and economic impacts such as the undermining of rural economies by reducing options for productive land uses and increase in costs of infrastructure provision and maintenance of low density, fragmented development."¹⁴

The adverse impacts of land fragmentation vary depending on the context, but can include reduction of land available for primary production (which is a finite resource), generation of reverse sensitivity (where a newly introduced land use, such as residential lifestyle development, seeks to restrict or limit existing lawfully established land uses), increased need for infrastructure and community service provision, increased demand for water or other resources, increased diversity of land uses and associated economic activities, and uncertain changes to habitat and biodiversity. On the positive side, fragmentation can contribute to increased diversity of land uses and associated economic benefits.

Past land fragmentation in Central Hawke's Bay can be reflected on cadastral maps and historic rural subdivision data. The map presents cadastral data of parcels between 4000m² and 10ha in the District to 2011 overlaid with parcels as at 2020, superimposed over LUC 1-4 soils data:

¹⁴ Pg 20/21, LandVision Report.

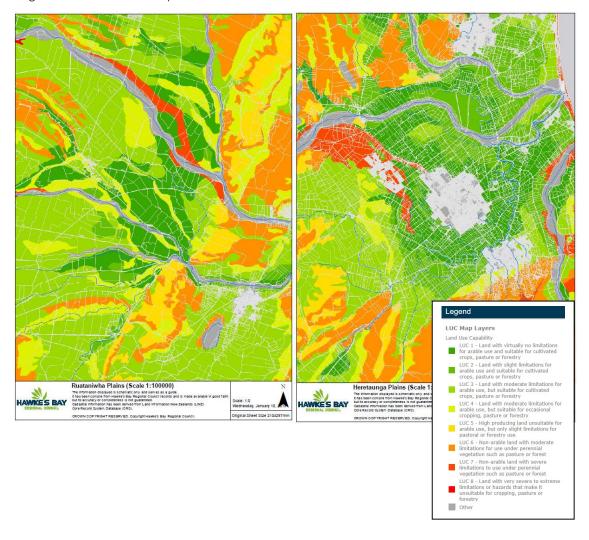


It is important to note that cadastral data does not identify actual land use. For this reason, it is limited in its ability to present a reliable, definitive picture of productive land use in the District. However, coarse observations can be made, as follows:

- i. the majority of land parcels under 10 hectares are concentrated around Waipukurau, Waipawa and, to a lesser extent, Ōtane, Ongaonga, Takapau and Porangahau, which supports on-the-ground observation that there has been increased rural residential development in close proximity to urban amenities and services (particularly in the period since the current District Plan was made operative).
- ii. there are some land parcels under 10 hectares on the Ruataniwha Plains, which may suggest some demand for rural lifestyle blocks has been occurring on the more elite soils of the District,

albeit pepper-potted and more dispersed in nature. However, some of these could also be for small-scale rural production or rural residential blocks legitimately supporting the needs of rural landowners and workers.

When comparing the cadastral layout of the Ruataniwha Plains area (below left) with the neighbouring Heretaunga Plains (below right) at the same 1:100000 scale, comparison observation can be made of density and lot sizes on the more elite soils in each case – particularly LUC 1 & 2 (Source: Hawke's Bay Regional Council's LUC Tool):



The Heretaunga Plains is considerably more intensively developed, and exhibits a higher level of historical fragmentation, than the Ruataniwha Plains (reflecting its historical 6ha and current 12ha minimum lot size for subdivision in the Hastings District Plan).

This is likely due to its proximity to urban centres for employment and the concentration of significant processing industry that has established in support; its proximity to the port and airport; and that the area is fortunate with a reliable water supply for irrigation purposes. However, it does present a scenario that could develop in Central Hawke's Bay District if conditions were to change (e.g. introduction of irrigation water), and those conditions led to demand for more intensive farming of the Ruataniwha Plains and flat land around Waipawa and Waipukurau in the future.

Preserving the lower level of fragmentation on the Ruataniwha Plains and stopping any further fragmentation of versatile land around the urban centres, is a legitimate concern in terms of sustainable management of this resource for current and future generations. To continue with the current 4,000m² minimum lot size for subdivision in the District Plan could therefore be considered imprudent.

The LandVision Report states that production from the versatile land areas in Central Hawke's Bay and the neighbouring Heretaunga Plains has made Hawke's Bay the largest producing horticultural region in New Zealand, and that these areas are, therefore, of particular significance for a number of the reasons highlighted by Palmer (undated):

- Versatile soils are scarce in NZ.
- There is a cumulative effect from sub-division.
- Versatile soils once built on are a non-renewable resource.
- The market cannot predict future values and needs.
- In almost every case, planning could see poorer quality soils subdivided in preference.
- The natural attributes of versatile soils cannot be replaced without much cost and energy.
- Versatile soils grow better food more cheaply and with fewer environmental consequences.
- Retaining versatile soils close to urban areas lowers transport costs, creates local economy.

For these reasons, the LandVision Report concluded that because versatile soils and the accompanying versatile land are particularly rare in New Zealand, the versatile land in the District should be classified as a resource of national significance, or at the very least, regional significance — noting that very few other places in the country exhibit the concentration and extent of versatile soils/land supporting a wide range of land uses as found in the central Hawke's Bay, and:

'Therefore, it is imperative that the protection of the versatile soils/land of the District be one of the core objectives of the Central Hawke's Bay District Plan. This is vital in "sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations" and "safeguarding the life capacity of... soil" (RMA).'16

On the basis of the above assessment, the versatile land of the Central Hawke's Bay District (particularly the concentration of versatile land found on the Ruataniwha Plains) has been deemed a 'resource of regional, if not national, significance', warranting specific recognition in the Central Hawke's Bay District Plan for its finite characteristics and high value for primary production purposes, and accordingly warrants defining and protecting from the actual and potential effects of land fragmentation and increased exposure to potential land use conflicts (which could have high potential impact).

3.2.3 Introduction of New Rural Zones

Building on the advice of LandVision Ltd, the inclusion of additional rural zones in the District Plan was determined as the best practicable option for achieving the sustainable management of the District's highly productive land resource — a new zone encompassing the main concentration of highly

¹⁵ Pg 19, LandVision Report.

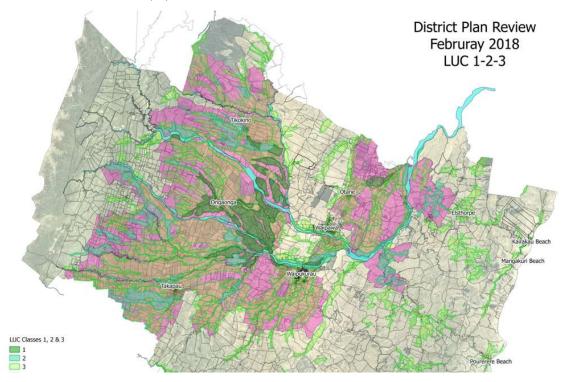
¹⁶ Pg 19, LandVision Report.

productive land, and defined rural residential zones on the urban peripheries of Waipawa and Waipukurau.

3.2.3.1 New Plains Production Zone (now termed Rural Production Zone)

The physical extent of this new Zone was based on:

- Encompassing the major concentration of the District's highly productive/versatile land (largely LUC 1-3 soils) centred in and around the Ruataniwha Plains and flat to rolling land surrounding the main urban areas of Waipukurau, Waipawa and Otane township.
- Following natural defendable boundaries where possible, such as parcel boundaries, roads, streams &/or other physical features.



An evaluation of alternative management methods, and options for determining physical extent, were first presented to the District Plan Committee on 7 February 2018, with various iterative refinements presented over the course of the remainder of the District Plan review, until final zone boundaries were endorsed by the District Plan Committee on 10 November 2020.

In addition to the above criteria, refinement of the zone boundaries responded to District Plan Committee input (drawing on their extensive local knowledge and the farming expertise of members of the Committee), as well as specific feedback from various local submitters on the Draft District Plan – in particular, the introduction of 'slope' as a further factor for consideration.

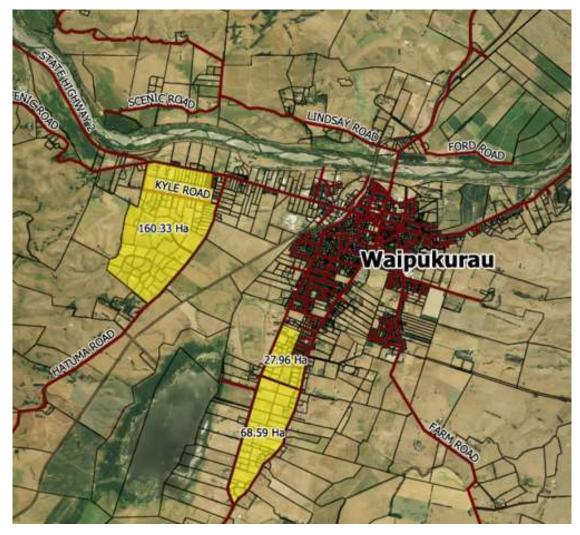
3.2.3.2 New Rural Living Zone (now termed Rural Lifestyle Zone)

Drawing on the areas identified as potential areas for rural residential development in the Draft Urban Growth Strategy (refer Section 3.1.2 of this report), the Draft District Plan included one Rural Living Zone in Waipawa, in the area between Pourerere Road/Ireland Road/Racecourse Road/Tiffen Lane (182.73ha), see figure below:



The Draft Plan also identified the following three Rural Living Zones in Waipukurau (see figure below):

- an area (160.33 ha) located to the west, near Kyle Road / 'Hatuma Heights'.
- an area (68.59 ha) to the south, between Racecourse Road and Porangahau Road.
- an area (27.96 ha) to the south, north of Graingers Lane.

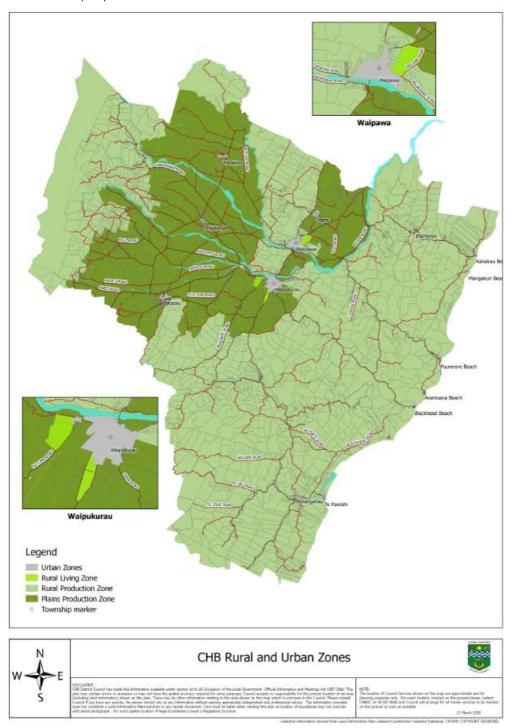


It is noted that within the Rural Living Zones identified, rural residential development has already been occurring, which demonstrates an existing desire for rural residential development in these areas. The Rural Living Zones identified offer choice in terms of provision for household growth in the District generally, and choice for rural residential development across the two urban centres of Waipawa and Waipukurau.

3.2.3.3 Mapping of New Rural Zones

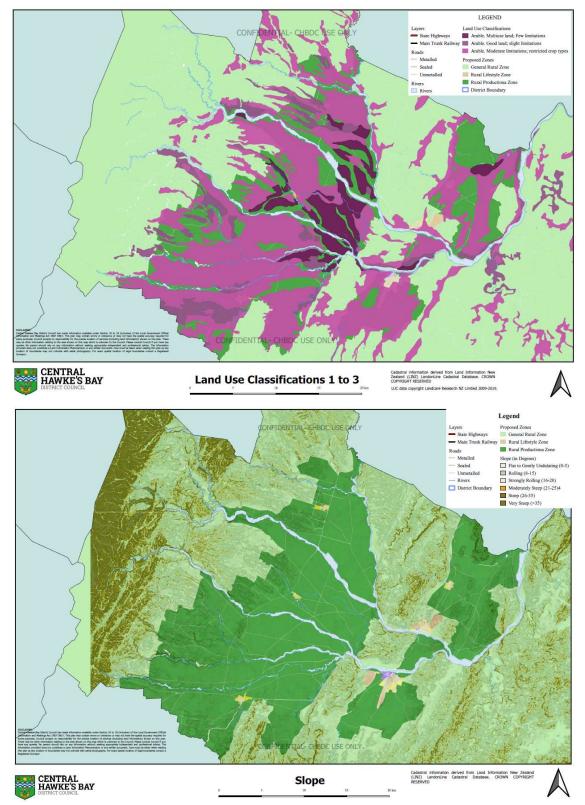
The following maps show:

1. the boundaries initially drawn for the rural zones (formerly the Rural, Plains & Rural Living Zones) as presented to the District Plan Committee on 28 March 2018.



