



# **WAIRARAPA COMBINED DISTRICT PLAN JOINT COMMITTEE**

Agenda for the Meeting to be held in  
the Hurunui o Rangī Meeting Room,  
50 Holloway Street, Carterton

**THURSDAY 5 OCTOBER 2023 at 10am**

## **ATTACHMENT 2**

**(Under Separate Cover)**

**SECTION 32 EVALUATION REPORTS**

**VOLUME 1**

**Pages 1-522**



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WAIRARAPA  
COMBINED  
DISTRICT PLAN  
**REVIEW**

*Te Mahere  
Rautaki  
a-rohe o  
Wairarapa*

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# Proposed Wairarapa Combined District Plan

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## Section 32 Evaluation Topic Report Activities on the Surface of Water

OCTOBER 2023



# 2

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## Executive summary

This Section 32 Evaluation Topic Report is focused on activities on the surface of water. The Wairarapa has numerous rivers, streams, lakes, ponds and wetlands, which are valued for a range of conservation, recreation, cultural, amenity and intrinsic reasons. One of the functions of district councils under the Resource Management Act is to manage the effects arising from activities on the surface of these water bodies – the water itself, as well as the beds of freshwater bodies, are managed by the Regional Council. Water within the coastal marine area is also managed by the Regional Council.

The surface of waterbodies in the Wairarapa is used for a range of activities, mainly recreational, and some food gathering. The potential for conflict is often between such activities: for example, between jet boating and fishing. Increased activity such as jet boat use can also adversely affect wildlife.

The Operative Wairarapa Combined District Plan (Operative District Plan) manages activities on the surface of water in three parts:

- Chapter 12: Freshwater Environment, which includes objectives, policies, and anticipated environmental outcomes relating to activities on the surface of water.
- Chapter 21: District Wide Land Use Rules, which includes rules and standards relating to activities on the surface of water under Rule 21.1.10: Activities on the Surface of Freshwater and Rule 21.4.6 Motorised commercial recreation on the surface of freshwater.
- Chapter 22: Assessment Criteria, which sets out the relevant considerations for resource consent applications for activities on the surface of the water under Section 22.1.8: Surface of the Water.

The rules in Chapter 21 provide for most activities on the surface of water as a permitted activity. A resource consent is required for motorised commercial recreation, for structures over a certain size, and for structures in place for over a certain time period (more than two months within a twelve-month period). The rule framework for activities on the surface of water is relatively straightforward, but improvements could be made to the wording to clarify the scope of activities captured by the rules, particularly in relation to structures.

No major issues have been identified with the efficiency and effectiveness of the objectives and policies or assessment criteria as they are currently drafted. Another consideration is the need to ensure that the provisions implement the policy direction in the National Policy Statement for Freshwater Management (NPS-FM).

The key resource management issues for activities on the surface of water are:

- Issue 1: Activities and structures on the surface of water can lead to adverse effects on amenity values and natural character.
- Issue 2: Public access is maintained along waterbodies.

The Proposed Wairarapa Combined District Plan (Proposed District Plan) contains an Activities on the Surface of Water chapter in Part 2: District Wide Matters. The chapter has largely rolled over the existing provisions into a single chapter while clarifying the intent of the rules. The Proposed District Plan contains one objective and five policies and a rule framework that manages activities and structures on the surface of water and motorised commercial recreation on the surface of freshwater. The proposed rules include the following:

- Activities on or above the surface of water in rivers, lakes, and wetlands (excluding motorised commercial recreation and structures) are a permitted activity.
- Structures on or above the surface of water in rivers, lakes, and wetlands less than 10m<sup>2</sup> in gross floor area are a permitted activity. Where a structure does not comply with this it is a restricted discretionary activity.
- Any motorised commercial recreation on the surface of freshwater is a restricted discretionary activity.

The Proposed District Plan will improve outcomes by providing a clear, strengthened approach to the management of activities on the surface of water in the districts.

## 1.0 Introduction

This Section 32 Evaluation Topic Report contains a section 32 evaluation of the objectives, policies, and methods relating to the Activities on the Surface of Water topic in the Proposed District Plan.

The Wairarapa has numerous rivers, streams, lakes, ponds and wetlands, which are valued for a range of conservation, recreation, cultural, amenity and intrinsic reasons. One of the functions of district councils under the Resource Management Act is to manage the effects arising from activities on the surface of these water bodies – the water itself, as well as the beds of freshwater bodies, are managed by the Regional Council. Water within the coastal marine area is also managed by the Regional Council.

This report sets out the statutory and policy context for the Activities on the Surface of Water topic, key resource management issues, consultation, and the evaluation of this topic to decide on the proposed provisions.

This report should be read in conjunction with the Section 32 Evaluation Overview and Strategic Directions Report and the following section 32 evaluation topic reports:

<b>Report</b>	<b>How does this topic relate to the activities on the surface of water topic provisions</b>
Section 32 Evaluation Topic Report - Public Access	The Proposed District Plan contains a Public Access chapter which is related to providing public access to and along surface waterbodies and the coastal marine area.
Section 32 Evaluation Topic Report - Coastal Environment	The Proposed District Plan contain a Coastal Environment chapter which manages activities of the landward side of the Mean High-Water Springs (MHWS).
Section 32 Evaluation Topic Report - Ecosystems and Indigenous Biodiversity	The Proposed District Plan contain an Ecosystem and Indigenous Biodiversity which seeks to protect the Significant Natural Areas and maintain and enhance other indigenous biodiversity values.

## 2.0 Statutory and policy context

### 2.1 Resource Management Act

As set out in the Section 32 Evaluation Overview and Strategic Directions Report, an evaluation is required of how the proposal achieves the purpose and principles in Part 2 of the RMA. This requires consideration of sections 5 to 8 of the RMA.

Section 5 sets out the purpose of the RMA which is to promote sustainable management of natural and physical resources. This section is set out in more detail in the Section 32 Evaluation Overview and Strategic Directions Report.

Section 6 requires all persons exercising functions and powers under the RMA to recognise and provide for specified matters of national importance. The section 6 matters relevant to this topic are:

<b>Section</b>	<b>Relevant matter and applicability</b>
Section 6(a)	<p><i>the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development</i></p> <p>Activities on the surface of the water can affect the natural character of the coastal environment, wetlands, lakes and rivers.</p>

# 6

Section	Relevant matter and applicability
Section 6(c)	<i>the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna</i> Activities on the surface of water have the potential to effect significant indigenous vegetation and significant habitats of indigenous fauna.
Section 6(d)	<i>the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers</i> Activities on the surface of water can impact public access to and along the coastal marine area, lakes and rivers.
Section 6(e)	<i>the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga</i> Activities on the surface of water have the potential to impact of the relationship of Māori with resources of significance.

Section 7 requires all persons exercising functions and powers under the RMA, in relation to managing the use, development, and protection of natural and physical resources, to have particular regard to a range of matters. The section 7 matters relevant to activities on the surface of water are:

Section	Relevant matter
Section 7(c)	<i>the maintenance and enhancement of amenity values</i> Activities on the surface of water have the potential to adversely affect amenity values if not appropriately managed.
Section 7(f)	<i>maintenance and enhancement of the quality of the environment</i> Activities on the surface of water have the potential to adversely affect the quality of the environment if not appropriately managed.
Section 7(g)	<i>any finite characteristics of natural and physical resources</i> Activities on the surface of water have the potential to adversely affect the finite characteristics of natural and physical resources.
Section 7(h)	<i>the protection of the habitat of trout and salmon</i> Activities on the surface of water have to potential to adversely affect the habitat of trout and salmon.

Section 8 requires local authorities to take into account the principles of the Treaty of Waitangi. Tangata whenua, through iwi authorities have been consulted as part of the review process. This feedback has informed the section 32 evaluation, and the obligation to make informed decisions based on that consultation is noted.

## 2.2 National direction

### 2.2.1 National Policy Statements

The National Policy Statements relevant to this topic are:

NPS	Relevant Objectives / Policies
National Policy Statement for Freshwater Management 2020	<p>The National Policy Statement for Freshwater Management (NPS-FM) came into effect on 1 July 2011. The NPS-FM is intended to recognise the value of freshwater to New Zealand and give national direction to local authorities. The NPS-FM sets out objectives and policies that direct local government to manage water in an integrated and sustainable way, while providing for economic growth within set water quantity and quality limits.</p> <p>The NPS-FM imposes an obligation on all consent authorities to have regard to the NPS-FM in consent decision making, although there are no direct obligations for district plans. The obligations to give effect to the NPS-FM fall on the Regional Council to manage freshwater in ways that are consistent with their functions under Section 30 of the RMA. Nevertheless, the objectives and policies (e.g. freshwater quality limits, connections between waterbodies) may be relevant for district councils to consider in land use and subdivision consent and Notice of Requirement decision-making. In particular, Objective C1 requires improved integrated management of land use, water quality and quantity, which requires integration between the regional and territorial authority on the management of land use.</p>

### 2.2.2 National Environmental Standards

The National Environmental Standards relevant to this topic are:

NES	Relevant regulations
National Environmental Standards for Freshwater 2020 (NESFW)	The Freshwater NES set requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems. Anyone carrying out these activities will need to comply with the standards.

### 2.2.3 National Planning Standards

The National Planning Standards direct that a stand-alone chapter for activities on the surface of water is provided within the 'General District Wide Matters' section of district plans.

### 2.2.4 National guidance documents

There is no national guidance relevant to this topic.

## 2.3 Regional direction

### 2.3.1 Regional Policy Statement for the Wellington Region

The Wellington Regional Policy Statement (RPS) provides an overview of the resource management issues for the Wellington Region and sets out policies and methods to manage these issues. The table below identifies the relevant provisions and resource management topics for activities on the surface of water contained in the RPS.

Objective/Policy	Relevant matters
Objective 8	This objective relates to public access to and along the coastal marine area, lakes and rivers is enhanced
Objective 12	This objective relates to the quantity and quality of freshwater
Objective 13	This objective relates to the region's rivers, lakes and wetlands supporting healthy functioning of ecosystems
Objective 14	This objective relates to freshwater available for use and development being allocated and used efficiently

### 2.3.2 Natural Resources Plan

The Natural Resources Plan for the Wellington Region contain objectives, policies and rules that apply to any activities undertaken in or on the bed of a lake or river. This includes the construction or demolition of structures and bed disturbance.

### 2.3.3 Any other relevant regional plans or strategies

The following plans or strategies are relevant to this topic:

Plan / Strategy	Organisation	Relevant Provisions
Wellington Regional Navigation Safety Bylaws 2021	Wellington Regional Council	<ul style="list-style-type: none"> <li>Applies to waters within the districts for the purpose of ensuring maritime safety.</li> </ul>

## 2.4 Wairarapa policies, plans and strategies

### 2.4.1 Iwi Management Plans

There are currently no iwi management plans relevant to the Wairarapa.

### 2.4.2 Statutory Acknowledgements

As outlined in the Section 32 Evaluation Overview and Strategic Directions Report and identified in Appendices APP1 and APP2 to the Proposed District Plan, there are

several statutory acknowledgement areas within the districts. For any application for a resource consent for an activity within, adjacent to, or directly affecting a statutory acknowledgement area, the consent authority must have regard to the statutory acknowledgement and provide notice to the relevant trustees.

Two Deeds of Settlement in settlement of historical Treaty claims have been signed since the District Plan provisions were last amended. These are between The Crown and Ngāti Kahungunu ki Wairarapa Tāmaki Nui-ā-Rua and The Crown and Rangitāne o Wairarapa and Rangitāne Tamaki nui-ā-Rua. Of relevance to activities on the surface of water are:

- The vesting of several sites in iwi governance entities, including some relating to water bodies. The bed of Wairarapa Moana/Lake Wairarapa is vested in the Rangitāne governance entity (10% share) and the Ngāti Kahungunu ki Wairarapa Tamaki Nui-ā-Rua governance entity (90% share).
- The establishment of a Wairarapa Moana Statutory Board to act as a guardian of the Wairarapa Moana and the Ruamahanga River catchment.
- Statutory acknowledgements, which include several waterbodies, including the Ruamahanga River and its tributaries.

### 2.4.3 Any other relevant local plans or strategies

The following plans or strategies are relevant to this topic:

Plan / Strategy	Organisation	Relevant Provisions
Wairarapa Coastal Strategy	Masterton District Council	<ul style="list-style-type: none"> <li>• Provides long-term vision for the Wairarapa Coast and recommends actions that we can achieve as a community.</li> </ul>
South Wairarapa Rural Reserves Management Plan	South Wairarapa District Council	<ul style="list-style-type: none"> <li>• Sets out policies for managing recreational activities (including boating) at the same time as protecting and enhancing the natural environment and amenity features on reserves.</li> </ul>

## 2.5 Other legislation or regulations

The following additional legislative / regulatory requirements are also relevant to this topic:

Legislation / Regulation	Relevant Provisions
Guidance on the National Policy Statement for Freshwater Management 2014  <a href="#">NOF-Guidance-ME1753-Final-April2023.pdf (environment.govt.nz)</a>	This is the main, overall guide to giving effect to the Freshwater NPS. It contains detail on each objective and policy of the Freshwater NPS.
Rangitane and Ngati Kahungunu treaty settlement	Te Rohe o Rongokako Joint Redress Act 2022. Of particular relevance to the District Plan is what is known as the Wairarapa Moana framework (Part 3 of this Act). This Act provides for the establishment of the Wairarapa Moana Statutory Board, giving it certain functions and powers. The Board would act as kaitiaki (guardian) for the Wairarapa Moana and the Ruamahanga River catchment

## 3.0 Issues analysis

### 3.1 Background

The Operative District Plan contains provisions relating to activities on the surface of water in three different parts. While the rule framework for activities on the surface of water is relatively straightforward, improvements could be made to the wording to clarify the scope of activities captured by the rules, particularly in relation to structures. The provisions also need to align with the NPS-FM.

### 3.2 Evidence base

The Councils have reviewed the Operative District Plan, commissioned technical advice and assistance from various internal and external experts and utilised this, along with internal workshops and community feedback to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions. The following sections outline this evidence.

## 3.2.1 Analysis of Operative District Plan provisions

### 3.2.1.1 Overview of Operative District Plan provisions

Activities on the surface of water are managed in three parts in the Operative District Plan:

- Chapter 12: Freshwater Environment, which includes objectives, policies, and anticipated environmental outcomes relating to activities on the surface of water
- Chapter 21: District Wide Land Use Rules, which includes rules and standards relating to activities on the surface of water under Rule 21.1.10: Activities on the Surface of Freshwater and Rule 21.4.6 Motorised commercial recreation on the surface of freshwater
- Chapter 22: Assessment Criteria, which sets out the relevant considerations for resource consent applications for activities on the surface of the water under Section 22.1.8: Surface of the Water.

These sections were most recently amended in 2014.

As noted above, Chapter 12: Freshwater Environment contains objectives and policies relating to activities on the surface of water. There are two relevant objectives:

#### *Objective Fwe1 – Environmental Quality*

*To maintain or enhance the environmental quality of the Wairarapa’s rivers, lakes, wetlands and groundwater by managing the detrimental effects of development and activities.*

#### *Objective Fwe2 – Public Access & Enjoyment*

*To facilitate public access to and enjoyment of the Wairarapa’s rivers, lakes and wetlands and their margins in a manner that preserves their natural character and the property rights of adjoining landowners.*

There are three relevant policies:

#### *Fwe1 Policies*

*(c) Ensure that adverse cumulative effects of subdivision, land use and development on the freshwater environment are avoided, remedied or mitigated.*

*(k) Prevent structures on waterbodies and their margins unless they are an accepted or essential part of the waterbody environment (for example, culverts, bridges or stock crossings, maimais and flood defence systems).*

#### *Fwe2 Policies*

*(b) Control activities that could have an adverse effect on people’s use and enjoyment of the freshwater environment.*

To determine whether the objectives are being achieved, Section 12.4 sets out anticipated environmental outcomes, the relevant ones are:

*(b) Diverse water-based activities on the surface of lakes and rivers that do not adversely affect natural character.*

*(c) The natural character and amenity values of the Wairarapa’s freshwater environments are maintained or, where required, enhanced.*

*(e) Minimal conflict between users of the surface of rivers, lakes, wetlands and their margins.*

The rules in Chapter 21 provide for most activities on the surface of water as a permitted activity. A resource consent is required for motorised commercial recreation, for structures over a certain size, and for structures in place for over a certain time period (more than two months within a twelve-month period).

### 3.2.1.2 State of the environment monitoring

Reviewing the National Monitoring Data from 2014/15 – 2018/19 from the Ministry for the Environment, there are no specific applications for activities on the surface of water across the three Wairarapa districts. It may be the case that there have been activities that have triggered the need for a resource consent but that these have been combined with other consent requirements.

Henley Lake (adjacent to the Ruamahanga and Waipoua Rivers) is home to a number of activities including waka ama, dragon boating, and motorised model boating. Other popular recreational and swimming spots include Double Bridges, Kaituna and Waiohine Gorge.

### 3.2.1.3 Effectiveness of the Operative District Plan approach

The following issues have been identified with the effectiveness of the Operative District Plan:

Issue	Comment
Issue 1: The provisions need to ensure that they align with the NPS-FM	<ul style="list-style-type: none"> <li>There is a need to ensure that structures on the surface of water give effect to the NPS-FM requirements.</li> </ul>
Issue 2: Clarification to the intent of rules and when they apply.	<ul style="list-style-type: none"> <li>Improvements could be made to the wording to clarify the scope of activities captured by the rules, particularly in relation to structures.</li> </ul>

### 3.2.2 Analysis of other District Plan provisions relevant to this topic

Current practice has been considered in respect of this topic, with a review undertaken of the following District Plans:

Plan	Description of approach
Proposed New Plymouth District Plan	<ul style="list-style-type: none"> <li>• Contains one objective to avoid, remedy or mitigate adverse effects of activities on the surface of water.</li> <li>• Contains three policies relating to allowing activities on the surface of water while avoiding adverse effects, ensuring structures are appropriately located and considering the incorporation of mātauranga Māori.</li> <li>• Two rules on activities and structures on the surface of water.</li> </ul>
Proposed Porirua City District Plan	<ul style="list-style-type: none"> <li>• Does not include an Activities on the Surface of Water chapter.</li> <li>• No provisions for activities on the surface of water.</li> </ul>
Proposed Waimakariri District Plan	<ul style="list-style-type: none"> <li>• Contains one objective on public access and amenity values.</li> <li>• Contains two policies on enabling activities on the surface of water that have minimal disturbance on amenity values and provides for house boats on the Kaiapoi River.</li> <li>• Contains two rules on the use of watercraft and houseboats on the surface of water.</li> </ul>

These plans were selected because:

- They have been subject to a recent plan review that addressed similar issues relating to this topic;
- The councils are of a similar scale to the Wairarapa districts and are confronting similar issues relating to this topic.
- Some of the councils are located in the Greater Wellington Region.

A summary of the key findings follows:

- A number of Councils do not include provisions on Activities on the Surface of Water chapter and rely on other methods.
- The focus of the objectives, policies and rules is on allowing activities on the surface of water while avoiding adverse effects on amenity values and public access and ensuring structures are appropriately located.

### 3.2.3 Advice received from Iwi

No specific advice has been received from Rangitāne o Wairarapa or Ngāti Kahungunu ki Wairarapa regarding this topic and the proposed provisions evaluated within this report.

### 3.2.4 Consultation

Public consultation was undertaken on the Draft District Plan in October to December 2022.

The Activities on the Surface of Water chapter in the Draft District Plan contained one objective on the values of rivers, lakes and wetlands and five policies on existing activities, appropriate activities, appropriate structures, cumulative effects and conflicting uses. The chapter contained three rules on activities on or above the surface of water, structures on or above the surface of the water and motorised commercial recreation.

Feedback on the Activities on the Surface of Water topic was received from four individuals or organisations. A summary of specific feedback on this topic is summarised below:

- A local interest group considered that the provisions of the current Operative District Plan are appropriate to the present circumstances. They supported the status quo to continue into the new District Plan.
- A corporate organisation requested that Policy ASW-P3 is amended to include “other linear infrastructure” as an example of structures which serve a functional or operational need and are required to be located in this environment.
- A corporate organisation requested that the provisions in Policy ASW-P3 are deleted, reasoning that the examples listed in this policy are regulated through the Regional Plan.
- A government agency requested that Rule ASW-R1 be retained as drafted, subject to the inclusion of a new definition for ‘motorised commercial recreation’.
- A government agency and a corporate organisation also requested the deletion of Rule ASW-R2 in its entirety, reasoning that Regional Plans typically manage structures in, on, or over the bed of lakes or rivers.

In response to the feedback amendments were made to the chapter to:

- Policy ASW-P3 has been amended to include “other linear infrastructure” as an example of structures which serve a functional or operational need and are required to be located in this environment due to linear infrastructure crossing waterbodies.
- No other changes have been made in response to the feedback.

### 3.3 Summary of issues

The statutory and policy context and available evidence outlined above identified few issues, therefore a partial review, focusing on the intent of the rules, was considered appropriate.

Based on the research, analysis and consultation outlined above the following issues have been identified with respect to the effectiveness of the Operative District Plan:

- Issue 1: The provisions need to ensure that they give effect to the NPS-FM
- Issue 2: Clarification to the intent of rules and when they apply.

The following resource management issues have been identified:

Issue	Comment
Issue 1: Activities and structures on the surface of water can lead to adverse effects on amenity values and natural character	<ul style="list-style-type: none"> <li>• Inappropriate subdivision, use and development on or adjacent to waterbodies can adversely affect the biodiversity, ecological, natural character, recreational, access, scenic, amenity, cultural and water quality values of lakes, rivers, wetlands and other waterbodies</li> </ul>
Issue 2: Public access is maintained along waterbodies	<ul style="list-style-type: none"> <li>• Maintaining and enhancing public access to and along waterbodies, without adversely affecting operational requirements of adjoining landowners.</li> </ul>

## 4.0 Scale and significance

### 4.1 Evaluation of scale and significance

Under section 32(1)(c) of the RMA, this evaluation report needs to contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

This section assesses the scale and significance of the activities on the surface of water provisions to determine the level of analysis required.

