

**Tasman Resource Management Plan
Efficiency and Effectiveness Evaluation**

Chapter 7: Rural Environment Effects

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Acronyms

FDS	Future Development Strategy
GIS	Geographic Information System
LiDAR	Light Detection and Ranging - technology that provides detailed contour data
MagiQ-BI/NCS	Two related Council information systems - used to manage data, including for resource consents and service requests, including complaints.
NES-CS	National Environment Standards for Assessing and Managing Contaminants in Soil to Protect Human Health, 2011
NES-PF	National Environmental Standards for Plantation Forestry, 2018
NPS-HPL	National Policy Statement for Highly Productive Land, 2019
NPS-UDC	National Policy Statement on Urban Development Capacity, 2016
PC##	Plan Change ##, e.g. Plan Change 66
PTRMP	Proposed Tasman Resource Management Plan
RLAA	Resource Legislation Amendment Act
RMA	Resource Management Act
TRMP	Tasman Resource Management Plan

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Executive Summary

Introduction

Chapter 7 of the TRMP addresses the management of the District's rural land resource in terms of three main objectives and four main policy sets, which correspond to the four topics set out below.

1. Managing the effects of land fragmentation on the productive value of land
2. Providing opportunities for a range of activities other than plant and animal production in rural areas
3. Managing a level of rural residential development in the Coastal Tasman Area within a framework that recognizes and protects the more productive land, coastal and rural character and amenity values
4. Managing the effects of activities in rural areas, including cross boundary and reverse sensitivity effects, and effects on rural character and amenity values.

Scope

The scope of this assessment is limited due to the Rural Land Use and Subdivision (RLUS) review that culminated in Plan Change 60 (PC60) which was made operative in June 2019.

Consequently, the scope of this assessment is limited to issues that were not addressed in the RLUS review:

- (i) Coastal Tasman Area - per separate report.
- (ii) Review of the integrity of the spatial pattern of zoning.
- (iii) Rural and Rural Residential character and amenity issues including rural production landscapes and the minimum lot sizes in the Rural Residential zone locations.
- (iv) Other update, duplication or structural issues.

The findings and recommendations of the RLUS review and the steps taken by PC60 to implement the recommendations are referred to in the body report and, for ease of reference, briefly are described at the end of this executive summary.

General Outcomes of this Section 35 Assessment

The three objective and four policy sets generally are comprehensive and well integrated and have good connection with the subdivision and land use rules.

Within chapter 7, there is minimal repetition across the objectives and policies.

Across plan chapters, there is repetition of concept in relation to:

- Rural character and landscape (Chapter 9.2 – Rural landscape values). This issue is addressed in this report.
- Rural amenity (Chapter 5 – Site Amenity Effects). This issue is addressed in the chapter 5 report.
- Protection of soils with higher productive potential (Chapter 6.2 – Land effects from urban growth). This issue is addressed in the chapter 6 report).

The report recommends rationalising any duplication in policy content.

General Recommendations

The following recommendations are intended to inform the review of the Tasman District Plan. These recommendations are intended to:

- advise decision-makers about the effectiveness and efficiency of existing provisions
- indicate if there is a 'need for change', and
- inform the development of the new Tasman Environment Plan.

The recommendations must be viewed as an initial step in the plan review process. Subsequent political, iwi and public input, new information and legislative change will affect final proposals.

The recommendations contained below are only a succinct summary. The full analysis and detailed information supporting these recommendations is contained in the body of this report. The new plan structure mandated by the National Planning Standards provides an opportunity to address structural issues and may help to also reduce some repetition. In addition, new definitions and legislative requirements to use clear and succinct language may necessitate redrafting of many objectives and policies.

High Level Directions of Change

- We continue to protect our highest quality land for productive use and avoid urban development on highly productive land where other feasible options exist for locating urban growth.
- We also continue to protect rural character and rural landscapes.

Recommendations

1. Spatial pattern of zoning

PC60 increased the rigour of the policy framework but did not review the integrity of the spatial zone boundaries. This may be compromising the plan efficiency, if not effectiveness. This plan review provides a timely opportunity to address the issue and to ensure that spatial zone boundaries correctly reflect the underlying value and established use of the land.

Recommendations include:

- Updating Tasman's productive land classification system with updated topography, soils and climate information and ensuring it complies with the requirements of the proposed National Policy Statement – highly productive land (NPS-HPL)
- Reviewing current rural zone boundaries when the updated land classification system is available.
- In line with FDS recommendations consider additional strategically placed rural industrial and rural residential zone locations to provide for district growth needs.

Currently the updating process is underway.

2. Rural production landscapes

The current broad policy approach to rural character provides little guidance to decision makers regarding what values are to be protected as there are different types of rural production landscapes in the district, often with differing values (e.g. plantation forestry, pastoral farming,

intensive horticulture, viticulture. Rural character and amenity is key to the assessment of the impacts of further subdivision and development of the surrounding environment.

Further breakdown of landscapes and their associated values may provide better guidance to decision makers; improve the quality and consistency of decision making and result in better environmental outcomes.

The recommendation is to do further work to breakdown rural production landscape types and their associated values.

3. Rural Residential zone minimum lot sizes

PC60 confirmed the policy approach that rural lifestyle living is provided for and directed to the Rural Residential zone rather than the Rural 1 and 2 productive zones and Rural 3 zone where the land is not of high productive value. PC60 also reduced the level of consent required to subdivide below the minimum lot size in the Rural Residential zone to encourage better use of the zone locations subject to natural hazard risk; and effects on character and amenity values.

PC60, however, did not review the minimum lot sizes for the various Rural Residential zone locations. The minimum lot sizes are largely legacy sizes carried through from earlier plans or based on waste water servicing capability of the various locations. Since the inception of the Plan, the technology for wastewater systems has advanced. This enables smaller site sizes.

The protection of productive land is not a primary concern within the Rural Residential zone but adverse effects of residential activity on local character in the rural environment is a concern as are cross boundary effects on neighbouring productive activity. Review of Rural Residential zone minimum lot sizes in relation to effects on the character and amenity of the surrounding environment is needed.

The recommendation is to review the rural residential zone minimum lot sizes to align with identified rural and rural residential character and amenity values and effective management of wastewater discharges.

4. Improving structure and reducing duplication

To improve plan structure and reduce duplication, recommendations include:

- Rationalising the number of objectives within sets 7.1 and 7.2;
- Consolidating chapter 7.4 and 9.2 objectives and policies in chapter 7.4, and simultaneously, rationalising the objectives and policies to reduce repetition. Chapter 7.4 is considered an appropriate home for the policies due to their focus on rural character.

5. Other actions

The TRMP provisions regarding “Plantation Forests, Horticultural Plantings, and Spray and Shelter Belts” are reviewed for relevance and clarity in context of the NPS-FM.

The TRMP provisions relating to the protection of productive land from urban development are reviewed to align with the NPS – HPL.

Further detail relating to the objectives and policy assessment and recommendations is set out in the main body of this report.

Rural Land Use and Subdivision review and Plan Change 60

The recent Rural Land Use and Subdivision (RLUS) review, 2013 culminated in Plan Change 60 (PC60) which was made operative in June 2019. PC60 comprehensively revised the policy set and rules for rural areas. It is too soon to evaluate the outcomes of the PC60 provisions.

The findings and recommendations of the RLUS review and the steps taken by PC60 to implement the recommendations are summarised below.

1. Managing the effects of land fragmentation on the productive value of land and protecting productive opportunity - Chapter 7.1

The review found that for the productive zones, Rural 1 and 2, the policy set was largely achieving the 7.1.2 objective of avoiding the loss of productive land, but this was less evident for high productive land. Land uses and activities that are 'non soil-based' were increasing on high productive land. There was also an overall trend toward an increase in the number of small titles. A further issue was that the subdivision rules did not match the strength of the policy set and key definitions required updating.

The review recommended a raft of changes to address the issues - which PC60 implemented including: (i) strengthened objectives to clarify that productive opportunity in both Rural 1 and 2 zones needed to be retained; and productive opportunity in Rural 1 need to be enhanced in addition to being retained; (ii) new and amended policies that clarified what effects were to be avoided; (iii) stronger policy to reduce the risk of reverse sensitivity effects; and (iv) provision for more flexible living opportunities without subdivision.

The amended policy framework was accompanied by: (v) a new subdivision regime designed to limit subdivision of productive land into the future; (vi) improved setback from boundaries rules for habitable buildings and intensive poultry activities within rural zones; (vii) further encouragement for amalgamation of land titles to improve productivity and land management; and (viii) policy guidance regarding the effects of small lot subdivision on productivity and on rural character and amenity.

A review of the spatial extent of zones was recommended but not implemented by PC60. The recommendation resulted from the Evaluation 2013 finding that several established residential clusters are located within the Rural 1 and 2 rural zones which compromise the effectiveness of the policy framework. This issue is recommended for attention in this review.

2. Providing opportunities for a range of activities other than plant and animal production in rural areas - Chapter 7.2

The review considered the chapter 7.2 policies moderately successful in that the TRMP identifies specific zones (Rural Residential, Rural Industrial) for other key 'non soil' based activities that occur in rural areas. However, as mentioned above, land cover data and resource consent information showed the continued urbanisation of productive land, particularly Rural 1 land.

The review recommended a raft of changes to address the issues - which PC60 implemented, including: (i) clarifying that activities other than plant and animal production activity were provided for in specific zoned locations (Rural Residential and Rural 3 zones - for rural lifestyle living and Rural Industrial zones for industrial activities with a functional need to locate in a rural area); (ii) stronger policy discouragement for business activities that are not related to plant and animal production activity; (iii) provision of a policy framework for zoned rural residential development by expanding

on the potential characteristics of such development and providing a definition of rural residential character; and (iv) policy reaffirmation that adequate separation of incompatible activities was needed.

The amended policy framework was accompanied by: (v) as mentioned above, improved inter rural zone setback rules; and (vi) reducing the consent status for subdivision below the minimum lot size in the Rural Residential zone.

3. Managing the effects of activities in rural areas, including cross boundary and reverse sensitivity effects, and effects on rural character and amenity values - Chapter 7.4

The review results highlighted that for the Rural 1, 2 and Rural Residential zones, the policies lacked specific focus on rural character and amenity matters particularly in relation to cumulative effects and the subdivision and use of small lots. This creates the potential for confusion and duplication with other policies in the TRMP covering similar matters – such as stormwater management in Chapter 33.3 and landscape protection in Chapter 9.

The review recommended changes to address the issues - which PC60 implemented, including: (i) policy guidance regarding the effects of small lot subdivision on rural character and amenity; and as mentioned above, (ii) improved inter zone setbacks

PC60 implemented the substantive recommendations relating to 7.4 policy objective set whereas recommendations relating to the rationalising and streamlining of the policy set were not. These are recommended for attention in this review.

1. Purpose Statement

The purpose of this evaluation of the TRMP is to determine the effectiveness and efficiency of the provisions contained within it. It helps us understand if the TRMP provisions are doing what they're meant to do.

This evaluation process is a fundamental step in the policy review cycle and a requirement of the Resource Management Act. It informs good quality plan-making and helps maintain confidence and integrity in the process.

The results of this evaluation will inform the review of the Tasman Resource Management Plan.

What do the terms mean?

Effectiveness: *“assess the contribution ... provisions make towards achieving the objectives and how successful they are likely to be in solving the problem they were designed to address”*

Efficiency: *“measures whether the provisions will be likely to achieve the objectives at the lowest total cost to all members of society, or achieves the highest net benefit to all of the society”*

(Ministry for the Environment s.32 Guidance)

Key evaluation questions

What we need to keep in mind:

- ✓ Are we focused on the right issues?
- ✓ Have we done what we said we'd do?
- ✓ Have we achieved what we said we'd achieve?
- ✓ How do we know our actions led to the outcome observed?
- ✓ Have we achieved that outcome at reasonable cost (could we have achieved it more cheaply)?
(Enfocus, 2008)

2. Scope

2.1 District Plan Provisions Reviewed

Chapter 7 of the TRMP addresses the management of the District’s rural land resource in terms of three main objectives and four main policy sets, which correspond to the four topics set out below.