Followed by:

2. the final boundaries of the rural zones overlaid with LUC 1-3 soils and slope, as endorsed for inclusion in the Proposed District Plan by the Committee on 10 November 2020 (proposed General Rural, Rural Production & Rural Lifestyle Zones).



3.2.4 Allotment Sizes for the Rural Zones

The LandVision Report included an assessment of appropriate minimum lot sizes for the rural zones in the District Plan, and a comparison with other district councils dealing with subdivision on highly productive and versatile land and soils. A comparison of minimum lot sizes is tabulated below – extracted from Section 11 of the LandVision Report¹⁷.

District Council	Rural Zone(s)	Minimum Lot Sizes
Gisborne District Council	Rural Production (Rural P) Zone (most fertile soils)	8ha
	Rural Residential (Rural R) Zone	1ha
	Rural Lifestyle (Rural Z) Zone	5,000m ²
	Rural General (Rural G) Zone	1,000m ²
Manawatu District Council	Rural 1 Zone (versatile land)	8ha minimum average lot size
	Rural 2 Zone	4ha average lot size
Ashburton District Council	Rural A Zone (outskirts of main settlements)	8ha
	Rural B Zone (vast plains and large braided rivers)	50ha
	Rural C Zone (large-scale mountains, valleys and basins)	50ha
Tasman District Council	Rural 1 Zone (highest productive value)	12ha
	Rural 2 Zone (lower intensity)	50ha
	Rural 3 Zone (specific section of coastal land)	50ha
Tararua District Council	Rural Management Area	No minimum, but 8,000m² in 'urban buffer areas'
Horowhenua District Council	Rural Management Zone: - Coastal Environment - Coastal Lakes - Hill Country - Kuku - Moutoa-Opiki Plains (most versatile soils)	5ha 5ha 40ha 10ha 20ha
Timaru District Council	Rural 1 Zone (general rural)	40ha
	Rural 2 Zone (high quality land)	10ha
	Rural 3 Zone (coastal)	10ha
	Rural 4A Zone (Geraldine Downs)	Rural lifestyle – 10ha Rural production – 40ha

¹⁷ Pgs 25-31, LandVision Report.

	Rural 4B Zone (Blandswood)	40ha
	Rural 5 Zone (hill and high country)	40ha
Hastings District Council	Rural Zone (general rural)	20ha
	Rural Residential Zone	0.8ha (1ha average)
	Plains Production Zone (versatile land)	12ha

The report concluded as follows:

'The minimum lot size recommended for the 'highly productive rural zone' is 12 ha. The main reason for this is that firstly this is considered the minimum area needed to retain some level of economic viability and hence not lose its productive capability so commonly seen with smaller 'lifestyle' blocks. Secondly it is consistent with the neighbouring Hastings District Council rules for the Heretaunga Plains. Furthermore, a 12 ha minimum lot size will reduce the degree of fragmentation and issues related to reverse sensitivity.

The minimum lot size recommended for the 'general rural zone' Table 13 below shows the recommended rural zones for subdivision for the Central Hawkes Bay District Council. It is noted that the zones and associated minimum lot sizes are consistent with the neighbouring Hastings District with the exception of the Rural Residential Zone. The recommended Rural Residential Zone is 0.4 ha and this is consistent with the existing District Plan. This consistency is seen as being positive for the community.

Table 13. Recommended Rural Zones

Name	Description	Minimum lot size
Highly productive land rural zone	To protect the highly productive and versatile land/soils within the district. The boundary could be based on either a blanket area incorporating all land/soils irrespective of its productive potential or versatility or confined to just the highly productive and versatile land/soils.	12 ha
General Rural Zone	For subdivision of all other land throughout the region.	20 ha
Rural Residential Zone	More concentrated smaller lifestyle properties.	0.4 ha

A 20 ha minimum lot size is recommended for the Proposed General Rural Zone. The reason for this is to preserve the open rural natural character and the amenity values of the rural area. It will also reduce the fragmentation of the proposed General Rural Zone. This is also consistent with the neighbouring Hastings District Council Plan. 18

3.3 Consultation

3.3.1 Landowner Consultation

Consultation with potentially affected landowners included:

- A district wide mailout letter (April 2019) and accompanying map to all landowners identified
 as having significant natural areas and/or outstanding or significant natural
 features/landscapes on their property, inviting them to meetings with Council staff and
 consultants to discuss, and/or to provide at the meetings or via email/phone message.
- A series of landowner meetings were held in May 2019 including Waipawa Municipal Theatre
 (8 May), Tikokino Hall (9 May), and Porangahau Hall (10 May) to advise of the implications of
 having significant natural areas and/or outstanding or significant natural features/landscapes
 on their property and providing the chance to discuss mapping with Council's consultant

¹⁸ Pg 32, LandVision Report.

- ecologist and consultant landscape architect. The opportunity to provide written feedback was encouraged.
- Resulting feedback was received and reviewed by Council's consultant ecologist and consultant landscape architect, with a small number of follow-up site visits taking place, and some alterations to the identification or mapping of such features as a result of the landowner feedback received.

3.3.2 Stakeholder Consultation

Consultation with key stakeholders included:

- A mailout letter to key stakeholders¹⁹ (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 with the above stakeholders 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.
- A mailout letter to key subdivision and development sector stakeholders (April 2019), inviting
 them to meetings with presentations from Council staff and consultants to introduction to the
 draft District Plan and a general understanding of proposed new provisions relating to
 subdivision and development, with an emphasis on subdivision in the rural zone.

A meeting was held with the subdivision and development sector on 14 May 2019 at the Waipawa Municipal Theatre to advise of the impending changes to subdivision and development in the District Plan, and providing the chance to discuss with Council staff and elected members.

3.3.3 lwi 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,

¹⁹ invitations went to Department of Conservation, CHB Water Holdings, Federated Farmers, Fish and Game, Forest and Bird, and tangata whenua representatives

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).
- Hui at Taiwhenua o Tamatea (Waipukurau) to discuss the impending release of the Proposed District Plan and to offer assistance with responding within that process (24 November 2020).

3.3.4 Wider Community Consultation

- Public notification of the Draft District Plan, inviting members of the community to attend dropin meetings, and calling for submissions – 3 June 2019.
- Public drop-in meetings were held to present the Draft District Plan:
 - o Waipukurau Club 4 June 2019
 - o Ōtāne Hall 11 June 2019
 - o Porangahau Hall 12 June 2019
 - o Takapau Hall 18 June 2019
 - o Tikokino Hall 19 June 2019
 - o 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.

3.4 Draft District Plan Feedback

3.4.1 Rural Zones

Five submitters made submissions across 23 terms and definitions of particular relevance to the rural zones in the Draft District Plan, mostly from HortNZ.

Twenty-five submitters made a total of 86 submission points on the Rural Zones chapter of the Draft Plan – ten of these were local submitters who made a total of 13 submission points between them, and the rest were made by the following submitter organisations:

- Rural Sector Fed Farmers, HortNZ, NZ Pork Board, Pan Pac Ltd, Aggregate & Quarry Association NZ (AQA)
- Network Utilities Transpower, Centralines, Powerco, First Gas, Kiwirail
- Government Agencies NZ Defence Force (NZDF), Ministry of Education (MOE), Department of Corrections (Corrections), Fire & Emergency NZ (FENZ), Hawke's Bay Regional Council (HBRC)

Six of the ten local submitters made single submission points of a more general nature:

- one submitter sought that soils in this region require assessment and mapping that prime horticultural land must be identified, zoned, and excluded from subdivision, housing, and industrial use.
- one submitter identified that some Plains Production Zone land includes hill country and queried whether the setback from intensive farming activities standard includes urban sewage storage and smell which is close to a residential boundary.

- one submitter supported the direction the Draft Plan is taking in defining a Plains Production
 Zone, Rural Production Zone and Rural Living Zone.
- one submitter sought greater support and incentives for more regenerative farming and is concerned that intensifying industrial agriculture or helping to intensify it, will have unintended, long term damaging effects on the environment and people.
- one submitter considered there is not enough emphasis on encouraging agricultural land use changes in order to protect precious water supplies.
- one submitter opposed the Rural Zones chapter on the basis that the soils are not considered universally of high production value, and sought the shelving of the chapter until wider, more comprehensive and meaningful consultation had taken place.

The remaining local submitters made more specific submissions on some of the rules and performance standards applying in the chapter:

- one submitter sought a different approach to the setback of trees from boundaries.
- one submitter sought the same allowance for residential units in the Plains Production Zone as
 is provided for in the Rural Production Zone, sought more scope for farm stay/tourist
 accommodation and also sought specific provision for permanent worker accommodation.
- one submitter queried the seasonal workers accommodation limit of 125m², the application of setbacks for dwellings and accessory buildings from roads and neighbours, and the duration of temporary events and application of traffic and parking provisions to temporary events.
- two local submitters sought inclusion of rules restricting private/commercial airstrips close to residential areas.

The 'Rural Sector' submitters supported many of the provisions in the Rural Zones chapter but also sought various amendments and additional provisions, largely to further clarify and support the carrying out of their respective activities in the Plains Production and Rural Production Zones – being agricultural and horticultural farming activities, intensive farming activities, plantation forestry and quarrying activities.

The 'Network Utility' submitters generally sought to strengthen provisions as they relate to regionally significant infrastructure and the operation, maintenance and upgrading of network utilities, as well as addressing reverse sensitivity, and amendments or additional provisions relating to setbacks from the National Grid, gas transmission and rail networks to protect the ongoing operation of these networks and the public's safety.

The 'Government Agency' submitters generally sought additional specific provision in the Rural Zones for government service activities, such as educational facilities, community corrections activities, emergency service facilities and temporary military training activities.

The following summarises the key amendments made as a result of feedback on the Rural Zones chapter in the Draft District Plan:

- zone boundaries for the Plains Production Zone underwent further refinement including applying slope considerations to limit inclusion of hill country
- relevant definitions applicable to rural activities (e.g. primary production, post-harvest facility, artificial crop protection structures, crop support structures, frost fans etc) were added or amended, some were replaced with the corresponding definitions in the National Planning Standards (notably, references to 'farming' were replaced with 'primary production', and references to 'versatile land' were replaced with 'highly productive land')

- rules and standards for 'rural airstrips', 'helicopter landing areas', and 'agricultural aviation movements' were specifically included in the rural zones (including corresponding definitions) to provide resource consent thresholds (e.g. setbacks, aircraft movements), whilst also expressly permitting intermittent agricultural aviation movements for purposes ancillary to primary production activities
- additional allowance for residential units in the Rural Production and Plains Production Zones was inserted

Minor amendments to various other standards applying in the rural zones were also made, largely to provide further clarification and/or greater certainty.

3.4.2 Rural Lifestyle Provisions

Ten submitters made a total of 19 submission points on the Rural Living Zone chapter of the Draft Plan – only one was a local submitter, and the rest were made by the following submitter organisations:

- Rural Sector HortNZ, NZ Pork Board, AQA
- Network Utilities Powerco, Kiwirail
- Government Agencies NZDF, MOE, Corrections, FENZ

Most submissions on the Rural Living Zone replicated submissions made by these submitters across all the zones. There were very few submissions that were specific to the Rural Living Zone.

As a result of feedback to the Draft District Plan, only minor changes to the rules and standards in the Rural Living Zone were made, including to specifically reference educational facilities, emergency service facilities, temporary military training activities, and community corrections activities, and other minor changes which have been applied similarly across all the zones.

3.4.3 Subdivision

Thirty-five local individual submitters made submissions on the subdivision rules in the Draft Plan - 33 of them were in relation to the rural lot size and lifestyle lot provisions (4 in support and 30 seeking change).

In terms of rural subdivision, most submitters agreed with the philosophy of protecting the District's most highly productive land from encroaching subdivision, but there were varying response to the changes proposed.

Those in support agreed that introduction of tighter subdivision rules is necessary to protect the District's valuable agricultural land, and one submitter suggested the Draft Plan did not go far enough to allow adequate buffers between uses and ensure residential activities do not impact on productive activities – the interface between residential activities on small rural sites in productive zones was seen by these submitters as a point of tension and challenges the 'right to farm'.