	Low	Medium	High
<b>Degree of change from the Operative District Plan</b>	✓		
<b>Effects on matters of national importance</b>		✓	
<b>Scale of effects - geographically</b>	✓		
<b>Scale of effects on people e.g. landowners, neighbourhoods, future generations</b>		✓	
<b>Scale of effects on those with specific interests e.g. tangata whenua</b>		✓	
<b>Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?</b>		✓	
<b>Likelihood of increased costs or restrictions on individuals, communities or businesses</b>		✓	

In summary:

- The degree of change from the Operative District Plan is low given the Proposed District Plan approach aligns with the National Planning Standard to include an Activities on the Surface of the Water chapter.
- The relevant matters of national importance area section 6(a), (c), (d) and (e).
- The provisions apply across the districts, but only for activities and structures on the surface of water and the size and surface area of waterbodies is relatively small compared to land area.
- The Proposed District Plan provisions are consistent with the NPS-FM and NESFW.
- The scale of effects on special interest groups is medium as all surface water users will be required to comply with the Proposed District Plan provisions.

Overall, it is considered that the scale and significance of the proposal is medium.

## **4.2 Quantification of benefits and costs**

Section 32(2)(b) of the RMA requires that, where practicable, the benefits and costs of a proposal are to be quantified.

Specific quantification of all benefits and costs associated with the Proposed District Plan is considered neither practicable nor readily available. In general, a qualitative assessment of costs and benefits associated with the Proposed District Plan is considered sufficient, and this is provided for in the assessment of policies, rules and other methods contained in section 7.0 of this report. However, where practicable and considered appropriate to supporting the evaluation, some of the benefits or costs associated with the Proposed District Plan have been quantified. The identification of costs and benefits has been informed by the body of evidence outlined in section 3.0 of this report.

## **5.0 Proposed provisions**

### **5.1 Strategic directions**

The following objectives from the Strategic Direction chapter of the Proposed District Plan are relevant to the activities on the surface of water topic:

<b>NE-O2</b>	<b>Wairarapa Moana</b>
The mauri of Wairarapa Moana is restored.	
<b>NE-O5</b>	<b>Integrated management</b>
Land and water are managed using an integrated approach, in collaboration with tangata whenua, the community, and other government entities.	

These objectives are relevant as it is appropriate that activities on the surface of water are managed in an integrated way.

These objectives are evaluated in the Section 32 Evaluation Overview and Strategic Directions Report.

## 5.2 Overview of proposed provisions

The proposed provisions relevant to this topic are set out in detail in the Proposed District Plan and should be referenced in conjunction with this evaluation report.

In summary, the proposed provisions are contained in the Activities on the Surface of Water chapter in Part 2: District Wide Matters and include:

- One objective that addresses:
  - Values of rivers, lakes and wetlands
- Five policies that address:
  - Existing activities
  - Appropriate activities
  - Appropriate structures
  - Cumulative effects
  - Conflicting uses
- A rule framework that manages activities and structures as follows:
  - Activities on or above the surface of water in rivers, lakes, and wetlands (excluding motorised commercial recreation and structures).
  - Structures on or above the surface of water in rivers, lakes, and wetlands.
  - Any motorised commercial recreation on the surface of freshwater.

## 6.0 Evaluation of the proposed objectives

Section 32(1)(a) of the RMA requires an evaluation to examine the extent to which the objectives proposed are the most appropriate way to achieve the purpose of the RMA. The level of detail must correspond to the scale and significance of the environmental,

economic, social and cultural effects that are anticipated from the implementation of the proposal.

This section of the report evaluates the objectives proposed for the Activities on the Surface of Water topic.

An examination of the proposed objectives along with reasonable alternatives is included below, with the relative extent of their appropriateness based on an assessment against the following criteria:

1. Relevance (i.e. Is the objective related to addressing resource management issues and will it achieve one or more aspects of the purpose and principles of the RMA?)
2. Usefulness (i.e. Will the objective guide decision-making? Does it meet sound principles for writing objectives and does it clearly state the anticipated outcome?)
3. Reasonableness (i.e. What is the extent of the regulatory impact imposed on individuals, businesses or the wider community? Is it consistent with identified tangata whenua and community outcomes?)
4. Achievability (i.e. Can the objective be achieved with tools and resources available, or likely to be available, to the Councils?)

While not specifically required under section 32 of the RMA, in some instances alternative objectives are also considered to ensure that the proposed objective(s) are the most appropriate to achieve the purpose of the RMA.

<b>Proposed Objective</b>	
ASW-O1 Values of rivers, lakes, and wetlands	
To maintain or enhance the natural character, ecological, cultural, amenity, and recreational values of the Wairarapa’s rivers, lakes, and wetlands by managing the adverse effects of development and activities on the surface of water.	
<b>Alternatives considered</b>	
Status quo (Operative District Plan):	
Objective Fwe1 – Environmental Quality	
To maintain or enhance the environmental quality of the Wairarapa’s rivers, lakes, wetlands and groundwater by managing the detrimental effects of development and activities.	
Objective Fwe2 – Public Access & Enjoyment	
To facilitate public access to and enjoyment of the Wairarapa’s rivers, lakes and wetlands and their margins in a manner that preserves their natural character and the property rights of adjoining landowners.	
<b>Appropriateness to achieve the purpose of the RMA</b>	
Appropriateness of Proposed Objective (relevance, usefulness,	<ul style="list-style-type: none"> <li>• The proposed objective addresses the identified resource management issues and in particular is aligned with the NESFW;</li> </ul>

<p>reasonableness, achievability)</p>	<ul style="list-style-type: none"> <li>• The proposed objective clearly articulates the outcomes sought and provides direction to guide decision making;</li> <li>• The proposed objective recognises the relevant matters of national importance under section 6 of the RMA;</li> <li>• The proposed objective assists the Councils to undertake their functions in RMA s31(1)(e) the control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes;</li> <li>• The proposed objective does not duplicate or overlap with regional council functions;</li> <li>• The proposed objective does not create unreasonable costs on the community.</li> <li>• The objective is achievable within the Councils' powers, skills and resources.</li> </ul>
<p>Appropriateness of Status Quo (relevance, usefulness, reasonableness, achievability)</p>	<ul style="list-style-type: none"> <li>• The objectives partly address the identified resource management issues but their scope and wording are less well aligned with the NESFW;</li> <li>• The objectives provide direction to guide decision making but are less clear in articulating the outcomes sought.</li> <li>• The objectives do not create unreasonable costs on the community.</li> <li>• The objectives are achievable within the Councils' powers, skills and resources.</li> </ul>
<p><b>Preferred option and reasons</b></p>	
<p>The proposed objective is the most appropriate means of achieving the purpose of the Act because it is the most appropriate of the options, particularly in relation to relevancy and usefulness.</p>	

## 7.0 Evaluation of proposed provisions

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

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

## **7.1 Evaluation**

For each potential approach an evaluation has been undertaken relating to the costs, benefits and the certainty and sufficiency of information (as informed by section 4.0 of this report) in order to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objective(s).

## 7.1.1 Provisions to achieve objectives relating to activities on the surface of water

Under section 32(1)(b)(ii) of the RMA, reasonably practicable options to achieve the objective(s) associated with this proposal need to be identified and examined.

The other options considered reasonably practicable for achieving the objectives of the Proposed District Plan in relation to activities on the surface of water are:

- Option 1: The proposed provisions
- Option 2: Retaining the status quo – Operative District Plan
- Option 3: Alternative - no provisions or chapter relating to activities on the surface of water

<b>Objective ASW-O1: Values of rivers, lakes, and wetlands</b>		
To maintain or enhance the natural character, ecological, cultural, amenity, and recreational values of the Wairarapa’s rivers, lakes, and wetlands by managing the adverse effects of development and activities on the surface of water.		
<b>Option 1: Proposed approach (recommended)</b>	<b>Costs</b>	<b>Benefits</b>
Activities on the Surface of Water chapter in the Proposed District Plan containing Objective ASW-O1, Policies ASW-P1-P5 and Rules ASW-R1 - R3. The rules relate to activities and structures on the surface of water and motorised commercial recreation.	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Potential adverse effects on the values of waterbodies from permitted activities on the surface of water. Adverse effects are likely to be minimal due to the low intensity and nature of activities on the surface of water.</li> <li>• Potential conflict between activities on the surface of water, though this conflict is likely to be minimal due to the low intensity and nature of activities.</li> </ul> <p><b>Economic</b></p>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• The natural character and amenity values of surface water bodies are maintained.</li> <li>• Manages the potential for conflicts between activities occurring on lakes, rivers, wetlands and their margins, as well as with activities on adjacent land.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Recreational activities on the surface of waterbodies can be undertaken without the need for resource consent and associated time, costs and uncertainty.</li> </ul> <p><b>Social</b></p>

	<ul style="list-style-type: none"> <li>• Restrictions on some structures and activities may deter some structures and activities from establishing.</li> <li>• Costs, time and uncertainty of obtaining resource consents for activities that do not comply with the permitted activity standards or motorised commercial recreation activities.</li> <li>• Opportunity cost of restricting use of the surface of water.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Restrictions on some structures and activities may deter some structures and activities from establishing resulting in less social opportunities.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No cultural costs identified.</li> </ul>	<ul style="list-style-type: none"> <li>• Public access to waterbodies is maintained and enhanced.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• Provides for protection of cultural values associated with waterbodies.</li> </ul>
<p><b>Effectiveness and efficiency</b></p>	<p>This approach is effective and efficient as it protects the natural character and other values of Wairarapa's waterbodies from adverse effects of development and activities on the surface of water.</p> <p>The provisions are the most effective methods for meeting the objectives as they ensure that activities and structures on the surface of water are managed including motorised commercial recreation.</p> <p>The provisions will achieve the objectives at the highest net benefit to the community, particularly as most activities on the surface of water will be permitted. Overall, the direct and indirect benefits, particularly the protection of the natural character and other values of Wairarapa's waterbodies, outweigh the costs to sections of the community, landowners and commercial operators. The provisions will provide a clearer regulatory framework to manage activities on the surface of water in a single chapter, than the status quo.</p>	
<p><b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b></p>	<p>It is considered that there is certain and sufficient information on which to base the proposed policies and methods as:</p> <ul style="list-style-type: none"> <li>• The proposed provisions do not represent a significant change from the status quo and there is no evidence that the status quo is placing high costs on the community or failing to sustainably manage resources.</li> </ul>	

<b>Overall evaluation</b>	Overall, it is considered that the proposed approach is the most appropriate approach to achieve the objectives. it provides a clearer rule framework to clarify the scope of activities covered by the rules and this is contained in a single chapter. The provisions also align with the NESFW.	
<b>Option 2: Status Quo</b>	<b>Costs</b>	<b>Benefits</b>
<p>Activities on the surface of water are managed in three locations in the Operative District Plan</p> <p>Chapter 12: Freshwater Environment, which includes objectives, policies, and anticipated environmental outcomes relating to activities on the surface of water</p> <p>Chapter 21: District Wide Land Use Rules, which includes rules and standards relating to activities on the surface of water</p> <p>This includes Any activity, excluding motorised commercial recreation, on the surface of any freshwater body which meets the following standard:</p>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Similar to option 1, though potential for different types of structures which could adversely affect the values of waterbodies.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Similar to option 1.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Similar to option 1.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No cultural costs identified.</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Similar to option 1.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Similar to option 1.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Similar to option 1.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• Similar to option 1.</li> </ul>

<p>Less than 10 square metres in gross floor area; and</p> <p>Located on or above the surface of water for less than two months within a twelve-month period</p> <p>Chapter 22: Assessment Criteria, which sets out the relevant considerations for resource consent applications for activities on the surface of the water</p>		
<p><b>Effectiveness and efficiency</b></p>	<p>Maintaining the status quo would not be the most effective or efficient approach as the provisions need to better clarify the scope of activities cover by the rules and align with the NESFW.</p>	
<p><b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b></p>	<p>It is considered that there is certain and sufficient information on the subject matter of the provisions given the NESFW is an established regime and based on the evidence base considered in section 3.2 of this report.</p>	
<p><b>Overall evaluation</b></p>	<p>Overall, this option is not the most appropriate option as improvement can be made the clarity the scope and intent of the provisions and better algin with the NESFW. The lack of clarity would create unnecessary uncertainty and complexity.</p>	
<p><b>Option 3: Alternative approach to provisions</b></p>	<p><b>Costs</b></p>	<p><b>Benefits</b></p>
<p>No activities on the surface of land chapter and rely of provision</p>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>A lack of controls for surface water activities could lead to adverse environmental outcomes,</li> </ul>	<p><b>Environmental</b></p>

<p>outside of the District Plan</p>	<p>in particular loss or degradation of the values of waterbodies.</p> <ul style="list-style-type: none"> <li>• Potential conflict or incompatibility between activities on the surface of water.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• No economic costs have been identified.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Potential conflict or incompatibility between activities on the surface of water, leading to reduced or lost opportunities for some types of activities.</li> <li>• No provisions for the maintenance or enhancement of public access.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• A lack of controls for surface water activities could lead to adverse effects on cultural values.</li> </ul>	<ul style="list-style-type: none"> <li>• No direct or indirect environmental benefits have been identified through this approach.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• No economic benefits have been identified.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• No social benefits have been identified.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No cultural benefits have been identified.</li> </ul>
<p><b>Effectiveness and efficiency</b></p>	<p>This option would not be the most effective or efficient option as the approach could lead to inappropriate activities and structures on the surface of water and result in adverse environmental effects. No rules or standards in the District Plan is not considered effective to address the resource management issues.</p>	
<p><b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b></p>	<p>It is considered that there is certain and sufficient information on the subject matter of the provisions based on the evidence base considered in section 3.2 of this report.</p>	
<p><b>Overall evaluation</b></p>	<p>Overall this option is not the most appropriate option as Councils may not be carrying out their duty/requirements under the RMA and it is likely to result in adverse effects on the natural character and other values of waterbodies.</p>	

## 8.0 Conclusion

This evaluation has been undertaken in accordance with section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as it:

- Protects the values of waterbodies by managing the adverse effects of development and activities on the surface of water;
- Provides permitted activity rules to allow for activities that are generally appropriate;
- Consolidates and simplifies provisions into a topic-specific chapter, consistent with the requirements of the National Planning Standards;
- Gives effect to higher order requirements in the RPS; and
- Is in accordance with the NESFW.

## Appendix 1: Feedback on Draft District Plan

Section/Topic	Submitter	Feedback	Analysis
General	Corporate	The provisions of the current operative District Plans are appropriate to the present and future circumstances and supports the status quo to continue into the new District Plan. Importantly, boating should continue as a Permitted Activity on waterways as this activity has been accepted by the community as having general effect in relation to the surface of the water that are minor.	Noted.
Policies	Corporate	ASW-P3 – supports Policy ASW-P3 to the extent that the policy does not prevent structures over the surface of water where they have a functional or operational need for that location. Seeks amendment to include 'other linear infrastructure'.	Agree with relief sought for the reasons given by the submitter.
	Corporate	ASW-P3 – The examples listed in this policy are all regulated through the Regional plan or the NES-FW. As the policy is currently worded, it is not clear why the district councils are seeking to regulate these structures/activities. Whether something is an 'accepted part of the waterbody environment' or not requires a highly subjective assessment.	District Council is responsible for managing activities on or over the surface of water. Structures above the surface of the water (bridges etc.) are assessed for effects on other activities using this space.
Rules	Government	ASW-R1 – The draft plan defines 'commercial activities' and 'recreation activities' but not 'motorised commercial recreation'. Therefore, the term 'motorised commercial recreational activity' creates confusion.	The term 'motorised commercial recreation' is self-explanatory and does not require a definition.
	Government, Corporate	ASW-R2 – Regional plans typically manage structures in, on or over the bed of lakes and rivers. Therefore, this rule creates unnecessary	District Council is responsible for managing activities on or over the surface of water. Structures above the surface of the water

		<p>duplication with Regional Council functions. As currently worded, a resource consent may be required from both the Regional and District Council for the same structure. Therefore, this rule is inefficient and creates an unnecessary cost for applicants.</p>	<p>(bridges etc.) are assessed for effects on other activities using this space.</p>
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WAIRARAPA  
COMBINED  
DISTRICT PLAN  
**REVIEW**

*Te Mahere  
Rautaki  
a-rohe o  
Wairarapa*

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# Proposed Wairarapa Combined District Plan

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## Section 32 Evaluation Topic Report Coastal Environment

OCTOBER 2023



Te Kaunihera-ā-Rohe o Taratahi  
**CARTERTON**  
DISTRICT COUNCIL



**SOUTH WAIRARAPA**  
DISTRICT COUNCIL  
*Kia Reretahi Tātau*

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## Appendices

Appendix 1: Feedback on Draft District Plan

## Executive summary

This Section 32 Evaluation Topic Report is focused on the Coastal Environment topic. The Coastal Environment chapter seeks to manage subdivision, land use and development within the coastal area. The Wairarapa coastline extends for over 220 kilometres from south of Ocean Beach to north of Mataikona and the coastal environment includes natural and modified landscapes. The coastal environment is made up of 12 distinctive areas, each containing similar characteristics and qualities. The coastal environment is highly valued by iwi, and has natural character, landscape, historic heritage and biodiversity values. In addition, the coastal environment is important as a recreation area, as well as for areas of pastoral farming and scattered residential occupation.

The Operative Wairarapa Combined District Plan (Operative District Plan) identifies and maps a Coastal Environment Management Area and a Foreshore Protection Area, and applies rules to manage subdivision, use and development in these areas. Restrictive rules apply to the Foreshore Protection Area due to the proximity to the coastline and risks from coastal hazards and sensitivity of this environment. The Coastal Environment Management Area has rules and standards that permit a certain nature and scale of use and development. Non-compliance with these rules and standards requires a resource consent.

The review of the coastal environment provisions identified a few issues with the effectiveness and efficiency of the policies in the Operative District Plan. In addition, the review highlighted that the provisions do not give effect to the New Zealand Coastal Policy Statement 2010 (NZCPS) requirements. The review has confirmed that the significant resource management issues relating to the coastal environment are essentially the same as identified in the Operative District Plan. The significance of the issues are also largely unchanged.

The key resource management issues for the Coastal Environment topic are:

- Issue 1: Changes in land use, and poorly designed and located development and subdivision and associated works can compromise the natural character and special qualities of the Wairarapa's coastal environment.
- Issue 2: Subdivision and development in hazard prone areas increases the risk to life and property, which will be exacerbated through the ongoing effects of climate change.
- Issue 3: Certain activities, that have a functional and operational need to be located in the coastal environment, and provide environment benefits, need to be provided for.

- Issue 4: Areas of high ecological value and high natural character within the coastal environment can be degraded through the introduction of new pressures on, and disturbance to, vegetation and habitats as a result of new or more intensive subdivision, use and development.

The Proposed Wairarapa Combined District Plan (Proposed District Plan) Coastal Environment chapter seeks to continue to manage activities within the coastal environment, with an additional overlay based on a recent coastal assessment. In addition, the following key changes are proposed for the coastal environment:

- Outstanding natural character overlay, very high and high natural character overlay, and associated provisions that limit land use, development and subdivision to protect its values,
- Updated effect-based standards that limit earthworks, vegetation clearance and structures in the coastal environment,
- Specific provision for appropriate activities in the coastal environment, including customary activities, conservation activities and key infrastructure,
- Strengthened provisions relating to the Foreshore Protection Area that require avoidance of new development that would increase coastal hazard exposure and risk.

## 1.0 Introduction

This Section 32 Evaluation topic report contains a section 32 evaluation of the objectives, policies, and methods relating to the Coastal Environment (CE) chapter in the Proposed District Plan.

The purpose of the Coastal Environment chapter is to set out the approach to managing the coastal environment within the Wairarapa and giving effect to the New Zealand Coastal Policy Statement (NZCPS). The Combined District Plan must give effect to the NZCPS, which requires a strategic approach to managing development on the coast.

The Wairarapa coastline extends for over 220 kilometres from south of Ocean Beach to north of Mataikona and the coastal environment includes natural and modified landscapes. The coastal environment is made up of 12 distinctive areas, each containing similar characteristics and qualities. The coastal environment is highly valued by iwi, and has natural character, landscape, historic heritage and biodiversity values. In addition, the coastal environment is important as a recreation area, as well as for areas of pastoral farming and scattered residential occupation.

The preservation of natural character in the coastal environment and its protection from inappropriate subdivision, use, and development is a matter of national importance (section 6(a) of the Resource Management Act 1991 (RMA)). The coastal environment

also includes Significant Natural Areas, Outstanding Natural Features and Landscapes and Special Amenity Landscapes, which are addressed through the Ecosystems and Indigenous Biodiversity and Natural Features and Landscape chapters in accordance with the NZCPS. Outside those specific overlay areas, activities can be undertaken in accordance with the underlying zone provisions, subject to any other relevant overlays and district-wide rules.

Coastal hazards, including coastal erosion, coastal inundation, and sea level rise, pose a significant threat to land use, people, and infrastructure in the Wairarapa. Sea level rise predictions indicate the Wairarapa coastline is particularly vulnerable as it is exacerbated through land subsidence caused by tectonic processes. The NZCPS directs councils to identify and map coastal hazards that pose a high risk with a forecast of 100 years. Where coastal hazards are not well understood, or there is insufficient information to understand the risk but adverse effects are potentially significant, the NZCPS directs that a precautionary approach must be adopted.

This report sets out the statutory and policy context for the Coastal Environment chapter, key resource management issues, consultation, and the evaluation of this topic to decide on the proposed provisions.