1. Managing the effects of land fragmentation on the productive value of land (under Objective 7.1.2, Policy set 7.1.3)
2. Providing opportunities for a range of activities other than plant and animal production in rural areas (under Objective 7.2.2, Policy set 7.2.3)
3. Managing a level of rural residential development in the Coastal Tasman Area within a framework that recognizes and protects the more productive land, coastal and rural character and amenity values (no Objective, Policy set 7.3.3)
4. Managing the effects of activities in rural areas, including cross boundary and reverse sensitivity effects, and effects on rural character and amenity values (under Objective 7.4.2, Policy set 7.4.3)

The scope of this evaluation is limited due to the Rural Land Use and Subdivision (RLUS) review, 2013, that culminated in Plan Change 60 (PC60) which was made operative in June 2019.

Consequently, the scope of this evaluation is limited to issues that were not addressed in the RLUS review:

- (i) Coastal Tasman Area - per separate report.
- (ii) Review of the integrity of the spatial pattern of zoning.
- (iii) Rural and Rural Residential character and amenity issues including rural production landscapes and the minimum lot sizes in the Rural Residential zone locations.
- (iv) Other duplication or structural issues.

The findings and recommendations of the RLUS review and the steps taken by PC60 to implement the recommendations are set out in the body report and, for ease of reference, at the end of this executive summary.

Table 1 below summarises the scope of the evaluation.

Table 1: Scope of the Evaluation

Chapter 7: Rural Environment Effects			
Chapter	Objectives	Policies	Comment
Chapter 7.1 Cumulative effects of land fragmentation on productive opportunities	7.1.2.1 - 3	Policy set 7.1 3.1 - 17	Excluded from this evaluation except in relation to: (i) CTA / Rural 3 Spatial integrity of zones (ii) Integrity of the spatial pattern of zoning (iii) Rural and Rural Residential character and amenity issues (iv) Structural issues e.g. duplication.

Chapter 7: Rural Environment Effects			
Chapter	Objectives	Policies	Comment
Chapter 7.2 Provision for activities other than plant and animal production	7.2.2.1 - 3	Policy set 7.2. 3.1 - 12	As above for 7.1.
Chapter 7.3.3 Rural residential development in Coastal Tasman area		Policy set 7.3.3.1 - 22	Addressed in separate report.
Chapter 7.4 Objectives Rural character and amenity values	7.4.2	Policy set 7.4.3.1-14	As above for 7.1
Chapter 9.2 Rural Landscape effects	9.2.2	9.2.3.1 - 6	Rationalisation

Key regulatory implementation methods are:

- (i) Rural zones delineated primarily on the basis of productive value – explanation of zone framework in section 3.3 - Evidence of Implementation
- (ii) Rural subdivision and zone rules (land use and building construction and alteration)
- (iii) Coastal Tasman Area Subdivision and Design Guide (which has regulatory effect only in the Coastal Tasman Area, and principally in the Rural 3 zone).

2.2 Timeframe of Evaluation

April-November 2019.

2.3 Summary of Methodology

Broadly, the methodology of this evaluation follows the Plan Outcomes Evaluation process. Plan Outcome Evaluation involves:

1. An examination of the outcomes being sought – what are the objectives trying to achieve?
2. Tracking how the plan has been designed to affect the outcomes – do the intentions in the objectives get carried through to the rules and methods? Are the provisions efficient?
3. Assessing if the provisions have been implemented – what evidence is there that the provisions are being applied to relevant activities?
4. Assessing relevant environmental trends and ‘on the ground’ data to conclude if the Plan has been successful in achieving its intentions. This includes consideration of the external factor influences such as legislative changes, national policy statements, case law, significant economic changes, demographics etc.

Throughout the evaluation, there is an emphasis on attributing the activities enabled or controlled by the TRMP on observed outcomes. But attributing outcomes to the TRMP must always be viewed in the wider context of changes. These are noted where known, but it is beyond the scope of this evaluation to capture all of the changes and influences that affect outcomes in our communities and environment.

Limitations with the Plan outcome evaluation approach also arise where environmental outcome data is poor, or where there are multiple factors driving outcomes. Time, resourcing and quality of data also affects the comprehensiveness of the evaluation.

To address some of these limitations, the evaluation process has included a 'rapid assessment' technique. The technique draws on the combined knowledge and expertise of local TDC staff, residents, community leaders, and topic experts to create an understanding of plan implementation, efficiency and outcomes. The rapid assessment outputs are supplemented with:

- Environmental data or expert reports where available
- Council data (e.g. property and asset information, consenting and compliance database information, models)
- Mapping and imagery (e.g. GIS, aerial imagery, LiDAR)
- Information or reports prepared during plan change processes (e.g. s.32 Reports, Issues and Options papers, technical reports, submissions, community meetings)

The evaluation may also draw on the results of the TRMP Use-ability Survey (TDC, 2013), where relevant.

Table 2: Assumptions and Data Used

Data source/s:	Details and Notes {including data parameters used}
Rapid Assessment	<ul style="list-style-type: none"> - One rapid assessment session held with environmental policy/land use consent planning staff on 14 May 2019. - One rapid assessment session: with Council staff (environmental policy, subdivision and land use consents, compliance and engineering) on Chapter 7 provisions on 12 November 2019.
External reports (commissioned by Council)	<ul style="list-style-type: none"> - Legal report for section 35 review, Tasman Law, June 2019. - An assessment of the effect of development on rural character in the Coastal Tasman Area and in the Rural 1 and 2 zones outside the CTA, D. Sissons November 2012. - Land versatility classification for Rural 3 land in Tasman District, Land care Research, Envirolink, 921-TSDC57, 2011. - Classification system for productive land in the Tasman District, Agriculture, New Zealand, 1994.
Council reports	<ul style="list-style-type: none"> - Policy mapping for TRMP review by S Leusink-Sladen, 2018. - PC 60 section 42A hearing assessment reports, August 2016. - PC60 section 32 report, January 2016. - Evaluation Report on the Effectiveness of the TRMP relating to Rural Land Use and Subdivision, August 2013. (RLUS review, 2013)
Council records (MagiQ-BR/ NCS/databases)	

2.4 Summary of Consultation

The following consultation has been undertaken during the preparation of this evaluation.

2.4.1 Tasman District Councillors

A workshop with elected Councillors was held on 29 June 2020 discussing key issues and recommendations identified for rural development.

The high level directions of change for rural development have been incorporated in to the executive summary of this report. The directions flow from the recommendations.

No additional issues were raised by Councillors at this workshop. Councillors provided feedback and an update on the identified issues as set out below. These comments have been incorporated into the relevant sections of this report where appropriate:

- Review of spatial pattern of zoning:
 - Unfortunate that we have to change the names of zones to align with the planning standards as the community is familiar with the current framework. Be cautious to retain productive land for plant and animal productions purposes during the review process.
 - Review of zoning of established residential clusters located on land zoned for productive purposes (Rural 1 or 2)) is due (Hope and Wildman Road were mentioned).
- Breakdown of rural production landscapes types and values:
 - Be cautious that further characterisation of the working production landscapes does not restrict rural productive activity.
- Review of Rural Residential zone minimum lot sizes:
 - Due to the wide variety of Rural Residential zone locations - one minimum lot size will not fit all.
- We need to setback rural productive activity from streams to avoid sedimentation of waterways.
- We need to find a solution to the suppression of dust on rural roads now that the oiling of roads is not supported.
- Key stakeholders include the Community Boards, Forest and Bird, Department of Conservation and Climate Change Forum.

2.4.2 Tasman Environmental Policy Iwi Working Group

The iwi of Te Tau Ihu, as tāngata whenua, have a unique relationship with Tasman District Council. There are a number of legislative requirements which oblige us to engage more collaboratively with iwi and Māori - including provisions in the Resource Management Act, Local Government Act and Treaty of Waitangi settlement legislation. To support this a separate section 35 report with a focus on iwi/Māori provisions has been prepared. Please refer to that chapter for a record of consultation undertaken.

3. Effectiveness and Efficiency Evaluation

3.1 Context

3.1.1 Legislation Changes

Relevant amendments to the RMA

Of the many changes to the RMA over the life of the TRMP, two have particular implications for the Chapter 7 policy framework. In terms of the RMA as amended by the RLAA, 2017:

- Subdivision of land is now a Permitted rather than a Controlled activity unless it contravenes a rule in a NES or district plan. (Tasman Law, 2019, Appendix 1, RMA s11(IA)). Management of subdivision is key to the protection of land with productive or rural amenity values (objectives 7.1 and 4). Since PC60, with some exceptions, the TRMP provides for subdivision in productive rural zones, at minimum, and ‘once off’ as a Controlled activity. The potential risk for this policy approach to be undermined has increased.
- Councils must deem “boundary activities” to be permitted if criteria are met, including that affected neighbours’ written approval is provided (Tasman Law, 2019, Appendix 1, RMA s87BA). This provision may reduce the effectiveness of Chapter 7 policy provisions and rule sets designed to minimize cross boundary and reverse sensitivity effects.

The national policy statements and national environment standards referred to below, affect Council’s management of rural land.

Proposed National Policy Statement for Highly Productive Land, 2019 (NPS-HPL)

In the latter half of 2019, central government released a proposal to provide stronger national direction on managing highly productive land.

The Tasman District plan provisions provides an example of how HPL is managed in line with the proposed NPS, in that framework for the district’s rural area is based on the productive capacity of the land and soil resources. In the rural zones where the productive value is high, the policy framework prioritises activities involving plant and animal production above opportunities for other activities unrelated to primary production. Likewise, the rural zone subdivision and land use rules are designed to prevent fragmentation of the productive rural land resource and to give priority to a wide range of plant and animal production activities.

TRMP chapter 7 and chapter 6.2 provisions will need to be reviewed to ensure alignment with the final NPS-HPL.

National Planning Standards, 2019

Compliance with the planning standards means that chapter 7 and the rural zones will need to be relabeled (at least) or, potentially, restructured.

Unfortunately, at this stage, the Planning Standards do not include a policy chapter that addresses ‘rural environment /area effects.’ The Planning Standard chapter on Urban Form and Development should exist in counter balance to a chapter on Rural Form and Development so that effects in both rural and urban areas / environments are managed. The Planning Standards also do not provide

specific zones for the full range of activities that typically occur in rural areas (e.g. rural industry, tourism).

Options for accommodating Chapter 7 in the National Planning Standards are set out in Appendix 4 Table 4.1. Options for the relabeling / restructuring of rural zones per National Planning Standards are set out in Appendix .4, Table 4.2.

National Environmental Standards for Plantation Forestry, 2018 (NES-PF)

The NES-PF provides a nationally consistent set of regulations for plantation forestry activities. It covers eight core plantation forestry activities, allowing these to be carried out as permitted activities, subject to conditions to manage potential effects on the environment. Where it isn't possible to manage these effects – for example, the site is at high risk of erosion and needs greater controls – the activity requires resource consent.

Plantation forestry is mentioned in the Chapter 7 rural objectives and policy in context of production effects (P7.1.3.3, &.P7.2.3.6 and 10), P7.4.3.1, 2 and 13). The chapter 17 rural zone rules have specific rule sets relating to “Plantation Forests, Horticultural Plantings, and Spray and Shelter Belts” (Rule 17.5.4 etc.).