In contrast, those opposing the changes to rural subdivision believed the provisions in the Draft Plan are too restrictive, with reasons summarised below:

- minimum lot sizes too large/arbitrary.
- some areas/land not zoned correctly.
- 12ha and 20ha are large areas and potentially go against what people are trying to do there should be flexibility to suit the landowner's needs.
- 1.5 2.5ha lifestyle lot sizes may create more wastage of land, impose cost of buying more land than is wanted, may result in poor management e.g. fire risk, pests, animal disease.

- cost of subdivision once every three years will be more expensive than being able to create a number of lots at once.
- three year restriction is not needed in remote locations where there is currently zero demand.
- would constrain options for smaller owners of land.
- protection of productive land needs to be balanced with the ability to provide much-needed housing.
- would slow down/hinder growth of the District, lead to decline and collapse of current strong economy.
- would affect rural populations, local businesses and school roll numbers.
- lifestyle blocks can help provide rural support and vibrancy for rural communities.
- would prevent ability to sell off a lifestyle block in times of hardship or to support family succession planning – existing houses on farms are not really taking up productive land.
- allowing subdivision in the rural area takes pressure off Council resources in urban areas.
- blanket approach with regards to soil classes not all land is productive, some unproductive land should be opened up for housing to develop further.
- be careful to not just protect farmland for traditional beef, sheep and cropping future, more diverse forms of farming that do not need vast tracts of land also need to be catered for.
- better to determine lot size on a case-by-case basis.
- given level of projected household growth, question whether such restrictive subdivision provisions are even necessary to control growth and development within the rural areas of the District.
- not aware of any proliferation of rural residential subdivisions in the rural zones to-date.
- want the same rights to subdivide in the future, as neighbours have enjoyed to-date.

Approximately 25% (8) of these submitters requested a return to the subdivision provisions in the Operative District Plan i.e. minimum lot size of 4,000m² across the whole rural area of the District, whilst the rest sought less restrictive provisions but did not specify what they should be.

Only minor changes were made to the subdivision provisions in response to feedback on the Draft District Plan – largely to the wording of particular provisions to make them clearer, and adding provisions addressing the subdivision of land containing significant network utility infrastructure (National Grid Corridor, gas transmission network).

Ultimately however, no changes were made to the suite of minimum lot sizes or activity status for subdivision in the rural zones or the rural living zone²⁰, further endorsing the strategic commitment to a cascade approach to subdivision, incentivizing urban, township and rural living zones over the rural zones for residential/lifestyle development, in order to protect the District's versatile land/highly productive land, the 'right to farm', and rural character and amenity.

3.4.4 'Central Hawke's Bay District Plan Review Household Growth Response', Sage Planning HB Limited, 13 November 2020

The Central Hawke's Bay District Plan Review Household Growth Response report (November 2020)²¹ reviewed the Draft District Plan's response to accommodating household growth in light of more recent

²⁰ Note: as outlined, changes were made to the boundary of the Plains Production Zone, and additional allowance made for residential units in the Rural Zones, which indirectly addressed some of the concerns raised by submitters around provision for rural lifestyle subdivision

²¹ 'Central Hawke's Bay District Plan Review Household Growth Response', Sage Planning HB Limited, 13 November 2020.

and relevant higher-level statutory planning documents, and with regard to recommended actions and planned direction of growth for Ōtane, Waipawa and Waipukurau in the Central Hawke's Bay Three Towns Integrated Spatial Plan 2020-2050 (ISP) (released 24 September 2020). This factored in the outcomes of updated household growth projections (by Squillions Ltd), a high-level infrastructure assessment (by VCV Consulting Ltd), and a high-level residential development capacity assessment for Ōtane, Waipawa and Waipukurau (by Veros Ltd).

The conclusions and recommendations in the Household Growth Response report are addressed further in the Section 32 Urban and Settlement Environment Report, in terms of residential growth. Essentially, the Household Growth Response report considered that the Residential Zones, Rural Living Zones, and lifestyle site subdivision rules in the Draft District Plan would provide more than enough capacity to accommodate the projected new household growth over the life of the District Plan. They would also provide the benefit of giving the District's community choices about where that growth could occur.

Recommendations in the Household Growth Response report for the Draft District Plan, of specific relevance to the rural environment and rural zones, include:

- 1. Plains Production Zone be retained.
- 2. Rural Production Zone be retained.
- 3. Rural Living Zone areas and locations be retained.
- 4. 4,000 m² minimum lot size for the Rural Living Zone be retained.
- 5. Lifestyle site subdivision rules for the Plains Production and Rural Production Zones be retained.
- 6. Housing and Business Growth Chapter be amended by:
 - a) referring to the NPS-UD (which has replaced the NPS-UDC), the proposed NPS-HPL and the ISP.
 - b) replacing the map in Figure 5A Waipukurau Indicative Urban Growth Nodes with a new map indicating the general direction of potential urban growth in the medium-term around the periphery of Waipukurau identified in the ISP and adding the Mount Herbert Road 'Rural Living Zone' area identified in the ISP as a potential future Rural Living Zone.
 - c) replacing the map in Figure 5B Waipawa/Ōtane Growth Nodes with a new map indicating the general direction of potential urban growth in the medium-term around the periphery of Waipawa and Ōtane identified in the ISP.

3.5 Decision-Making

A series of presentations, discussion documents and reports have been presented to the District Plan Committee on the rural zones and subdivision provisions during the preparation of Draft / Proposed District Plan provisions, as follows:

Meeting	Document	Overview and Direction	
8 November 2017	Presentation	Presented introduction to the Rural Environment Review — outlining the rural environment provisions in the Operative Plan and the outcome of the District Plan Review on the rural environment up until that point.	
6 December 2017	Presentation and Field Trip	Presented the draft findings of LandVision Ltd's 'Assessment on the Need for a New Rural Zone for Subdivision in the Central Hawke's Bay District' (final report dated January 2018).	
7 February 2018	Powerpoint Presentation & Discussion Documents	Presented a high level review of proposed approach to the rural environment (including final LandVision Report	

		findings), which identified the following strategi imperatives to underpin the rural review: - protect the primacy of the rural environment for rural production; - identify and specifically protect the finite and 'at-rist versatile land of the District from inappropriat subdivision, use and development; - address issues associated with reverse sensitivity whilst still being responsive to the development needs of the community; - direct residential and business growth to identifie areas to support the investment made in the locations and/or to existing urban areas; - limit the financial impact of subdivision, use and development on Council infrastructure demands; - limit the environmental impact of subdivision, use and development on rural environmental qualitie including biodiversity and water quality value natural and cultural heritage, rural amenit character, landscapes, and natural landform patterns. Presented options and recommended option for the most appropriate mechanism in the Draft District Plan to recognise and protect the versatile/highly productive land, resource for current and future generations, and identified the most appropriate approach to zoning the physical extent of the District's highly productive land, for the Committee's consideration. The Committee adopted the creation of a new rural zone specifically for highly productive land, and new Rural Living Zones in and around Waipawa and Waipukurau to accommodate rural residential development. The Committee also adopted the recommended approach for the physical extent of the new Plains Production Zone to encompass as much as possible of the major concentration of LUC 1-3 soils, and to follow physical features e.g. roads, waterways and cadastral boundaries where possible. 2. Presented draft introduction, issue, objectives, an policies for the new 'Rural Zones' chapter for the Committee's consideration.
		boundaries where possible. 2. Presented draft introduction, issue, objectives, an
28 February 2018	Powerpoint Presentation & Discussion Documents	 Presented draft rules and standards for the 'Rural Zone: for the Committee's consideration. Presented draft rules and standards for the 'Rural Livin Zone' for the Committee's consideration.
6 March 2018	Powerpoint Presentation & Discussion Documents	 Presented draft landscape values provisions, significar natural areas provisions, riparian values and publi access provisions, and associated definitions, for th Committee's consideration. Presented final Rural Living Zone mapped areas for adoption by the Committee.

28 March 2018	Powerpoint Presentation	Presented completed draft chapters for the Rural Zones and Rural Living Zone for final adoption by the Committee.	
24 April 2018	Powerpoint Presentation & Discussion Documents	 Presented a high level review of approach to the coastal environment, and draft introduction, issue, objectives, and policies for the new 'Coastal Environment' chapter and the new 'Coastal Settlements Zone', for the Committee's consideration. Presented re-drafted introduction, issue, objectives, policies, reasons, and methods for the Subdivision chapter for the Committee's consideration. 	
30 May 2018	Powerpoint Presentations & Discussion Documents	 Presented amended draft objectives and policies for the new 'Coastal Environment' and 'Coastal Settlement Zone' chapters for the Committee's consideration. Presented re-drafted rules and standards for the Subdivision chapter for the Committee's consideration. 	
27 June 2018	Powerpoint Presentation & Discussion Document	Presented completed draft chapters for final adoption by the Committee: - new Coastal Environment chapter - new Coastal Settlements chapter - updated draft Rural Zones chapter (underlying zone for the coastal environment) - revised Subdivision chapter	
26 February 2019	Powerpoint presentation & District Document	 Presented new draft landscape values provisions based on Hudson Associates Landscape Architects 'Central Hawke's Bay District Outstanding Natural Landscape Assessment (dated January 2019). Presented discussion on approach to intensive farming and feedlots in the Draft District Plan, and recommended amendments to the definitions of these for the Committee's consideration and adoption. 	
9 April 2019	Draft District Plan	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 subdivision, and rural & rural living zones (18 February 2020). Hearing of submissions specifically relating to rural zone boundaries, rezoning, & mapping requests (19 February 2020). Hearing of submissions specifically relating to coastal environment, indigenous biodiversity, and landscape values (20 February 2020).	
16 March 2020	Recommendation Reports on informal submissions	Reports presented to District Plan Committee addressing informal submissions including those relating to rural environment, coastal environment, and subdivision provisions, with recommendations for amendments, for the Committee's consideration.	
6 April 2020	Recommendation Reports on informal submissions	Reports presented to District Plan Committee addressing informal submissions including those relating to zone boundary, rezoning, and mapping requests, for the Committee's consideration.	

29 May 2020	Recommendation Reports on informal submissions	Addendum reports presented District Plan Committee addressing rural airstrip provisions, and revised rural zone boundaries, for the Committee's consideration.	
25 August 2020	Response Report	Presented responses to matters raised by District Plan Committee during deliberation meetings, and responses to matters raised in feedback from Council staff on the Draft District Plan, for the Committee's consideration.	
10 November 2020	Recommendation Reports	Report presented to District Plan Committee to present final Plains Production Zone boundary for the Committee's consideration and adoption. Addendum report presented to District Plan Committee with final recommendations on submitter rezoning requests for the Committee's consideration and adoption, following completion of the 'Household Growth Response' report.	
15 December 2020	National Planning Standards version of District Plan	Presented draft Proposed District Plan in National Planning Standards format, including: - Part 2 District-Wide Matters Strategic Direction • RLR – Rural Land Resource chapter Subdivision • SUB – Subdivision chapter - Part 3 Area-Specific Matters Zones • RPROZ – Rural Production Zone chapter (formerly Plains Production Zone) • GRUZ – General Rural Zone chapter (formerly Rural Production Zone) • RLZ – Rural Lifestyle Zone chapter (formerly Rural Living Zone)	
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.	

3.5.1 Reference to Other Relevant Evaluations

This section 32 topic report should be read in conjunction with the following other evaluations:

- Section 32 Overview Evaluation Report
- Section 32 Natural Features and Landscapes Report
- Section 32 Ecosystems and Indigenous Biodiversity Report
- Section 32 Coastal Environment Report
- Section 32 Urban Environment Report
- Section 32 Tangata Whenua Report
- Section 32 Historic Heritage Report
- Section 32 Remaining Chapters Report (with respect to PA Public Access, OSR Open Space & Recreation, NH – Natural Hazards, ASW – Activities on the Surface of Water, and EW – Earthworks, Mining & Quarrying)

3.6 Resource Management Issues

The table below details the resource management issues of relevance to the rural environment identified in the District Plan:

Operative District Plan

Rural Zone

4.2 ISSUE - Protecting the Rural Amenity and Quality of the Rural Environment

Rural activities unless properly managed can cause unpleasant conditions for rural residents, and adversely affect the quality of the rural environment.

4.3 ISSUE - Soil Erosion

Bad land management practices can lead to increased land instability and soil erosion

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 [Note: the matters in this issue are addressed in the Section 32 Topic Reports for Natural Features & Landscapes, Ecosystems & Indigenous Biodiversity, Coastal Environment, and for the Remaining Chapters]

Proposed District Plan

Strategic Direction - Rural Land Resource:

RLR-I1 Incremental Loss of Highly Productive Land

Land fragmentation and development that leads to the incremental and irreversible loss of highly productive land for primary production.