This report should be read in conjunction with the Section 32 Evaluation Overview and Strategic Directions Report and the following section 32 evaluation topic reports:

Report	How does this topic relate to the CE provisions
Natural Features and Landscapes	The Natural Features and Landscapes chapter includes policies and rules that relate to Outstanding Natural Features and Landscapes that are located within the coastal environment that align with this chapter and the NZCPS.
Natural Hazards	This report evaluates all of the natural hazard provisions. The objectives, policies and rules apply a risk-based approach to managing hazard risk to people and property. The natural hazards report also includes an evaluation of the coastal natural hazards and contains all relevant higher order directions for completeness, although these provisions are located within the Coastal Environment chapter in accordance with the National Planning Standards.
Subdivision	This chapter contains all the subdivision rules including those related to subdivision within the Coastal Environment in accordance with the National Planning Standards requirement. These relate to the policies regarding landscape overlays and subdivision which are required to be located within the Coastal Environment chapter.
Energy	This chapter contains the Energy provisions where an activity is located within the coastal environment. The policy direction requires any community and large-scale electricity generation activities to have regard to potential adverse effects on natural features and landscapes and references back to the direction of the Coastal Environment chapter. The rules also limit renewable electricity generation activities that are enabled within the Coastal Environment and other overlays in the Coastal Environment chapter.

Report	How does this topic relate to the CE provisions
Network Utilities	This chapter contains the provisions regarding activities associated with the development, maintenance, upgrading and operation of network utilities. It contains specific provisions relating to network utilities in the coastal environment.
Ecosystems and Indigenous Biodiversity	This chapter identifies significant indigenous vegetation and significant habitats of indigenous fauna throughout the Wairarapa, including within the coastal environment.

## 2.0 Statutory and policy context

### 2.1 Resource Management Act

As set out in the Section 32 Evaluation Overview and Strategic Directions Report, an evaluation is required of how the proposal achieves the purpose and principles in Part 2 of the RMA. This requires consideration of sections 5 to 8 of the RMA.

Section 5 sets out the purpose of the RMA which is to promote sustainable management of natural and physical resources. This section is set out in more detail in the Section 32 Evaluation Overview and Strategic Directions Report.

Section 6 requires all persons exercising functions and powers under the RMA to recognise and provide for specified matters of national importance. The section 6 matters relevant to the coastal environment are:

Section	Relevant matter and applicability
Section 6(a)	<p><i>the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development</i></p> <p>This is directly relevant to the Coastal Environment chapter as parts of the coastal environment have been identified as areas of high, very high and outstanding natural character.</p>
Section 6(b)	<p><i>the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development</i></p> <p>There are Outstanding Natural Features and Landscapes located within the coastal environment.</p>
Section 6(c)	<p><i>the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna</i></p> <p>There are significant indigenous vegetation and significant habitats of indigenous fauna that has been identified within the coastal environment.</p>
Section 6(d)	<p><i>the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers</i></p>

Section	Relevant matter and applicability
	The coastal environment includes public access points and it is likely more will be sought in the future.
Section 6(e)	<i>the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga</i> There is a strong historical and cultural relationship with ancestral lands, water, sites, waahi tapu, and other taonga within the Wairarapa, the coastal margin and its catchments.
Section 6(h)	<i>the management of significant risks from natural hazards</i> Coastal natural hazards are addressed in the Coastal Environment chapter and seek to manage the significant risks of those hazards.

Section 7 requires all persons exercising functions and powers under the RMA, in relation to managing the use, development, and protection of natural and physical resources, to have particular regard to a range of matters. The section 7 matters relevant to the Coastal Environment chapter are:

Section	Relevant matter
Section 7(a)	<i>Kaitiakitanga</i> Kaitiakitanga is relevant to the qualification of the coastal environment.
Section 7(c)	<i>the maintenance and enhancement of amenity values</i> This topic provides for the maintenance and enhancement of amenity values associated with the coastal environment.
Section 7(d)	<i>intrinsic values of ecosystems</i> This topic seeks to protect the intrinsic values of ecosystems within the coastal environment.
Section 7(f)	<i>maintenance and enhancement of the quality of the environment</i> This topic seeks to maintain and enhance the quality of the coastal environment through protection of its values and enabling public access.
Section 7(g)	<i>any finite characteristics of natural and physical resources</i> This topic identifies natural and physical values that require protection due to their finite characteristics.
Section 7(i)	<i>the effects of climate change</i> This topic addresses the effects of climate change associated with increased coastal hazards.

Section 8 requires local authorities to take into account the principles of the Treaty of Waitangi. Tangata whenua, through iwi authorities have been consulted as part of the review process. This feedback has informed the section 32 evaluation, and the obligation to make informed decisions based on that consultation is noted.

## 2.2 National direction

### 2.2.1 National Policy Statements

The National Policy Statements relevant to this topic are:

NPS	Relevant Objectives / Policies	
New Zealand Coastal Policy Statement 2010	Objective 1	To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land.
	Objective 2	To preserve the natural character of the coastal environment and protect natural features and landscape values.
	Objective 3	To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment.
	Objective 4	To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment.
	Objective 5	To ensure that coastal hazard risks taking account of climate change, are managed.
	Objective 6	To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development.
	Policy 1	Extent and characteristics of the coastal environment.
	Policy 2	The Treaty of Waitangi, Tangata Whenua and Māori.
	Policy 3	Precautionary approach.
	Policy 4	Integration.
	Policy 5	Land or waters managed or held under other Acts.
	Policy 6	Activities in the coastal environment.
	Policy 7	Strategic planning.
	Policy 11	Indigenous biological diversity.
	Policy 13	Preservation of natural character.
Policy 14	Restoration of natural character.	
Policy 15	Natural features and natural landscapes.	

NPS	Relevant Objectives / Policies	
	Policy 17	Historic heritage identification and protection.
	Policy 18	Public open space.
	Policy 19	Walking access.
	Policy 24	Identification of coastal hazards.
	Policy 25	Subdivision, use, and development in areas of coastal hazard risk.

## 2.2.2 National Environmental Standards

The National Environmental Standards relevant to this topic are:

NES	Relevant regulations	
National Environmental Standard for Plantation Forestry 2017	Regulation 6(2)(a)	A rule in a plan may be more stringent than these regulations if the rule recognises and provides for the protection of <ul style="list-style-type: none"> <li>outstanding natural features and landscapes from inappropriate use and development; or</li> </ul>
	Regulation 12	Afforestation must not occur within a significant natural area or an outstanding natural feature or landscape.
	Regulation 13	Afforestation must not occur within a visual amenity landscape if rules in the relevant plan restrict plantation forestry activities within that landscape.
	Regulation 15	Afforestation is a controlled activity if Regulation 13 is not complied with.
National Environmental Standard for Telecommunication Facilities 2016	Regulation 43	(1) The installation and operation of a telecommunication line by a facility operator is a regulated activity if the line— <ol style="list-style-type: none"> <li>is not a customer connection line; and</li> <li>is an underground line.</li> </ol> (2) The standard for the activity is that,— <ol style="list-style-type: none"> <li>to the extent that the activity is carried out in a road reserve, regulation 44, if it applies, must be complied with; and</li> <li>to the extent that the activity is carried out at a place that is not in a road reserve, regulations 45 to 51, if they apply, must be complied with; and</li> <li>regulation 54 must be complied with.</li> </ol>
	Regulation 47	(1) This regulation applies to a regulated activity if it is carried out at a place identified in the relevant

NES	Relevant regulations	
		<p>District Plan or proposed District Plan as being subject to visual amenity landscapes rules.</p> <p>(2) This regulation is complied with if the regulated activity is carried out in accordance with the visual amenity landscapes rules that apply to that place.</p> <p>(3) In this regulation, visual amenity landscapes rules means district rules about the protection of landscape features (such as view shafts or ridge lines) identified as having special visual amenity values (however described).</p>
	Regulation 50	<p>(1) This regulation applies to a regulated activity if it is carried out at a place identified in the relevant District Plan or proposed District Plan as being subject to outstanding natural features or landscapes rules.</p> <p>(2) This regulation is complied with if the regulated activity is carried out in accordance with the outstanding natural features or landscapes rules that apply to that place.</p> <p>(3) In this regulation, outstanding natural features or landscapes rules means district rules about the protection of outstanding natural features or landscapes (however described).</p>

### 2.2.3 National Planning Standards

The National Planning Standards require that where the following matters are addressed, they must be included in the Coastal Environment chapter in Part 2 – District-Wide Matters of the District Plan which:

- sets out the approach to managing the coastal environment and giving effect to the NZCPS,
- sets out provisions for implementing the local authorities functions and duties in relation to the coastal environment, including coastal hazards, and
- provides cross-references to any other specific coastal provisions that may be located within other chapters.

Topic & unique identifier	Location in DP structure	Elements included under that topic	Elements addressed under other topic areas
Coastal Environment CE	Part 2 – District-Wide Matters  General District Wide Matters	Sets out the approach to managing the coastal environment and giving effect to the NZCPS,  Sets out provisions for implementing the	Outstanding Natural Features and Landscapes that are within the coastal environment are located in the NFL chapter.

		<p>local authorities functions and duties in relation to the coastal environment, including coastal hazards, and</p> <p>Provides cross-references to any other specific coastal provisions that may be located within other chapters.</p>	<p>Renewable energy and network utility infrastructure provisions relating to the coastal environment are located in the Network Utilities and Energy chapters</p> <p>Subdivision provisions relating to the coastal environment are located in the Subdivision chapter</p>
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## 2.2.4 National guidance documents

The following national guidance documents are relevant to this topic:

Document	Author/Owner	Summary
Preparing for Coastal Change (2017)	Ministry for the Environment	This document provides guidance to assist local government in assessing, planning for and managing the increased risk from climate change to coastal communities. It sets out the adaptive planning approach to managing hazards.
NZCPS Guidance Notes (2010)	Department of Conservation	This document summarises the key objectives and policies of the NZCPS and provides guidance for local authorities, and other users, on how to apply the NZCPS.

## 2.3 Regional direction

### 2.3.1 Regional Policy Statement for the Wellington Region

The table below identifies the relevant provisions and resource management topics for the coastal environment contained in the RPS.

Objective/Policy	Relevant matters
Objective 3	<p>Habitats and features in the Coastal Environment that have significant indigenous biodiversity values are protected; and</p> <p>Habitats and features in the Coastal Environment that have recreational, cultural, historical or landscape values that are significant are protected from inappropriate subdivision, use and development</p>

<b>Objective/Policy</b>	<b>Relevant matters</b>
Objective 4	The natural character of the coastal environment is protected from the adverse effects of inappropriate subdivision, use and development.
Objective 5	Areas of the coastal environment where natural character has been degraded are restored and rehabilitated.
Objective 6	The quality of coastal waters is maintained or enhanced to a level that is suitable for the health and vitality of coastal and marine ecosystems.
Objective 7	The integrity, functioning and resilience of physical and ecological processes in the Coastal Environment are protected from the adverse effects of inappropriate subdivision, use and development.
Objective 8	Public access to and along the coastal marine area, lakes and rivers is enhanced.
Policy 3 M	Protecting high natural character in the coastal environment.
Policy 4 M	Identifying the landward extent of the Coastal Environment.
Policy 35 R	Preserving the natural character of the Coastal Environment.
Policy 36 R	Managing effects on natural character in the coastal environment.
Policy 37 R	Safeguarding life supporting capacity of coastal ecosystems.
Policy 38 R	Identifying the landward extent of the Coastal Environment.
Policy 53 R	Public access to and along the coastal marine area, lakes and rivers
<p>Key:</p> <p>M = policies which must be implemented in accordance with stated methods in the RPS</p> <p>R = policies to which particular regard must be had when varying a district plan</p>	

### 2.3.2 Natural Resources Plan

The table below identifies the relevant provisions for the coastal environment contained in the NRP.

<b>Section</b>	<b>Relevant matters</b>
Objective O1	Air, land, freshwater bodies and the coastal marine area are managed as integrated and connected resources; ki uta ki tai – mountains to the sea.
Objective O2	The importance and contribution of air, land, water and ecosystems to the social, economic and cultural well-being and health of people and of the community are recognised in the management of those resources.

Section	Relevant matters
Objective O15	The hazard risk and residual hazard risk, from natural hazards and adverse effects of climate change, on people, the community, the environment and infrastructure are acceptable.
Objective O15	Inappropriate use and development in high hazard areas is avoided.
Objective O26	Outstanding natural features and landscapes and their values are protected from inappropriate use and development.
Objective O45	Use and development shall generally not be located in the coastal marine area unless it has a functional need or operational requirement to be located there
Objective O46	Use and development makes efficient use of any occupied space in the coastal marine area.
Objective O47	The need for public open space in the coastal marine area is recognised.
Objective O48	New development in the coastal marine area is of a scale, density and design that is compatible with its function and its location in the coastal environment.
Policy P1	Ki uta ki tai and integrated catchment management
Policy P2	Cross-boundary matters
Policy P23	Identification of outstanding/high natural character and outstanding natural features and landscapes
Policy P24	Preserving and protecting natural character from inappropriate use and development
Policy P25	High hazard areas
Policy P27	Hazard mitigation measures
Policy P52	Protecting natural features and landscapes from inappropriate use and development
Policy P132	Functional need and efficient use
Policy P140	Recreational values
Policy P141	Public open space values and visual amenity

### 2.3.3 Any other relevant regional plans or strategies

The following plans or strategies are relevant to this topic:

Plan / Strategy	Relevant Provisions
Greater Wellington - Preparing Coastal Communities for Climate Change	<ul style="list-style-type: none"> <li>Identifies the high-level vulnerability of different coastal areas within the Wellington Region to sea level rise and associated coastal inundation and erosion hazards.</li> </ul>

Plan / Strategy	Relevant Provisions
	<ul style="list-style-type: none"> <li>• Considers coastal inundation, tsunami inundation and coastal erosion.</li> <li>• Intended to assist the territorial authorities and Greater Wellington Regional Council region to establish a process for working with the affected communities to develop long-term adaptive strategies.</li> </ul>

## 2.4 Wairarapa policies, plans and strategies

### 2.4.1 Iwi Management Plans

There are currently no iwi management plans relevant to the Wairarapa.

### 2.4.2 Statutory Acknowledgements

The table below identifies the relevant statutory acknowledgements to the coastal environment.

Settlement Act	Statutory Acknowledgement area	Relevance to Coastal Environment
Rangitāne Tū Mai Rā (Wairarapa Tamaki nui-ā-Rua) Claims Settlement Act 2017	Ruamāhanga River and its tributaries	The lower reaches before entering the Coastal Marine Area are located within the coastal environment.
	Coastal marine area	Is located within and directly adjacent to the coastal environment.
Ngāti Kahungunu ki Wairarapa Tāmaki nui-ā-Rua Claims Settlement Act 2022	Coastal marine area	Is located within and directly adjacent to the coastal environment.
	Remutaka Forest Park	The southern extent of the Remutaka Forest Park is located within the coastal environment.

### 2.4.3 Any other relevant local plans or strategies

The following plans or strategies are relevant to this topic:

Plan / Strategy	Relevant Provisions
Wairarapa Coastal Strategy (2004)	The Wairarapa Coastal Strategy is a joint initiative of the Masterton, Carterton and South Wairarapa District Councils, Rangitāne o Wairarapa, Ngāti Kahungunu ki Wairarapa and Greater Wellington Regional Council.

Plan / Strategy	Relevant Provisions
	The strategy is a non-statutory document that was developed in response to increasing pressure for development on the coast and in recognition that our actions today can impact on the opportunity for future generations to be able to use, visit and enjoy the coast.

## 2.5 Other legislation or regulations

The following additional legislative / regulatory requirements are also relevant to this topic:

Legislation / Regulation	Relevant Provisions
Conservation Act 1987	<p>The Conservation Act 1987 created the Department of Conservation (DOC), which is the organisation that promotes the conservation of New Zealand's natural and historic resources. DOC manages national parks, marine reserves and other conservation areas.</p> <p>Where the coastal environment overlaps with any of the public conservation estate then the Conservation Act should be considered.</p>

## 3.0 Issues analysis

### 3.1 Background

The Wairarapa coastal environment is geological diverse and typically expresses broad remote and isolated areas of farmland which adjoins a rugged sequence of bays, beaches, estuaries, wetlands, sand spits, rocky shorelines and reefs. The coastal marine area contains a broad intercontinental shelf and sequence of deep offshore canyons. In this context much of the marine natural character remains high with moderate levels of natural character more typical in terrestrial areas associated with small coastal settlements and areas of extensive farming.

Modification to the coastal environment has occurred through establishment of settlements, agriculture, forestry and supporting infrastructure. Despite this modification, much of the coastal environment remains relatively inaccessible, and only small, isolated settlements have developed at accessible parts of the coast, with each settlement having its own unique character and qualities. While most of the coastline is farmed, it is mainly only suitable for extensive pastoral grazing. Although the natural environment has been greatly modified, there are many places in which there are significant ecological values and important coastal habitats, as well as landscapes of valued natural character.

Coastal hazards, including coastal erosion, coastal inundation, and sea level rise, pose a significant threat to land use, people, and infrastructure in the Wairarapa. Sea level rise predictions indicate the Wairarapa coastline is particularly vulnerable as it is exacerbated through land subsidence caused by tectonic processes<sup>1</sup>.

The coastal environment is highly valued by iwi, and has natural character, landscape, historic heritage, and biodiversity values. In addition, the coastal environment is important as a recreation area, as well as for areas of pastoral farming and scattered residential occupation. As there is threat for loss of the characteristics and qualities of the coastal environment, including natural character, through land use change and development, there is a need to identify and protect its values.

## **3.2 Evidence base**

The Councils have reviewed the Operative District Plan, commissioned technical advice and assistance from various internal and external experts and utilised this, along with internal workshops and community feedback to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions. The following sections outline this evidence.

### **3.2.1 Analysis of Operative District Plan provisions**

#### **3.2.1.1 Overview of Operative District Plan provisions**

The Operative District Plan identifies the following significant resource management issue in relation to the coastal environment:

1. Changes in land use, and poorly designed and located development and subdivision and associated works can compromise the natural character and special qualities of the Wairarapa Coast.
2. Ad hoc subdivision and development in areas outside existing coastal settlements can lead to the loss of the natural character and valued qualities of the coastal environment. In particular, the cumulative effects of subdivision and development can diminish the natural character over time through a gradual process of change.
3. The coastal environment is subject to a variety of natural hazards, which vary in their location and intensity. Subdivision and development in hazard prone areas

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<sup>1</sup> Latest predictions indicate that relative sea level rise (that includes the vertical land movement) in South Wairarapa district could locally reach up to 0.72m in 2050 and 1.90m in 2100. Source: NZ SeaRise Programme

increases the risk to life and property. The effects of climate change are likely to exacerbate these risks.

4. Public access to and along the Wairarapa Coast is highly valued and needs to be maintained and enhanced without compromising landowner rights and the special qualities of the coastal environment including natural character and ecology, particularly in erosion prone, or ecologically sensitive areas.
5. Each coastal settlement has unique characteristics and special qualities that are valued by their communities. Land use, development and subdivision, and the provision of infrastructure have the potential to degrade these qualities.
6. Infrastructure in the coastal environment, such as reserve facilities and amenities, roading and building structures, can degrade the natural character and landscape values in the coastal environment. However, there are also occasions where infrastructure can provide environmental benefits to the coastal environment by avoiding, remedying and mitigating the adverse effects of activities. Examples include community sewage schemes or treatment systems, and infrastructure controlling stormwater.
7. Ecologically important areas in the coastal environment can be degraded through the introduction of new pressures on, and disturbance to, wildlife and habitat as a result of new or more intensive subdivision, use and development.

Chapter 13 of the Operative District Plan includes the following objectives, which have remained in place since the District Plan was made operative in 2011:

*13.3.1 Objective CE1 – Natural Character*

*To protect the natural character of the coastal environment by ensuring use, subdivision, and development maintains the comparatively undeveloped nature of the Wairarapa Coast.*

*13.3.4 Objective CE2 – Coastal Settlements*

*To provide for further development at coastal settlements in a manner that maintains the distinctive character and amenity values of each settlement.*

*13.3.7 Objective CE3 – Public Access and Enjoyment*

*To facilitate public access to, and enjoyment of, the Wairarapa's coast and its margins in a manner that protects natural character.*

These objectives are given effect to through three sets of policies:

**13.3.2 CE1 Policies**

- (a) Identify the extent of the coastal environment based on landscape and ecological principles.

- (b) Manage the design, location and scale of subdivision and development in the identified coastal environment to ensure the special qualities and natural character of the coast are retained and adverse effects are avoided, remedied or mitigated, with priority given to avoiding effects.
- (c) Recognise the key role of the subdivision process in establishing the framework for development in the coastal environment, including the siting and design of structures.
- (d) Ensure that adverse cumulative effects of subdivision, land use and development on the special qualities and natural character of the Wairarapa coast are avoided, remedied or mitigated.
- (e) Promote the consolidation of urban development at existing coastal settlements.
- (f) Manage the expansion of existing coastal settlements to ensure the special qualities of each settlement are protected.
- (g) Ensure the provision of adequate infrastructure, services and onsite mitigation measures as subdivision, land use and development occurs.
- (h) Protect foreshore amenity values and avoid hazard risks by controlling the location of structures in close proximity to the foreshore.
- (i) Discourage built development between roads and the foreshore where such roads are in close proximity to the foreshore, to protect the open coastal vistas.
- (j) Promote a strategic approach to the use and management of the Wairarapa Coast through the development of management plans, particularly for coastal settlements, for areas with significant natural character values and/or areas with significant environmental issues.
- (k) Encourage and support innovative land uses and development that retains or enhances the special qualities of the coast.
- (l) Support cooperative relationships with landowners, communities and key stakeholders in managing the coastal environment and in environmental enhancement and public access projects.
- (m) Adopt a precautionary approach to new subdivision and development where knowledge is lacking about coastal processes and where the risks from natural hazards are likely to be high.
- (n) Require esplanade reserves/strips along the coastal marine area and estuaries and river mouths of significant waterbodies, recognising that esplanade strips may be more appropriate if the special qualities of the coastal environment are likely to be detrimentally affected by esplanade reserves.