The NES-PF prevails over the TRMP rules where the activity meets the NES-PF definition of plantation forestry. All affected sections of the plan have a reference stating whether the NESPF prevails over the plan. Where a rule is more stringent than the NES-PF, a notation is included. Also, there are some woodlot areas and other tree plantings that are excluded from the NPS-PF by definition and for which the rules in chapter 17 need to remain. However the rules are not specifically targeted at these uses.

It is recommended that the Plan provisions regarding “Plantation Forests, Horticultural Plantings, and Spray and Shelter Belts” are reviewed for relevance and clarity in context of the NPS-FM.

National Policy Statement on Urban Development Capacity, 2016 (NPS-UDC)

The NPS-UDC directs local authorities to provide sufficient development capacity in their resource management plans, supported by infrastructure, to meet demand for housing and business space. This development can be ‘outwards’ (on greenfield sites) and/or ‘upwards’ (by intensifying existing urban environments).

The requirements of the NPS - UDC have the potential to compete with the TRMP Chapter 7 imperative to protect land with high productive values for plant and animal production and the NPOS-HPL.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health, 2011 (NES-CS)

The NES-CS ensures that land affected by contaminants in soil is appropriately identified and assessed before it is developed - and if necessary the land is remediated or the contaminants contained to make the land safe for human use. It is relevant to the use and development of rural land. Provisions managing contaminated land are provided for in the Plan.

3.1.2 Relevant Plan Changes

The TRMP has had a constant programme of rolling reviews (variations and plan changes) since it was first notified. The changes have been introduced to address unintended outcomes, new issues,

new priorities and legislative requirements. The plan changes relevant to this topic are outlined in the table 3 below.

Where a plan change has been recently introduced (i.e. <3 years), its impact will be difficult to determine with any accuracy as:

- there may have been limited uptake of the Plan provisions (i.e. not many activities undertaken that trigger the new rule set) and/or
- the impact of existing use rights and previously consented activities continue
- the impacts may not be highly visible until there is a cumulative uptake of the provision.

For those reasons, the implementation of plan changes less than 3 years old (from operative date) have not been fully assessed for effectiveness or efficiency.

Table 3: Plan Changes Relevant to this Topic

Plan Change or Variation	Description of change and key matters
Plan Change 60 – Rural Land Use and Subdivision Operative June 2019	PC60 and V1 and V2 to PC60: <ul style="list-style-type: none"> - confirmed that productive activities are the priority land use in the rural production zones (Rural 1 and Rural 2 – and Rural 3 land with high productive values) while the Rural Residential zone and Rural 3 zone - where the land does not have high productive value) cater for rural lifestyle living - introduced more flexible housing choices in rural areas - reaffirmed the importance of maintaining the rural character (look and feel) of rural areas by introducing a new definition of rural residential character and amending the existing definition of rural character - clarified that, generally, commercial and industrial activities are discouraged in rural areas unless connected with plant and animal production. PC60 did not review: (i) Coastal Tasman Area - per separate report. (ii) Review of the integrity of the spatial pattern of zoning. (iii) Rural and Rural Residential character and amenity issues including rural production landscapes and the minimum lot sizes in the Rural Residential zone locations. (iv) Other duplication or structural issues. Hence the assessment of these topics in this report.
Variation 1 to PC60 - Rural 1 & 2 Zone Subdivision Amendments Operative June 2019	
Variation 2 to PC60 - Rural Land Use Amendments Operative June 2019	
Plan Change 51 - Review of Planning Framework for Deferred Urban Development Operative Sep 2016	This change introduced a package of provisions to reduce the uncertainty and inconsistency in managing development in rural areas that are intended for urban zoning and use but deferred until servicing is available.
Plan Change 14 - Frost Protection Devices Operative August 2012	This change introduced changes to limit the adverse amenity effect of noise from frost protection devices.
Plan Change 8 - Takaka Eastern Golden Bay Settlement Policies Operative June 2010	PC8 provided a policy framework for all future settlement planning in the Takaka Eastern Golden Bay Area. The PC addressed the issues of: (1) protection of landscape values, both rural and coastal; (2) the protection of land that has high productive value; (3) avoiding flood risk, and

	(4) ensuring that settlements are efficiently and effectively serviced. Servicing constraints and subsequent Council flood modelling projects have resulted in this plan change not reaching full potential.
Plan Change 7 - Stormwater Management Operative October 2010	PC7 proposed a whole-catchment approach to the management of stormwater, and the application of low impact design to address the stormwater effects and changes in drainage patterns arising from rural land development.
Plan Change 6 - Coastal Tasman Area (CTA) Design Guide Operative October 2010	V32 etc. and PC6 introduced a long term planning framework for the Coastal Tasman Area by providing policies for the area, within the broader framework of objectives and policies in the Plan. A range of methods was introduced to implement the new policies. The methods included zones, areas, rules and other provisions in the Plan, a works and service programme, along with the 'Coastal Tasman Area Subdivision and Development Design Guide', for the parts of the area where additional development was enabled.
Variations 32, 35, 37 and 38 - Coastal Tasman Area Rural Residential Development (CTARRD) Operative Nov 2008	Together these provisions are intended to provide for a significant number of new dwellings in the area (in addition to further development in Mapua and Tasman); to guide development to the areas where it is able to be accommodated with limited adverse effects on the environment; and to encourage forms of low impact subdivision and development through design objectives and guidelines set out in the 'Coastal Tasman Area Subdivision and Development Design Guide'. Subsequent Council decisions on infrastructure provision to the CTA have undermined the effectiveness of the Plan provisions.

The above plan changes were intended to confirm and strengthen the core Chapter 7 objectives.

The findings and recommendations of the RLUS review and the steps taken by PC60 to implement the recommendations are summarised in this report.

PC60 did not review: (i) Coastal Tasman Area; (ii) Integrity of the spatial pattern of rural zoning; (iii) Rural landscape values; and (iv) Rural Residential zone minimum lot sizes. Consequently, the scope of this current report is limited to assessing these topics. CTA is the subject of a separate report.

3.1.3 Relevant Case Law

Provisions and values associated with rural productive zones

Many cases where the Courts have considered on appeal the exercise of the TDC's discretion in either granting or declining consents for subdivision and other development for discretionary or non-complying activities within particular zones, particularly in the first 10 years after the PTRMP was notified, related to the rural and particularly the Rural 1 zones.

"The Courts have focused on, and made findings regarding, the provisions and values associated with those zones, competing policy considerations and the appropriateness of the proposed activities within them. In particular, we note the case of *Jennings v TDC* where the High Court upheld the Environment Court decision on appeal. That decision refused to allow subdivision of a block of rural land above the Waimea Plains, finding there were two competing themes in the TRMP of (1) the need to protect the character and values of rural land and (2) the provisions of opportunity for rural residential activity, but finding that (2) was subservient to (1). The approach in *Jennings* was followed in subsequent cases" (*Tasman Law*, pg 6).

Definitions of industrial, commercial, recreational and temporary activities

The Court made findings on the scope of definitions of “industrial activity” and “rural industrial activity” in the TRMP in *Mytton v TDC* and *TDC v Ashton*. Also, in *TDC v Harrington*, the Court made findings on the scope of definitions of “commercial activity” and “recreational activity” under the TRMP. (Tasman Law, pg7).

These cases involved whether the above mentioned activities were Permitted activities in one of the rural zones. The issues raised on appeal were addressed by PC60.

3.1.4 Other Factors

Population Change

Tasman District has experienced significant population and demographic changes since the TRMP was first notified in 1996. The figure below illustrates these changes.

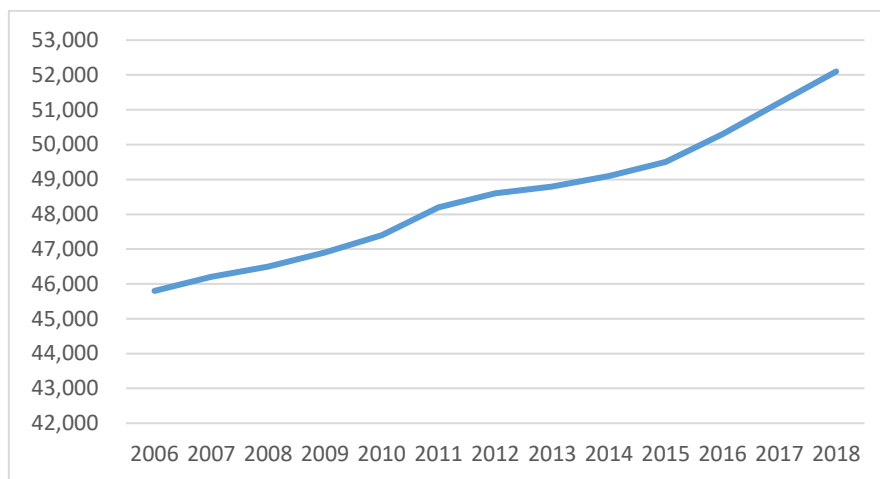


Figure 1: Population Growth, Tasman District

Economic Drivers

Increases in population growth and a relatively high level of GDP in the region in comparison to the national average, if not the south island average, have impacted on the demand for and price of serviced land for urban development. The figure below shows the Nelson Tasman GDP in comparison to the national average.

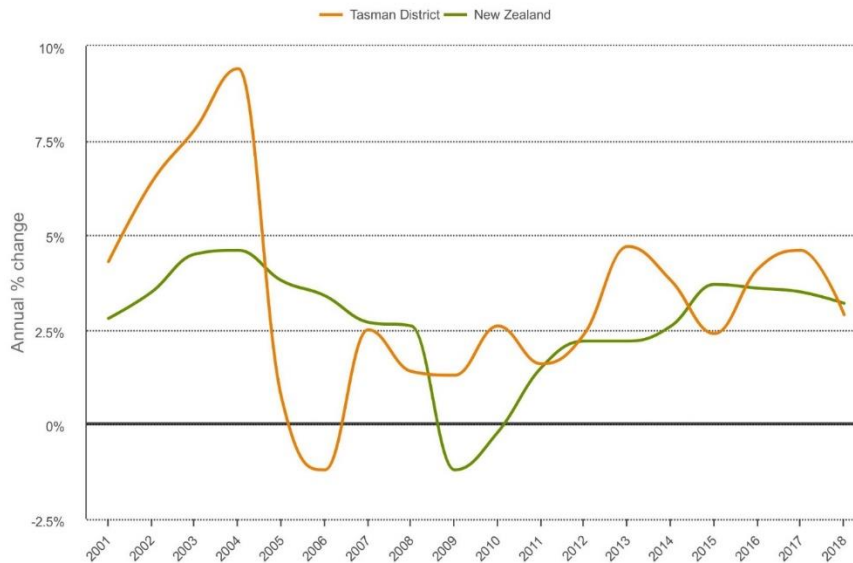


Figure 2: GDP Comparisons

3.2 Internal Consistency of Provisions

Chapter 7 has been the subject of more than one Plan Change, and as a consequence it is generally comprehensive and well integrated. The organisation of Chapter 7 into four key policy sets, helps with this. That is, it is clear what each objective and its policy set is focussed on: Productive Land Protection (7.1), Non-soil Based Activities (7.2), Coastal Tasman Area including Rural 3 Zone (7.3) and Rural Character and Amenity (7.4).

Conclusions

There is a clear connection to rural subdivision and land use rules in most subject areas.

Within chapter 7, there is minimal repetition across the objectives and policies except for:

- policy set 7.3 set where Coastal Tasman Area policies repeat some of the themes covered by each of the other policy sets; and

Across Plan chapters, there is repetition of concept in relation to:

- rural character and landscape (Chapter 9.2 – Rural landscape values and 7.4 – Rural character and amenity values);
- rural amenity (Chapter 5 – Site Amenity Effects, particularly 5.1 - Adverse off-site effects; 5.2 - Amenity values and 5.3- Visual and Aesthetic Character);
- protection of soils with higher productive potential from urban growth (Chapter 6.2 – Land effects from urban growth).