General Rural Zone:

GRUZ-I1 Protecting the Life-Supporting Capacity of the District's Soil Resource

The District's soil resource is finite, and inappropriate development or subdivision into smaller lots for activities that are not related to land-based primary production could cumulatively, and irreversibly, diminish the productive capacity of this finite resource for current and future generations.

GRUZ-12 Protecting Rural Amenity and the Quality of the Rural Environment

Land-based primary production, and other complementary rural, residential, and recreation-based activities, underpin the social, economic, and cultural wellbeing of the District (particularly for the District's rural communities), but they can also adversely affect rural environmental, cultural, and amenity values.

The establishment of incompatible activities within rural areas can:

- 1. result in the loss of productive land;
- 2. conflict with existing rural activities, including through reverse sensitivity; and
- 3. detract from rural character and amenity.

Rural Production Zone:

cross-reference to Strategic Issue RLR-I1 and the General Rural Zone Issues GRUZ-I1 & GRUZ-I2.

Rural Lifestyle Zone:

RLZ-I1 Providing a Choice of Residential Environments

There is a need to provide for a choice of different residential environments to enable current and future residents to meet their lifestyle aspirations within the District.

RLZ-12 Protecting the Productive and Finite Rural Land Resource from Future Ad Hoc Rural Residential Development

The subdivision and development of rural land for rural residential living can, over time, result in the irreversible loss of the District's finite rural soil resource (particularly the highly productive land of the Ruataniwha and Takapau Plains and areas around Waipukurau, Waipawa and Ōtane), and diminish the capacity of the resource to be used productively.

RLZ-I3 Managing Reverse Sensitivity

Rural residential activities establishing within, or at the interface of, the rural environment can create potential conflict with and compromise the effective and efficient operation of legitimate primary production activities, where rural residential activities have higher environmental expectations about amenity values than are reasonably achievable in terms of the working needs of rural activities.

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 seventeen (17) objectives proposed for the District Plan relating to the rural environment – four objectives in the strategic Rural Land Resource chapter; four in the General Rural Zone chapter; seven in the Rural Production Zone chapter; and two in the Rural Lifestyle Zone chapter.

The following evaluates the extent to which those seventeen proposed objectives are the most appropriate way to achieve the purpose of the RMA with respect to the sustainable management of the rural land resource and rural environment, and the issues identified in the previous section:

Proposed Objectives				
Strategic Direction – Rural Land Resource:				
RLR-O1	The productive capacity of the District's rural land resource, particularly the District's highly productive land, is maintained.			
RLR-O2	The primary production role and associated amenity of the District's rural land resource is retained, and is not compromised by inappropriate subdivision, use and development.			
RLR-O3	The District's highly productive land is protected from further fragmentation.			
RLR-O4	Residential living and other activities that are unrelated to primary production are directed to locations zoned for those purposes and that are not situated on highly productive land.			
Strategic Dir	rection – Urban Form and Development:			
UFD-O2	Retain and protect valuable highly productive land in the District from urban development.			
General Rur GRUZ-O1	al Zone: The General Rural Zone is predominantly used for primary production activities and ancillary activities.			
GRUZ-O2	 Iow-density built form, with open space and few structures; a predominance of rural and land-based primary production activities and associated buildings, such as barns and sheds; sounds and smells associated with legitimate primary production activities; existing rural communities and community activities, such as rural halls, reserves and educational facilities; a landscape within which the natural environment (including farming and forest landscapes) predominates over the built one; and an environmental contrast and clear distinction between town and country (including a general lack of urban infrastructure, such as street lighting, solid fences and footpaths). 			
GRUZ-O3	Adverse effects of activities are managed to maintain rural character and amenity and, where applicable, the natural character and amenity values present within the coastal environment.			
GRUZ-O4	The primary productive purpose and predominant character of the General Rural Zone are not compromised by potentially incompatible activities establishing.			
Rural Production Zone:				
RPROZ-O1	The Rural Production Zone is predominantly used for primary production activities and associated ancillary activities.			
RPROZ-O2	The rural land resource is protected from fragmentation, or from being compromised by inappropriate building and development, including from ad hoc urban expansion.			
RPROZ-O3	Activities do not reduce the potential for the highly productive land of the District to be used in a productive and sustainable manner.			
RPROZ-O4	The predominant character of the Rural Production Zone is maintained, which includes: 1. low-density built form, with open space and few structures;			

- 2. a predominance of rural and land-based primary production activities and associated buildings such as barns and sheds, and artificial crop protection structures and crop support structures;
- 3. sounds and smells associated with legitimate primary production activities;
- 4. existing rural communities and community activities, such as rural halls, reserves and educational facilities;
- 5. a landscape within which the natural environment (including farming and forest landscapes) predominates over the built one;
- an environmental contrast and clear distinction between town and country (including a general lack of urban infrastructure, such as street lighting, solid fences and footpaths).

RPROZ-O5 Adverse effects of activities are managed to maintain rural character and amenity.

RPROZ-O6 The primary productive purpose and predominant character of the Rural Production Zone are not compromised by potentially incompatible activities establishing.

RPROZ-O7 The Waipukurau Aerodrome is protected from noise sensitive activities establishing within the air noise boundary.

Rural Lifestyle Zone:

RLZ-O1 Low density residential needs are met within a Rural Lifestyle Zone located on land with soils of generally lower productivity in close proximity to the urban areas of Waipawa and Waipukurau.

RLZ-O2 Compatible land use activities within the Rural Lifestyle Zone which enable sufficient flexibility for rural residential living and/or small-scale primary production activities, and which avoid or mitigate adverse effects within the zone and at the interface with other zones.

Subdivision:

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:

1. safeguarding the rural land resource of Central Hawke's Bay District from inappropriate subdivision (RLR – Rural Land Resource provisions in the District Plan); ...

SUB-O4

Reverse sensitivity effects of subdivision on existing lawfully established activities (including network utilities) are avoided where practicable, or mitigated where avoidance is not practicable.

Comment

These objectives respond directly to the resource management issues of relevance to the rural environment identified in the Proposed District Plan.

The objectives recognise the primary production/ food production value of the rural land resource, as well as the need to provide options for rural living and directing this away from the more highly productive soils.

Appropriateness (relevance, usefulness, achievability, reasonableness

<u>Strategic Direction – Rural Land Resource</u>

Proposed Objectives RLR-O1, RLR-O2, RLR-O3, RLR-O4 and UFD-O2 all respond to Issue RLR-I1 and Issue GRUZ-I1. Objective RLR-O2 also responds to Issue RLZ-I3, and Objective RLR-O4 also responds to Issue RLZ-I2.

Objectives RLR-O1, RLR-O2, RLR-O3 & RLR-O4 are all directed towards achieving matters in section 5 of the RMA relating to managing the use, development, and protection of the rural land resource in Central Hawke's Bay, particularly the District's significant highly productive land resource, enabling people and communities to provide for their social, economic, and cultural wellbeing while sustaining its potential to meet the needs of future generations and safeguarding its life-supporting capacity.

These objectives also effectively anticipate adoption of the NPS-HPL and respond to the key issues underpinning its development – including urban land expansion onto New Zealand's most productive land, creation of urban lifestyle properties reducing the availability of highly productive land, and reverse sensitivity associated with incompatible new land uses constraining established rural production activities.

These objectives also respond to Issue ISS UD2 in Chapter 3.1B (Managing the Built Environment) of the RPS in terms of re-directing urban / lifestyle development away from the District's highly productive land resource. They also give effect to the objectives and

policies in Chapter 3.5 (Effects of Conflicting Land Use Activities) of the RPS, and are consistent with the objectives and policies in Chapter 5.2 (Land) of the Regional Plan (RRMP).

'Rural Production' and 'General Rural' Zones

The Rural Production Zone encompasses the main concentration of highly productive land in Central Hawke's Bay, with the General Rural Zone largely covering the remaining rural land resource.

Proposed Objectives RPROZ-O1, RPROZ-O2, RPROZ-O3 & RPROZ-O6 and Objectives GRUZ-O1 & GRUZ-O4, respond to Strategic Issue RLR-I1 and Issue GRUZ-I1.

Objectives RPROZ-O4, RPROZ-O5 & RPROZ-O7 and Objectives GRUZ-O2 & GRUZ-O3, respond to Issue GRUZ-I2.

Rural Lifestyle Zone

The Rural Lifestyle Zone is where rural residential / rural lifestyle development is proposed to be directed to within the rural environment, and the areas zoned as Rural Lifestyle Zone are typically located adjacent to the urban townships of Waipawa and Waipukurau. This approach contributes to the avoidance or mitigation of sprawling or sporadic patterns of settlement onto the District's significant highly productive land resource.

Proposed Objectives RLZ-O1 & RLZ-O2 therefore respond to Strategic Issue RLR-I1 and Issue RLZ-I2. Objective RLZ-O1 also responds to Issue RLZ-I1, and Objective RLZ-O2 also responds to Issue RLZ-I3.

Again, these objectives respond to Issue ISS UD2 in Chapter 3.1B (Managing the Built Environment) of the RPS through providing a choice for those wanting a rural lifestyle, and Objective RLZ-O2 also assists in giving effect to the objectives and policies in Chapter 3.5 (Effects of Conflicting Land Use Activities) of the RPS.

Subdivision

With respect to the rural environment, proposed Objectives SUB-O1 & SUB-O4 respond in part to Strategic Issue RLR-I1, Issue GRUZ-I1 and Issues RLZ-I2 & RLZ-I3.

Summary

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 the District's rural land resource, with particular focus on the District's highly productive land.

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 and relevant matters in the RPS, and is not inconsistent with the RRMP.

Other Alternatives Considered

Maintaining the status quo – being retention of the following existing objectives in the Operative District Plan:

Part 4 Rural Zone

Objective 4.2.1 Rural Amenity and Quality of the Environment

A level of rural amenity which is consistent with the range of activities anticipated in the rural areas, but which does not create unpleasant conditions for the District's rural residents; or adversely affect the quality of the rural environment.

Objective 4.3.1 Soil Erosion

Land management practices within the District which minimise soil erosion.

Objective 4.4.1(1)

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

Objective 4.4.1(2)

The margins of wetlands, rivers, lakes and the coast are managed in order to preserve the natural character of these environments and the margins of identified river catchments are managed to enhance water quality [Note: the matters in Objectives 4.4.1(1) & 4.4.1(2) are addressed elsewhere across the Section 32 Topic Reports for Natural Features & Landscape, Ecosystems & Indigenous Biodiversity, the Coastal Environment, and for the Remaining Chapters]

Part 9 Subdivision

Objective 9.4.1 The maintenance or enhancement of amenity, cultural and significant nature conservation values through the subdivision process.

[Note: with respect to Objective 9.4.1, cultural values and significant nature conservation values are addressed elsewhere across the Section 32 Topic Reports for Tangata Whenua Values and for Ecosystems & Indigenous Biodiversity]

Preferred Option & Reasons

The proposed suite of objectives is the preferred option.

The proposed objectives comprehensively address the protection of the District's rural land resource, particularly the significant concentration of highly productive land, and give effect to relevant provisions in the RPS.

They 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.

The proposed objectives address the identified resource management issues more comprehensively than the corresponding objectives in the Operative District Plan, and also respond to higher order statutory documents adopted after the current District Plan was made operative in 2003 (including the Hawke's Bay RPS/RRMP (2006)).

Therefore, this suite of objectives is deemed the most appropriate way to achieve sustainable management of the natural and physical resources (the purpose of the RMA) as it relates to the rural environment.

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 District Plan in relation to rural environment matters, are:

- Retaining the Status Quo rely on the policies and methods currently contained in the Operative District Plan, including a single rural zone with 4,000m² minimum lot size applying across the whole of the rural land resource.
- New Rural Provisions (without identifying Highly Productive Land):
 - alter the Rural Zone provisions and continue to apply across the whole of the rural land resource (with greater emphasis on the primacy of primary production activities and further limits on non-rural activities, and with a larger minimum lot size and limited provision for creation of smaller lifestyle sites, and
 - o introduce a new Rural Lifestyle Zone in limited locations adjoining the townships of Waipukurau and Waipawa, along with associated set of zone provisions with the

express purpose of providing for rural residential living, including provision of a minimum lot size that accommodates rural residential living requirements.