#### 13.3.5 CE2 Policies

- (a) Through the preparation and implementation of Management Plans, adopt a strategic and community-based approach to longterm planning for the use, development and subdivision of coastal settlements.
- (b) Use the Management Plan process to develop Structure Plans that identify appropriate opportunities for further growth within and/or adjoining coastal settlements.
- (c) Provide for further subdivision, use and development within existing coastal settlements in a manner that is appropriate to each settlement's character, its landscape and recreational values and its infrastructural capacity.
- (d) Take into account the principles and criteria in any Management Plan when assessing a proposed subdivision or development.
- (e) Establish development standards that recognise and maintain the character and amenity values of coastal settlements as appropriate.
- (f) Ensure public facilities and infrastructure are provided to serve the needs of residents and visitors while being located and designed to retain the character of the settlements.

#### *13.3.8 CE3 Policies:*

- (a) Recognise and provide for existing recreational activities on the coast and its margins that do not cause detrimental effects to the coastal environment.
- (b) Ensure use, subdivision and development of the coastal environment provides for, or enhances, public access to and along the coast. Access should only be restricted for the following reasons:
  - i. To protect natural habitats;
  - ii. To protect historic heritage features and areas; or
  - iii. To protect public health and safety.
- (c) Manage the potential for reverse sensitivity to arise when land use and development occurs in close proximity to areas of public recreation.

The methods for achieving the objectives and policies are provided through rules contained in the Chapter 20 (Subdivision Rules) and Chapter 21 (District Wide Rules) that apply to activities occurring within the Coastal Environment Management Area that is identified in planning maps. Any subdivision within the Coastal Environment Management Area is a discretionary activity under Rule 20.1.5(i). The rules also apply the following permitted land use standards within the Coastal Environment Management Area:

- Limits on the positioning, dimensions and appearance of structures to not distract from the Coastal Environment values,

- Limits number of dwellings per land holding to one within the Rural Zone,
- Earthworks are limited by the maximum vertical cut and are variable depending on the size of the property.

Where standards are not met, the activity falls to a restricted discretionary activity under Rules 21.4.3 or 21.4.4.

### 3.2.1.2 State of the environment monitoring

**Table 1** below summarises consenting information from the MfE National Monitoring System Database between 2014/2015 and 2020/2021. Consents in the coastal environment have largely been associated with non-compliance with the permitted activity building standards. There have also been several new allotments created in the rural zone of the coastal environment for residential living.

*Table 1: Summary of consent data between 2014 - 2021. Source: MfE National Monitoring System Database.*

Period	Council	Number of consents	Description
2014/2015 to 2020/2021	South Wairarapa District Council	11	<ul style="list-style-type: none"> <li>• Relocation of buildings to a site within the Coastal Environment</li> <li>• A new structure within the Foreshore Protection Area,</li> <li>• New dwellings within the Coastal Environment and above the 40 m contour,</li> <li>• A new sign, and</li> <li>• Creation of eight new allotments for residential use.</li> </ul>
	Carterton District Council	0	NA
	Masterton District Council	8	<ul style="list-style-type: none"> <li>• Relocation of buildings to a site within the Coastal Environment,</li> <li>• A new dwelling in the Foreshore Protection Area,</li> <li>• A dwelling in the Coastal Environment and above the 40 m contour,</li> <li>• Creation of 15 new allotments, largely for residential use.</li> </ul>

### 3.2.1.3 Effectiveness of the Operative District Plan approach

The following issues have been identified with the effectiveness of the Operative District Plan:

Issue	Comment
Issue 1: Inadequacy of coastal hazard protection	The current plan current does not identify coastal hazards. The current approach applies a 'foreshore protection area' to 50 m from the coastal marine area and requires consent for new structures but does not contain strong policy direction or discourage inappropriate development. There has also been subdivision for rural lifestyle in areas that are potentially exposed with little ability for the Councils to decline those consents or consider the potential coastal hazard risk.
Issue 2: Does not account for recent natural character and landscape assessments.	There have been both landscape and natural character assessments undertaken that consider the coastal environment values of the Wairarapa. These assessments are yet to be accounted for in the Operative District Plan and there is only limited ability to consider them in current consenting.
Issue 3: Consistency with higher order direction	Both the NZCPS and the Wellington RPS contains specific direction in relation to the management of the Coastal Environment. While the Operative District Plan does partially give effect to the direction through general recognition of coastal natural character, it does not give full effect.

### 3.2.2 Analysis of other District Plan provisions relevant to this topic

Current practice has been considered in respect of this topic, with a review undertaken of the following District Plans:

Plan	Description of approach
Operative Kapiti Coast District Plan 2021	<p>The plan includes a Coastal Environment (CE) chapter under the General district-wide matters section of the plan. The chapter comprises seven policies which address the following:</p> <ul style="list-style-type: none"> <li>• Recognising the extent and characteristics of the coastal environment and identifying and preserving natural character</li> <li>• Maintaining and enhancing amenity and public access</li> <li>• Accommodating natural shoreline movement and protecting and enhancing dune systems</li> </ul> <p>The rule framework consists of the following:</p> <ul style="list-style-type: none"> <li>• One permitted rule is provided which permits public access and amenity structures within the rural or open space zones.</li> <li>• One discretionary rule controls the construction of buildings or earthwork activities within areas of high or outstanding natural character within the Rural or Open Space Zones (that do not meet permitted activity standards)</li> </ul>

<p>Proposed New Plymouth District Plan</p>	<p>The plan uses the National Planning Standards format and includes a Coastal Environment (CE) environment chapter within the General District-wide Matters section of the plan. The chapter contains four objectives which address:</p> <ul style="list-style-type: none"> <li>• Recognising and preserving values of the coastal environment, including natural character, landscape, historical, ecological alongside tangata whenua values, matauranga and tikanga.</li> <li>• Ensuring activities in the coastal environment provide for social, economic and cultural wellbeing while ensuring adverse effects on the coastal environment are avoided, remedied or mitigated.</li> <li>• Risk to people and property from coastal hazards and climate change.</li> </ul> <p>The plan contains 13 policies which address the following:</p> <ul style="list-style-type: none"> <li>• Identifying and mapping the coastal environment</li> <li>• Protecting natural character, allowing and managing activities in the coastal environment</li> <li>• Subdivision of land creating allotments adjoining mean high-water springs</li> </ul> <p>The rule framework sets out the following:</p> <ul style="list-style-type: none"> <li>• Permitted activities include earthworks subject to compliance with specific standards, below ground network utilities and installation of underground pipelines and cables, maintenance and repair of above ground network utilities and existing tracks, drains and structures, building activities subject to specific standards, flood and drainage works.</li> <li>• Restricted discretionary activities include permitted activities that do not comply with relevant standards, hazard sensitive activities in the Māori Purpose Zone.</li> <li>• Discretionary activities include hard protection structures in all zones excluding the Port Zone, industrial activities, quarrying and mining, petroleum, subdivision of land, large scale renewable electricity generation activities.</li> <li>• Non-complying activities include hazard sensitive activities in the Māori Purpose Zone that do not comply with relevant standard.</li> </ul>
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Proposed Porirua District Plan	<p>The plan includes a Coastal Environment (CE) environment chapter within the General District-wide Matters section of the plan. The chapter contains four objectives which relate to:</p> <ul style="list-style-type: none"> <li>• Maintaining and enhancing natural features</li> <li>• Protecting the natural character from inappropriate subdivision, use and development</li> <li>• Measures to reduce damage from sea level rise and coastal erosion, and subdivision, use and development do not increase risk from natural hazards.</li> </ul> <p>The chapter also contains 17 policies which relate to:</p> <ul style="list-style-type: none"> <li>• Identification of the coastal environment and coastal high natural character areas</li> <li>• Avoiding, remedying or mitigating certain activities within the coastal environment</li> <li>• Allowing for earthworks and indigenous vegetation, restoring and rehabilitating activities</li> <li>• Providing for, or avoiding, hazard-sensitive activities</li> <li>• Encouraging soft engineering measures and restricting the use of hard engineering measures for natural hazard mitigation works.</li> </ul> <p>The rule framework sets out the following:</p> <ul style="list-style-type: none"> <li>• Permitted activities include earthworks, vegetation removal, restoration and maintenance activities, and additions to existing buildings within a Coastal High Natural Character Area subject to relevant provisions, soft engineering mitigation works, and less hazard-sensitive activities.</li> <li>• One controlled activity being all potentially hazard-sensitive activities within the low hazard area of the Coastal Hazard Overlay</li> <li>• Restricted discretionary activities include permitted activities that do not meet relevant standards or provisions, new buildings and structures within a Coastal High Natural Character Area, hazard-sensitive activities within the Low Hazard Area of the Coastal Hazard Overlay, all potentially hazard-sensitive activities within relevant overlays</li> <li>• Discretionary activities include restricted discretionary activities that do not comply with relevant standards or provisions, all hazard-sensitive activities, hard engineering measures, new buildings for hazard-sensitive activities, new buildings for potentially hazard-sensitive activities within specific overlays, quarry or mining in the coastal environment.</li> <li>• Non-complying activities include discretionary activities that do not comply with relevant standards</li> </ul>
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	<p>or provisions, new plantation forestry, all hazard-sensitive activities and new buildings for hazard-sensitive activities within specific overlays, and any activity not otherwise listed as permitted, controlled, restricted discretionary, discretionary or non-complying.</p>
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These plans were selected because:

- They have been subject to recent plan changes/a recent plan review that have/has addressed similar issues relating to this topic; and
- The councils are of a similar scale to the Wairarapa districts and are confronting similar issues relating to this topic.

A summary of the key findings follows:

- All three plans included Coastal Environment chapters within the General District-wide Matters section of the plan.
- The coastal environment objectives generally relate to:
  - Recognising and protecting natural character and/or values of the coastal environment
  - Addressing risk from natural hazards within the coastal environment
  - Providing for activities while protecting natural character from inappropriate subdivision, use and development.
- The relevant policies of the analysed plans generally address:
  - Recognising, protecting and preserving natural character or features of the coastal environment
  - Identifying and mapping coastal environment and coastal natural character
  - Avoiding, remedying and mitigating activities with adverse effects on the coastal environment
- In terms of the rule frameworks of the analysed plans, these generally included the following:
  - Permitted activities:
    - Providing for public access;
    - Earthworks and vegetation removal;
    - Operation, maintenance and repair works;
    - Certain building activities and additions to existing buildings;

- Restricted discretionary (noting Kapiti Coast District Plan did not contain any restricted discretionary activities):
  - Permitted activities not complying with standards;
  - New buildings within Coastal High Natural Character Areas;
  - Hazard sensitive activities within specific zones and overlays.
- Discretionary:
  - Restricted discretionary or permitted activities that do not meet relevant standards;
  - Earthworks or works in Coastal High Natural Character Areas;
  - Industrial activities, quarrying and mining;
  - Hard structures and/or engineering.
- Non-complying (noting Kapiti Coast District Plan did not contain any non-complying activities):
  - Discretionary activities that do not meet relevant standards;
  - Hazard-sensitive activities in specific zones and overlays;
  - Plantation forestry

### **3.2.3 Advice received from Iwi**

No specific advice has been received from Rangitāne o Wairarapa or Ngāti Kahungunu ki Wairarapa regarding natural character and public access and the proposed provisions evaluated within this report. However, Rangitāne o Wairarapa or Ngāti Kahungunu ki Wairarapa were consulted as part of the District Plan Review which has informed the preparation of the Proposed District Plan. Support was provided for the inclusion of high natural character areas and the approach to protection of those areas. General support was provided for the approach taken to management of the coastal environment.

### **3.2.4 Technical information**

#### **3.2.4.1 Wairarapa Coastal Study: Natural Character of the Wairarapa Coastal Environment 2020, Boffa Miskell Limited**

A coastal assessment was commissioned by the Councils and Greater Wellington Regional Council undertaken between 2019-2020 by Boffa Miskell Limited.

The study area comprises the coastal environment of Wairarapa, including both terrestrial and marine areas. The terrestrial and marine coastal environment were evaluated by landscape architects, ecologists and marine scientists.

The first step of this assessment identifies and maps the extent of the coastal environment. This encompasses the coastal marine area (CMA) extending out to 12 nautical-mile limit and a relatively narrow fringe of coastal land above mean high water

springs (MHWs). The inland extent has been identified (with guidance from NZCPS Policy 1 (2)) as generally being the part of the coast where “coastal processes, influences or qualities are significant”. That is, coastal processes, influences or qualities are not just present but significant.

The assessment of natural character has responded to NZCPS (Policy 13) and considers the extent to which existing natural elements, patterns and processes exist and have undergone human modification. This assessment has been considered in terms of abiotic, biotic and experiential attributes within a series of workshops with the study team. Natural character aspects have primarily been considered in terms of the degree of human biophysical modification alongside associated experiential aspects which exist as a result of such levels of modification remaining apparent.

To facilitate this assessment, the study area was considered to comprise 18 coastal areas (12 coastal terrestrial areas and six coastal marine areas). Each of these areas were evaluated in relation to the three attributes. The natural character ratings for each attribute were combined to determine the overall level of natural character. Each terrestrial and marine area was then assessed at a finer scale to identify components which have high or very high levels of natural character (based on abiotic and biotic attribute ratings).

The final step of this assessment considers whether any parts of the Wairarapa’s coastal environment have outstanding natural character. During the assessment, marine and terrestrial components with at least high natural character were considered together in the context of the Greater Wellington Region.

#### Findings

- The study identified the full extent of the coastal environment throughout the Wairarapa. This spatial extent slightly differs to the extent currently indicated in the Operative District Plan.
- The study identified that there are a total of 26 components of ‘high’ natural character and two components of ‘very high’ natural character, equating to a total of 3,470 ha. Terrestrial components with high natural character remain along much of Wairarapa’s shoreline and include some impressive intact coastal landforms and sequences of native vegetation along a narrow coastal edge. A summary of the identified high and very high natural character areas is provided below in **Table 2**.

*Table 2: Summary of identified 'High' and 'Very High' Natural Character areas.*

<b>High Natural Character</b>
Waiuru Stream Shoreline and Coastal Cliffs
Pahaoa River Shoreline
Devils Creek Coastal Cliffs

<b>High Natural Character</b>
Manurewa Point Hill
Manurewa Point Shoreline
Tora Bush
Awhea Coastal Cliffs
Awhea Shoreline
Te Kaukau Point
White Rock Beach
Kaiwhata Shoreline
Cape Palliser
Te Humenga Point
Whangaimoana Beach
Ōnoke Wetlands
Ōnoke Spit
Ocean Beach
Wharekauhau Stream and Scarp
Honeycomb Shoreline
Castle Rock
Castle Rock Reef
Castle Rock South
Waimimi Shoreline
Riverside Dunes
Uruti Point
Kaiwhata Shoreline
<b>Very High Natural Character</b>
Ngapotiki Fan
Mukamuka Cliffs

The extent of the coastal environment identified through this study has formed the spatial extent which the Coastal Environment chapter applies to, and the associated coastal environment values it seeks to manage. The areas of outstanding, high and very high natural character (identified above) have formed the basis for mapping of, and inclusion of a schedule of, outstanding natural character and high and very high natural character in the Proposed District Plan, and the key values and threats have been considered in the development of accompanying objectives, policies and methods in the Coastal Environment chapter of the Proposed District Plan.

### 3.2.4.2 Wairarapa Landscape Study 2010, Boffa Miskell Limited

A landscape assessment was commissioned by the Councils and Greater Wellington Regional Council and undertaken between 2010-2011 by Boffa Miskell Limited. The assessment identifies the coastal environment of the Wairarapa and evaluates levels of natural character to give effect to the requirements in the Wellington Regional Policy Statement (RPS) and the New Zealand Coastal Policy Statement (NZCPS) 2010.

The assessment methodology was based on NZILA Best Practice Guide 10.1<sup>2</sup>, and Policies 24 and 26 of the Wellington Regional Policy Statement. **Figure 1** shows the three broad evaluation categories along with the 12 sub-factors that make up the evaluation methodology.

*Table 3: Relationship between the 12 factors of the RPS and the NZILA's three broad categories. Source: Wairarapa Landscape Assessment, 2011.*

Evaluation Category <sup>3</sup>	Factors <sup>4</sup>
<p><b>Biophysical</b></p> <p>Biophysical features, patterns and processes may be natural and/or cultural in origin, and range from the geology and landform that shape a landscape to the physical artefacts such as roads that mark human settlement and livelihood.</p>	<p><b>Representativeness</b></p> <p>The combination of natural components that form the feature or landscape strongly typifies the character of an area.</p> <p><b>Research and Education</b></p> <p>All parts of the feature or landscape are important for natural science research and education.</p> <p><b>Rarity</b></p> <p>The feature or landscape is unique or rare within the district or region, and few comparable examples exist.</p> <p><b>Ecosystem Functioning</b></p> <p>The presence of healthy ecosystems is clearly evident in the feature or landscape.</p>
<p><b>Sensory</b></p> <p>Sensory qualities are landscape phenomena as directly perceived and experienced by humans, such as the view of a scenic landscape, or the distinctive smell and sound of the foreshore.</p>	<p><b>Coherence</b></p> <p>The patterns of land cover and land use are in harmony with the underlying natural pattern of landform and there are no significant discordant elements of land cover or land use.</p> <p><b>Vividness</b></p>

<sup>2</sup> Has since been superseded by Te Tangi a te Manu.

<sup>3</sup> Source: Best practice note landscape assessment and sustainable management, NZILA, 2011.

<sup>4</sup> Source: Policies 24 and 26 of the Wellington Regional Policy Statement.

	<p>The feature or landscape is visually striking and is widely recognised within the local and wider community for its memorable and sometimes iconic qualities.</p> <p><b>Naturalness</b> The feature or landscape appears largely unmodified by human activity and the patterns of landform and land cover appear to be largely the result of intact and healthy natural systems.</p> <p><b>Expressiveness (Legibility)</b> The feature or landscape clearly shows the natural processes that led to its existing character.</p> <p><b>Transient Values</b> The consistent and noticeable occurrence of transient natural events, such as seasonal change in vegetation or in wildlife movement, contributes to the character of the feature or landscape.</p>
<p><b>Associate</b></p> <p>Associative meanings are spiritual, cultural or social associations with particular landscape elements, features, or areas, such as tupuna awa and waahi tapu, and the tikanga appropriate to them, or sites of historic events or heritage. Associative activities are patterns of social activity that occur in particular parts of a landscape, for example, popular walking routes or fishing spots. Associative meanings and activities engender a sense of attachment and belonging, and in the context of Aotearoa / New Zealand include places and associations of particular importance to tangata whenua.</p>	<p><b>Recognised Values</b> The feature or landscape is widely known and is highly valued for its contribution to local identity within the immediate and wider community.</p> <p><b>Tangata Whenua Values</b> Māori values inherent in the feature or landscape add to the feature or landscape being recognised as a special place.</p> <p><b>Historical Associations</b> Knowledge of historic events that occurred in and around the feature or landscape is widely held and substantially influences and adds to the value the community attaches to the natural feature or landscape.</p>

Outstanding natural features and landscapes were described in the report as being generally of high value in terms of natural science and perceptual criteria, with less human modification and greater aesthetic appeal. They may also rank highly in terms of associational values, such as historic or cultural values from past uses or events. There were a number of areas that ranked highly in terms of the assessment factors – however they did not qualify as Outstanding. This is typically due to the level of modification which

provides clear evidence of human intervention such as ongoing grazing, or reduced values in terms of natural science or perceptual values. These areas were identified as Significant Amenity Landscapes, being worthy of recognition but not reaching the level required to be assessed as Outstanding. The outcome of the report was the identification of the 16 natural features and landscapes as being outstanding, and 7 landscapes as being worthy of recognition for their significant amenity values. Of those identified, nine are located within the Coastal Environment, or part thereof. The full list of landscapes is summarised in **Table 3** and those that are located within or partially within the Coastal Environment are indicated by the \*.

Table 4: ONFLs and SALs identified in Wairarapa Landscape Study 2010.

Site
<b>Outstanding Natural Features and landscapes</b>
Remutaka and Tararua Forest Parks*
Pukaha Mt Bruce
Tinui Taipos
Hidden Lakes
Castlepoint Reef & Scenic Reserve*
Uruti Point & Dune Complex
Taipo Minor /Rocky Hills Sanctuary
Wairarapa Moana*
Nga Waka o Kupe Hills
Glendhu Rocks/ Pahaoa Estuary*
Lake Pounui
Aorangi (Haurangi) Forest Park*
Pūtangirua Pinnacles*
Ruakokoputuna Chasm
White Rock*
Cape Palliser*
<b>Special Amenity Landscapes</b>
Wairarapa Coastline*
Te Rangitumau

Mangapakeha Taipo
Te Maipa Taipo
Gladstone Cliffs
Maungaraki Main Ridge
Maungaraki Low Ridge

The above features and landscapes have formed the basis for mapping of, and inclusion in a schedule of, outstanding natural features/landscapes and significant amenity features in the Proposed District Plan, and the key values and threats have been considered in the development of accompanying objectives, policies and methods in the Natural Features and Landscapes chapter of the Proposed District Plan. The New Zealand Coastal Policy Statement directs that where Outstanding Natural Features and Landscapes are located within the Coastal Environment that adverse effects are avoided, as opposed to just those adverse effects that are significant. This has been accounted for in the Natural Features and Landscapes chapter of the Proposed District Plan.