Where there is a weak connection between policies and rules, generally, it is due to specific policies relying on general rules to achieve policy outcomes.

Recommendations

- Rationalise and consolidate the number of policies where there is overlap in content (e.g. 7.4 - Rural Landscape and Chapter 9.2 - Landscape)

Review Objective 7.4 with particular focus on the use and significance of the word ‘including’ and to accommodate rationalisation with Chapter 9.2 (rural landscape)

- Rationalise number of objectives, where there is more than one per ‘topic’ (e.g. 7.1 and 7.2 set) to avoid repetition
- Review subject areas where poorer internal consistency is noted, such as ‘hazards’.

3.3 Evidence of Implementation

3.3.1 High-level Description of Pathways for Implementation

“The rural zone (and rule) framework implements the chapter 7 objectives in that it is based on the productive capacity of the Tasman District’s land and soil resources. The rural production zones are the Rural 1 and Rural 2 zones, and the Rural 3 Zone where that zone contains land with high productive value. In these zones where that value is high, activities involving plant and animal production are prioritised above opportunities for rural housing, industry or commercial activity unless the activity is a rural industry directly associated with plant and animal production.

The demand for rural-living opportunities is also recognised within the rural zone framework. In the Tasman District, this demand is met by a range of Rural Residential Zone locations that are provided in rural, coastal and peri-urban areas. The Rural 3 Zone also provides for rural living opportunities within the variably productive landscape of the Coastal Tasman Area. Some rural housing opportunities without subdivision are also provided for in the Rural 1 and Rural 2 zones, where the productive value of this land resource is not compromised, and there is no risk of further fragmentation.” (TRMP 7.0)

Rule pathways are Chapter 16.3 subdivision rules and Chapter 17 zone rules relating to land use and building construction and alteration in the rural zones:

Rural industrial activity (as defined) is a ‘Permitted’ activity in Rural Industrial zone locations subject to bulk and location limitations and site boundary landscaping requirements but a ‘Discretionary’ level activity in all other rural zones.

3.3.2 Evidence of Implementation

For the purpose of the topics this report is assessing, evidence of implementation can be provided through:

(i) The integrity of the spatial pattern of rural zoning:

- Updated map information showing updated productive land values and the relationship or coherence between actual land use, current land zoning and productive values.

(ii) Rural and rural residential character and amenity issues including rural production landscapes and Rural Residential zone minimum lot sizes

- Consideration of rural character and landscape during the resource consent process, i.e. number and proportion of consents that address rural character and landscape (quantitative assessment)

- Assessment of whether rural character and landscape values are being retained in the Rural 1, 2 and 3 zones and rural residential character is being retained within the Rural Residential zone (ERA 9.50.5) qualitative assessment).

NCS data relating to whether / how consents for (i) first dwellings / habitable buildings in Rural 1 and Rural 3 and (ii) second dwellings in Rural 2 and Rural Residential zones treat chapter 9.2 and 7.4 objectives is not obtained and assessed, due to the recent work done by the RLUS review 2013.

3.4 Effectiveness and Efficiency

(i) General - The Integrity of the Spatial Pattern of Rural Zoning	Rating
<p data-bbox="204 663 866 696">Analysis with Conclusions and Recommendations</p> <p data-bbox="204 730 363 763">Introduction</p> <p data-bbox="204 786 1238 1137">In 1994 Council commissioned the Agriculture New Zealand report entitled a “Classification System for Productive Land in New Zealand”. This system is still used today and underpins the rural zone framework that implements the chapter 7 objectives. The work was commissioned as the National Land Cover Data Base, which was designed to map erosion, did not adequately identify the attributes of productive soils. As mentioned above, in section 3.3 of this report, the rural zone framework is based on the productive capacity of the district’s land and soil resources. The rural production zones are the Rural 1 and Rural 2 zones, and the Rural 3 Zone where that zone contains land with high productive value. In these zones where that value is high, activities involving plant and animal production are prioritised above opportunities for rural housing, industry or commercial activity unless the activity is a rural industry directly associated with plant and animal production (TRMP 7.0).</p> <p data-bbox="204 1173 323 1207">Case Law</p> <p data-bbox="204 1229 1230 1543">As mentioned above in section 3.1.3 - Relevant Case Law, particularly in the first 10 years after the PTRMP was notified, the Courts on appeal considered the exercise of the TDC’s discretion in either granting or declining consents for subdivision and other development for discretionary or non-complying activities within particular zones, related to the rural and particularly the Rural 1 zones. Generally the appeal court supported the objectives of chapter 7 in that it found in favour of prioritising the protection of productive land, especially high productive value land, over other uses. It also found that the Chapter 16 rural subdivision framework did not adequately support the chapter 7 Rural Environment Effects objectives.</p> <p data-bbox="204 1579 371 1612">Soil Mapping</p> <p data-bbox="204 1635 1230 1693">Over the years of the current TRMP, Council has obtained updated soil reports for some areas of the district: Takaka area (2008), Waimeas (2016) and the Rural 3 zone (2011).</p> <p data-bbox="204 1729 272 1762">PC60</p> <p data-bbox="204 1785 1222 2031">Recently, June 2019, the PC60 changes to the TRMP policy and rule framework that manages the rural area of the district were made operative. In summary, the changes reaffirmed the original objectives, clarified the priority of objectives and uses in different zones and made changes to the policy and rule framework to better achieve the objectives, including: (a) an update of the definition and explanation of “high productive value”; (b) further discouragement for resubdivision of recently subdivided land (i.e. if title created after 30 January 2016) and for subdivision in the Rural 1 zone where the average minimum lot size is not met. Setbacks from boundaries for habitable buildings and some activities were</p>	<p data-bbox="1268 656 1390 714">On track to achieve</p>

strengthened. PC60 changes also now requires applicants for subdivision and land use consent to provide a productive value report if needed (refer to section 3.3.2 – Relevant Plan Change - for further information about PC60).

Future Development Strategy (FDS)

Assessments completed for the FDS in 2019, similarly to the Evaluation report 2013, found that there is significant out of zone residential and business activity occurring within the rural areas of the district. To address this issue, the FDS has recommended additional Rural Residential zone locations in the vicinity of Upper Moutere and additional locations for business activity in Murchison, Mapua and Takaka.

Waimea Dam

Staff note that more strategically located rural industrial land is likely to be needed to support the expansion and intensification of plant and animal production activities resulting from increased irrigation opportunity following the construction of the Waimea Dam.

Conclusions

Despite the updated mapping information and increased rigour of the Chapter 7 policy framework, the integrity of the spatial zone boundaries has not yet been reviewed. This issue may be compromising the plan efficiency, if not effectiveness. This Plan review provides a timely opportunity to address this issue and to ensure that spatial zone boundaries correctly reflect the underlying productive value of the land.

The review of the integrity of the spatial zone boundaries also provides a timely opportunity to identify or refine new Rural Residential and Rural Industrial zoned locations which are needed to support district growth.

The updated information is unlikely to result in any large scale changes to zone boundaries but is likely to result in more informed decision making.

The purpose of the process is provide better information for decision making and to ensure that high productive land is protected for plant and animal production.

Recommendations

- Update Tasman’s productive land classification system with updated topography, soils and climate information.
- The update process takes account of and aligns with the requirements of the NPS – highly productive land.
- Review current rural zone boundaries when the updated land classification system is available.
- In line with FDS recommendations consider additional strategically sited rural industrial and rural residential zone locations.

<p>(ii) Rural and Rural Residential Character and Amenity: Chapter 9.2 – Rural landscape values and Chapter 7.4 – Rural character and amenity values</p>	<p>Rating</p>
<p>Analysis with Conclusions and Recommendations</p> <p>Staff confirm that both chapter 9.2 and 7.4 objectives and policy sets are regularly implemented through land use resource consent processes and that the provisions are working adequately. Consent conditions regularly relate to (i) landscaping / planting controls; (ii) building colour controls and (iii) building platform location.</p>	<p>Partial achievement</p>

(a) Types of ‘rural production landscapes’

Staff consider that Chapter 9.2 guidance is lacking on rural landscape values to be protected. This results in an indiscriminate use of (earth) colour controls on buildings in landscapes. Also, there are different types of ‘working rural production landscapes’ in the district, often with differing values (plantation forestry, pastoral farming, dairying, and intensive horticulture). Policy set 7.4.3, particularly P7.4.3.3 and the definition of rural character, only in part, clarify this issue.

Option 1

Further breakdown of landscape types and their associated values is likely to provide better guidance to decision makers; improve the quality and consistency of decision making and result in better environmental outcomes.

Option 2

Retain the current broad approach to character and amenity which allows for flexibility and recognises the changing nature of the working production environment. If character is ‘locked down’ it may reduce flexibility and planning options.

Conclusions

Rural character and amenity is key to the assessment of the impacts of further subdivision and development on the surrounding environment.

Further breakdown of landscape types and their associated values may provide better guidance to decision makers; improve the quality and consistency of decision making and result in better environmental outcomes. Caution is needed to ensure that review does not restrict the use of land for plant and animal production purposes.

Recommendation

Do further work to breakdown landscape types and their associated values. The reason is to provide better guidance to decision makers about what values are to be protected across the different types of ‘working rural production landscapes’ in the district.

(b) Rural Residential zone minimum lot sizes and rural or rural residential character and amenity

PC60 confirmed the policy approach that rural lifestyle living is provided for and directed to the Rural Residential zone rather than the Rural 1 and 2 productive zones and Rural 3 zone where the land is not of high productive value. PC60 also reduced the level of consent required to subdivide below minimum lot size in the Rural Residential zone to encourage better use of the zone locations subject to natural hazard risk; and effects on character and amenity values.

However PC60 did not review the minimum lot sizes for the various Rural Residential zone locations. The minimum lot sizes were largely legacy sizes carried through from earlier plans or based on waste water servicing capability of the various locations.

The protection of productive land is not a primary concern within the Rural Residential zone but adverse effects of residential activity on local character in the rural environment is a concern.

Conclusion

The Rural Residential zone lot sizes need review for several reasons:

- on-site wastewater system technical development which enables smaller site sizes;
- current policy approach of directing rural lifestyle development to the zone provided for that purpose and using the zone locations efficiently;

<ul style="list-style-type: none"> - current broad approach to rural character provides little guidance to decision makers regarding what values are to be protected - due to the wide variety of Rural Residential zone locations - one size will not fit all. <p>Recommendation Review the Rural Residential zone minimum lot sizes in relation to effects on rural residential character within the zone and rural character and amenity in the surrounding rural environment and effective management of wastewater discharges.</p>	
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(iii) Rationalisation of Chapter 9.2 – Rural Landscape Values and Chapter 7.4 – Rural Character and Amenity Values	Rating
<p>Introduction</p> <p>Some policies in chapter 9.2 and in chapter 7.4 duplicate one another. Both objective 9.2.2 and 7.4.2 are implemented through conditions on subdivision and building resource consent processes. A preliminary decision has been made to rationalise chapters 7.4 and 9.2 with the result that there is one sub-chapter addressing rural character and rural amenity, preferably in Chapter 7, rather than Chapter 9. The options are considered below.</p> <p>Option 1: Rural character, currently addressed in Chapter 7.4 remains and chapter 9.2 – rural landscape - migrates to 7.4. OR Option 2: Visa versa</p> <p>Option 1 is recommended for the reason that the focus of objective 9.2.2 on rural character fits better within chapter 7 than chapter 9. More specifically:</p> <p>(a) Landscape qualities and rural character:</p> <p>Generally the degree of naturalness is a key consideration in the assessment and protection of landscape. The focus of rural landscape value is on rural character (and amenity) in a working rural production landscape/environment; together with the (low) ratio of the built environment to greenness and openness. The definition of rural character expands on this. This focus fits within chapter 7 better than chapter 9.</p> <p>(b) RMA part 2:</p> <p>The focus of rural character values flow from RMA section 7 whereas landscape values flow from RMA section 6.</p> <p>(c) Planning methods:</p> <p>The TRMP’s rural character provisions do not use overlays. Generally, Chapter 9 (landscape) works with overlays whereas Chapter 7 (Rural environment effects) does not.</p> <p>(d) Cumulative effects:</p> <p>Policy 9.2.3.5 addresses the cumulative adverse effects of development on landscape values within rural areas. The cumulative effects of development on rural character (and amenity) values at landscape level currently are not specifically addressed in chapter 7.4. The inclusion of policy 9.2.3.5 or similar policy is likely to improve Chapter 7.4 effectiveness.</p>	<p>On track for achievement</p>

The individual Chapter 7 objectives and policies are assessed below with recommendations for the TRMP review.