5.1.1 Evaluation of Option 1 – Status Quo

The status quo in the Operative District Plan involves:

- 1. Retaining the current Rural Zone boundaries and policies.
- 2. Retaining the existing low-level of regulation applying to the coastal environment, indigenous biodiversity, and landscape matters within the current Rural Zone provisions.
- 3. Retaining the existing Rural Zone rules providing for the following as Permitted Activities (subject to compliance with existing standards):
 - farming (except farming of chinchilla/mustelids within proximity of reserves)
 - factory farming (with limits on stock numbers for pigs and poultry and a setback from property boundaries for housed pigs/birds)
 - forestry activities
 - commercial activities
 - community activities
 - service activities
 - recreational activities
 - activities on the surface of water (with some locational exceptions)
 - residential activities
 - visitor accommodation
 - home occupations
 - gravel extraction (with volume limits for extraction from land where for commercial purposes)
 - licensed premises (subject to hours of operation limits)

As Controlled Activities:

- industrial activities (with control limited to setback from internal boundaries, landscaping, screening, nuisance effects, and waste disposal)
- the keeping of more than 3 goats, and farming of chinchilla/mustelids within proximity of reserves
- the planting of trees or establishment of buildings in areas identified as having outstanding landscape views, where they will not obstruct views from a public road (with control limited to siting and layout of trees and buildings)

As a Non-Complying Activity:

factory farming within 500m of a Residential, Business or Township Zone

As a Prohibited Activity:

 residential activities, visitor accommodation, hospitals, and educational facilities within the airnoise boundary of Waipukurau Aerodrome

With all other activities as Discretionary Activities.

- 4. Retaining the existing Rural Zone standards, such as:
 - building coverage
 - height of buildings
 - recession lines
 - setbacks from roads and neighbours
 - setbacks for piggery and poultry effluent disposal from property boundaries and urban zones
 - electrical safety distances
 - tree planting setbacks
 - noise

- 'no building' or building height restrictions by Waipukurau Aerodrome.
- 5. Retaining subdivision as a Controlled Activity across the whole Rural Zone with a minimum lot size of 4000m² (subject to performance standards around general matters such as lot dimensions, property access, and servicing).

Retaining the status quo would be efficient and economically beneficial in terms of administrative simplicity for plan users, and in terms of allowing landowners to continue to subdivide and develop their land down to 4000m² lots if they wish. However, this could lead to potentially significant environmental 'costs' through continued and cumulative fragmentation of the rural land resource (particularly where this facilitates rural residential living, or from unplanned urban expansion onto productive land), increasing potential for reverse sensitivity issues to arise for primary production activities, and potential for greater land use conflict. This is particularly so, where subdivision and development occur on the significant concentration of highly productive land centred in and around the Ruataniwha Plains and surrounding the urban centres of Waipukurau and Waipawa.

A lack of any recognition or protection for the District's identified regionally (if not nationally) significant concentration of highly productive land, and the anticipated release of the NPS-HPL, indicate this approach will not give effect to national direction, or current expectations around sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations and safeguarding the life-supporting capacity of soils (section 5 of the RMA).

Further, the existing coastal environment, indigenous biodiversity, and landscape matters incorporated within the Rural Zone provisions is insufficiently effective in addressing the corresponding section 6 matters of national importance (this is addressed separately in the evaluations contained in the respective Section 32 Topic Reports for the 'Coastal Environment', for 'Ecosystems & Indigenous Biodiversity', and for 'Natural Features and Landscapes').

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

5.1.2 Evaluation of Option 2 – New Rural Provisions (without identifying Highly Productive Land)

This option involves:

- 1. Amending the Rural Zone provisions applying across the whole of the rural land resource (excluding coastal environment, indigenous biodiversity, and landscape matters).
- 2. Rural Zone provisions with greater emphasis on the primacy of primary production activities, and further rules and standards limiting non-rural activities within the Rural Zone.
- 3. Substantially increasing the minimum lot size for rural subdivision, with provision for creation of smaller lifestyle sites subject to some limitation.
- 4. A new Rural Lifestyle Zone in limited locations adjoining the townships of Waipukurau and Waipawa.
- 5. A set of zone provisions for the Rural Lifestyle Zone with the express purpose of providing for rural residential living.
- 6. A minimum lot size for the new Rural Lifestyle Zone of 4,000m².

This option would be administratively efficient in terms of applying a single Rural Zone across the District's rural land resource, with a separate zone providing specifically for rural lifestyle/rural residential living.

Substantially increasing the minimum lot size and differentiating the Rural Lifestyle Zone would likely be effective in reducing fragmentation of the rural land resource, and in reducing land use conflicts and decreasing the potential for reverse sensitivity issues to arise.

Clear provision for primary production and related activities would be effective in recognising the 'right to farm' and proposed objectives around the primacy of primary production activities within the rural environment. Limiting non-rural activities within the Rural Zone would also help direct such activities off the District's valuable productive land to more suitably zoned locations.

Whilst this has overall benefits to the primary production sector as a whole, and is somewhat effective in sustaining the finite rural land resource into the future, it does impose more immediate potential economic costs for individual landowners in terms of curtailing their ability to subdivide and develop their property, e.g. through reducing their ability to sell smaller parcels of land to release capital, or for succession planning.

In terms of current expectations around sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations and safeguarding the life-supporting capacity of soils (section 5 of the RMA), this option would likely be effective. However, it would be only partially effective in protecting the regionally (if not nationally) significant concentration of highly productive land in the District and maintaining its availability for primary production.

For the above reasons, whilst this option is likely to be efficient and largely effective, such provisions would not identify the extent of the District's highly productive land, or sufficiently recognise and protect it as a resource of regional (if not national) significance. On that basis, it is unlikely to sufficiently give effect to pending national direction in that regard, i.e. in giving effect to the proposed NPS-HPL.

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

5.1.3 Summary

The evaluation above concludes that the current approach in the Operative District Plan will not give effect to national direction, or expectations around sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations and safeguarding the life-supporting capacity of soils (section 5 of the RMA), and is not effective in achieving the proposed objectives in the Proposed District Plan. The status quo option could continue or accelerate the ongoing incremental loss of the District's highly productive land, which is a finite resource.

Applying new blanket Rural Zone provisions, applying a substantially larger minimum lot size, with limited provision for lifestyle sites, and directing rural lifestyle/rural residential development and non-rural activities to more suitably zoned locations (including a new Rural Lifestyle Zone), is largely effective in achieving the proposed objectives. However, without identifying the District's highly productive land and actively recognising and protecting it through targeted rules and standards, this option is insufficient in giving effect to pending national direction around highly productive land and in achieving the objectives of the Proposed District Plan in this respect.

The preferred approach is one that implements all the essential components of Option 2 above, but also identifies the District's highly productive land and specifically and actively recognises and protects this significant and finite resource, in a way that achieves the objectives of the Proposed District Plan and gives effect to the proposed NPS-HPL and section 5 of the RMA around sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations and safeguarding life-supporting capacity of soils.

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(s).

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.

5.2.1 Highly Productive Land – Rural Land Resource (Rural Production Zone, General Rural Zone, and Rural Lifestyle Zone)

Issue(s) RLR-I1 Incremental Loss of Highly Productive Land			
	Land fragmentation and development that leads to the incremental and irreversible loss of highly productive land for primary production.		
	GRUZ-I1 Protecting the Life-Supporting Capacity of t	he District's Soil Resource	
	The District's soil resource is finite, and inappropriate development or subdivision into smaller lots for activities that are not related to land-based primary production could cumulatively, and irreversibly, diminish the productive capacity of this finite resource for current and future generations.		
	RLZ-12 Protecting the Productive and Finite Rural Land Resource from Future Ad Hoc Rural Residential Development		
	irreversible loss of the District's finite rural soil reso	rural residential living can, over time, result in the burce (particularly the highly productive land of the Vaipukurau, Waipawa and Ōtane), and diminish the	
Associated Objectives	RLR-O1, RLR-O2, RLR-O3, RLR-O4, UFD-O2, RPROZ-O1, RPROZ-O2, RPROZ-O3, RPROZ-O6, GRUZ-O1, GRUZ-O4, RLZ-O1, SUB-O1		
Proposed Suite of Provisions	Effectiveness and Efficiency		
	Benefits	Costs	
Policies: RLR-P1 To identify the highly productive land centred in and around the	Environmental:	Environmental:	
Ruataniwha and Takapau Plains and surrounding the urban areas of Waipukurau, Waipawa and Ōtane within a specific rural zone – the Rural Production Zone.	The proposed policies and methods will act collectively to reduce fragmentation of the rural land resource, particularly the highly productive	Some potential fragmentation of the rural land resource may still occur from subdivision of complying lifestyle lots, although on a much more	

RLR-P2	To avoid unplanned urban expansion onto the District's highly productive
	land where other feasible options exist.

- RLR-P3 To limit the amount of further fragmentation of the District's rural land resource through limiting lifestyle subdivision, particularly in the Rural Production Zone.
- RLR-P4 To provide for a wide range of activities to establish, which complement the resources of the rural area, provided that they do not compromise the primary production role and associated amenity of the rural land resource, particularly in the Rural Production Zone.
- RLR-P5 To enable primary production and related activities to operate in rural areas in accordance with accepted practices without being compromised by other activities demanding higher levels of amenity.
- UFD-P2 To avoid urban development onto valuable highly productive land in the District by directing it to identified General Residential, Commercial, General Industrial Zones and Settlement Zones.
- RPROZ-P7 To ensure activities do not locate in the Rural Productive Zone where the activity:
 - will be inconsistent with the primary productive purpose and predominant character of the Rural Productive Zone:
 - 2. will constrain the establishment and use of land for primary production:
 - exhibits no exceptional or unusual features that would differentiate it from possible later applications, which in combination would lead to incremental creep of urban activities and/or sporadic urban activities onto the highly productive land of the District; and/or
 - 4. will result in reverse sensitivity and/or lead to land use conflict.
- RPROZ-P8 To avoid residential and rural lifestyle subdivision that results in fragmentation of highly productive land and/or which limits the use of highly productive land for primary-productive purposes.
- GRUZ-P7 To ensure incompatible activities do not locate in the General Rural Zone where the activity will:
 - undermine the primary productive purpose and predominant character of the General Rural Zone;
 - constrain the establishment and use of land for primary production; and/or
 - 3. result in reverse sensitivity and/or lead to land use conflict.
- GRUZ-P8 To limit residential and rural lifestyle subdivision that results in fragmentation of the rural land and/or which limits the use of rural land for productive purposes.
- SUB-P1 To establish standards for minimum lot sizes for each zone in the District.

Methods:

Rural Land Resource

land in the District, which is a scarce and finite resource and is regionally, if not nationally, significant.

To achieve this, the proposed subdivision rules impose larger minimum lot sizes in the General Rural and Rural Production Zones (SUB-S1(9) & (10)), and retain the minimum lot size currently applying generally in the Rural Zone in the Operative District Plan (4000m²) as the minimum lot size applying in the proposed Rural Lifestyle Zone (SUB-S1(8)).

Provision for lifestyle sites in the General Rural Zone is proposed to be constrained to 1 new lifestyle lot every 3 years and a complying balance lot (SUB-R5(1)-(4)). Provision for lifestyle lots in the Rural Production Zone (containing the District's concentration of highly productive land) is further limited to new lifestyle lots only around existing dwellings and amalgamation so that no additional sites are created (SUB-R5(5)-(8)).

limited basis than currently provided for in the Operative District Plan.

Economic:

The rural land resource continues to be available for a range of primary production activities, which makes up half of the District's economy, and as noted in Section 3.2.2 above, 17% of NZ's GDP depends on the top 15cm of soil, and failure to sustain our soil and water resources will put \$2.16 billion of NZ's GDP at risk.

NZ's primary sector is the most productive sector, earning the majority of the nation's merchandise export earnings.

Limited provision for rural lifestyle lots in the rural environment, primarily on the less productive land

Economic:

The proposed policies and methods may constrain individual property owners from releasing capital and providing for succession planning on rural properties, through limiting subdivision and sale of small lifestyle lots.

Costs (time and money) associated with applying for resource consent for non-rural activities and small-lot subdivision.

RLR-M1 Area-Specific Provisions

The use of zoning to direct activities to appropriate locations.

RLR-M2 Proposed National Policy Statement for Highly Productive Land (NPS-HPL)
The NPS-HPL will likely require district plans to identify highly productive land in their
District, and include provisions that maintain the availability and productive capacity of
highly productive land for primary production and that manage rural subdivision to
avoid fragmentation and maintain the productive capacity of highly productive land.