### 3.2.5 Consultation

The following is a summary of the primary consultation undertaken in respect of this topic:

Who	What	Form of engagement	When	Relevant Issues Raised
General public and affected landowners of ONFLs	Discussed the findings of the 2010 Landscape study and sought feedback on the extent, including with affected landowners.	Workshops and one-on-one engagement	2010 - 2011	<ul style="list-style-type: none"> <li>• General support over the areas identified and the methodology used.</li> <li>• Concerns over the extent and the impact potential development.</li> <li>• Amendments to extents made following the feedback.</li> </ul>
National Interest Groups and Regional Council	High level feedback on issues for the coastal environment	Meetings	August 2021 – April 2022	<ul style="list-style-type: none"> <li>• Coastal hazards assessment needs to be undertaken for the Wairarapa. The current approach to</li> </ul>

Who	What	Form of engagement	When	Relevant Issues Raised
				<p>coastal hazards is generally supported in the absence of a full assessment.</p> <ul style="list-style-type: none"> <li>• There needs to be further protection of the coastal environment including: <ul style="list-style-type: none"> <li>○ Giving effect to the NZCPS and RPS,</li> <li>○ recognising the recent Coastal Natural Character assessment, and</li> <li>○ providing for additional protection over currently identified SNAs and ONFLs that are within the coastal environment.</li> </ul> </li> </ul>
Feedback on Draft Plan	Feedback on Draft Plan, through submissions and targeted discussions	Public submission period / drop-in sessions	October to December 2022	See Appendix 1.

Public consultation was undertaken on the Draft District Plan in October to December 2022.

A summary of specific feedback on this topic received during consultation on the Draft Plan is contained in Appendix 2, including how it has been responded to in the Proposed Plan

In summary, the key findings arising from the consultation undertaken on this topic are:

- General support for the identification and protection of Outstanding Natural Character and Very High and High Natural Character areas.

- Changes sought to enable several additional activities in the coastal environment and over coastal environment overlays.
- General support for the approach taken to coastal hazards.
- Changes sought to objectives and policies to clarify what activities are anticipated and appropriate in the coastal environment.

### 3.3 Summary of issues

The statutory and policy context and available evidence outlined above identified several issues of a relatively discrete nature, therefore a "partial review", targeted to specific matters identified in the scoping, and aligning the provisions with the National Planning Standards, was considered appropriate.

Based on the research, analysis and consultation outlined above, the following issues have been identified with respect to the effectiveness of the Operative District Plan:

- Issue 1: The Operative District Plan does not identify and protect areas of high, very high and outstanding natural character.
- Issue 2: The coastal hazard provisions have not been effective in avoiding further exposure and risk.
- Issue 3: There has been inappropriate subdivision and land use that has result in loss of coastal environment values.

The review has confirmed that the significant resource management issues relating to the Coastal Environment are essentially the same as identified in the Operative District Plan.

The following resource management issues have been identified:

Issue	Comment
<p>Issue 1: Changes in land use, and poorly designed and located development and subdivision and associated works can compromise the natural character and special qualities of the Wairarapa's Coastal Environment.</p>	<ul style="list-style-type: none"> <li>• Policy 1 of the NZCPS requires the extent of the coastal environment to be defined – the District Plan does not currently define the coastal environment.</li> <li>• Increased urban growth and rural activities threaten the remaining areas of natural character in the coastal environment.</li> <li>• The statutory requirements of s6(a) RMA, NZCPS and the RPS are not being met.</li> <li>• The Coastal report identified a broad range of modification within the coastal environment. This includes residential development, road and rail construction and reclamation of land. This has adversely affected the natural character of the coastal environment and in some cases resulted in permanent loss.</li> </ul>

Issue	Comment
<p>Issue 2: Subdivision and development in hazard prone areas increases the risk to life and property, which will be exacerbated through the ongoing effects of climate change.</p>	<ul style="list-style-type: none"> <li>• The Wairarapa’s coastline is vulnerable to the effects of sea level rise, which is exacerbated through elevated land subsidence. Roads, infrastructure and housing are exposed to the ongoing effects which the Operative Plan fails to address.</li> <li>• Higher order documents (RMA, NZCPS, RPS and PNRP) all require the identification of coastal hazards and the recognition and provision for the risks from coastal hazards, while taking into account the effects of climate change.</li> </ul>
<p>Issue 3: Certain activities, that have a functional and operational need to be located in the coastal environment, and provide for environment benefits, need to be provided for.</p>	<ul style="list-style-type: none"> <li>• Requiring resource consent for activities in the coastal environment may increase the cost of activities and place greater strain on the District Councils’ resource consent processing.</li> <li>• Some existing sites will not be able to realise previous development potential.</li> <li>• Tangata whenua have a strong cultural connection to the coastal environment, in particular associated with the customary values.</li> <li>• Kaitiakitanga and cultural harvesting can be limited within the coastal environment.</li> </ul>
<p>Issue 4: Areas of high ecological value and high natural character within the coastal environment can be degraded through the introduction of new pressures on, and disturbance to, vegetation and habitats as a result of new or more intensive subdivision, use and development.</p>	<ul style="list-style-type: none"> <li>• Policy 13 of the NZCPS requires that natural character within the Coastal Environment is preserved, particularly outstanding natural character. The Operative District Plan does not spatially identify areas of natural character significance.</li> <li>• The Coastal report identified several areas of high, very high and outstanding natural character. There is risk for degradation of those areas and their values through land use and development.</li> </ul>

## 4.0 Scale and significance

### 4.1 Evaluation of scale and significance

Under section 32(1)(c) of the RMA, this evaluation report needs to contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

This section assesses the scale and significance of the signs provisions to determine the level of analysis required.

	Low	Medium	High
Degree of change from the Operative District Plan		✓	
Effects on matters of national importance		✓	
Scale of effects - geographically		✓	
Scale of effects on people e.g. landowners, neighbourhoods, future generations		✓	
Scale of effects on those with specific interests e.g. tangata whenua		✓	
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?		✓	
Likelihood of increased costs or restrictions on individuals, communities or businesses		✓	

In summary:

- The coastal environment provisions relate to matters of national importance under the RMA, policy direction in the NZCPS and the RPS;
- The existing regulatory framework does not fully protect the coastal environment or areas of outstanding, very high or high coastal natural character;
- The Proposed District Plan will introduce district-wide provisions encompassing all relevant areas of land including privately owned land which is an expansion on the status quo;
- The proposed provisions will introduce a range of new regulatory controls, narrowing the scope of current permitted activities for some private landowners resulting in an increased need for resource consent.

Overall, it is considered that the scale and significance of the proposal is **medium**.

## 4.2 Quantification of benefits and costs

Section 32(2)(b) of the RMA requires that, where practicable, the benefits and costs of a proposal are to be quantified.

Specific quantification of all benefits and costs associated with the Proposed District Plan is considered neither practicable nor readily available. In general, a qualitative assessment of costs and benefits associated with the Proposed District Plan is considered sufficient, and this is provided for in the assessment of policies, rules and other methods contained in section 7.0 of this report. However, where practicable and considered appropriate to supporting the evaluation, some of the benefits or costs

associated with the Proposed District Plan have been quantified. The identification of costs and benefits has been informed by the body of evidence outlined in section 3.0 of this report.

## 5.0 Proposed provisions

### 5.1 National Planning Standards zoning

The National Planning Standards require that if the district has a coastline, a Coastal Environment chapter must be provided. The Coastal Environment chapter must be located in Part 2 – District-Wide Matters of the District Plan and must:

- set out the approach to managing the coastal environment and giving effect to the NZCPS;
- set out provisions for implementing the local authorities functions and duties in relation to the coastal environment, including coastal hazards; and
- provide cross-references to any other specific coastal provisions that may be located within other chapters.

### 5.2 Strategic directions

The following objectives from the Strategic Direction chapter of the Proposed District Plan are relevant to the Coastal Environment topic:

<b>CCR-02</b>	<b>Adapting to climate change</b>
The Wairarapa is resilient, adapts to the effects of climate change, and recognises the opportunities and risks associated with those effects.	
<b>CCR-03</b>	<b>Resilience to natural hazards</b>
The Wairarapa develops and functions in a way that does not increase risk and consequences of natural hazards.	
<b>HC-02</b>	<b>Tangata whenua identity and values</b>
Sites and features that have been identified as having special qualities and values that contribute to Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa's sense of place and identity are recognised and protected.	
<b>NE-01</b>	<b>Natural character, landscapes, features, and ecosystems</b>
The natural environment contributes positively to the Wairarapa's sense of place and identity.	
<b>NE-04</b>	<b>Coastal environment</b>
The special qualities of the Wairarapa coastal environment are recognised and protected from inappropriate subdivision, use, and development.	

These objectives are evaluated in the Section 32 Evaluation Overview and Strategic Directions Report.

### 5.3 Overview of proposed provisions

The proposed provisions relevant to this topic are set out in detail in the Proposed District Plan and should be referenced in conjunction with this evaluation report.

In summary, the proposed provisions include:

- Definitions for coastal environment, outstanding natural character, very high and high natural character and foreshore protection area.
- 5 objectives that address:
  - The coastal environment and its qualities and characteristics are maintained, and where appropriate restored or enhanced (CE-O1),
  - Coastal natural character within the coastal environment is protected in areas of outstanding, very high and high natural character, and maintained and enhanced elsewhere (CE-O2),
  - Risk and consequences of coastal hazards is not increased (CE-O3),
  - Tangata whenua values are recognised through resource management processes (CE-O4), and
  - Appropriate activities are provided for in the coastal environment (CE-O5).
- 9 policies that:
  - Identify the extent of the coastal environment (CE-P1),
  - Avoid adverse effects on outstanding natural character (CE-P2),
  - Avoid significant adverse effects on very high and high natural character, avoid, remedy and mitigate all other adverse effects (CE-P3),
  - Appropriate activities that need to be located in the coastal environment are provided for (CE-P4, CE-P5 and CE-P6),
  - Recognise and manage archaeological sites in the coastal environment (CE-P7),
  - Take a precautionary approach to the effects of coastal hazards through the identification of the foreshore protection area (CE-P8), and
  - Promote soft engineered and nature-based solutions to coastal hazard mitigation (CE-P9).
- A rule framework that largely manages structures, earthworks and vegetation modification through effects-based standards based on the sensitivity of the area. These rules direct the following:
  - For activities involving earthworks and buildings that are within the coastal environment:

- Rule CE-R1(1) enables any conservation activities or customary activities, and temporary military training activities as a permitted activity,
    - Rule CE-R1(1) also enables all other activities as a permitted activity, subject to earthworks, vegetation modification and building standards. Included in the building standards is the requirement that new residential dwellings are limited to one per land holding and that only small accessory buildings may be located within the foreshore protection area,
    - Where an activity does not meet the above rules, it either becomes a restricted discretionary activity under CE-R2 or where it does not meet the building standard that is within the foreshore protection area becomes a non-complying activity under Rules CE-R5.
  - For any activities involving earthworks, vegetation modification and buildings within an area of Very High and High Natural Character:
    - Rule CE-R2(1) enables conservation activities or customary activities as a permitted activity,
    - Rule CE-R2(1) enables all other activities as a permitted activity subject to earthworks, vegetation modification and building standards,
    - Rule CE-R1(2) provides for activities, excluding plantation forestry, not meeting the above rules subject to activity not being of large scale as a restricted discretionary activity,
    - Where the above rules are not otherwise provided for by the above rules, the activity is a non-complying activity under either Rule CE-R4 or CE-R6.
  - For any activities involving earthworks, vegetation modification and buildings within an area of Outstanding Natural Character:
    - Rule CE-R3(1) enables conservation activities and customary activities as a permitted activity subject to minimal earthworks, vegetation modification and building size (all approximately 50 m<sup>2</sup> in areas),
    - Rule CE-R3(2) provides for all other activities, except plantation forestry, as a restricted discretionary subject to the same earthworks, vegetation modification and building size standard above, and
    - Where the above rules are not otherwise provided for by the above rules, the activity is a non-complying activity under either Rule CE-R4 or CE-R6.
- Effects standards that address:
  - Earthworks (CE-S1),

- Modification of indigenous vegetation (CE-S2), and
- Buildings and structures (CE-S3).

## 6.0 Evaluation of the proposed objectives

Section 32(1)(a) of the RMA requires an evaluation to examine the extent to which the objectives proposed are the most appropriate way to achieve the purpose of the RMA. The level of detail must correspond to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.

This section of the report evaluates the objectives proposed for the coastal environment topic.

An examination of the proposed objectives along with reasonable alternatives is included below, with the relative extent of their appropriateness based on an assessment against the following criteria:

1. Relevance (i.e. Is the objective related to addressing resource management issues and will it achieve one or more aspects of the purpose and principles of the RMA?)
2. Usefulness (i.e. Will the objective guide decision-making? Does it meet sound principles for writing objectives and does it clearly state the anticipated outcome?)
3. Reasonableness (i.e. What is the extent of the regulatory impact imposed on individuals, businesses or the wider community? Is it consistent with identified tangata whenua and community outcomes?)
4. Achievability (i.e. Can the objective be achieved with tools and resources available, or likely to be available, to the Councils?)

While not specifically required under section 32 of the RMA, in some instances alternative objectives are also considered to ensure that the proposed objective(s) are the most appropriate to achieve the purpose of the RMA.

<b>Proposed Objectives</b>
<p><b>CE-O1 Coastal environment</b></p> <p>The qualities that contribute to the coastal environment including natural character, landscape, historic, cultural, and ecological values are maintained and, where appropriate, restored or enhanced.</p>
<p><b>CE-O2 Coastal Natural Character</b></p> <p>The natural character of the coastal environment is preserved, including:</p>

<p>a. protecting the qualities, characteristics, and values of areas of Outstanding Natural Character and Very High and High Natural Character in the landward extent of the coastal environment; and</p> <p>b. maintaining, and where appropriate enhancing natural character in all other areas of the coastal environment and restoring natural character within the coastal environment where it has been degraded.</p>	
<p><b>CE-O3 Risk from coastal hazards</b></p> <p>The risk and consequences from coastal hazards including the impacts of sea level rise on people, property, infrastructure, and the environment are not increased.</p>	
<p><b>CE-O4 Tangata Whenua values</b></p> <p>Tangata whenua values, mātauranga, and tikanga are recognised in resource management processes for the coastal environment.</p>	
<p><b>CE-O5 Activities in the coastal environment</b></p> <p>People and communities are able to provide for their social, economic, and cultural well-being, recognising that the protection of natural character and indigenous biodiversity, public access, or cultural values does not preclude subdivision, use, or development, where this does not compromise these values.</p>	
<p><b>Alternatives considered</b></p>	
<p>Status quo:</p> <p><b>CE1 – Natural Character</b></p> <p>To protect the natural character of the coastal environment by ensuring use, subdivision and development maintains the comparatively undeveloped nature of the Wairarapa Coast.</p> <p><b>NH1 – Areas at Significant Risk from Natural Hazards</b></p> <p>To manage activities and development within areas at significant risk from natural hazards, to avoid, remedy or mitigate the adverse effects of those hazards.</p>	
<p><b>Appropriateness to achieve the purpose of the RMA</b></p>	
<p>Appropriateness of Proposed Objective (relevance, usefulness, reasonableness, achievability)</p>	<p><u>Relevance</u>: The objectives appropriately recognise and address the issues identified in <b>Section 3.3</b>. The objectives give effect to the higher order direction, and in particular the NZCPS.</p> <p><u>Usefulness</u>: The objectives provide clear direction to decision makers. The objectives clearly state the intended outcomes and the desired end state which is consistent with national best practice.</p> <p><u>Reasonableness</u>: While some additional costs may be incurred, the objectives are balanced in order to avoid imposing unjustifiably high costs on the community. Some cost increases will be experienced for certain activities in clearly defined areas, but the objectives provide scope for these to be measured through policies and rules to avoid any unjustifiable burden while still achieving the statutory requirements. The objectives provide certainty by clearly stating the outcomes sought and reduce risk through a foundation of robust evidence and community engagement. The approach is in line with best practice.</p> <p><u>Achievability</u>: The proposed objectives are consistent with identified tangata whenua and community outcomes. The objectives are realistically able to be achieved based on the Council’s responsibility in accordance with the higher order statutory requirements and procurement of a robust coastal character assessment and evidence base.</p>
<p>Appropriateness of Status Quo (relevance,</p>	<p><u>Relevance</u>: The status quo objectives only partially address issues 1 and 2 of the resource management issues identified in <b>Section 3.3</b>. CE1 is</p>

<p>usefulness, reasonableness, achievability)</p>	<p>focused on natural character generally and does not account for other characteristics and values in the coastal environment, or areas of outstanding natural character. NH1 focuses natural hazards generally and does not specifically address coastal hazards.</p> <p><u>Usefulness</u>: The objectives are broad and vague which leaves the outcome open to interpretation. For instance, the means of protection is through 'maintaining' the "comparatively undeveloped nature of the Wairarapa Coast". Similarly, there is no specific direction for coastal hazards.</p> <p><u>Reasonableness</u>: Does not provide sufficient guidance as to expected outcomes and therefore creates uncertainty and risk.</p> <p><u>Achievability</u>: The scope of the operative objectives can be realistically achieved.</p>
<p><b>Preferred option and reasons</b></p>	
<p>The proposed objective is the most appropriate means of achieving the purpose of the Act.</p> <p>The proposed objective addresses a relevant resource management issue and meets the Councils' s31 functions and higher order statutory requirements to protect natural character in the coastal environment. The proposed objective is focused on the key outcome to guide decision makers and plan users. It is consistent with the wider Proposed District Plan's strategic objectives and is balanced against the other competing directions for subdivision, use and development.</p>	

## 7.0 Evaluation of proposed provisions

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

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

### 7.1 Evaluation

For each potential approach an evaluation has been undertaken relating to the costs, benefits and the certainty and sufficiency of information (as informed by section 4.0 of this report) in order to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objective(s).

### 7.1.1 Provisions to achieve objectives relating to the Coastal Environment

Under section 32(1)(b)(ii) of the RMA, reasonably practicable options to achieve the objective(s) associated with this proposal need to be identified and examined.

The options considered reasonably practicable for achieving the objectives of the Proposed District Plan in relation to the Coastal Environment topic are:

- Option 1: The proposed provisions
- Option 2: Retaining the status quo

#### **CE-O1 Coastal environment**

The qualities that contribute to the coastal environment including natural character, landscape, historic, cultural, and ecological values are maintained and, where appropriate, restored or enhanced.

#### **CE-O2 Coastal Natural Character**

The natural character of the coastal environment is preserved, including:

- a. protecting the qualities, characteristics, and values of areas of Outstanding Natural Character and Very High and High Natural Character in the landward extent of the coastal environment; and
- b. maintaining, and where appropriate enhancing natural character in all other areas of the coastal environment and restoring natural character within the coastal environment where it has been degraded.

#### **CE-O3 Risk from coastal hazards**

The risk and consequences from coastal hazards including the impacts of sea level rise on people, property, infrastructure, and the environment are not increased.

#### **CE-O4 Tangata Whenua values**

Tangata whenua values, mātauranga, and tikanga are recognised in resource management processes for the coastal environment.

#### **CE-O5 Activities in the coastal environment**

People and communities are able to provide for their social, economic, and cultural well-being, recognising that the protection of natural character and indigenous biodiversity, public access, or cultural values does not preclude subdivision, use, or development, where this does not compromise these values.