(i) Chapter 7.1 - Cumulative Effects of Land Fragmentation on Productive Opportunities		
Objectives / Policies	Assessment per RLUS Review, 2013 OR Assessment and Rating	Recommendation
<p>07.1.2.1 Except where rural land is deferred for urban use, avoiding the loss of potential value for all rural land of existing and potential productive value to meet the needs of future generations, particularly land of high productive value. (C60 1/16, Op 6/19, C51 1/15, Op9/16)</p> <p>07.1.2.2 Retention and enhancement of opportunities for plant and animal production on land with the highest productive value in the District, identified as the Rural 1 Zone. (C60 1/16, Op 6/19)</p> <p>07.1.2.3 Retention of opportunities primarily for plant and animal production or other land-derived production on land that has varying productive value, identified as the Rural 2 Zone. (C60 1/16, Op 6/19)</p>	<p>Due to PC60, excluded from this evaluation except in relation to: (i) Coastal Tasman Area - per separate report. (ii) Review of the integrity of the spatial pattern of zoning. (iii) Rural and Rural Residential character and amenity issues including rural production landscapes and the minimum lot sizes in the Rural Residential zone locations. (iv) Other duplication or structural issues. Below for the purposes of the TRMP review, is an update of how and whether the RLUS review, 2013 recommendations were implemented or not for the chap 7.1 objective/policy set.</p> <p><u>PC60</u> <i>Chapter 7.1 was evaluated in the RLUS review, 2013. Subdivision, and land use resource consents, zone changes, land cover and title sizes were used to assess whether policies were being effective (RLUS review, 2013, pgs 19-42). The conclusions and recommendations are set out in Appendix 1.</i></p> <p><i>In summary, the data indicated that for the productive zones, Rural 1 and 2, the policy set was largely achieving the 7.1.2 objective of avoiding the loss of productive land, but this was less evident for high productive land. Land uses and activities that are non soil-based were increasing on high productive land. There was also an overall trend toward an increase in the number of small titles.</i></p> <p><i>The report assessed that the trends were likely to affect the: (i) management of the policy framework (which did not focus specifically on small titles and urban activities); (ii) the retention of rural amenity and character. It considered that more effective buffers and</i></p>	<p>2019 Recommendation: Rationalise the number of objectives (from three to one with sub-points) to avoid repetition.</p> <p>PC60 strengthened the objectives to clarify that productive opportunity in both Rural 1 and 2 zones needed to be retained; and productive opportunity in Rural 1 need to be enhanced in addition to being retained.</p>

	<p><i>setbacks were required between incompatible activities.</i></p> <p><i>A second issue was that the rules did not match the strength of the policy set and key definitions required updating.</i></p>	
<p>P7.1.3.1</p> <p>To avoid, remedy or mitigate the adverse effects of subdivision of rural land, particularly land of high productive value.</p>	<p><i>RLUS review 2013 recommendations:</i></p> <ul style="list-style-type: none"> <i>Clarification regarding the particular cumulative effects that policies in 7.1 seeks to avoid would help the policy to work better, including consideration of appropriate densities for development in each of the rural zones.</i> <i>The Rural Residential policy framework requires development.</i> <i>The zoning framework requires review so that established residential clusters in rural zones are zoned appropriately.</i> <i>The policy framework requires review so that: (i) the TRMP definition of ‘high productive value’ applies to land considered to be of high productive value in the District; (ii) policy guidance appropriate to the subdivision and use of small lots (5 ha or less) in the productive rural zones (Rural 1, 2 and 3) is included, and (iii) internal inconsistencies between policy intent and the status of activities on high productive land are resolved.</i> 	<p>Addressed by PC60:</p> <p>PC60 clarified the adverse effects to be avoided by introducing the more specific - per P7.1.3.2.</p> <p>PC60 also amended the definition of ‘high productive value’ and introduced policies 7.1.3.6-8 which provide policy guidance regarding the effects of small lot subdivision on productivity and on rural character and amenity.</p> <p>PC60 substantially amended intra rural zone setbacks from boundaries to reduce the risk of cross boundary and reverse sensitivity effects.</p> <p>2019 Recommendation: Review spatial integrity of zones in this review of Chapter 7.</p>
<p>P7.1.3.2</p> <p>To avoid, remedy or mitigate the effects of activities that reduce the area of land available for plant and animal production purposes in rural areas. (C60 1/16, Op 6/19)</p>		
<p>P7.1.3.3</p> <p>To avoid, remedy or mitigate adverse actual, potential, and cumulative effects on the rural land resource.</p>		
<p>P7.1.3.4</p> <p>To avoid, remedy or mitigate the potential for reverse sensitivity on plant and animal production in the Rural 1, Rural 2 and Rural 3 zones. (C60 1/16, Op 6/19)</p>		<p>Introduced by PC60 to strengthen ability to reduce risk of reverse sensitivity for plant and animal production activities.</p>
<p>P7.1.3.5</p> <p>To require land parcels upon subdivision to be of a size and shape that retains:</p> <p>(a) the land’s productive value, having regard to its actual and potential productive value; and</p> <p>(b) its contribution to ecosystem values and to the management of cross-</p>	<p><i>RLUS review 2013 recommendations:</i></p> <p><i>Development of policies and rules relating to boundary adjustments for reasons other than solely improving land productivity would assist in the effective and consistent</i></p>	<p>PC60 broadened the focus of amalgamation to include improved land management as well as improved productive opportunity.</p>

<p>boundary effects, access, and the availability of servicing. (C60 1/16, Op 6/19)</p>	<p><i>management of subdivision in the rural zones.</i></p>	
<p>P7.1.3.6 To facilitate the amalgamation of land parcels and enable adjustments of the boundaries of land parcels in rural areas where this would enable improved land management or enable a greater range of plant and animal production activities. (C60 1/16, Op 6/19)</p>		
<p>P7.1.3.7 To encourage a long-term approach to rural subdivision that reduces further land fragmentation by avoiding the re-subdivision of allotments created by way of an initial subdivision. (C60 1/16, Op 6/19)</p>		<p>PC60 introduced P7.1.3.7 to P7.1.3.10 to clarify the intent of the amended objectives, i.e.:</p> <ul style="list-style-type: none"> - further protect productive land; - further discourage the subdivision and ongoing re-subdivision of productive rural land; and - further reduce the risk of reverse sensitivity effects. <p>Strengthened policy was accompanied by a stronger subdivision rule regime.</p>
<p>P7.1.3.8 To limit further subdivision and residential development of existing small allotments in the Rural 1 and Rural 2 zones to avoid the potential for reverse sensitivity and increasing value of surrounding land that cumulatively adversely affect the potential of that land to be used for plant and animal production. (C60 1/16, Op 6/19)</p>		<p>Strengthened policy was accompanied by a stronger subdivision rule regime.</p>
<p>P7.1.3.9 To protect land of high productive value from residential activity, except for that directly associated with plant and animal production. (C60 1/16, Op 6/19)</p>		<p>2019 Recommendation: Rationalise P7.1.3.2 and P7.1.3.9 to reduce duplication</p>
<p>P7.1.3.10 To avoid further subdivision and development of existing allotments in the Rural 1 and Rural 2 zones that were created by boundary adjustment or amalgamation. (C60 1/16, Op 6/19)</p>		
<p>P7.1.3.11 To discourage commercial, industrial and rural industrial activities in the Rural 1 and Rural 2 zones, except where the</p>	<p>2019 feedback: Consider whether the activity ‘rural industrial’ should be deleted from</p>	<p>Introduced by PC60 to clarify that business activity not related to plant and animal</p>

<p>activity is directly associated with plant and animal production in the District or is required for a business activity having a significant functional need to locate in the rural area. (C60 1/16, Op 6/19)</p>	<p>policy in context of definition of 'Rural Industrial activity'. Preliminary assessment suggests not as the definition of 'Rural industrial activity' is broader than that associated with plant and animal production.</p>	<p>production is discouraged from establishing in productive rural zones.</p>
<p>P7.1.3.12 To accommodate rural living, commercial and rural industrial activities in the Rural 1 Zone where the activity is wholly undertaken within existing buildings and the effects on plant and animal production are avoided. (C60 1/16, Op 6/19)</p>		<p>Introduced by PC60 to clarify what type of living and business opportunities are provided for in rural production zones – i.e. those that do not diminish productive opportunity (and are associated with productive opportunity).</p>
<p>P7.1.3.13 To enable rural living opportunities in the Rural 1 and Rural 2 zones where actual or potential productive value of the land is retained and further subdivision opportunities are avoided. (C60 1/16, Op 6/19)</p>		
<p>P7.1.3.14 To enable use of land for plant and animal production by providing for associated accessory buildings and activities, including workers' accommodation. (C60 1/16, Op 6/19)</p>		
<p>P7.1.3.15 To protect areas of specific resource value, such as hard rock quarry resources, and to avoid, remedy, or mitigate adverse effects of subdivision and residential development on these areas.</p>	<p><u>RLUS review 2013 recommendation:</u> <i>The restriction on dwellings locating within 500m of a quarry needs refinement and the planning maps that show the location of quarries require updating on a regular basis.</i></p>	<p>PC60 retained the 500m setback for residential activity from all quarries, not only 'hard rock' quarries following submissions from the quarry sector. Subdivision rules were amended to include a setback from quarries. Planning maps showing quarries not yet updated due to complexity of task. 2019 Recommendation: Planning maps are updated.</p>
<p>P7.1.3.16</p>		<p>2019 Recommendation: Relocate to and assess in</p>

<p>In the Takaka-Eastern Golden Bay Area, to ensure that:</p> <p>(a) subdivision and development for residential purposes of land that is of high productive value is actively discouraged; and</p> <p>(b) opportunities for title amalgamation and boundary adjustment are provided to enable small landholdings on such land to rationalise existing title boundaries around existing dwellings without further fragmenting land of high productive value.</p> <p>(C8 7/07, Op 10/10 C60 1/16, Op 6/19)</p>		<p>chapter 6.11 and particularise to that location</p> <p>or</p> <p>rationalise as addressed by P7.1.3.6 – 10.</p>
<p>P7.1.3.17</p> <p>Where rural land is deferred for any urban purpose, policies 7.1.3.1 to 7.1.3.16, as applicable, are subject to policy 6.3.3.4A.</p> <p>(C51 1/15, Op 9/16)</p>		<p>Assessed in chap 6.</p>