Subdivision

SUB - Subdivision:

Rural Site Rules and Standards:

- Rules SUB-R1, SUB-R2, SUB-R3, and SUB-R4 provide for subdivisions as a Controlled Activity, subject to compliance with specified conditions and with various Subdivision Standards, otherwise Discretionary or Non-Complying.
- Standard SUB-S1(9) imposes a minimum net site area of 20ha for the General Rural Zone.
- 3. Standard SUB-S1(10) imposes a minimum net site area of 12ha for the Rural Production Zone.
- Standard SUB-S1(8) imposes a minimum net site area of 4000m² for the Rural Lifestyle Zone.

Lifestyle Site Rules and Standards:

- Rule SUB-R5 controls lifestyle lot subdivision in the Rural Zones, generally as follows:
 - SUB-R5(1)-(4), (9) & (10) General Rural Zone limited to one lifestyle site every 3 years and minimum balance lot of 20ha – Controlled Activity outside of the Coastal Environment; Discretionary within the Coastal Environment.
 - SUB-R5(5)-(8) Rural Production Zone only if lifestyle site is based around an existing dwelling on a site less than 12ha and no additional sites can be created (amalgamation of balance lot required) — Controlled Activity, otherwise Discretionary or Non-Complying.
- Standard SUB-S2(1) & (2) imposes a minimum net site area for Lifestyle Sites of 4000m² and a maximum net site area of 2.5ha for the General Rural Zone.
- Standard SUB-S2(3) & (4) imposes a minimum net site area for Lifestyle Sites of 2500m² and a maximum net site area of 4000m² for the General Rural Zone.

Assessment Matters:

- Assessment Matter SUB-AM11 outlines specific matters Council will
 consider when assessing applications for sites in the Rural Lifestyle Zone,
 and for lifestyle sites in the General Rural Zone and Rural Production Zone,
 which adjoin any site used for existing horticultural or intensive primary
 production activities.
- Assessment Matter SUB-AM12 outlines specific matters Council will consider when assessing applications for lifestyle sites in the Rural Production Zone.

in the General Rural Zone, provides opportunity for some capital raising.

Social:

The proposed policies and methods will act collectively to support land to be used more efficiently to provide food and fibre to a growing population, as high quality soils can be used for a greater range of uses, meaning that communities are more resilient to future changes in the economy and environment.

Highly productive land is better protected for current and future generations to be able to meet their needs.

Limited provision for rural lifestyle lots in the rural environment, primarily on the less productive land in the General Rural Zone, provides opportunity for succession planning, and provision of accommodation for rural workers, directing it away from the District's most highly productive land.

Providing for rural residential activities within dedicated Rural Lifestyle Zones on less productive land, also enables people to continue to have choice in residential living options.

Social:

Limiting fragmentation of the rural land resource and restricting the creation rural lifestyle sites, could have a negative impact on the ability of rural communities to retain population and maintain local services.

Conversely, allowing for the creation of additional rural lifestyle sites could be considered unsustainable in terms of creating residential development opportunities away from urban services and employment, resulting in the need for greater distances to be travelled in motor vehicles to access these services.

Cultural:

No obvious cultural benefits associated with the proposed policies and methods.

Cultural:

No obvious cultural costs associated with the proposed policies and methods.

Assessment Matter SUB-AM13 outlines specific matters Council will
consider when assessing applications for lifestyle site subdivisions within
the General Rural Zone and Rural Production Zone.

Opportunities for economic growth and employment

The proposed policies and methods to protect the rural land resource, and highly productive land in particular, from fragmentation and provision for a range of primary production activities and supporting post-harvest facilities, provides potential for future economic growth in the primary sector. This economic growth however, may not necessarily translate into significant employment opportunities in the local rural areas, but would likely support wider employment opportunities associated with processing of a greater volume and range of primary produce within the District and wider Region.

Summary of efficiency and effectiveness of the provisions in achieving the objectives

The proposed policies and methods are considered efficient and effective in addressing the issues identified and achieving the associated proposed objectives.

If further land fragmentation and development was allowed to continue on the rural land resource under the current provisions in the Operative District Plan, this would likely lead to the incremental and irreversible loss of land for primary production, which may compromise the District/Regional economy. The costs of the proposed policies and objectives are outweighed by the benefits, particularly with respect to the protection of the District's significant concentration of highly productive land and its ability to meet the food and fibre needs of current and future generations.

5.2.2 Rural Character and Amenity Values – Rural Land Resource (Rural Production Zone, General Rural Zone, and Rural Lifestyle Zone)

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Issue(s)	Land-based primary activities, underpin the District's rural communication values. The establishment of 1. result in the left 2. conflict with 6. 3. detract from 10. RLZ-13 Managing Reversion Rural residential active potential conflict with production activities,	The establishment of incompatible activities within rural areas can: 1. result in the loss of productive land, 2. conflict with existing rural activities, including through reverse sensitivity, and		
Associated Objectives	RLR-O2, RPROZ-04, RF	RLR-O2, RPROZ-04, RPROZ-O5, RPROZ-O7, GRUZ-O2, GRUZ-O3, RLZ-O2, SUB-O4		
Proposed Suite of Provisions		Effectiveness and Efficiency		
	Benefits	Costs		
Policies: Rural Land Resource	Environmental:	Environmental:		
RLR-P4 To provide for a wide range of activities to esta the resources of the rural area, provided that the primary production role and associated amenit particularly in the Rural Production Zone. RLR-P5 To enable primary production and related active areas in accordance with accepted practices will by other activities demanding higher levels of a Rural Production Zone	avoid incompatible act activities from primary GRUZ-R14 & GRUZ-S11 will act collectively to rexisting rural character.	and methods that look to tivities and separate sensitive y production activities (e.g. 1, RPROZ-R14 & RPROZ-S12) maintain and enhance the er and amenity of the rural protect the primacy of those Some permitted activities in the General Rural and Rural Production Zones are deemed to be legitimate in the rural environment but have the potential to generate adverse effects which have an environmental cost. The proposed provisions effectively allow a low level of environmental effect (but acceptable) – such as exemptions for		
RPROZ-P1 To allow land-based primary production and an compatible with the primary productive purpos	cillary activities, which are areas for primary produce and predominant			
character and amenity of the Rural Production in RPROZ-P2 To allow activities of a limited scale, which suppose wellbeing of rural communities and/or enjoyments.	port the function and assist in this, by specifi	audible bird scaring devices, agricultural aviation movements etc in Standard NOISE-S5), provision for seasonal workers accommodation (GRUZ-R2 &		

and contribute to the vitality and resilience of the District's economy, where adverse effects are avoided, remedied or mitigated.

- RPROZ-P3 To manage the scale of post-harvest facilities and rural commercial activities to ensure that they remain compatible with the primary productive purpose of the Rural Production Zone, and potential adverse effects on the character and amenity of the rural area are avoided, remedied or mitigated.
- RPROZ-P4 To manage the bulk, scale and location of buildings to maintain the character and amenity of the rural area.
- RPROZ-P5 To require sufficient separation between sensitive activities and existing primary production and intensive primary production activities, and between new intensive primary production activities and property and zone boundaries, in order to avoid, remedy or mitigate potential adverse effects, including reverse sensitivity and land use conflict.
- RPROZ-P6 To avoid adverse effects of shading from trees on adjoining public roads and properties.
- RPROZ-P7 To ensure activities do not locate in the Rural Productive Zone where the activity:
 - will be inconsistent with the primary productive purpose and predominant character of the Rural Productive Zone;
 - will constrain the establishment and use of land for primary production;
 - exhibits no exceptional or unusual features that would differentiate it from possible later applications, which in combination would lead to incremental creep of urban activities and/or sporadic urban activities onto the highly productive land of the District; and/or
 - 4. will result in reverse sensitivity and/or lead to land use conflict.
- RPROZ-P8 To avoid residential and rural lifestyle subdivision that results in fragmentation of highly productive land and/or which limits the use of highly productive land for primary-productive purposes.
- RPROZ-P9 To avoid establishment of commercial or industrial activities that are unrelated to the primary productive purpose of the Rural Production Zone, or that are of a scale that is incompatible with the predominant character and amenity of the rural area.
- RPROZ-P10To avoid the establishment or intensification of noise sensitive activities within the airnoise boundary of the Waipukurau Aerodrome, and to require appropriate sound insulation of noise sensitive activities between the airnoise boundary and outer control boundary.

General Rural Zone

- GRUZ-P1 To allow land-based primary production and ancillary activities which are compatible with the primary productive purpose and predominant character and amenity of the General Rural Zone.
- GRUZ-P2 To allow activities of a limited scale which support the function and wellbeing of rural communities and/or enjoyment of the rural

rural land and that are already rural residential in nature.

Standards provide certainty in terms of level of effects that can be generated. This also benefits neighbours from unreasonable nuisance.

The provisions identify those activities which have the potential to create reverse sensitivity and minimises the potential for these to occur (e.g. setbacks from roads and rail, setbacks for residential activities from plantation forest, setbacks from the National Grid and the Gas Transmission Network, building height restrictions in the vicinity of Waipukurau Aerodrome etc).

RPROZ-R2) and post-harvest facilities up to 2,500m² in floor area (GRUZ-R6 & RPROZ-R6).

Economic:

The proposed policies and methods seek to separate incompatible activities and provide for primary production activities to establish and operate without undue constraint, which allows rural producers to farm more efficiently and effectively, and with greater certainty.

Applying activity thresholds to commercial and industrial activities is anticipated to direct such activities to more appropriate zone locations within the urban environment, which provides for more efficient use of existing infrastructure and services.

Economic:

Limited options for land use activities unrelated to primary production activities are provided for in the rural zones, which has a potential economic cost for landowners in terms of the range of development options available.

With the proposed commercial and industrial thresholds applying (Standards GRUZ-S1, RPROZ-S1 & RLZ-S1), there will be economic costs associated with consenting processes for larger commercial and industrial developments or costs associated with establishing within the Commercial or Industrial Zones where urban land values may be higher than rural land options.

Social:

The proposed policies and methods better reflect the primacy of the General Rural and Rural Production Zones for primary production purposes through providing for primary production (GRUZ-R3 & RPROZ-R3), post-harvest facilities (GRUZ-R6 & RPROZ-R6), and other ancillary or directly-related

Social:

No obvious social costs associated with the proposed policies and methods.

GRUZ-P3	environment, and contribute to the vitality and resilience of the District's economy, where adverse effects are avoided, remedied or mitigated. To manage the scale of post-harvest facilities and rural commercial activities to ensure that they remain compatible with the primary productive purpose of the General Rural Zone, and potential adverse effects on the character and amenity of the rural area are avoided,	activities as Permitted Activities, and the zone standards continue to reflect the rural character and amenity expectations of a working rural environment.	
	remedied or mitigated.	Cultural:	Cultural:
GRUZ-P4	To manage the bulk, scale and location of buildings to maintain the character and amenity of the rural area and, where applicable, to protect the natural character and amenity of the coastal environment.	The proposed provisions allow for the unique identify and vitality of rural areas to be maintained,	No obvious cultural costs associated with the proposed policies and methods.
	To require sufficient separation between sensitive activities and existing primary production and intensive primary production activities, and between new intensive primary production activities and property and zone boundaries, in order to avoid, remedy or mitigate potential adverse effects, including reverse sensitivity and land use conflict.	which has cultural benefits.	
GRUZ-P6	To avoid adverse effects of shading from trees on adjoining public roads and properties.		
GRUZ-P7	To ensure incompatible activities do not locate in the General Rural Zone where the activity will: 1. undermine the primary productive purpose and predominant character of the General Rural Zone; 2. constrain the establishment and use of land for primary production; and/or		
GRUZ-P8	 result in reverse sensitivity and/or lead to land use conflict. To limit residential and rural lifestyle subdivision that results in fragmentation of the rural land and/or which limits the use of rural land for productive purposes. 		
GRUZ-P9	To avoid establishment of commercial or industrial activities that are unrelated to the primary productive purpose of the General Rural Zone, or that are of a scale that is incompatible with the predominant character and amenity of the rural area.		
Rural Lifes	tyle Zone		
RLZ-P1	To maintain and enhance the attractive open space character of the Rural Lifestyle Zone with larger section sizes that are sufficient to accommodate a residential unit, minor residential unit and accessory buildings and an area of open space for amenity and/or productive purposes.		
RLZ-P2	To limit the number of residential units and minor residential units that can establish as of right on sites within the Rural Lifestyle Zone.		
RLZ-P3	To provide for home businesses, rural commercial activities, visitor accommodation and educational facilities which are complementary to the rural residential use of the land and are compatible in scale with rural residential living in the zone.		
RLZ-P4	To require activities within the Rural Lifestyle Zone to be self-sufficient in the provision of on-site water supply, wastewater and stormwater disposal, unless a reticulated supply is available to connect to.		