Policy option	Costs	Benefits
<p><b>Option 1: Proposed provisions</b></p> <p><u>Policies:</u></p> <ul style="list-style-type: none"> <li>• CE-P1 - identify the extent of the coastal environment,</li> <li>• CE-P2 - avoid adverse effect on areas of outstanding natural character,</li> <li>• CE-P3 - avoid significant adverse effects on areas of very high and high natural character,</li> <li>• CE-P4 - manage effects of activities and subdivision in the coastal environment to ensure it is compatible,</li> <li>• CE-P5 - manage residential activities in the coastal environment,</li> <li>• CE-P6 - provide for infrastructure in the coastal environment,</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Coastal hazards are yet to be comprehensively identified so rather the provisions take a 'precautionary approach' in the absence of coastal hazard areas being identified. This precautionary approach does not identify all potential coastal hazards therefore there could be environmental effects and effects on people and property.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• It is expected there will be some short-term increase in the consenting and development design costs associated with the provisions managing subdivision, use and development but this is limited to within the identified coastal environment margin.</li> <li>• Some rural landowners within an outstanding natural character overlay or very high and high natural character overlay may experience regulatory costs for any indigenous vegetation removal, earthworks, or structures where greater than the permitted standard.</li> <li>• Some rural landowners may perceive an opportunity cost where a development expectation is held for the land within an area identified in the outstanding natural character or the very high and high natural character overlay.</li> <li>• Upgrading existing and installing new infrastructure within high natural character overlays will experience additional consenting and project costs.</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• The areas of outstanding natural character are recognised and protected from modification and development.</li> <li>• The areas of very high and high natural character are clearly identified and protected from further encroachment or loss through inappropriate subdivision, use or development.</li> <li>• The full extent of the coastal environment and its associated characteristics and values are identified, and provisions seek to maintain its values.</li> <li>• Enhancement and restoration are enabled and encouraged through the provisions, particularly to areas that are degraded.</li> <li>• Future generations will benefit from the retention of the remaining areas of natural character within the coastal environment.</li> <li>• Potentially inappropriate activities will be managed through the resource consent process to ensure environmental effects are assessed against the impact to the identified values instead of relying on indirect protection and lack of identification.</li> <li>• A precautionary approach is adopted for further development within land that is directly exposed to coastal hazards and within the Coastal Protection Area.</li> </ul> <p><b>Economic</b></p>

<ul style="list-style-type: none"> <li>• CE-P7 - recognise and manage the adverse effects on archaeological sites,</li> <li>• CE-P8 - adopt a precautionary approach to coastal hazards, and</li> <li>• CE-P9 - encourage soft engineering and nature-based solutions.</li> </ul> <p><u>Rules:</u></p> <ul style="list-style-type: none"> <li>• CE-R2 - Earthworks or buildings and structures (including construction, additions, and alterations) within the coastal environment,</li> <li>• CE-R2 - Earthworks, modification of indigenous vegetation, or buildings and structures (including construction, additions, and alterations) within Areas of Very High and High Natural Character,</li> </ul>	<p><b>Social</b></p> <ul style="list-style-type: none"> <li>• As the coastal hazard mapping has not been undertaken, there is a social cost in the uncertainty to coastal land holders for the potential risks.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• There are no identified direct or indirect cultural costs.</li> </ul>	<ul style="list-style-type: none"> <li>• As the provisions continue to enable ‘appropriate’ activities commensurate with the level of natural character in an area, the economic benefit of such activities is enabled.</li> <li>• Economic benefits will arise from the protection of outstanding, very high and high natural character values, due to the importance of these values to local and regional tourism. Provisions which provide district-wide consistency, and which are clear, will ensure the cost of compliance is minimised.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Existing areas exhibiting outstanding, very high and high natural character within the coastal environment that are already accessible to the public will be protected and continue to support enjoyment of coastal character bringing social benefits to the Wairarapa community and to visitors.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• The coastal environment has significant cultural value to tangata whenua and the Wairarapa community generally, which will be better recognised and provided for through the proposed provisions.</li> <li>• Customary activities are appropriately enabled throughout the coastal environment.</li> </ul>
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<ul style="list-style-type: none"> <li>• CE-R3 - Earthworks, modification of vegetation, or buildings and structures (including construction, additions, and alterations) within Areas of Outstanding Natural Character,</li> <li>• CE-R4 - Plantation forestry,</li> <li>• CE-R5 - New residential activity within the Foreshore Protection Area, and</li> <li>• CE-R6 - Earthworks, modification of indigenous vegetation, or buildings and structures (including construction, additions, and alterations) not otherwise listed in this chapter.</li> </ul> <p><u>Standards:</u></p> <ul style="list-style-type: none"> <li>• CE-S1 - Earthworks,</li> </ul>		
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<ul style="list-style-type: none"> <li>• CE-S2 - Modification of indigenous vegetation, and</li> <li>• CE-S3 Buildings and structures.</li> </ul> <p><u>Schedules:</u></p> <ul style="list-style-type: none"> <li>• SCHEDULE 9 – Outstanding Natural Character,</li> <li>• SCHEDULE 10 – Very High and High Natural Character.</li> </ul>		
<p><b>Effectiveness and efficiency</b></p>	<p>The proposed provisions are considered likely to be highly effective in achieving the objectives as they directly address the resource management issues and the outcomes sought through the objectives. The provisions give effect to the RPS and the NZCPS, and recognise and provide for the environmental, social, economic and cultural wellbeing within the coastal environment, while ensuring appropriate management of the coastal environment, including preserving coastal natural character.</p> <p>The proposed provisions have significant benefits, particularly direct environmental, social and cultural benefits through the additional protection given to outstanding, very high and high natural character. The proposed provisions will have an acceptable environmental, economic, social and cultural costs. As such, they are considered to be efficient in achieving the objectives for the coastal environment.</p>	
<p><b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b></p>	<p>It is considered that there is certain and sufficient information on which to base the proposed policies and methods as these objectives have been extensively canvassed through state of the environment monitoring, community engagement, and robust technical assessments, and there is a high degree of confidence that they reflect desired community outcomes.</p>	
<p><b>Overall evaluation</b></p>	<p>It is considered that this option will achieve the objectives in the Plan because:</p> <ul style="list-style-type: none"> <li>• It gives effect to higher order direction, including the National Planning Standards, NZCPS and RPS,</li> <li>• It accounts for recent more up-to-date natural character and landscape assessments,</li> </ul>	

	<ul style="list-style-type: none"> <li>• The proposed standards are aligned with the anticipated nature and scale of built development in the coastal environment,</li> <li>• The proposed rule framework reflects the amenity anticipated in the coastal environment by controlling development through rule requirements and appropriately complements the subdivision provisions, and</li> <li>• It provides a precautionary approach to further development in exposed areas as an interim measure until coastal hazard mapping is undertaken.</li> </ul>	
Policy option	Costs	Benefits
<p><b>Option 2 – Status quo</b></p> <p>Note: policies and rules have been omitted from this analysis where they relate to natural open space, settlement zones, and public access. These are being addressed by other topic-based section 32 reports.</p> <p><u>Policies:</u></p> <ul style="list-style-type: none"> <li>• 13.3.2(a) - Identify the coastal environment,</li> <li>• 13.3.2(b, c, and d) - Manage activities and their effects in the coastal environment,</li> <li>• 13.3.2(h, i, and m), - Protect foreshore amenity values and avoid hazard risks,</li> <li>• 13.3.2(l) - promote non-regulatory</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Areas of Outstanding Natural Character and areas of Very High and High Coastal Natural Character are not identified or protected under the current provisions, with potential degradation or loss of the values of these areas.</li> <li>• The current provisions do not identify the full extent of the coastal environment. Further, the current provisions are overly permissive for land use and development within the coastal environment that could result in inappropriate land use and degradation of coastal environment values.</li> <li>• There is limited direction on coastal hazards, other than the erosion protection area (50 m from the coast), which only discourages further development and does not avoid. This has potential to result in adverse environmental effects through increasing exposure and risk to people and the community.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Increased costs to private landowners through limitations in coastal environment, particularly for new dwellings above the 40 m contour line.</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• There is some level of protection provided through effects-based performance standards for development and subdivision.</li> <li>• Provisions provide for non-regulatory means of protection, enhancement and restoration of natural character and values in the coastal environment. These non-regulatory methods have been found to be effective, in particular where land has been made subject to a QE II covenants.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Subdivision and development are not constrained by the operative provisions enabling more opportunity to develop in the coastal environment and extend along the coastline.</li> <li>• Landowners and infrastructure providers are significantly less exposed to the need for resource consents or processing costs.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Provisions are familiar to the community.</li> </ul> <p><b>Cultural</b></p>

<p>protection of coastal natural character.</p> <ul style="list-style-type: none"> <li>• 13.3.8(b) – provide for appropriate subdivision in the coastal environment.</li> </ul> <p><u>Rules:</u></p> <ul style="list-style-type: none"> <li>• Permits activities under subject to 'effects-based' standards in Rule 20.1.5(i). Standards include:             <ul style="list-style-type: none"> <li>○ Limits on the positioning, dimensions and appearance of structures to not distract from the Coastal Environment values,</li> <li>○ Limits number of dwellings per land holding to one within</li> </ul> </li> </ul>	<p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Loss of identified natural character in the coastal environment would occur at a cost to the community. The lack of specific identification or protection through the provisions results in a degradation of natural character thus representing a cost carried by the community.</li> <li>• Lack of coastal hazard mapping and provisions results in uncertainty to the community over the potential effects of coastal hazards on people, infrastructure and property.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• Potential for ongoing loss of identified taonga within the coastal environment through lack of identified natural character areas or protection of coastal values.</li> <li>• The current provisions do not expressly provide for customary activities within the coastal environment.</li> </ul>	<ul style="list-style-type: none"> <li>• There are no identified direct or indirect cultural benefits.</li> </ul>
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<p>the Rural Zone,</p> <ul style="list-style-type: none"> <li>○ Earthworks are limited by the maximum vertical cut and are variable depending on the size of the property.</li> <li>• Where standards are not met, the activity falls to a restricted discretionary activity under Rules 21.4.3 or 21.4.4.</li> </ul>		
<p><b>Effectiveness and efficiency</b></p>	<p>The status quo provisions (policies and rules) are not considered effective in achieving the objective because:</p> <ul style="list-style-type: none"> <li>• They are broad and apply indirect methods for managing natural character which apply generally to the full coastal environment instead of including specific rules managing effects on the identified values within the Outstanding, Very High and High Natural Character areas,</li> <li>• Provisions are permissive and do not sufficiently manage inappropriate subdivision and development. Conversely, their effects-based nature fails to provide for some appropriate activities, including customary activities,</li> <li>• There is limited coastal hazard direction and where there is, the direction is passive and could result in further exposure and risk to people and property, and</li> <li>• The provisions do not give effect to higher order direction.</li> </ul>	

	The provisions represent a marginal cost to the community and would not impose a significant cost on any one sector. However, the assessment highlights the provisions are not considered effective in achieving the objectives and thus the marginal cost reflects a corresponding potential ineffectiveness to achieve the required outcomes and thus limited benefit to the community.
<b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b>	It is considered that there is certain and sufficient information on which to assess the status quo provisions as they have been operative for a long time and the effectiveness of the provisions has been established through implementation and consent monitoring over this time.
<b>Overall evaluation</b>	This option is not the most appropriate way to achieve the preferred objectives, predominantly due to inefficiency through limited regulatory controls which reduces the cost to the community but results in reduced management of activities within the identified outstanding, very high and high natural character areas and thus continued potential for unmanaged decline. This option would be ineffective in terms of providing for social and economic wellbeing.

## 8.0 Conclusion

This evaluation has been undertaken in accordance with section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as it:

- Best gives effect to the higher order documents, including the National Planning Standards, NZCPS and RPS,
- Is the most effective and efficient way to achieve the purpose of the RMA and the Proposed District Plan's Strategic Objectives,
- It addresses all the identified resource management issues.

## Appendix 1: Feedback on Draft District Plan

## Summary of feedback on Draft District Plan for the Coastal Environment topic

Section/Topic	Submitter	Feedback	Analysis
General	Regional Council	Functional need or operational need is in regard to the Coastal Marine Area in isolation, as opposed to the full extent of the coastal environment (see NZCPS Policy 6(e)). Seeks that all relevant provisions on functional need or operational need is not provided for in the terrestrial part of the coastal environment.	No changes have been made. To change this would be inconsistent with regional direction through Policy 36 of the Regional Policy Statement (RPS). Further, it is important to use this as a threshold for appropriate activities and is consistent with best practice and other national direction.
	Local interest group	Concerns that overlays are unduly restrictive and that the provisions are reviewed to appropriate enable commercial and industrial activities.	No changes have been made. The provisions are considered proportionate to the values they seek to protect and are consistent with direction from the New Zealand Coastal Policy Statement (NZCPS) and RPS.
	Individual	Do more to protect nesting native locally declining/vulnerable birds, enforce habitat/breeding area protection, stop wandering cats, target predators inc feral cats, stop disturbance from humans and vehicles on riverbeds and beaches. Install better barriers at Wairarapa Moana to stop vehicles driving onto the beach.	Most measures requested relate to non-regulatory measures outside of the District Plan. For different parts of the coastal environments, these measures are the responsibility of the Regional Council (Coastal Marine Area), crown land (Department of Conservation) and Council reserves (District Councils).
Definitions	Government department	Seek that the definitions of 'Outstanding natural character' and 'coastal environment' are amended to be consistent with the NZCPS and to ensure that additional areas can be identified at a later stage.	The Outstanding Natural Character areas and coastal environment were identified through a thorough assessment process which was in accordance with the NZCPS. To leave the definition open creates uncertainty over where the provisions apply.
Objectives	Renewable energy company	Supports objective CE-O3 to ensure the risk and consequences from coastal hazards on people, property, and infrastructure are not increased.	This has been noted.
	Regional Council	CE-O3: Replace 'not increased' with <i>minimised</i> to be consistent with the RPS and Proposed RPS change 1.	This change has been accepted in part. Amendments have been

		This objective needs to acknowledge the effects that sea level rise will have in exacerbating the risks from coastal hazards.	made to reference to sea level rise. However, the Councils do not consider that using 'minimise' in this context is appropriate. "Not increased" provides a greater level of direction.
	National interest group	CE-O1: The NZCPS requires recognition of the characteristics and qualities that contribute to natural character of the coastal environment and protection of those from inappropriate subdivision, use and development whilst encouraging restoration of the coastal environment. There is no requirement to 'enhance' such characteristics, therefore this should not be a goal of the district plan.	No change has been made. There is regional direction that requires enhancement of particular attributes of the Coastal Environment through Policy 35 of the operative RPS. This objective is consistent with that direction, noting the "where appropriate".
	National interest group	Supports Objective CE-O5 on the basis that the Objective recognises that subdivision, use and development of the coastal environment is not precluded where particularly values of are not compromised.	This has been noted.
<b>Policies</b>	Government department	Supports CE-P4 as it recognises that certain activities have a functional and operational need to be located within the Coastal Environment. The Ministry typically prioritises locating new schools away from the coast. However, the Ministry can have an operational need to establish schools in coastal areas to support existing coastal communities.	This has been noted.
	National interest group	Supports CE-P4, CE-P6 and CE-P8 as these policies give clear direction on only providing for appropriate activities through the use of 'functional need' and 'operational need'.	This has been noted.
	Regional Council	CE-P2: Support this policy, as it broadly gives effect to NZCPS Policy 13.	This has been noted.
		CE-P4: Replace 'not increased' in clause (j) with <i>minimised</i> to be consistent with the RPS and Proposed RPS change 1.	As noted above, the Councils consider that 'minimised' is not appropriate in this context and is less directive.
		CE-P7: New development should be avoided in the foreshore protection area due to the risks from coastal hazards and sea level rise.	"Hazard sensitive activities" is a term defined in the Draft District Plan and principally used in the natural hazard provisions. The purpose of this direction in Policy CE-P8 is to apply a precautionary approach with the greatest risk for increasing hazards being residential activities. It

			is accepted that there may be other activities that have not been anticipated that should be avoided. The Councils have made amendments to the policy to refer to “new residential activities <u>and other hazard sensitive activities</u> within the Foreshore Protection Area”. Adding reference to “potentially hazard sensitive activities” has not been made as this term includes buildings associated with primary production which may be anticipated in the Foreshore Protection Area and should be assessed under Clause 1 in this policy.
		CE-P9: This policy gives effect to RPS policy 52.	This has been noted.
	National interest group	Support CE-P7 and retain for the proposed plan.	This has been noted.
	National interest group	<p>CE-P2: While the National Grid is not currently located in the coastal environment, it is possible that there may be a requirement for the National Grid to traverse the coastal environment in the future. For this reason it is important that, in order to give effect to the NPSET and to reconcile the policy direction in the NPSET and New Zealand Coastal Policy Statement (“NZCPS”), the provisions of the Draft District Plan do not preclude such future development of the National Grid. In this regard it is noted that the NPSET in Policy 8 directs that:</p> <p><i>“In rural environments, planning and development of the transmission system should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities.”</i></p> <p>Request that ‘seek to avoid’ is an onerous but less absolute policy directive than the ‘avoid’ used in Policy CE-P2 and for this reason Transpower seeks an amendment to the Policy to give effect to the NPSET.</p> <p>It is acknowledged that the outcome sought can be achieved in other ways, including through a ‘carve out’</p>	<p>Given the coastal environment in the Wairarapa extends around the edge of the districts, the National Grid is not anticipated in this location. In addition, given the discrete spatial extent of Outstanding Natural Character areas in the Wairarapa, the NPSET of ‘seeking to avoid’ should be able to be achieved if the National Grid was proposed.</p> <p>The submission point seems to relate to the Coastal Environment generally which is effectively provided for by Policy CE-P4.</p>

		<p>policy in the Network Utilities Chapter or through a separate policy in the Coastal Environment Chapter (for instance, an expansion of Policy CE-P6).</p> <p>It is also noted that Section 6(b) of the RMA and Policy 13 of the NZCPS relates to the protection of natural character from inappropriate subdivision, use and development.</p>	
	Industry group	<p>CE-P3: Recognition that some activities may need to be located in these areas for operational or functional need reasons is supported, as is the need for repair, maintenance and removal of existing infrastructure. Seeks that the clauses are retained and expand to include 'replacement' of existing infrastructure 'and roads'.</p>	<p>Replacement does not need to be specified and can be undertaken as an existing use right (under Section 10 of the RMA). Policy CE-P3 has been amended to reference to maintaining roads.</p>
		<p>CE-P6: support the inclusion of this policy.</p> <p>The policy should also provide for 'upgrading' or 'replacement' of existing infrastructure where this is required for functional or operational reasons, and where the upgrading or replacement does not increase the footprint of that infrastructure, and/or where that upgrading or replacement of existing infrastructure would reduce the adverse effects on the values which contribute to the very high natural character.</p> <p>Add the text 'and roads'.</p>	<p>As noted above, replacement does not need to be specified. In relation to upgrading, the Councils consider that the effect of this are similar to new construction and therefore have made amendments to clause (b) of the policy to reference replacement. This amendment is made in clause (b) of the policy rather than (a). With regard to maintaining roads, the Councils consider that this is already covered in Policy CE-P3.</p>
<b>Rules</b>	Industry group	<p>Support CE-R3 with amendment. Permitting buildings and structures in areas of outstanding natural character in the coastal environment is supported. However specific provision should be provided for telecommunication facilities. A permitted height for poles and antennas of 10m is preferable.</p>	<p>Telecommunication facilities are not anticipated within outstanding natural character areas and could be located elsewhere. These areas are limited and have been identified given the absence of any modification.</p>
	Government department	<p>CE-R1: Temporary Military Training Activities (TMTA) may require the placement of temporary buildings and structures in the coastal environment to enable training exercises such as beach landings. Due to their temporary nature, it is appropriate that any buildings or structures ancillary to temporary military training activities are permitted.</p>	<p>This activity is an appropriate temporary activity that should be provided for in the coastal environment. Changes have been made to CE-R1 in line with relief sought. No changes have been made to further enable TMTA in areas subject to a natural character overlay e.g. CE-R2 or CE-R3.</p>

	Industry group	<p>CE-R1, CE-R2 and CE-R3: In some cases, these rules will apply to drainage structures (such as culverts) and associated earthworks which are essential to the maintenance and upgrading of public and private roads. Such an approach is overly-restrictive when the effects of such structures are generally less than minor, and they form an essential function for drainage, road safety, etc.</p> <p>Amend the rules to provide for earthworks and structures associated with the maintenance and upgrading of public and private roads as a permitted activity. Alternatively, amend the exemption in CE-S1 to including maintaining existing roads.</p>	The Councils accept that maintaining roads (in addition to farm tracks) is appropriate where they are located within the coastal environment. Amendments have been made to add 'roads' to the exclusion in CE-S1.
	National interest group, local company and individual	SUB-R11: 40 ha is too-large-an-area for efficient rural property management. A farmer should not be forced to dispose of 40ha if they only need to dispose of 20ha or more. For subdivision in proximity to existing subdivided and developed land at Cape Palliser, Castlepoint, Flat Point, Mataikona, Ngawi, Otahome, Riversdale and Whangaimoana, where the proverbial 'horse has already bolted', there should be recognition that cumulative effects of further subdivision within the coastal environment are less likely to present problems. In these areas, allowing further appropriate subdivision could strengthen isolated rural communities, and there should be a matter of discretion to consider the merits of this.	This minimum is to ensure there is no further fragmentation of productive land and that there is no additional isolated development. Any anticipated growth is to be directed to the settlement areas. This is also consistent with the wider rural subdivision approach (see Section 32 for Rural topic).
	Government department	CE-R2: 500m <sup>2</sup> allowance for vegetation clearance before becoming a non-complying activity is excessive.	This rule is intended to provide more of a gateway for activities that are not likely to avoid significant adverse effects. As a restricted discretionary activity, there remains an ability to decline the consent and to consider all relevant matters.
<b>Standards</b>	National interest group	CE-S3: A volunteer fire station can require a minimum gross floor area of 250 m <sup>2</sup> and a career fire station can require up to 1,500 m <sup>2</sup> . Fire stations are typically 8-9m in height, and hose drying towers are structures up to 15 m in height that	No amendment has been made. The Councils do not consider that new fire stations and hose drying towers are anticipated in the coastal environment outside of existing settlements.

		are used for several additional purposes including communications and training. There may be the requirement to establish or expand fire stations anywhere in the coastal environment to maintain reasonable response times to fire and other emergencies as development occurs and populations change. Seek for emergency service facilities to be exempt from CE-S3.	Further to this, requiring a resource consent process as a restricted discretionary activity is not overly onerous should it be required.
	National interest group	CE-S1, CE-S2 and CE-S3: The standards in this rule are urban-centric and are overly restrictive and not appropriate for the full range of rural production activities within the wide-open spaces of rural areas, where considerably more latitude for development and earthworks can be tolerated without having adverse effects on the environment. Otherwise, this risks capturing routine farm activities in a resource consent process resulting in onerous costs and delays for little or no environmental benefit. Therefore, more exceptions for rural earthworks are warranted.	The Councils agree that there may be maintenance requirements on existing primary production infrastructure; however, this should only include infrastructure that is anticipated in the coastal environment. Amendments have been made to CE-S1 to include maintenance of relevant existing infrastructure. No changes have been made to CE-S2 and CE-S3 as the exemptions or the standard already sufficiently provided for anticipated activities.
	Industry group	Support CE-S3.	This has been noted.





WAIRARAPA  
COMBINED  
DISTRICT PLAN  
**REVIEW**

*Te Mahere  
Rautaki  
a-rohe o  
Wairarapa*

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# Proposed Wairarapa Combined District Plan

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## Section 32 Evaluation Topic Report Contaminated Land

OCTOBER 2023

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## Executive Summary

This Section 32 Evaluation Topic Report is focused on contaminated land. Current and past use of land can result in contamination of soils. Contaminated land is commonly associated with past activities such as the manufacture and use of pesticides, timber treatment and sheep dipping. People can be exposed to contaminated land by direct contact with contaminated soil, swallowing food or water from contaminated environments and breathing vapours or contaminated dust. As well as endangering health, contamination can limit the use of land or cause corrosion that may threaten buildings and property. Prior to subdivision or development, it is important that sites in the districts identified as being potentially contaminated are investigated so people are not exposed to contaminants that may affect their health.