(ii) Chapter 7.2 - Provision for Activities other than Plant and Animal Production		
Objectives/Policies	Assessment per RLUS Review OR Assessment and Rating	Update on RLUS Review Recommendations at 2019 OR Recommendation
<p>07.2.2.1</p> <p>Retention of opportunities to use rural land for activities other than plant and animal production, including rural living, rural-residential, rural industrial, tourist services, and papakainga, activities in restricted locations, while avoiding the loss of land of high productive value.</p> <p>(C60 1/16, Op 6/19)</p>	<p>Due to PC60, excluded from this evaluation except in relation to:</p> <p>(i) Coastal Tasman Area - per separate report.</p> <p>(ii) Review of the integrity of the spatial pattern of zoning.</p>	<p>2019 Recommendation:</p> <p>Rationalise number of objectives (from three to one with sub-points) to avoid repetition.</p>
<p>07.2.2.2</p> <p>Retention of opportunities for a range of residential living options within rural locations, including coastal and peri-urban areas, in the form of the Rural Residential Zone and the Rural 3 Zone.</p> <p>(C60 1/16, Op 6/19)</p>	<p>(iii) Rural and Rural Residential character and amenity issues including rural production landscapes and the minimum lot sizes in the Rural Residential zone locations.</p>	
<p>07.2.2.3</p> <p>Retention of opportunities for rural industrial development that is appropriately located in rural areas for production-related industries, in the form of the Rural Industrial Zone.</p> <p>(C60 1/16, Op 6/19)</p>	<p>(iv) Other duplication or structural issues.</p>	

	<p><i>In the RLUS review, 2013, subdivision, and land use resource consents, zone changes and land cover were used to assess whether policies were being effective (RLUS review, pgs 45-58). The conclusions and recommendations are set out in Appendix 2.</i></p> <p><i>In summary, RLUS review 2013 considered the policies moderately successful. In that the TRMP has identifies specific zones to provide for other non-soil based activities that occur in rural areas. However, land cover data and resource consent information showed the continued urbanisation of productive land, particularly Rural 1 land. This emphasised the importance of effective buffering between incompatible activities if objectives relating to soil based productivity and rural amenity are to be retained.</i></p> <p><i>Below for the purposes of the TRMP review, is an update of how/whether the RLUS review 2013 recommendations were implemented for this objective/policy set.</i></p>	<p>PC60 expanded the objectives to provide for the retention of opportunities for rural residential and rural industrial activities in zones designated for that purpose.</p>
<p>P7.2.3.1 To enable activities that are not dependent on plant and animal production to be located on land that is not of high productive value. (C60 1/16, Op 6/19)</p>	<p><i>RLUS review 2013 recommendations:</i></p> <ul style="list-style-type: none"> <i>The Rural 1 and 2 spatial zoning framework requires</i> 	<p>Spatial zone framework currently under review.</p> <p>Bolded text assessed in chap 13.</p>

<p>P7.2.3.2</p> <p>To identify locations for Rural Residential and Rural 3 zones for rural residential activities in rural, coastal and peri-urban areas that are appropriate locations for their variety of qualities and features to allow for rural lifestyle living and which will not adversely affect plant and animal production activities, including potential reverse sensitivity effects.</p> <p>(C60 1/16, Op 6/19)</p>	<p><i>review so that clusters of established residential activity on rural zoned land are zoned appropriately;</i></p> <ul style="list-style-type: none"> <i>The permitted activity rules for home occupations and the policy framework for commercial activities in the Rural 1 zone need amending to better protect highly productive land; allow certainty for businesses; and create consistency with how activities are managed across zones for similar activities (where appropriate);</i> 	<p>PC60 addressed the recommendations by:</p> <p>(a) clarifying that development other than plant and animal production activity was provided for in specific zoned locations (Rural Residential and Rural 3 zones - for rural lifestyle living) (P 7.2.3.2, 6, 7);</p>
<p>P7.2.3.3</p> <p>To encourage low impact design solutions for subdivision and building development in all rural zones.</p> <p>(C60 1/16, Op 6/19)</p>		<p>(b) expanding on the potential characteristics of such residential development (P7.2.3.3, 4, 5, 8) and</p>
<p>P7.2.3.4</p> <p>To enable further subdivision and residential development within any existing Rural Residential Zone location where the land:</p> <p>(a) is not affected by natural hazards, within and beyond the boundaries of the site, including wildfire risk and coastal, flood, stormwater, geotechnical or earthquake hazards; and</p> <p>(b) can accommodate the proposed development without adverse effects on landscape or rural, rural residential or coastal character and amenity values and adjacent plant and animal production; and</p> <p>(c) can be adequately serviced for water, wastewater, stormwater and road access and by the road network.</p> <p>(C60 1/16, Op 6/19)</p>	<ul style="list-style-type: none"> <i>The wording of policy 7.2.3.2 requires amending to clarify whether it refers to zoning provisions or consented activities when providing for non-soil based activities.</i> 	<p>(c) reaffirming that adequate separation of incompatible activities was needed. (P7.2.3.6).</p>
<p>P7.2.3.5</p> <p>To enable further subdivision and residential development to urban densities within any existing Rural Residential Zone location where the land:</p> <p>(a) is in close proximity to an urban residential area and is appropriate to become part of the urban form of that settlement; and</p> <p>(b) is not affected by natural hazards within and beyond the boundaries of the site, including wildfire risk, and coastal, flood, stormwater or geotechnical hazards; and</p> <p>(c) can accommodate built development without adverse effects on character and amenity values; and</p> <p>(d) can be adequately serviced for water, wastewater, stormwater and road access and by the road network.</p> <p>(C60 1/16, Op 6/19)</p>		

<p>P7.2.3.6</p> <p>To minimise the potential for conflict between rural and residential activities by way of setbacks from boundaries and separation between incompatible uses.</p> <p>(C60 1/16, Op 6/19)</p>		
<p>P7.2.3.7</p> <p>To limit residential activity in rural locations outside the Rural Residential Zone and the Rural 3 Zone, on land having high productive value in the Rural 1 and Rural 2 zones.</p> <p>(C60 1/16, Op 6/19)</p>		
<p>P7.2.3.8</p> <p>To enable cooperative living opportunities in the Rural 1 and Rural 2 and Rural Residential zones where:</p> <ul style="list-style-type: none"> (a) the land is held collectively, wholly or in part, by one or more persons, including by way of unit titles; and (b) the visual effects of building on landscape and rural character and amenity values are minimised; and (c) the potential productive value of the land is maintained in the Rural 1 and 2 zones, particularly land of high productive value; and (d) actual and potential adverse effects on neighbouring properties are minimised; and (e) all standards for stormwater management and road access can be achieved, and (f) the development does not adversely affect the road network. <p>(C60 1/16, Op 6/19)</p>		
<p>P7.2.3.9</p> <p>To enable sites in specific locations to be used primarily for rural industrial, tourist services and papakainga purposes, having regard to:</p> <ul style="list-style-type: none"> (a) the productive values of the land; (C60 1/16, Op 6/19) (b) natural hazards; (c) outstanding natural features and landscapes, and the coastal environment; (d) cross-boundary effects, including any actual and potential adverse effects and potential reverse sensitivity effects on existing activities from new or future activities; (C60 1/16, Op 6/19) (e) servicing availability; (ea) in relation to rural-industrial development, the efficient location of the activity in 	<p>FDS 2019 assessments found that additional strategically located industrial zoned land is required to meet demand and to discourage out of zone business development in rural areas.</p> <p>Staff note that more strategically located rural industrial land is likely to be needed to support the expansion and intensification of plant and animal production activities resulting from increased irrigation opportunity</p>	<p>Bolded text assessed in following chapters:</p> <ul style="list-style-type: none"> (b) - chap 13 (c) - chaps 9 and 10 <p>PC60 addressed the recommendations by:</p> <ul style="list-style-type: none"> (i) clarifying that development other than plant and animal production activity was provided for in specific locations. <p>2019 Recommendation:</p> <p>Amend P7.2.3.9 to read: “To enable sites in specific zoned locations to be used primarily” To clarify</p>

<p>association with sources of plant and animal production, existing development capacity, and the transportation network; (C60 1/16, Op 6/19)</p> <p>(f) the availability of specific productive natural resources, such as aggregates or other mineral sources;</p> <p>(g) transport access and effects;</p> <p>(h) potential for cumulative adverse effects from further land fragmentation;</p> <p>(i) maintaining variety of allotment size;</p> <p>(j) efficient use of the rural land resource;</p> <p>(k) cultural relationship of Māori to their land.</p>	<p>following the construction of the Waimea Dam.</p>	<p>that such development is being directed locations zoned for the particular purpose.</p> <p>In line with FDS 2019 recommendations, provide further strategically located rural industrial zoned land to provide for rural industrial activity associated with plant and animal production that has a functional need to locate close to sources of plant and animal production.</p>
<p>P7.2.3.10</p> <p>To use a whole-catchment approach to the management of stormwater, and to apply low impact design to address the stormwater effects and changes in drainage patterns arising from rural land development. (CC7 7/07, Op 10/10)</p>		<p>Assessed in Regional Plan</p>
<p>P7.2.3.11</p> <p>To enable the subdivision of land, including by way of boundary adjustment, or amalgamation of land parcels for the preservation of:</p> <p>(a) significant natural values, including natural character, features, landscape, habitats and ecosystems;</p> <p>(b) heritage and cultural values;</p> <p>where preservation is assured through some statutory instrument and statutory manager. (C60 1/16, Op 6/19)</p>	<p><i>RLUS review, 2013 recommendation:</i></p> <p><i>The policy needs updating to better reflect changes to section 6 of Resource Management Act, 1991.</i></p>	<p>Assessed in chaps 9 and 10.</p> <p>Retain policy - assessed in PC60 and need for policy confirmed by staff post PC60.</p>
<p>P7.2.3.12</p> <p>To ensure that activities which are not involved or associated with plant and animal production do not locate where they may adversely affect or be adversely affected by such activities. (C60 1/16, Op 6/19)</p>	<p><i>RLUS review, 2013 recommendation:</i></p> <p><i>The provisions for buffers and setbacks requirements, need review.</i></p>	<p>PC60 amended setback from boundaries rules for habitable buildings and intensive poultry activities within rural zones to reduce the risk of cross boundary / reverse sensitivity effects and offset the opportunities for more housing choice in rural zones.</p>

(iii) Chapter 7.4 Objectives - Rural character and amenity values		
Objectives / Policies	Assessment per RLUS review, 2013 OR Assessment and Rating	Update on RLUS Review Recommendations at 2019 OR Recommendation
<p>07.4.2 Avoidance, remedying or mitigation of the adverse effects of a wide range of existing and potential future activities, including effects on rural character and amenity values.</p>	<p>Excluded from this evaluation except in relation to:</p> <ul style="list-style-type: none"> (i) Coastal Tasman Area - per separate report. (ii) Review of the integrity of the spatial pattern of zoning. (iii) Rural and Rural Residential character and amenity issues including rural production landscapes and the minimum lot sizes in the Rural Residential zone locations. (iv) Other duplication or structural issues. <p><i>Chapter 7.4 was evaluated in the RLUS review, 2013. Subdivision, and land use resource consents, were used to assess whether policies were being effective (RLUS review 2013, pgs 78-84). The conclusions and recommendations are referred to in Appendix 3.</i></p> <p><i>In summary, the results highlight that for Rural 1, 2 and Rural residential zones, the policies lack specific focus on rural character and amenity matters. This creates the potential for confusion and duplication with other policies in the TRMP covering similar matters – such as stormwater management in Chapter 33.3 and landscape protection in Chapter 9.</i></p> <p>Below for the purposes of the TRMP review, is an update of whether the RLUS review 2013 recommendations were implemented or not for this objective / policy set.</p> <p>PC60 implemented the substantive recommendations relating to 7.4 policy objective set whereas recommendations relating to the rationalising and streamlining of the policy set were not.</p>	<p>2019 Recommendation: Rationalise chapter 7.4 with chapter 9.2.</p>
P7.4.3.1		