RLZ-P5	To require buildings within the Rural Lifestyle Zone to be setback a
	minimum distance from property boundaries to avoid or mitigate potential adverse cross-boundary effects and land use conflicts.
RLZ-P6	To manage the bulk, scale and location of buildings within the Rural Lifestyle Zone to ensure they are in keeping with the low density rural residential character and amenity of the Zone.
RLZ-P7	To limit the scale of Community Facilities and Educational Facilities in the Rural Lifestyle Zone to maintain the character and amenity of the zone.
RLZ-P8	To avoid adverse effects of shading from trees on adjoining public roads and properties.
Subdivisio	<u>n</u>
SUB-P8	To encourage innovative subdivision design consistent with the maintenance of amenity values.
SUB-P9	To encourage the incorporation of public open space and plantings within subdivision design for amenity purposes.
SUB-P10	To provide pedestrian and amenity linkages where useful linkages can be achieved or further developed.
SUB-P12	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.
SUB-P16	To avoid where practicable, or otherwise mitigate, potential reverse sensitivity effects of sensitive activities (particularly residential and lifestyle development) establishing near primary production or industrial activities and existing public works.
SUB-P17	To ensure, to the extent practicable, subdivision design that takes into account the location of regionally significant infrastructure, network utilities, renewable electricity generation sites and other lawfully established activities, and ensures that future land use activities will not result in reverse sensitivity effects.
Methods:	
Rural Land	d Resource
	LR-M1 Area-Specific Provisions use of zoning to direct activities to appropriate locations: Z — General Rural Zone:
	General Rural Zone encompasses the bulk of the District's rural land. This
	is suitable for a wide range of activities to occur, that can require exclusive of land and establishes the flexibility for landowners to identify
	rtunities to innovatively utilise the resources of the area. Controls in this
	are tailored to provide flexibility for landowners. IZ – Rural Production Zone:
	Dan direction 7

The Rural Production Zone encompasses the concentration of highly productive land in and around the Ruataniwha and Takapau Plains and urban areas of Waipukurau, Waipawa and Ōtāne. Standards in this Zone reflect the more

intensive nature of activities, the increased interface between different land uses and the proximity of the Zone to the urban centres, and the pressures that this places on the soil resource.

RLZ – Rural Lifestyle Zone:

This Zone provides the main opportunity for low density residential development in the District, in close proximity to the main urban areas of Waipukurau and Waipawa.

Method RLR-M3 Land Information Memorandum

When requested, people wishing to establish in the rural area will be issued with a Land Information Memorandum advising them that they are establishing in a productive rural environment where amenity standards associated with the normal conduct of farming operations in the Zone (that is, amenity standards that allow for fluctuating noise, odour and air quality levels resulting from accepted primary production management practices) will be upheld by the Council. Provided that these activities are carried out within the provisions established by the District Plan, the effects will not be considered a nuisance.

Methods RPROZ-M1, GRUZ-M1 and RLZ-M1 – Other Provisions in the District Plan Other sections of the District Plan contain additional rules and standards applying to activities in the Rural Production Zone, General Rural Zone, and Rural Lifestyle Zone, such as:

- TRAN Transport includes rules and standards relating to access, parking, and loading.
- HH Historic Heritage includes rules applying specifically to identified heritage buildings.
- SASM Sites and Areas of Significance to Maori includes rules applying specifically to identified sites of significance.
- TREE Notable Trees includes rules applying specifically to identified notable trees.
- ECO Ecosystems and Indigenous Biodiversity includes rules applying specifically to significant indigenous vegetation and significant habitats of indigenous fauna.
- NFL Natural Features and Landscapes includes rules applying specifically to identified outstanding natural features and landscapes.
- EW Earthworks includes rules and standards relating to earthworks and land disturbance, mining, quarrying and mineral prospecting and exploration.
- LIGHT Light includes rules and standards relating to light and glare.
- NOISE Noise includes rules and standards relating to the emission of noise.
- PKH Papakāinga and Kaumātua Housing, and associated Marae-based Development – includes rules and standards relating to papakāinga and kaumātua housing and marae-based developments on Māori land.
- SIGN Signs includes rules and standards relating to the design and installation of signs.
- TEMP Temporary Activities includes rules and standards relating to temporary activities, temporary buildings, and temporary events.

Methods RPROZ-M2, GRUZ-M2, and RLZ-M2 - Bylaws

The Central Hawke's Bay District Council Bylaws – Part 13: 2008 The Keeping of Animals, Poultry and Bees.

Methods RPROZ-M3 and GRUZ-M3 – Industry Codes of Practice and Management Plans

Promote the use of management plans and industry codes of practice as a means of self-regulation.

Methods RPROZ-M4 and GRUZ-M4 – National Standards

- The Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.
- The National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health.
- The New Zealand Standards NZS 6805:1992 Airport Noise Management and Land Use Planning, and NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas.

RPROZ - Rural Production Zone:

- 1. Rules RPROZ-R1 to RPROZ-R13 provide for:
 - limited residential activity (one residential unit where less than 12ha, two where greater than 12ha, plus one minor residential unit per site with max 100m² gross floor area),
 - limited seasonal workers accommodation (max 125m² gross floor area, max 24 people accommodated, relocatable design, and not on a lifestyle site),
 - primary production activities,
 - ancillary agricultural aviation movements,
 - limited small-scale rural airstrips and helicopter landing areas (setback at least 2km from Residential Zones of Rural Lifestyle Zone, 500m from notional boundary of noise sensitive activity on another site, 50m from State Highway, max 1000 total combined movements per year, and max 100m² gross floor area),
 - o limited post-harvest facilities (max 2500m² gross floor area per site),
 - small-scale home businesses,
 - small-scale visitor accommodation,
 - small-scale community facilities, educational facilities etc (max 100m² gross floor area per site),
 - limited small-scale commercial activities (limited to produce reared or produced on the site), and
 - relocated buildings

as Permitted Activities (subject to compliance with relevant Zone Standards), otherwise resource consent required.

- Rule RPROZ-R14 provides for intensive primary production activities setback 200m from property boundaries and 500m from Residential Zones and Rural Lifestyle Zone as a Controlled Activity (subject to compliance with relevant Zone Standards), otherwise Discretionary or Non-Complying.
- Rules RPROZ-R15 to RPROZ-R19 subject other activities (including camping grounds as a Discretionary Activity and industrial activities as a Non-

- Complying Activity) to a resource consent application process for consideration on a case-by-case basis.
- Rule RPROZ-R20 prohibits new noise sensitive activities within the Air Noise Boundary or Outer Control Boundary for the Waipukurau Aerodrome.
- Standard RPROZ-S1 limits commercial activities, visitor accommodation, home businesses, retails sales of produce reared on the site, restaurants in terms of max 100m² gross floor area per site, max 3 employees, daytime hours, max 40 restaurant customers accommodated at any one time, as well as cumulative gross floor area limits.
- Standards RPROZ-S2 to RPROZ-S7 and RPROZ-S14 & RPROZ-S15 control bulk and location aspects such as total building coverage (lesser of 35% of net site area or 1500m²) height, height in relation to boundaries, setbacks (including for trees, and from the Gas and National Grid networks) etc.
- Standard RPROZ-S8 imposes electricity safety distances within the vicinity of overhead electric lines.
- Standards RPROZ-S9 to RPROZ-S11 and RPROZ-S16 impose requirements for access, parking and loading, light, noise, and specific requirements in relation to relocated buildings.
- Standard RPROZ-S12 imposes a 200m setback for new sensitive activities from the boundary of buildings associated with existing intensive primary production activities.
- Standard RPROZ-S13 imposes building exclusion and height limits around the Waipukurau Aerodrome.
- Assessment Matters RPROZ-AM1 to RPROZ-AM14 outline matters Council
 will consider when assessing applications.

GRUZ - General Rural Zone:

- Rules GRUZ-R1 to GRUZ-R13 provide for:
 - limited residential activity (one residential unit where less than 20ha, two where greater than 20ha less than 50ha, three where greater than 50ha less than 100ha, four where greater than 100ha, plus one minor residential unit per site with max 100m² gross floor area),
 - limited seasonal workers accommodation (max 125m² gross floor area, max 24 people accommodated, relocatable design, and not on a lifestyle site).
 - o primary production activities,
 - o ancillary agricultural aviation movements,
 - limited small-scale rural airstrips and helicopter landing areas (setback at least 2km from Residential Zones of Rural Lifestyle Zone, 500m from notional boundary of noise sensitive activity on another site, 50m from State Highway, max 1000 total combined movements per year, and max 100m² gross floor area),
 - limited post-harvest facilities (max 2500m² gross floor area per site, but max 200m² gross floor area per site where within Coastal Environment),
 - small-scale home businesses,

- small-scale visitor accommodation,
- small-scale community facilities, educational facilities etc (max 100m² gross floor area per site),
- limited small-scale commercial activities (limited to produce reared or produced on the site), and
- relocated buildings

as Permitted Activities (subject to compliance with relevant Zone Standards), otherwise resource consent required.

- Rule GRUZ-R14 provides for intensive primary production activities setback 200m from property boundaries and 500m from Residential Zones and Rural Lifestyle Zone as a Controlled Activity (subject to compliance with relevant Zone Standards), otherwise Discretionary or Non-Complying.
- Rules GRUZ-R15 to GRUZ-R19 subject all other activities (including camping grounds as a Discretionary Activity and industrial activities as a Non-Complying Activity) to a resource consent application process for consideration on a case-by-case basis.
- 4. Standard GRUZ-S1 limits commercial activities, visitor accommodation, home businesses, retails sales of produce reared on the site, restaurants in terms of max 100m² gross floor area per site, max 3 employees, daytime hours, max 40 restaurant customers accommodated at any one time, as well as cumulative gross floor area limits.
- Standards GRUZ-S2 to GRUZ-S6 and GRUZ-S12 & GRUZ-S13 control bulk and location aspects such as total building coverage (lesser of 35% of net site area or 1500m²) height, height in relation to boundaries, setbacks (including for trees, and from the Gas and National Grid networks) etc.
- Standard GRUZ-S7 imposes electricity safety distances within the vicinity of overhead electric lines.
- Standards GRUZ-S8 to GRUZ-S10 and GRUZ-S14 impose requirements for access, parking and loading, light, noise, and specific requirements in relation to relocated buildings.
- Standard GRUZ-S11 imposes a 200m setback for new sensitive activities from the boundary of buildings associated with existing intensive primary production activities.
- Assessment Matters GRUZ-AM1 to GRUZ-AM13 outline matters Council will consider when assessing applications.

RLZ - Rural Lifestyle Zone:

- Rules RLZ-R1 to RLZ-R9 provide for residential activities, primary
 production activities, home businesses, small-scale visitor accommodation,
 small-scale community facilities, and relocated buildings as Permitted
 Activities (subject to compliance with relevant Zone Standards).
- Rules RLZ-R10 to RLZ-R14 subject all other activities (including post-harvest facilities as a Discretionary Activity, and intensive primary production activities and industrial activities as Non-Complying Activities) to a resource consent application process for consideration on a case-by-case basis.

- Standard RLZ-S1 limits commercial activities, visitor accommodation, home businesses, and retails sales of produce reared on the site in terms of max 50m²/100m² gross floor area per site, max 3 employees, daytime only, and cumulative gross floor area limits of 75m²).
- Standards RLZ-S2 to RLZ-S7 control bulk and location aspects such as height, height in relation to boundaries, setbacks etc.
- Standard RLZ-S8 limits hours of operation for community facilities to 7am to 10pm, and entire activity located within a building etc.
- 6. Standard RLZ-S9 limits storage of heavy vehicles on a site to one.
- Standard RLZ-S10 imposes screening requirements on outdoor storage and service areas.
- Standard RLZ-S11 imposes electricity safety distances within the vicinity of overhead electric lines.
- Standards RLZ-S12 to RLZ-S15 impose requirements for access, parking and loading, light, noise, and specific requirements in relation to relocated buildings.
- Assessment Matters RLZ-AM1 to RLZ-AM10 outline matters Council will consider when assessing applications.

SUB - Subdivision:

Rural Site Rules and Standards:

- Rules SUB-R1, SUB-R2, SUB-R3, and SUB-R4 provide for subdivisions as a Controlled Activity, subject to compliance with specified conditions and with various Subdivision Standards, otherwise Discretionary or Non-Complying.
- Standard SUB-S1(6) imposes a minimum net site area of 20ha for the General Rural Zone.
- Standard SUB-S1(7) imposes a minimum net site area of 12ha for the Rural Production Zone.
- Standard SUB-S1(5) imposes a minimum net site area of 4000m² for the Rural Lifestyle Zone.