The Operative Wairarapa Combined District Plan (Operative District Plan) contains an objective, policies, and rules relating to the redevelopment of contaminated land and an appendix of contaminated sites. However, since the Operative District Plan was prepared, the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS) were introduced. These provide a nationally consistent set of planning controls and soil contaminant values, providing a framework to identify and manage the use of contaminated soils. District councils are responsible for applying and enforcing the provisions of the NES-CS.

While the NES-CS contains rules, it does not contain any objectives or policies to guide decision making on resource consent applications.

The key resource management issue for contaminated land is:

- The use and disturbance of contaminated land can lead to adverse effects on human health unless appropriately managed.

The Proposed Wairarapa Combined District Plan (Proposed District Plan) contains a Contaminated Land chapter in Part 2: District Wide Matters, the purpose of which is to identify and manage contaminated land to protect human health when there is a change of use, subdivision or disturbance of land.

The Proposed District Plan provisions contain an objective and policies but do not include any rules, instead relying on the rule framework provided in the NES-CS. They include one objective relating to making contaminated land safe for human health and its intended use and two policies relating to identification of contaminated land and managing contaminated land to ensure it is safe for human health.

The Proposed District Plan will improve outcomes by providing a clear, strengthened approach to the management of contaminated land in the districts.

## 1.0 Introduction

This Section 32 Evaluation Topic Report contains a s32 evaluation of the objectives, policies, and methods relating to contaminated land in the Proposed Wairarapa Combined District Plan (Proposed District Plan).

The Operative Wairarapa Combined District Plan (Operative District Plan) contains an objective, policies, and rules relating to the redevelopment of contaminated land and an appendix of contaminated sites. However, since the Operative District Plan was prepared, the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS) was introduced.

The NES-CS provides a nationally consistent set of planning controls and soil contaminant values, providing a framework to identify and manage the use of contaminated soils. District councils are responsible for applying and enforcing the provisions of the NES-CS. The NES-CS does not provide for district plan rules or consent conditions to be more stringent than the provisions of the NES-CS and a District Plan must not contain rules that duplicate or conflict with a provision in a national environmental standard<sup>1</sup>.

While the NES-CS contains rules, it does not contain any objectives or policies to guide decision making on resource consent applications.

This report sets out the statutory and policy context for contaminated land, key resource management issues, consultation, and the evaluation of this topic to decide on the proposed provisions.

This report should be read in conjunction with the Section 32 Evaluation Overview and Strategic Directions Report and the following s32 evaluation topic reports:

Report	How does this topic relate to the contaminated land provisions
Section 32 Evaluation Topic Report - Hazardous Substances	The Proposed District Plan contains a Hazardous Substances chapter which is related to contaminated land in that it manages the effects of use, storage, or disposal of hazardous substances, to the extent that those effects are not within the ambit of existing legislation and regulations.

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<sup>1</sup> RMA sections 43B and 44A.

## 2.0 Statutory and Policy Context

### 2.1 Resource Management Act

As set out in the Section 32 Evaluation Overview and Strategic Directions Report, an evaluation is required of how the proposal achieves the purpose and principles in Part 2 of the RMA. This requires consideration of sections 5 to 8 of the RMA.

Section 5 sets out the purpose of the RMA which is to promote sustainable management of natural and physical resources. This section is set out in more detail in the Section 32 Evaluation Overview and Strategic Directions Report.

Section 6 requires all persons exercising functions and powers under the RMA to recognise and provide for specified matters of national importance. There are no section 6 matters relevant to this topic.

Section 7 requires all persons exercising functions and powers under the RMA, in relation to managing the use, development, and protection of natural and physical resources, to have particular regard to a range of matters. The s7 matters relevant to this topic are:

Section	Relevant matter
Section 7(b)	<i>the efficient use and development of natural and physical resources</i> Contaminated land can reduce the ability to use land efficiently if not appropriately managed.
Section 7(c)	<i>the maintenance and enhancement of amenity values</i> Contaminated land has the potential to adversely affect amenity values if not appropriately managed.
Section 7(f)	<i>maintenance and enhancement of the quality of the environment</i> Contaminated land has the potential to adversely affect the quality of the environment if not appropriately managed.

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

## 2.2 National Direction

### 2.2.1 National Policy Statements

There are no National Policy Statements directly relevant to this topic. The NPS-UD 2020 is somewhat relevant in that the appropriate management and/or remediation of contaminated land can help achieve the outcomes of the NPS-UD in providing adequate development capacity. It is noted that only Masterton is an 'urban environment' in terms of the NPS-UD.

### 2.2.2 National Environmental Standards

The National Environmental Standards relevant to this topic are:

NES	Relevant regulations
<p>National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS) 2011</p>	<p>The NES-CS provides a nationally consistent set of planning controls that must be enforced by district councils under section 44A(8) of the RMA. It 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.</p> <p>The NES-CS regulates land that presently or historically has been used for a hazardous activity or industry listed on the Hazardous Activities and Industries List (HAIL). The NES-CS contains regulations for assessing and managing the actual or potential adverse effects of contaminants in soil on human health in relation to subdivision, land-use change, soil disturbance, soil sampling, and removing/replacing fuel storage systems.</p> <p>The NES-CS does not provide for district plan rules or consent conditions to be more stringent than the provisions of the NES-CS.</p> <p>Under s44A of the RMA, a District Plan must not contain rules that duplicate or conflict with a provision in a national environmental standard.</p>
<p>Hazardous Activities and Industries List (HAIL)</p>	<p>The NES-CS references the HAIL, which is a compilation of activities and industries that are considered likely to cause land contamination resulting from hazardous substance use, storage or disposal. The HAIL is intended to identify most situations in New Zealand where hazardous substances could cause, and in many cases have caused, land contamination.</p> <p>The HAIL groups similar industries together, which typically use or store hazardous substances that could cause contamination if these substances escaped from safe storage, were disposed of on the site, or were lost to the environment through their use.</p> <p>The HAIL lists 53 activities and industries. The 'Hazardous Activities and Industries List guidance: Identifying HAIL land' document provides guidance for identifying and classifying HAIL land.</p>

NES	Relevant regulations
	The current revision of the HAIL is October 2011. If the HAIL is revised in the future, the revision will be gazetted.

### 2.2.3 National Planning Standards

The National Planning Standards require that if provisions to manage contaminated land are addressed, they must be located in the Contaminated Land chapter in the Hazards and risks section of Part 2 – District Wide Matters.

The National Planning Standards provide a definition for "contaminated land" which must be used if the term is used in the same context as the definition.

### 2.2.4 National Guidance Documents

The following national guidance documents are relevant to this topic:

Document	Author/Owner	Summary
Contaminated Land Management Guidelines No. 1: Reporting on contaminated sites in New Zealand (revised 2021)	Ministry for the Environment	<p>This guideline was developed to ensure consistency in reporting on contaminated site investigations. It includes checklists for reporting requirements for contaminated sites and for the removal of petroleum underground storage tanks. It also has certifying statements for suitably qualified and experienced practitioners (SQEPs), as required by the NES-CS.</p> <p>The guidelines describe the various types of reports that are commonly required, their purposes and uses, and their contents:</p> <ul style="list-style-type: none"> <li>• the preliminary site investigation report (PSI)</li> <li>• the detailed site investigation report (DSI)</li> <li>• the remedial action plan (RAP)</li> <li>• the site management plan (SMP) to control remediation or development earthworks</li> <li>• the site validation report (SVR)</li> <li>• the ongoing site management plan (OSMP)</li> <li>• the routine monitoring report (RMR).</li> </ul> <p>Compliance with the guideline is a legal requirement for activities undertaken under the NES-CS.</p>
Contaminated Land Management Guidelines No. 5: Site investigation and analysis of	Ministry for the Environment	The guideline serves as a good practice guide for planning and carrying out investigations on sites where hazardous substances are present or suspected. It also provides guidance on the principles governing the interpretation of the data obtained and for developing a robust conceptual site model.

Document	Author/Owner	Summary
soils (revised 2021)		Compliance with this guideline is a requirement under the NES-CS.
Users' guide: National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health, 2012	Ministry for the Environment	<p>The users' guide explains the NES-CS regulations and provides guidance to territorial and unitary authorities on implementing the NES-CS. It provides an overview of the regulations and how they apply, information on how the NES-CS relates to the RMA and the Building Act 2004, and case studies.</p> <p>It notes the focus of the NES-CS is to protect human health. The NES-CS does not apply to assessing or managing the actual or potential adverse effects of contaminants on other receptors including ecology or surface water.</p>

## 2.3 Regional Direction

### 2.3.1 Regional Policy Statement for the Wellington Region

The table below identifies the relevant provisions and resource management topics relevant to contaminated land contained in the RPS.

Objective/Policy	Relevant matters
Policy 34 Controlling activities on contaminated land - district plans	<p>Policy 34 directs city and district councils to included policies and rules in their district plans to control activities on contaminated land so those activities are not adversely affected by the contamination.</p> <p>Although the RPS was made operative in 2013, the development of the policy predates the NES-CS and the policy should be read in this light.</p>

### 2.3.2 Natural Resources Plan

The table below identifies the relevant provisions for contaminated land contained in the NRP.

Section	Relevant matters
Objective O42	Contaminated Land is identified and the discharges of contaminants are managed to protect the environment.
Policy P99	This policy relates to discharges from contaminated land and seeks to manage the discharge of hazardous substances from contaminated land so that significant adverse effects on fresh water, including groundwater, coastal water, and air are avoided, remedied or mitigated to the extent practicable.
Rule R81	This rule provides for detailed site investigations of contaminated land as a permitted activity subject to conditions. If the conditions are not met the activity is a discretionary activity under Rule R83.

Section	Relevant matters
Rule R82	This rule provides for the discharge of a contaminant from contaminated land where a contaminant may enter water as a permitted activity subject to conditions. If the conditions are not met the activity is a discretionary activity under Rule R83.
Rule R91	This rule provides for "minor discharges" including discharges onto or into land or onto or into land where a contaminant may enter groundwater, subject to conditions, including that the discharge is not from, onto or into SLUR Category III land unless additional conditions are met.
Rule R159	This rule provides for dewatering of a site as a permitted activity but excludes diversion and discharge from, onto or into SLUR Category III land.
Method M18	This states that Wellington Regional Council will work with city and district councils and stakeholders to develop and implement a Wellington regional contaminated land management strategy to identify and assess contaminated land in the region. Where contaminated land is found to discharge contaminants into surface water or groundwater, including stormwater, a site-specific action plan will be developed to remedy the discharge where appropriate.

### 2.3.3 Any other relevant regional plans or strategies

The following plans or strategies are relevant to this topic:

Plan / Strategy	Organisation	Relevant Provisions
Selected Land Use Register (SLUR)	Greater Wellington Regional Council	<p>The SLUR is administered by GWRC for the Greater Wellington Region. It records properties that have, or may have, been used for activities and industries included in the Hazardous Activities and Industries List (HAIL).</p> <p>GWRC regularly updates the SLUR with new information from district and city councils, internal desktop investigations, independent consultant reports and local knowledge.</p> <p>The SLUR categorises sites as:</p> <ul style="list-style-type: none"> <li>I - Verified History of Hazardous Activity or Industry</li> <li>II - Unverified History of Hazardous Activity or Industry</li> <li>III - Contamination Confirmed</li> <li>IV - Contamination Acceptable, Managed/Remediated</li> <li>V - No Identified Contamination</li> <li>VI - Entered on Register in Error</li> </ul>

## 2.4 Wairarapa Policies, Plans and Strategies

### 2.4.1 Iwi Management Plans

There are currently no iwi management plans relevant to the Wairarapa.

### 2.4.2 Statutory Acknowledgements

As outlined in the Section 32 Evaluation Overview and Strategic Directions Report and identified in Appendices APP1 and APP2 to the Proposed District Plan, there are several statutory acknowledgement areas within the districts. For any application for a resource consent for an activity within, adjacent to, or directly affecting a statutory acknowledgement area, the consent authority must have regard to the statutory acknowledgement and provide notice to the relevant trustees.

### 2.4.3 Any other relevant local plans or strategies

The following plans or strategies are relevant to this topic:

Plan / Strategy	Organisation	Relevant Provisions
My Masterton Our People, Our Land Strategy: He Hiringa Tangata, He Hiringa Whenua	Masterton District Council, February 2018	<ul style="list-style-type: none"> <li>In the Environmental Development Strategy Under Priority 2: Protecting our natural heritage and biodiversity, the need to "manage contaminated sites appropriately" is identified as a potential key action.</li> </ul>

## 2.5 Other legislation or regulations

There is no other legislation or regulations directly relevant to this topic.

## 3.0 Issues Analysis

### 3.1 Background

The Operative District Plan contains provisions relating to contaminated land, including rules. In addition, the NES-CS provides a regulatory framework for the management of the disturbance, change of use and subdivision of contaminated land. However, it does not contain any objectives or policy guidance for the consideration of consents triggered under the NES-CS, which are required under s104 to be assessed having regard to any relevant district plan provisions. The Operative District Plan was

prepared prior to the NES-CS and contains rules that are not consistent with the NES-CS.

## 3.2 Evidence base

The Councils have reviewed the Operative District Plan, identified associated issues with current provisions, reviewed recent resource consents, reviewed approaches taken in other district plans, and considered community feedback to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions. The following sections outline this evidence.

### 3.2.1 Analysis of Operative District Plan provisions

#### 3.2.1.1 Overview of Operative District Plan provisions

The Operative District Plan identifies the following significant resource management issue in relation to contaminated land:

- Use or development of contaminated land can pose a risk to human health, or increase the discharge of contaminants with consequent adverse effects on the environment.

The Operative District Plan contains objectives, policies and rules relating to contaminated land.

Objective Haz2 is "To ensure when contaminated land is subdivided and/or redeveloped that the adverse effects of the land's contamination on the environment and future uses of the land are avoided or remedied."

This is implemented by the following Haz2 policies:

*(a) Require landowners to undertake contaminant removal and appropriate disposal from known contaminated land, or treatment to contain the contaminant where the wider environment may be adversely affected.*

*(b) Update the list of known contaminated land, as reliable information becomes available.*

*(c) Control new activities on contaminated land to ensure any potential adverse effects arising from the contamination are avoided, remedied or mitigated, in coordination with the Regional Council.*

*(d) Recognise that some historical uses of land may have resulted in land contamination and the redevelopment of this land needs to be controlled.*

The rules in the Operative District Plan apply to specific sites identified in Appendix 3.1 Schedule of Contaminated Land and land which has been previously or currently used for an activity or industry listed on the modified Wairarapa Hazardous Activity and Industry List (Wairarapa HAIL) (contained in Appendix 3.2).

In relation to subdivision, Rule 20.1.5(i) requires a resource consent for a discretionary activity for subdivision that creates a new allotment on land that contains contaminated land listed in Appendix 3 or on land previously or currently used for an activity or industry listed on the Wairarapa HAIL.

In relation to other activities, the Operative District Plan District Wide Land Use Rules chapter provides a rule framework for subsurface investigations, and the use and redevelopment of potentially contaminated and contaminated land with permitted activity rules 21.1.23(a) to (c) and restricted discretionary activity rules 21.4.10(a) and (b).

### 3.2.1.2 State of the environment monitoring

The GWRC SLUR records properties that have, or may have, been used for activities and industries included in the HAIL. The sites identified on the SLUR can be viewed on GWRC's GIS here:

[https://mapping.gw.govt.nz/GW/GWpublicMap\\_Mobile/?webmap=72ece62d902e4c3fb6506136104abbf9](https://mapping.gw.govt.nz/GW/GWpublicMap_Mobile/?webmap=72ece62d902e4c3fb6506136104abbf9)

Based on GWRC's Selected Land Use Register Annual Report 2021-2022, a total of 438 lots on the SLUR were within the boundary of the Ruamāhanga whitua<sup>2</sup> which includes the western portion of Masterton, Carterton and South Wairarapa District Councils including the districts' townships of Masterton, Carterton, Featherston, Greytown and Martinborough. This is an increase compared to a total of 377 sites in the 2019-2020 reporting period<sup>3</sup> and 433 in the 2020-2021 period<sup>4</sup>. The increase is understood to be due to the identification of HAIL sites through preliminary site investigations and detailed site investigations undertaken due to land use changes or resource consenting processes.

Within the Ruamāhanga whitua boundary, the most commonly occurring HAIL activities/industries in 2021-2022 were A17 - storage tanks or drums for fuel, chemicals or liquid waste (109 sites), F4 - motor vehicle workshops (62 sites) and F7 - service stations including retail or commercial refuelling facilities (74 sites) and G3 - Landfill sites (50 sites). The greatest number of sites are in Category I (Verified History of Hazardous Activity or Industry).

<sup>2</sup> The Wellington region has been divided into five whitua, or catchments, being Ruamāhanga, Te Awarua-Porirua, Wellington Harbour & Hutt Valley, Kāpiti Coast, and Wairarapa Coast.

<sup>3</sup> Greater Wellington Regional Council, Selected Land Use Register Annual Report 2019-2020.

<sup>4</sup> Greater Wellington Regional Council, Selected Land Use Register Annual Report 2020-2021.

A total of 26 SLUR lots were recorded within the Wairarapa Coast whitua in 2021-2022. This compares to 27 in the 2019-2020 period and 26 in the 2020-2021 period. The Wairarapa Coast whitua does not include any major townships or cities and is made up of a significant amount of land associated with rural land use. Within the Wairarapa Coast whitua boundary, the most commonly occurring HAIL activities/industries are A17 - storage tanks or drums for fuel, chemicals or liquid waste (5 sites), B4 - Power stations, substations or switchyards (3 sites), G3 - Landfill sites (6 sites) and F7 - service stations including retail or commercial refuelling facilities (4 sites).

In terms of consenting, between 2014/2015 and 2020/2021 the Ministry for the Environment National Monitoring System Database shows:

- 1 land use consent application granted for contaminated site use and 11 subdivision consents granted relating to the NES-CS in Masterton (2018/19 to 2020/2021);
- 5 subdivision consent applications and 3 land use consent applications granted in South Wairarapa relating to contaminated site use or NES-CS (2019/20 to 2020/21);
- No contaminated land related applications in Carterton.

As a case study a South Wairarapa consent for a 7 lot subdivision was reviewed. The activity was a restricted discretionary activity under Operative District Plan Rule 21.4.10(b) for development and remediation of a contaminated site, a restricted discretionary activity under regulation 10 of the NES-CS and a discretionary activity under Rule 20.1.6(i)(ii) for the subdivision of a contaminated site. Overall, the application was considered as a discretionary activity. The site was listed on the GWRC SLUR and had a verified history of hazardous activity. The application was accompanied by a preliminary site investigation, detailed site investigation, and remedial action plan. It is noted that the activity status under the NES-CS provisions was restricted discretionary while the Operative District Plan contaminated land rules pushed the status up to discretionary (although the overall activity status would still have been discretionary due to another reason for consent not related to contaminated land). It is also noted that the s104 assessment in the decision report addresses both the NES-CS and the District Plan provisions but the assessment under the District Plan did not add anything that had not already been considered under the NES-CS.

### **3.2.1.3 Effectiveness of the Operative District Plan approach**

The following issues have been identified with the effectiveness of the Operative District Plan:

Issue	Comment
Issue 1: the Operative District Plan contains rules for contaminated land that duplicate or are inconsistent with the NES-CS	<ul style="list-style-type: none"> <li>• The Operative District Plan's contaminated land provisions are not in alignment with the current regulatory context, as the provisions predate the NES-CS.</li> <li>• In some instances, the provisions overlap and duplicate the role and function of the national planning framework.</li> </ul>
Issue 2: the NES-CS provides a regulatory framework for contaminated land but provides no objectives or policies against which to consider consent applications	<ul style="list-style-type: none"> <li>• The NES-CS provides a complete set of rules to manage the change of use, subdivision and disturbance of land. This includes site investigations and land remediation. However, consents triggered by these rules lack any policy direction in the NES-CS to guide decision making.</li> <li>• The Operative District Plan contains objectives and policies relating to contaminated land but these need some updating and refinement to better align with the NES-CS.</li> </ul>

### 3.2.2 Analysis of other District Plan provisions relevant to this topic

Current practice has been considered in respect of this topic, with a review undertaken of the following District Plans:

Plan	Description of approach
Proposed New Plymouth District Plan (rev 14 Nov 2022)	<ul style="list-style-type: none"> <li>• Contains 1 objective to avoid, remedy or mitigate risks to human health</li> <li>• Contains 2 policies relating to identifying contaminated land and ensuring contaminated land is suitable for use</li> <li>• Contains no rules</li> <li>• Refers to the NES-CS</li> <li>• Refers to the regional council responsibilities</li> </ul>
Proposed Wellington City District Plan (rev 6 March 2023)	<ul style="list-style-type: none"> <li>• Contains 2 objectives relating to protection of human health and benefits of remediating contaminated land</li> <li>• Contains 3 policies relating to the benefits of remediating contaminated land, identifying contaminated land and managing contaminated land</li> <li>• Contains no rules</li> <li>• Refers to the NES-CS</li> <li>• Refers to the regional council responsibilities</li> </ul>

Plan	Description of approach
Proposed Porirua District Plan (rev 11 August 2022)	<ul style="list-style-type: none"> <li>• Contains 2 objectives relating to protection of human health and benefits of remediating contaminated land</li> <li>• Contains 3 policies relating to identifying contaminated land, minimising risks from contaminated land, and benefits of remediating contaminated land</li> <li>• Contains no rules</li> <li>• Refers to the NES-CS</li> <li>• Refers to the regional council responsibilities</li> </ul>
Proposed Waimakariri District Plan (rev 6 Dec 2022)	<ul style="list-style-type: none"> <li>• Contains 1 objective relating to not adversely affecting people, property and the environment</li> <li>• Contains 4 policies relating to identifying contaminated land, managing contaminated land, earthworks on contaminated land and disposal of contaminated soil</li> <li>• Contains no rules</li> <li>• Refers to the NES-CS</li> <li>• Refers to the regional council responsibilities</li> </ul>
Operative Kāpiti District Plan, 2021	<ul style="list-style-type: none"> <li>• Contains 1 specific objective relating to preventing or mitigating adverse environmental effects, including risks to human health and the environment</li> <li>• Contains 5 policies relating to identifying contaminated land, managing or remediating contaminated land, and ensuring land is fit for future use</li> <li>• Contains no rules</li> <li>• Refers to the NES-CS</li> <li>• Refers to the regional council responsibilities</li> <li>• Includes a definition for "potentially contaminated land"</li> </ul>

Plan	Description of approach
Proposed Timaru District Plan (rev 21 Sept 2022)	<ul style="list-style-type: none"> <li>• Contains 1 objective relating to management of contaminated land</li> <li>• Contains 3 policies relating to investigation of contaminated land, managing contaminated soil and ensuring land is suitable for its intended use, and ensuring risks to human health from remediation or management do not increase</li> <li>• Contains no rules</li> <li>• Refers to the NES-CS</li> <li>• Refers to the regional council responsibilities</li> <li>• Includes a definition for "potentially contaminated land"</li> </ul>

These plans were selected because:

- They have been subject to a recent plan review that addressed similar issues relating to this topic; and/or
- The councils are of a similar scale to the Wairarapa districts and are confronting similar issues relating to this topic; and/or
- Some of the councils are located within the Greater Wellington region.