<p>To ensure that there is sufficient flexibility for a wide range of productive rural activities to take place, while avoiding, remedying or mitigating adverse effects.</p>	<p>RLUS review 2013 recommendations:</p> <p><i>The Rural Residential policy framework requires development. Currently there is no policy framework and the zone is managed as a rural zone although the use of a rural residential site is defined primarily as for residential rather than productive purposes.</i></p>	<p>Addressed by PC60.</p>
<p>P7.4.3.2</p> <p>To provide for rural activities which may involve levels and types of effects, including noise, dust, smoke and odour, that may be permanent, temporary or seasonal, and that may not meet standards typically expected in urban areas</p>	<p><i>The Rural 1 and 2 spatial zoning framework requires review so that the clusters of established residential activity in rural zones are zoned appropriately and adequately buffered from the effects of rural productive activities.</i></p> <p><i>The policy framework requires review so that: (i) the TRMP definition of 'high productive value' applies to land considered to be of high productive value in the District; (ii) policy guidance appropriate to the subdivision and use of small lots (5 ha or less) in the productive rural zones (Rural 1, 2 and parts of Rural 3) is included, and (iii) internal inconsistencies around policy intent and activity status are resolved.</i></p> <p><i>The risk of losing rural character where small titles are created (and developed) in some rural zones together with the increase in urban land cover indicates that the policy framework relating to cumulative effects (thresholds and limits) needs review and development.</i></p> <p><i>The risk of increased reverse sensitivity effects through small title subdivision in rural zones indicates that the policy framework relating to buffers and setbacks between residential areas needs review.</i></p> <p><i>The policy is repetitive and substantive matters may be better located in TRMP chapter 7.1.</i></p>	<p>PC60 introduced policies relating to rural residential development (7.2.3.2 – 8); an amended definition of 'rural character' and a new definition of 'rural residential character'.</p> <p>Also, PC60 amended the definition of 'high productive value' and introduced policies 7.2.4.6-8 which provide policy guidance regarding the effects of small lot subdivision on productivity and on rural character and amenity.</p> <p>PC60 substantially amended intra rural zone setbacks to reduce the risk of cross boundary and reverse sensitivity effects.</p> <p>2019 Recommendation:</p> <p>Review spatial integrity of zones in this review of Chapter 7.</p>
<p>P7.4.3.3</p> <p>To provide for the maintenance and enhancement of local rural character, including such attributes as openness, greenness, productive activity, absence of signs, and separation, style and scale of structures.</p>	<p>RLUS review, 2013 recommendations:</p> <p><i>Internal conflicts between the TRMP definitions and policies for the Rural Residential and Rural 3 zones need to be resolved. A definition of rural residential character is needed.</i></p> <p><i>Policy 7.4.3.3 duplicates policies and methods in Chapter 9 (Landscape) relating to rural character and amenity.</i></p>	<p>Addressed by PC60, as mentioned above.</p> <p>2019 Recommendation:</p> <p>Rationalise in this review of Chapter 7.</p> <p>Amend policy as follows:</p>

		“... absence of limited signs, and separation , low density style and scale of structures” for the purpose of giving better effect to policy intention of ‘openness’.
<p>P7.4.3.4</p> <p>To exclude from rural areas, uses or activities (including rural-residential) which would have adverse effects on rural activities, health or amenity values, where those effects cannot be avoided, remedied or mitigated.</p>	<p><i>RLUS review, 2013 recommendations:</i></p> <p><i>The two policies do not require any significant modification, although they could be collapsed into one policy to streamline the content of the TRMP.</i></p>	<p>2019 Recommendation:</p> <p>Rationalise in this review of Chapter 7.</p>
<p>P7.4.3.5</p> <p>To exclude from rural-residential areas, uses or activities which would have adverse effects on rural-residential activities, health or amenity values, where those effects cannot be avoided, remedied or mitigated.</p>		
<p>P7.4.3.6</p> <p>To discourage continuing subdivision of small allotments in the Rural 1 and Rural 2 zones where this may contribute to the cumulative loss of rural character and amenity values.</p> <p>(C60 1/16, Op 6/19)</p>		<p>Introduced by PC 60 to strengthen ability to protect rural character and amenity on small lots.</p>
<p>P7.4.3.7</p> <p>To avoid further subdivision of large allotments created by way of an average allotment size subdivision.</p> <p>(C60 1/16, Op 6/19)</p>		<p>Introduced by PC 60 to strengthen ability to protect productive land from on-going and cumulative fragmentation.</p> <p>2019 Recommendation:</p> <p>Relocate to and rationalise with policy set 7.1. which addresses cumulative fragmentation of productive land.</p>
<p>P7.4.3.8</p> <p>To discourage dwelling development on existing small allotments, where this may cumulatively adversely affect rural character and amenity value.</p> <p>(C60 1/16, Op 6/19)</p>		<p>Introduced by PC 60 to strengthen ability to protect rural character and amenity on small lots.</p>

<p>P7.4.3.9</p> <p>To ensure that adequate physical or spatial buffers or other techniques are applied when allowing new allotments or buildings primarily or exclusively for residential purposes in rural areas, so that productive land use opportunities are not compromised.</p>	<p>RLUS review, 2013 recommendations:</p> <p><i>As per the results for other sections of this report, there are issues relating to consistency of the setback rules and their adequacy for the future. Minor modification of the setback distances may be especially required in the Rural 1, Rural 3 and Rural Residential zones.</i></p>	<p>Addressed by PC60:</p> <p>PC60 reviewed and amended setbacks for habitable buildings and certain land uses from site boundaries.</p>
<p>P7.4.3.10</p> <p>To facilitate the amalgamation of land parcels as a means of avoiding, remedying or mitigating adverse effects of use or development on rural character or amenity values.</p>		<p>Addressed by PC60:</p> <p>PC60 amended subdivision rules to further encourage amalgamation of titles.</p>
<p>P7.4.3.11</p> <p>To enable the subdivision of land for conservation or protection of features or resources that particularly contribute to the rural character of the area.</p>		<p>Bold print addressed in chap 10</p>
<p>P7.4.3.12</p> <p>To avoid, remedy or mitigate servicing effects of rural subdivision and development, including road access, water availability and wastewater disposal. (C60 1/16, Op 6/19)</p>	<p>The technical progress made with on-site wastewater systems over the past two decades enables smaller site sizes.</p> <p>This is relevant to the Rural Residential zone due to</p> <ul style="list-style-type: none"> - policy approach of directing rural lifestyle development to the zone and using the zones efficiently; - current lot sizes are legacy sizes inherited in 1994 from other plans or related to on site wastewater disposal capacity as at 1996. 	<p>2019 recommendation:</p> <p>Review the Rural Residential zone minimum lot sizes in relation to effects on rural residential character within the zone and rural character and amenity in the surrounding rural environment.</p>
<p>7.4.3.13</p> <p>To ensure the maintenance or enhancement of natural drainage features within rural catchments, and to avoid, remedy, or mitigate any adverse effects of stormwater run-off. (C7 7/07, Op 10/10)</p>		<p>Assessed in regional plan.</p>
<p>P7.4.3.14</p> <p>To limit the adverse amenity effect of noise from frost protection methods, notwithstanding any other policy. (C14 5/09, Op 8/12)</p>	<p>Assessment of complaint information shows that since policy introduced in to the plan in 2009, there have been minimal complaints (two) about frost fan effects.</p> <p>Outcome achieved.</p>	<p>2019 Recommendation:</p> <p>Retain policy – no need for change as policy is being achieved.</p>

(iv) Chapter 9.2 Objective – Rural landscape values		
Objectives/Policies	Assessment/Rating	Recommendation
<p>O9.2.2 Retention of the contribution rural landscapes make to the amenity values and rural character of the District, and protection of those values from inappropriate subdivision and development.</p>	<p>In addition to the PC60 recommendations and amendments to chapter 7.4, staff confirm that both chapter 9.2 (and 7.4) objectives and policy sets are regularly implemented through land use resource consent processes and that the provisions are working adequately. Consent conditions regularly relate to (i) landscaping / planting controls; (ii) building colour controls and (iii) building platform location.</p> <p>Staff note the inherently change nature of character and amenity in that plantings grow, landscapes change and buildings are repainted.</p> <p>Staff also considered that Chapter 9.2 guidance about what rural land values are to be protected is lacking. This results in an indiscriminate use of (earth) colour controls on buildings in landscapes with different characteristic, some large and expansive, others small and localized. Also, there are different types of ‘working rural production landscapes’ in the district, often with differing values (plantation forestry, pastoral farming, dairying, and intensive horticulture). Policy set 7.4.3, particularly P7.4.3.3 and the definition of rural character, clarify this issue, only in part.</p> <p>On the other hand staff also acknowledge that the current broad approach to character and amenity allows for flexibility and recognises the inherently changing nature of landscape and the working production environment (plantation forestry is harvested, crops change etc). If character is ‘locked down’ it may reduce flexibility and planning options.</p> <p>Achieving; some improvements recommended.</p>	<p>2019 Recommendations:</p> <ol style="list-style-type: none"> 1. Consolidate chapter 7.4 and 9.2 objectives and policies in chapter 7.4, and simultaneously, rationalise the objectives and policies. 2. Note the inherently changing nature of character and landscape. 3. Consider doing further work to breakdown landscape types and their associated values. The reason is that it is likely to provide better guidance to decision makers about what values are to be protected across the different types of ‘working rural production landscapes’ in the district.

<p>P9.2.3.1</p> <p>To integrate consideration of rural landscape values into any evaluation of proposals for more intensive subdivision and development than the Plan permits. (C9 7/07 Op 10/10)</p>		<p>Rationalise with 7.4 policy set.</p>
<p>[Policy 9.2.3.2 deleted] (C9 7/07 Op 10/10)</p>		
<p>P9.2.3.3</p> <p>To retain the rural characteristics of the landscape within rural areas. (C9 7/07 Op 10/10)</p>		<p>Rationalise with 7.4 policy set.</p>
<p>P9.2.3.4</p> <p>To encourage landscape enhancement and mitigation of changes through landscape analysis, subdivision design, planting proposals, careful siting of structures and other methods, throughout rural areas. (C9 7/07 Op 10/10)</p>		<p>Rationalise with 7.4 policy set.</p>
<p>P9.2.3.5</p> <p>To evaluate, and to avoid, remedy or mitigate cumulative adverse effects of development on landscape values within rural areas. (C9 7/07 Op 10/10)</p>		<p>Rationalise with 7.4 policy set.</p>
<p>P9.2.3.6</p> <p>In the Takaka Eastern Golden Bay Area, to ensure that:</p> <ul style="list-style-type: none"> (a) rural amenity values, rural landscapes and un-built green-space areas, including open space between neighbouring settlement areas, are protected from inappropriate residential development; (b) any new development consolidates within and around areas where there is already an enclave of residential development and community amenities such as schools, churches, playing fields or clubrooms; (c) greenbelts and open-space areas in between every settlement area are protected from inappropriate built development; (d) highly visible rural landscapes, especially ridgelines and hilltops, are protected from inappropriate residential development; (e) low impact building design solutions are required for any built 		<p>Relocate to chapter 6. 11 and rationalise.</p>

<p>development on highly visible rural landscapes;</p> <p>(f) the adverse effects of high density development on karst terrain are avoided;</p> <p>(g) the adverse effects of development on outstanding karst land formations are avoided;</p> <p>(h) alternative solutions to continued expansion onto rural landscapes is considered, such as eco-village concepts and more compact forms of low-impact design for the construction of housing and other buildings.</p> <p>(C8 7/07 Op 10/10)</p>		
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Appendix 1: Excerpt from Rural Land Use and Subdivision review 2013 on Chapter 7.1

Conclusion: Cumulative Land Fragmentation

“In conclusion, the District-wide rural data indicates that policies 7.1.3.1 to 7.1.3.7, are largely achieving the 7.1.2 objective of avoiding the loss of productive land. However, this is less evident for high productive land, in that land uses and activities that are non-soil based are increasing in number on this land. This, however, has not necessarily led to the fragmentation of titles.