Lifestyle Site Rules and Standards:

- Rule SUB-R5 controls lifestyle lot subdivision in the Rural Zones, generally as follows:
 - SUB-R5(1)-(4), (9) & (10) General Rural Zone limited to one lifestyle site every 3 years and minimum balance lot of 20ha – Controlled Activity outside of the Coastal Environment; Discretionary within the Coastal Environment.
 - SUB-R5(5)-(8) Rural Production Zone only if lifestyle site is based around an existing dwelling on a site less than 12ha and no additional sites can be created (amalgamation of balance lot required) – Controlled Activity, otherwise Discretionary or Non-Complying.
- Standard SUB-S2(1) & (2) imposes a minimum net site area for Lifestyle Sites of 4000m² and a maximum net site area of 2.5ha for the General Rural Zone.

 Standard SUB-S2(3) & (4) imposes a minimum net site area for Lifestyle Sites of 2500m² and a maximum net site area of 4000m² for the General Rural Zone.

Assessment Matters:

- Assessment Matter SUB-AM11 outlines specific matters Council will
 consider when assessing applications for sites in the Rural Lifestyle Zone,
 and for lifestyle sites in the General Rural Zone and Rural Production Zone,
 which adjoin any site used for existing horticultural or intensive primary
 production activities.
- Assessment Matter SUB-AM12 outlines specific matters Council will
 consider when assessing applications for lifestyle sites in the Rural
 Production Zone.
- Assessment Matter SUB-AM13 outlines specific matters Council will
 consider when assessing applications for lifestyle site subdivisions within
 the General Rural Zone and Rural Production Zone.

Opportunities for economic growth and employment

The proposed provisions that maintain amenity and character indirectly contribute to economic growth and employment by maintaining the values of the rural environment and controlling reverse sensitivity.

Summary of efficiency and effectiveness of the provisions in achieving the objectives

The proposed policies and methods are considered efficient and effective in addressing the issues identified and achieving the associated proposed objectives in relation to the maintenance of the character and amenity of the rural environment and managing reverse sensitivity issues and potential land use conflict from the locating of incompatible activities.

5.2.3 Residential Choice – Rural Lifestyle Zone, and Lifestyle Sites in the Rural Production Zone and General Rural Zone

Issue(s)		RLZ-I1 Providing a Choice of Residential Environments		
		There is a need to provide for a choice of different residential environments to enable current and future residents to meet their lifestyle aspirations within the District.		
		Explanation Providing a range of residential environments within the District is important to enable people to choose what best suits their particular lifestyle needs and aspirations. Historically, there has been no zone for rural residential living specifically provided in a planned manner, and rural-residential developments (with lots of 4000m² or more) have tended to be scattered across the rural area. It is now recognised that identifying appropriate locations for this type of large-lot residential development would provide for a more sustainable form of development into the future. Locating Rural Lifestyle Zones immediately adjacent to the existing urban areas of Waipawa and Waipukurau enables the sustainable management of the District's natural and physical resources, including infrastructure.		
Associat	ted Objectives	RLZ-O1, SUB-O1		
Propose	ed Suite of Provisions	Effectiveness a	and Efficiency	
		Benefits	Costs	
Policies: RLZ-P1 RLZ-P2 RLZ-P6 SUB-P1 Methods: Rural Land RLR-M1	To maintain and enhance the attractive open space character of the Rural Lifestyle Zone with larger section sizes that are sufficient to accommodate a residential unit, minor residential unit and accessory buildings and an area of open space for amenity and/or productive purposes. To limit the number of residential units and minor residential units that can establish as of right on sites within the Rural Lifestyle Zone. To manage the bulk, scale and location of buildings within the Rural Lifestyle Zone to ensure they are in keeping with the low density rural residential character and amenity of the Zone. To establish standards for minimum lot sizes for each zone in the District. d Resource Area-Specific Provisions The use of zoning to direct activities to appropriate locations: RLZ — Rural Lifestyle Zone: This Zone provides the main opportunity for low density residential development in the District, in close proximity to the main urban areas of Waipukurau and Waipawa.	Environmental: The proposed policies and methods provide for rural residential subdivision in more concentrated dedicated areas, close to the urban centres and off the more productive rural land, and provides for only very limited provision for rural lifestyle sites in the General Rural and Rural Production Zones (Rule SUB-R5). This assists in protecting the rural environment from further widespread fragmentation for rural lifestyle purposes. Directing rural lifestyle activities to dedicated Rural Lifestyle Zones on the urban periphery of Waipawa and Waipukurau potentially reduces transport emissions, with less distance travelled to access urban services and facilities.	Environmental: The Rural Lifestyle Zones effectively take areas of lower productive rural land out of dedicated rural production, albeit these are generally already compromised by clusters of existing rural residential development.	
Subdivision Rural Life		Economic: By providing for dedicated Rural Lifestyle Zones	Economic: The proposed methods may constrain individual	
		within which rural residential development is	property owners in the General Rural and Rural	

- Rules SUB-R1, SUB-R2, SUB-R3, and SUB-R4 provide for subdivisions as a Controlled Activity, subject to compliance with specified conditions and with various Subdivision Standards, otherwise Discretionary or Non-Complying.
- Standard SUB-S1(8) imposes a minimum net site area of 4000m² for the Rural Lifestyle Zone.

Rural Production Zone and General Rural Zone, Lifestyle Sites:

- Rule SUB-R5 controls lifestyle lot subdivision in the Rural Zones, generally as follows:
 - SUB-R5(1)-(4), (9) & (10) General Rural Zone limited to one lifestyle site every 3 years and minimum balance lot of 20ha – Controlled Activity outside of the Coastal Environment, otherwise Discretionary.
 - SUB-R5(5)-(8) Rural Production Zone only if lifestyle site is based around an existing dwelling on a site less than 12ha and no additional sites can be created (amalgamation of balance lot required) Controlled Activity, otherwise Discretionary or Non-Complying.

Assessment Matters:

- Assessment Matter SUB-AM11 outlines specific matters Council will
 consider when assessing applications for sites in the Rural Lifestyle Zone,
 and for lifestyle sites in the General Rural Zone and Rural Production Zone,
 which adjoin any site used for existing horticultural or intensive primary
 production activities.
- Assessment Matter SUB-AM12 outlines specific matters Council will consider when assessing applications for lifestyle sites in the Rural Production Zone.
- Assessment Matter SUB-AM13 outlines specific matters Council will
 consider when assessing applications for lifestyle site subdivisions within
 the General Rural Zone and Rural Production Zone.

anticipated and provided for, the General Rural and Rural Production Zone land can continue to be available for a range of primary production activities.

Directing rural lifestyle activities to dedicated Rural Lifestyle Zones on the urban periphery of Waipawa and Waipukurau provides for reduced travel costs.

Limited provision for rural lifestyle lot subdivision in the rural environment, primarily on the less productive land in the General Rural Zone (SUB-R5(1)(a)), continues to provide some opportunity for capital raising for rural landowners. Production Zones from releasing capital and providing for succession planning on rural properties, through limiting subdivision and sale of small lifestyle lots (SUB-R5(1)(a) & SUB-R5(5)(a).

Social:

Providing for rural residential development within dedicated Rural Lifestyle Zones across both Waipawa and Waipukurau (RLZ-R1 & SUB-S1(8)) provides people with continued choice in residential living options.

Directing rural lifestyle activities to dedicated Rural Lifestyle Zones on the urban periphery of Waipawa and Waipukurau provides for more efficient provision and accessibility to existing nearby community services and facilities and employment, including lesser distances to be travelled in motor vehicles to access these services.

Limited provision for rural lifestyle lots in the rural environment, primarily on the less productive land in the General Rural Zone, provides some ongoing opportunity for succession planning, and provision of accommodation for rural workers. Provision for additional residential units depending on property size further supports this (e.g. property greater than 100ha in the General Rural Zone, is able to accommodate up to 4 residential units and a minor

Social:

Limiting rural lifestyle site subdivision in the General Rural Zone, and particularly in the Rural Production Zone, could have a negative impact on the ability of rural communities to retain population and maintain local services.

residential unit, as well as some seasonal worker accommodation – GRUZ-R1(1)(a) & GRUZ-R2(1)(a)).	
Cultural:	Cultural:
The proposed provisions allow for the unique identify and vitality of rural areas and the dedicated Rural Lifestyle Zones to be maintained.	No obvious cultural costs associated with the proposed policies and methods.

Opportunities for economic growth and employment

There are no obvious opportunities for economic growth or employment as a result of these proposed policies and methods, although there may be some benefit to employment in having people residing closer to urban centres of employment. This may further support urban services and facilities, which could flow through into potential economic growth and employment opportunities.

Summary of efficiency and effectiveness of the provisions in achieving the objectives

The proposed policies and methods are considered efficient and effective in addressing the issues identified and achieving the associated proposed objectives.

The Rural Lifestyle Zones and provision for large-lot rural residential style development within these zones, provides choice to enable current and future residents to meet their lifestyle aspirations within the District. Their location immediately adjacent to the existing urban areas of Waipawa and Waipukurau enables the sustainable management of the District's natural and physical resources, including infrastructure.

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 of not acting if there is uncertain or insufficient information about the subject matter of the provisions.

For most matters relating to the rural environment, the Council has sufficient information to determine 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. Rather, this report identifies where there may be additional costs.

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 were adopted because they provide for the protection of the District's highly productive land from inappropriate subdivision, use and development in line with section 5(2) of the RMA in terms of sustaining the potential of natural resources to meet reasonably foreseeable future needs and safeguarding the life-supporting capacity of soils, as well as responding to section 7(c) matters around maintenance and enhancement of rural character and amenity values, whilst continuing to provide for residential choice.

The proposed policies and methods give effect to section 5(2) and 7(c) matters in a way that achieves the proposed objectives, through:

- establishment of a new Rural Production Zone encompassing the District's significant concentration of highly productive land;
- directing rural lifestyle living to a new dedicated Rural Lifestyle Zone, with limited provision for subdivision of rural lifestyle lots in the General Rural Zone and Rural Production Zone to minimise further fragmentation of the rural land resource;
- maintaining enabling provisions for primary production and associated ancillary activities (post-harvest facilities, seasonal workers accommodation, agricultural aviation movements, rural airstrips etc) in the General Rural and Rural Production Zones, recognising the primacy of these zones for primary productive purposes;
- addressing potential for reverse sensitivity to arise through rules and standards establishing setbacks from neighbours, sensitive activities and significant infrastructure networks (road, rail, National Grid, gas network), and limiting buildings in and around the Waipukurau Aerodrome;
- maintaining enabling provisions for activities servicing rural communities (education facilities, emergency service facilities, community facilities etc) at an appropriate scale;
- establishing limits on commercial and industrial activities that do not have a functional or operational need to be located in a rural location, and directing these to more appropriate zones in the urban areas;
- standards in the General Rural, Rural Production and Rural Lifestyle Zones that maintain and enhance the rural character and amenity of those zones (density, bulk and location, setback requirements etc).

The provisions applying in the rural environment are a significant change from those in the Operative District Plan. On balance, the evaluation indicates that the benefits of the proposed District Plan provisions 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 rural land resource.

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 rural environment, in providing for the protection of the District's highly productive land from inappropriate subdivision, use and development in line with section 5(2) of the RMA in terms of sustaining the potential of natural resources to meet reasonably foreseeable future needs and safeguarding the life-supporting capacity of soils, as well as in responding to section 7(c) matters around maintenance and enhancement of rural character and amenity values, whilst continuing to provide for residential choice including rural lifestyle living options.
- The proposed policies and methods give further effect to section 5(2) and 7(c) matters through establishment of a suite of appropriate rural zones, each with a clear set of rules and standards and supporting subdivision provisions, that efficiently and effectively contribute to the achievement of the proposed objectives.
- The proposed provisions are expected to address anticipated national direction in the form of the pending National Policy Statement for Highly Productive Land.

REFERENCES

'Assessment on the Need for a New Rural Zone for Subdivision in the Central Hawke's Bay District', LandVision Ltd, January 2018.

'Central Hawke's Bay District Plan Review Household Growth Response', Sage Planning HB Limited, 13 November 2020.

'National Guidelines for Monitoring and Reporting Effects of Land Fragmentation', Rutledge D, Price R & Hart G, Landcare Research, February 2015.