There is also an overall trend toward an increase in the number of small titles, together with corresponding increases in population density and urban type land cover in rural zones, particularly in the Rural Residential and Rural 3 zones. This is likely to:

- Adversely affect the management framework for rural areas which is designed to accommodate and manage rural rather than urban type activities;
- Affect the retention of rural character in rural areas. The TRMP policy framework relating to tipping points (thresholds & limits) for cumulative effects needs development (Section 5 of this report refers); and
- Require buffers and separation distances for non-compatible activities, both between and within rural zones, to work effectively (Section 2 of this report refers).

The legacy of small lots in all of the rural zones requires greater attention and policy guidance to ensure consistent and equitable management of land use effects and subdivision.

Despite a relatively positive outcome, the assessment process has identified some weaknesses in the policy framework. Currently there is internal inconsistency between the Plan objectives and rules. The objectives for ‘avoiding the loss of land with productive potential’ convey a very strong policy direction while the rules for subdivision and land use activities are not as strong. This inconsistency needs to be resolved to assist decision making and reduce uncertainties.

In addition to the assessment process, consent planners have identified an issue with the implementation of the wider policy framework in that if one of the four defining features of the definition of ‘high productive value’ land is lacking, the application of the definition fails. Consequently the definition excludes land considered to be of high productive value in the District; coupled with the generic nature of the chapter 7 policies, the policy framework gives little guidance to planners and decision makers in such situations.” (pg 42).

Matters for Review: Cumulative Effects of Land Fragmentation ¶

Policy 7.1.3.1 to Policy 7.1.3.4 ¶

- → Clarification regarding the particular cumulative effects that policy 7.1.3.3 seeks to avoid would help the policy to work better, including consideration of appropriate densities for development in each of the rural zones; ¶
- → The Rural Residential policy framework requires development; ¶
- → The zoning framework requires review so that established residential clusters in rural zones are zoned appropriately; ¶
- → The policy framework requires review so that: (i) the TRMP definition of 'high productive value' applies to land considered to be of high productive value in the District; (ii) policy guidance appropriate to the subdivision and use of small lots (5 ha or less) in the productive rural zones (Rural 1, 2 and 3) is included, and (iii) internal inconsistencies between policy intent and the status of activities on high productive land are resolved. ¶

Policy 7.1.3.5 and Policy 7.1.3.6 ¶

- → Development of policies and rules relating to boundary adjustments for reasons other than solely improving land productivity would assist in the effective and consistent management of subdivision in the rural zones. ¶

Policy 7.1.3.7 ¶

- → The restriction on dwellings locating within 500m of a quarry needs refinement and the planning maps that show the location of quarries require updating on a regular basis. ¶

Policy 7.1.3.8 ¶

- → In the Takaka Eastern Golden Bay Area, as for Policy 7.1.3.1--7.1.3.4, second and third bullet points. ¶

Appendix 2: Excerpt from Rural Land Use and Subdivision review 2013 on Chapter 7.2

Conclusion: Provision for Non-Soil Based Activities

“The TRMP identifies issue 7.2.1.1 as being how to provide for non-soil based activities in rural areas without diminishing the availability of the productive land resource. The objective seeks to provide a range of specified locations for activities that do not rely on the soil resource. The objective specifically seeks to allow these activities to occur provided they avoid the loss of land of high productive value.

Methods to avoid the loss of high productive land primarily involve the control of non-soil-based activities in the rural zone combined with provision of appropriately zoned land for Rural Industrial, Tourist, Papakainga and Rural Residential activities.

The results from the data assessment show a moderate degree of success in the achievement of this objective. The planning maps clearly identify specific areas zoned for non-soil-based activities, i.e. the Rural Industrial, Tourist Services, Papakainga and Rural Residential zones. These zones have rules enabling the activities to occur. Further, the size of the Rural Industrial zone has not significantly changed over the life of the TRMP. However, continued urbanisation of the Rural 1 zone is occurring as shown by the land cover data and resource consent information. Significantly, a higher proportion of non-soil-based activities are occurring on Rural 1 land than on Rural 2 or 3 land. These results emphasise the importance of maintaining good buffers between activities so that rural amenity can be retained, and rural production activities are not compromised. “(pg 56).

Matters for Review: Non Soil-Based Activities

Policy 7.2.3.1 & Policy 7.2.3.2

- The Rural 1 and 2 spatial zoning framework requires review so that clusters of established residential activity on rural zoned land are zoned appropriately;
- The permitted activity rules for home occupations and the policy framework for commercial activities in the Rural 1 zone need amending to better protect highly productive land; allow certainty for businesses; and create consistency with how activities are managed across zones for similar activities (where appropriate);
- The wording of policy 7.2.3.2 requires amending to clarify whether it refers to zoning provisions or consented activities when providing for non-soil based activities.

Policy 7.2.3.4

- The policy needs updating to better reflect changes to section 6 of Resource Management Act, 1991.

Policy 7.2.3.5

- The provisions for buffers and setbacks requirements, need review (Section 2 Matters for Review refer).

Appendix 3: Excerpt from Rural Land Use and Subdivision review 2013 on Chapter 7.4

Conclusion: Rural Character, Amenity Values and Cross-Boundary Effects

“The TRMP chapter 7.4 identifies two issues relating to rural character and amenity. The first issue relates to determining an appropriate level of protection of rural character, ecosystems and amenity values. The second issue considers how the TRMP can ensure that soil-based productive activities are able to continue to operate in the rural area without undue constraints, including those due to reverse sensitivity.

The policies cover a wide range of matters and are strongly related to the policies in the rest of Chapter 7 (and to a lesser extent policies in Chapter 6.2 and Chapter 9). Primarily, the policies aim to ‘avoid, remedy or mitigate’ effects on rural character and amenity. The effectiveness of the policies is variable across the range of zones in the District.

The results indicate that generally, rural character is being retained during subdivision in the Rural 1 and Rural 2 zones. Preliminary results on rural character in the Rural 3 zone show a loss of rural character (Sissons, 2012). The results for the Rural Residential zone show that rural character and amenity considerations do not rank highly in the decision making process.

In contrast, rural character was not considered a significant factor in decision making for subdivisions in the Rural 1 and 2 zones, but was the subject of substantive analysis in the Rural 3 developments. The conflict between the TRMP definition of rural character and expected outcomes for rural residential-style development was identified as contributing to these results.

The results highlight that the policies lack specific focus on rural character and amenity matters. This creates the potential for confusion and duplication with other policies in the TRMP covering similar matters – such as stormwater management in Chapter 33.3 and landscape protection in Chapter 9.” (pg 79).

Matters for Review: Rural Character, Amenity Values and Cross-Boundary Effects

Policy 7.4.3.1

- The Rural Residential policy framework requires development. Currently there is no policy framework and the zone is managed as a rural zone although the use of a rural residential site is defined primarily as for residential rather than productive purposes.
- The Rural 1 and 2 spatial zoning framework requires review so that the clusters of established residential activity in rural zones are zoned appropriately and adequately buffered from the effects of rural productive activities.
- The policy framework requires review so that: (i) the TRMP definition of ‘high productive value’ applies to land considered to be of high productive value in the District; (ii) policy guidance appropriate to the subdivision and use of small lots (5 ha or less) in the productive rural zones (Rural 1, 2 and parts of Rural 3) is included, and (iii) internal inconsistencies around policy intent and activity status are resolved.
- The risk of losing rural character where small titles are created (and developed) in some rural zones together with the increase in urban land cover indicates that the policy framework relating to cumulative effects (thresholds and limits) needs review and development.
- The risk of increased reverse sensitivity effects through small title subdivision in rural zones indicates that the policy framework relating to buffers and setbacks between residential areas needs review.
- The policy is repetitive and substantive matters may be better located in TRMP chapter 7.1.

Policy 7.4.3.3

- Internal conflicts between the TRMP definitions and policies for the Rural Residential and Rural 3 zones need to be resolved. A definition of rural residential character is needed.
- Policy 7.4.3.3 duplicates policies and methods in Chapter 9 (Landscape) relating to rural character and amenity.

Policy 7.4.3.4 & 5

- The two policies do not require any significant modification, although they could be collapsed into one policy to streamline the content of the TRMP.

Policy 7.4.3.6

- As per the results for Policies 6.2.3.5 and 7.2.3.5 discussed in sections 2 and 3 of this report, there are issues relating to consistency of the setback rules and their adequacy for the future. Minor modification of the setback distances may be especially required in the Rural 1, Rural 3 and Rural Residential zones.

Policy 7.4.3.7

- The policy framework could be reviewed to make it operate more effectively. A potential outcome of the review may be to remove the specific reference to title amalgamations, allowing the policy to be more broadly applied; or alternatively, deleting the policy and allowing the more detailed policies of 7.4.3.1 to 7.4.3.3, combined with 7.1.3.5 and 7.1.3.6 to manage effects associated with title amalgamations.

Policy 7.4.3.8

- Amendments may be required to make it operate more effectively by focusing the content of the policy or expanding policy 7.2.3.4 to include protection and enhancement of rural character.

Policy 7.4.3.9

- A modification to the policy would clearly identify the policy's purpose and may involve a simple text insertion referencing rural character and amenity.

Policy 7.4.3.10

- Amendments to the policy are required to improve clarity and to incorporate aspects of rural character protection in section 33 of the TRMP (on stormwater management).

Appendix 4: Compliance with National Planning Standards?

Table 4.1: Options for Accommodating Chapter 7 in line with the National Planning Standards

Current Chapters in TRMP	Per National Planning Standards	
	Domain /Topic /Area Specific Options	Chapter Options
Chapter 6: Urban Environment Effects	Part 3: Urban form and development (Option 1a)	Part 3: Urban form and development (Option 1a)
Chapter 7: Rural Environment Effects	Part 3: Rural form and development (Option 1b) OR	Part 3: Rural form and development (Option 1b)
	Part 4: Area Specific matters (Option 1c)	Part 4: Rural area / Environment effects (Option 1c)

Option 1b is preferred to Option 1c as the current Chapter 7 - Rural Environment Effects is a policy topic which exists in counter relationship to Chapter 6 – Urban environment effects which is accommodated in the NPS Part 3. Option 1b provides an alternative if the NPS does allow for the addition of further topics.

Table 4.2: Options for Relabeling/Restructuring of Rural Zones in line with National Planning Standards

Current Zone in Rural Area	Per National Planning Standards	
	Zone	Precinct/Layer
Rural 1	Rural production 1 (option 1a) OR Rural production (option 1b)	
Rural 2	Rural production 2 (option 1a) OR General rural (option 1b)	
Rural Residential	Rural residential (option 2a)	
Rural 3	Rural lifestyle (option 3a) OR Separate into: Rural Residential zone and Rural 1 zone (option 3b)	CTA (option 3a)
Rural Industrial	General industrial (option 4a)	Rural industrial (option 4a)
	General rural (option 4b)	Rural industrial (option 4b)

Except for Options 3, the Table 3.2.2 options (a) are preferred as, they better serve the purposes of the zones currently in the TRMP.

Recommendation

For the purposes of restructuring the reviewed TRMP in accordance with the National Planning Standards, the following options are considered, if possible:

- a new Part 3: chapter titled “Rural Form and Development” is created to accommodate the contents of the current TRMP chapter 7; and
- the existing zone chapters are relabeled as follows:
 - Rural 1 as Rural production 1;
 - Rural 2 as Rural production 2;
 - Rural residential as Rural residential;
 - Rural Industrial as a precinct within the General Industrial zone, subject to how the TRMP industrial zones are restructured; and
 - Rural 3 be relabeled Rural lifestyle or separated into the Rural Residential zone and Rural 1 zone, depending on the outcome of the evaluation of Rural 3 policies.

The reason is that this structure fits well with the current TRMP chapter 7 objectives and rural zone structure within the context of the wider plan.