A summary of the key findings follows:

- All of the plans have a Contaminated Land chapter within the Hazards and Risks section of Part 2 - District-Wide Matters.
- All of the plans contain objectives and policies relating to the identification and management of contaminated land and potentially contaminated land.
- Policies include common themes of identifying/investigating contaminated land or potentially contaminated land and following a best practice approach to managing contaminated soil and ensuring land is suitable for its intended use.
- The focus of the provisions is generally on protection of human health, although Wellington City addresses protection of mana whenua's significant sites, waterways, natural resources and associated values and relationships and Kāpiti and Waimakariri refer more broadly to risk to the environment.
- None of the plans contain rules, and instead refer to the rule framework in the NES-CS.
- The plans use the National Planning Standards definition for "contaminated land" and use the term "potentially contaminated land" but do not separately define this. The exceptions are the Kāpiti District Plan and Proposed Timaru District Plan which define "potentially contaminated land".

### 3.2.3 Advice received from Iwi

No specific advice has been received from Rangitāne o Wairarapa or Ngāti Kahungunu ki Wairarapa regarding this topic and the proposed provisions evaluated within this report.

### 3.2.4 Consultation

Public consultation was undertaken on the Draft District Plan in October to December 2022.

The Contaminated Land chapter in the Draft District Plan contained an objective and policies but did not contain any rules, instead relying on the rule framework provided in the NES-CS. It included one objective relating to making contaminated land safe for human health and its intended use and two policies relating to identification of contaminated land and managing contaminated land to protect human health and ensure land is suitable for its intended use.

Feedback on the contaminated land topic was received from four individuals or organisations. A summary of specific feedback on this topic is summarised below:

- A number of submitters supported the approach in the chapter of relying on the NES-CS;
- One submitter opposed the definition of “potentially contaminated land” considering it too broad and not related to a specific HAIL.
- One submitter sought amendments to the Introduction, objectives and policies to:
  - recognise that there are contexts where making land safe for human health will not be possible prior to disturbance;
  - ensure the introductory text is consistent with the definition of "contaminated land";
  - use the term "disturbance" rather than "development" for consistency with the NES-CS;
- One submitter sought amendments to Objective CL-O1 including to clarify that it is the ‘increased risk to human health’ that is being managed;
- One submitter sought that a note be included in the Rules section that “special provisions apply to use of production land so that the NES-CS does not apply to the continued use of the land as production land”.

In response to the feedback amendments were made to the chapter to:

- Delete the definition of "potentially contaminated land" as it was not considered necessary to include a definition that essentially paraphrases the NES-CS and it is clear from the context in the NES-CS what potentially contaminated land is.

- Amend the wording of the objective and policies to provide greater clarity and direction and ensure alignment with NES-CS wording.
- Add to the note in the rules section regarding the application of the NES-CS to make the relationship between the District Plan and NES-CS clearer and increase certainty.

### 3.3 Summary of issues

The statutory and policy context and available evidence outlined above identified few issues, therefore a "discrete review", focusing on discrete matters, was considered appropriate.

Based on the research, analysis and consultation outlined above the following issues have been identified with respect to the effectiveness of the Operative District Plan:

- Issue 1: the Operative District Plan contains rules for contaminated land that duplicate or are inconsistent with the NES-CS;
- Issue 2: the NES-CS provides a regulatory framework for contaminated land but provides no objectives or policies against which to consider consent applications.

The review has confirmed that the significant resource management issues relating to contaminated land are the same as identified in the Operative District Plan. The significance of the issue is also largely unchanged, although the introduction of NES-CS has likely brought more attention to issues relating to contaminated land and provided greater consistency in the way it is managed.

The following resource management issues have been identified:

Issue	Comment
Issue 1: the use and disturbance of contaminated land can lead to adverse effects on human health unless appropriately managed	<ul style="list-style-type: none"> <li>• Current and past use of land can result in contamination of soils and this needs to be identified and managed to avoid, remedy or mitigate adverse effects on the health and wellbeing of people.</li> </ul>

## 4.0 Scale and significance

### 4.1 Evaluation of scale and significance

Under s32(1)(c) of the RMA, this evaluation report needs to contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

This section assesses the scale and significance of the contaminated land provisions to determine the level of analysis required.

	Low	Medium	High
<b>Degree of change from the Operative District Plan</b>	✓		
<b>Effects on matters of national importance</b>	✓		
<b>Scale of effects - geographically</b>	✓		
<b>Scale of effects on people e.g. landowners, neighbourhoods, future generations</b>	✓		
<b>Scale of effects on those with specific interests e.g. tangata whenua</b>	✓		
<b>Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?</b>	✓		
<b>Likelihood of increased costs or restrictions on individuals, communities or businesses</b>	✓		

In summary:

- The degree of change from the Operative District Plan is low given that the Proposed District Plan approach contains no rules but continue reliance on the NES-CS, which is currently in force;
- There are no matters of national importance, although RMA s7(b), (c), and (f) are relevant;
- The provisions apply across the districts, but only on contaminated or potentially contaminated land;
- The Proposed District Plan provisions are consistent with the NES-CS;
- The scale of effects on people and special interest groups is low. Compliance is already required with the NES-CS regardless of the Proposed District Plan provisions.

Overall, it is considered that the scale and significance of the proposal is low.

## 4.2 Quantification of Benefits and Costs

Section 32(2)(b) of the RMA requires that, where practicable, the benefits and costs of a proposal are to be quantified.

Specific quantification of all benefits and costs associated with the Proposed District Plan is considered neither practicable nor readily available. In general, a qualitative assessment of costs and benefits associated with the Proposed District Plan is considered sufficient, and this is provided for in the assessment of policies, rules and

other methods contained in section 7 of this report. However, where practicable and considered appropriate to supporting the evaluation, some of the benefits or costs associated with the Proposed District Plan have been quantified. The identification of costs and benefits has been informed by the body of evidence outlined in section 3 of this report.

## 5.0 Proposed provisions

### 5.1 Strategic Directions

The following objectives from the Strategic Direction chapter of the Proposed District Plan are relevant to the contaminated land topic:

UFD-03	Urban land supply
There is sufficient development capacity to meet the Wairarapa's housing, commercial, industrial, educational, and recreational needs.	

This objective is relevant as the appropriate management of contaminated land can enable its development in a way that allows it to be used and contribute to development capacity.

The Strategic Direction objectives are evaluated in the Section 32 Evaluation Overview and Strategic Directions Report.

### 5.2 Overview of proposed provisions

The proposed provisions relevant to this topic are set out in detail in the Proposed District Plan and should be referenced in conjunction with this evaluation report.

In summary, the proposed provisions are contained in the Contaminated Land chapter in Part 2: District Wide Matters and include:

- A definition of "contaminated land";
- One objective that addresses the identification and management of contaminated land to protect human health;
- Two policies that address:
  - The identification of contaminated land and potentially contaminated land
  - Managing risks to human health from the subdivision, change of use or disturbance of contaminated land.

### 5.3 Other methods

Other methods of key relevance to contaminated land are:

- The NES-CS, which provides a national framework for the assessment and management of contaminated land.
- The SLUR, a regional database of sites that have been, or may have been, used for activities and industries included in the HAIL. This is administered by GWRC.
- Provision of information regarding site contamination when a request is made for a property's Land Information Memorandum report (LIM) (Section 44A(2)(a) Local Government Official Information and Meetings Act 1987) or a Project Information Memorandum (PIM) (Section 12(2) The Building Act 2004).

## 6.0 Evaluation of the proposed objectives

Section 32(1)(a) requires an evaluation to examine the extent to which the objectives proposed are the most appropriate way to achieve the purpose of the RMA. The level of detail must correspond to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.

This section of the report evaluates the objectives proposed for the contaminated land topic.

An examination of the proposed objectives along with reasonable alternatives is included below, with the relative extent of their appropriateness based on an assessment against the following criteria:

1. Relevance (i.e. Is the objective related to addressing resource management issues and will it achieve one or more aspects of the purpose and principles of the RMA?)
2. Usefulness (i.e. Will the objective guide decision-making? Does it meet sound principles for writing objectives and does it clearly state the anticipated outcome?)
3. Reasonableness (i.e. What is the extent of the regulatory impact imposed on individuals, businesses or the wider community? Is it consistent with identified tangata whenua and community outcomes?)
4. Achievability (i.e. Can the objective be achieved with tools and resources available, or likely to be available, to the Councils?)

While not specifically required under s32 of the RMA, in some instances alternative objectives are also considered to ensure that the proposed objective(s) are the most appropriate to achieve the purpose of the RMA.

<b>Proposed Objectives</b>	
CL-O1 Contaminated land is identified and managed so that it is safe for human health and its intended use.	
<b>Alternatives considered</b>	
Status quo (Operative District Plan):  Objective Haz2 To ensure when contaminated land is subdivided and/or redeveloped that the adverse effects of the land's contamination on the environment and future uses of the land are avoided or remedied.	
<b>Appropriateness to achieve the purpose of the Act</b>	
Appropriateness of Proposed Objective (relevance, usefulness, reasonableness, achievability)	<ul style="list-style-type: none"> <li>• The proposed objective addresses the identified resource management issues and in particular is aligned with the NES-CS;</li> <li>• The proposed objective clearly articulates the outcomes sought and provides direction to guide decision making;</li> <li>• The proposed objective assists the Councils to undertake their functions in RMA s31(1)(b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of:... (iia) the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land;</li> <li>• The proposed objective does not duplicate or overlap with regional council functions;</li> <li>• The proposed objective does not create costs on the community. The NES-CS is already operative and the objective will not add to costs associated with the regulations;</li> <li>• The objective is achievable. The NES-CS provides an existing regulatory framework.</li> </ul>
Appropriateness of Status Quo (relevance, usefulness, reasonableness, achievability)	<ul style="list-style-type: none"> <li>• The objective partly addresses the identified resource management issues but its scope and wording is less well aligned with the NES-CS;</li> <li>• The objective provides direction to guide decision making but is less clear in articulating the outcomes sought. Further, the NES-CS manages risk to protect human health, not the wider environment. Discharges are addressed in regional plans;</li> <li>• The objective does not create costs on the community. The NES-CS is already operative and the objective will not add to costs associated with the regulations.</li> <li>• The objective is achievable. The NES-CS provides an existing regulatory framework.</li> </ul>
<b>Preferred option and reasons</b>	
The proposed objective is the most appropriate means of achieving the purpose of the Act because it is the most appropriate of the options, particularly in relation to relevancy and usefulness.	

## 7.0 Evaluation of proposed provisions

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

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

### 7.1 Evaluation

For each potential approach an evaluation has been undertaken relating to the costs, benefits and the certainty and sufficiency of information (as informed by section 5 of this report) in order to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objective(s).

## 7.1.1 Provisions to achieve objectives relating to contaminated land

Under s32(1)(b)(ii) of the RMA, reasonably practicable options to achieve the objective associated with this proposal need to be identified and examined.

The other options considered reasonably practicable for achieving the objectives of the Proposed District Plan in relation to contaminated land are:

- The proposed provisions
- Retaining the status quo – Operative District Plan policies and rules
- Alternative - no contaminated land chapter or provisions

<b>Objective CL-O1: Identification and management of contaminated land</b>		
<i>Contaminated land is identified and managed so that it is safe for human health and its intended use.</i>		
<b>Option 1: Proposed approach (recommended)</b>	<b>Costs</b>	<b>Benefits</b>
<p>Contaminated Land chapter in the Proposed District Plan containing Objective CL-O1, Policies CL-P1 and CL-P2</p> <p>No rules included in the Proposed District Plan but reference to and reliance on NES-CS rule framework</p>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• The provisions are restricted to managing risk to human health, not the wider environment or amenity values. However, the Regional Council/Natural Resources Plan manages the discharge of contaminants associated with contaminated land.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Costs to applicants to prepare resource consent applications under the NES-CS (noting this is already a requirement so is not an additional cost).</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Minimising risk to human health due to contaminated land use and disturbance.</li> <li>• Indirect benefits of management of contaminated land contributing to improved environmental and amenity outcomes.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Improved coordination between the District Plan, NES-CS and regional council responsibilities, reducing duplication and inconsistency.</li> <li>• Appropriate management of contaminated land can contribute to the efficient use of land by</li> </ul>

<p>Use of the SLUR to identify potentially contaminated land</p>	<ul style="list-style-type: none"> <li>• Costs of site management, remediation, monitoring of contaminated land.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• No social costs identified.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No cultural costs identified.</li> </ul>	<p>making it available for safe use with consequent economic benefits.</p> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Minimises risk to human health and safety.</li> <li>• Appropriate management of contaminated land can contribute to making land available for people to meet their social and economic needs.</li> <li>• Containment of the provisions in a single chapter, with cross reference to the NES-CS improves useability of the plan.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No cultural benefits identified.</li> </ul>
<p><b>Effectiveness and efficiency</b></p>	<p>Integrating the contaminated land matters into a specific section of the District Plan and relying on the NES-CS is an efficient and effective way to manage the adverse effects of contaminated land.</p> <p>The provisions are the most effective method for meeting the objectives as they ensure that contaminated land is made safe for its intended use and human health. The methods rely on well-established processes already in place to implement the NES-CS.</p> <p>The provisions will achieve the objectives at the highest net benefit to the community, particularly in minimising risk to human health from the subdivision, use and disturbance of contaminated land. Overall, the direct and indirect benefits, particularly the minimising of risk to human health, outweigh the costs to sections of the community, landowners and</p>	

	developers. The provisions will provide a clearer regulatory framework than the status quo to manage contaminated land and associated implementation of NES-CS	
<b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b>	It is considered that there is certain and sufficient information on which to base the proposed policies and methods as: <ul style="list-style-type: none"> <li>• There is an established framework in place with the NES-CS;</li> <li>• The proposed provisions do not represent a significant change from the status quo and there is no evidence that the status quo is placing high costs on the community or failing to sustainably manage resources.</li> </ul>	
<b>Overall evaluation</b>	Overall, it is considered that the proposed approach is the most appropriate approach to achieve the objectives. It supports the identification and management of contaminated land, provides clarity and direction for the implementation of the NES-CS and does not overlap or duplicate regional rules or the NES-CS.	
<b>Option 2: Status Quo</b>	<b>Costs</b>	<b>Benefits</b>
Contaminated land objective and policies Haz2 in Chapter 15 of the Operative District Plan  Rules relating to subdivision in Chapter 20 and rules relating to other activities on contaminated land in Chapter 21  Appendix 3 containing specific contaminated sites and a modified Wairarapa HAIL list  Application of NES-CS  Use of the SLUR but no specific reference to it in the District Plan	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• No environmental costs identified.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Additional rules in the Operative District Plan require consideration in addition to the NES-CS, the lack of reference to, and alignment with, the NES-CS may create confusion and add complexity to consent applications.</li> <li>• Costs to applicants to prepare resource consent applications under the NES-CS.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Provisions are contained in different parts of the Operative District Plan making it harder to identify all relevant provisions.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No cultural costs identified.</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Minimising risk to human health due to contaminated land use and disturbance.</li> <li>• Indirect benefits of management of contaminated land contributing to improved environmental and amenity outcomes.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Appropriate management of contaminated land can contribute to the efficient use of land by making it available for safe use with consequent economic benefits.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Minimises risk to human health and safety.</li> <li>• Appropriate management of contaminated land can contribute to making land available for people to meet their social and economic needs.</li> </ul> <p><b>Cultural</b></p>

		<ul style="list-style-type: none"> <li>No cultural benefits identified.</li> </ul>
<b>Effectiveness and efficiency</b>	Maintaining the status quo would not be the most effective or efficient approach as the provisions predate the NES-CS and are not entirely aligned with the NES-CS, creating unnecessary uncertainty and complexity.	
<b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b>	It is considered that there is certain and sufficient information on the subject matter of the provisions given the NES-CS is an established regime and based on the evidence base considered in section 3.2 of this report.	
<b>Overall evaluation</b>	Overall, this option is not the most appropriate option as, while the NES-CS provisions would still apply to identify and manage contaminated land, the lack of alignment with the NES-CS would create unnecessary uncertainty and complexity.	
<b>Option 3: Alternative approach to provisions</b>	<b>Costs</b>	<b>Benefits</b>
Do not include any contaminated land provisions in the Proposed District Plan and rely solely on the NES-CS	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>The provisions are restricted to managing risk to human health, not the wider environment or amenity values. However, the Natural Resources Plan manages the discharge of contaminants associated with contaminated land.</li> <li>Lack of cross reference to the NES-CS and SLUR could lead to lack of understanding of the requirements for activities on contaminated land and inappropriate development and use of sites.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>Costs to applicants to prepare resource consent applications under the NES-CS. Lack of policy direction could make the assessment and</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>Minimising risk to human health due to contaminated land use and disturbance.</li> <li>Indirect benefits of management of contaminated land contributing to improved environmental and amenity outcomes.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>No potential for duplication or overlap with NES-CS.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>Minimises risk to human health and safety.</li> <li>Appropriate management of contaminated land can contribute to making land available for people to meet their social and economic needs.</li> </ul>

	<p>processing of consent applications less efficient and outcomes less consistent.</p> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Lack of cross reference to the NES-CS could lead to lack of understanding of the requirements for activities on contaminated land and inappropriate development and use of sites.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No cultural costs identified.</li> </ul>	<p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No cultural benefits identified.</li> </ul>
<p><b>Effectiveness and efficiency</b></p>	<p>This option would not be the most effective or efficient option as the lack of policy direction could make the assessment and processing of consent applications less efficient and outcomes less consistent. Lack of cross reference to the NES-CS could lead to lack of understanding of the requirements for activities on contaminated land and inappropriate development and use of sites.</p>	
<p><b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b></p>	<p>It is considered that there is certain and sufficient information on the subject matter of the provisions given the NES-CS is an established regime and based on the evidence base considered in section 3.2 of this report.</p>	
<p><b>Overall evaluation</b></p>	<p>Overall, this option is not the most appropriate option as, while the NES-CS provisions would still apply to identify and manage contaminated land, the lack of policy direction and visibility of contaminated land and reference to the NES-CS make it a less effective and efficient option.</p>	

## 8.0 Conclusion

This evaluation has been undertaken in accordance with section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as it:

- Adopts a best practice approach to managing contaminated land by only seeking to control matters not otherwise addressed by other regulation, including the NES-CS and regional plans;
- Provides clarity and direction on the role and function of Council as well as the role and function of other agencies in administering other legislative and regulatory controls;
- Consolidates and simplifies provisions into topic specific chapters, consistent with the requirements of the National Planning Standards; and
- Gives effect to higher order requirements in the RPS; and
- Is in accordance with and not duplicative of the NES-CS.





WAIRARAPA  
COMBINED  
DISTRICT PLAN  
**REVIEW**

*Te Mahere  
Rautaki  
a-rohe o  
Wairarapa*

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# Proposed Wairarapa Combined District Plan

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## Section 32 Evaluation Topic Report Commercial and Mixed Use and Industrial Zones

OCTOBER 2023



Te Kaunihera-ā-Rohe o Taratahi  
**CARTERTON**  
DISTRICT COUNCIL



**SOUTH WAIRARAPA**  
DISTRICT COUNCIL  
*Kia Reretahi Tātau*

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## Appendices

Appendix 1: Feedback on Draft District Plan

## Executive summary

This section 32 evaluation report is focused on the Commercial and Mixed Use Zones (comprising the Town Centre Zone, Neighbourhood Centre Zone, and Mixed Use Zone), and the General Industrial Zone.

The Commercial and Mixed Use Zones reinforce the role of these centres as focal points for business and community investment and recognises the need to provide suitable locations for certain commercial and retail types. The Commercial and Mixed Use Zones are expected to accommodate a diversity of commercial activity and some residential activity.

The Operative Wairarapa Combined District Plan (Operative District Plan) contains a single Commercial Zone and a single Industrial Zone. The current zone provisions are relatively permissive, with most activities permitted if they are able to comply with permitted activity standards.

In the Commercial Zone, activities specifically listed as requiring resource consent include relocating a dwelling, construction, alteration, addition or demolition of building frontages in the Carterton Character Area, new residential units at ground level with frontage onto a road, and industrial activities on the Schedule of Primary Industry.

In the Industrial Zone, activities specifically listed as requiring resource consent include activities listed in the Schedule of Primary Industry (Appendix 4 of the Plan), relocated buildings, residential units, and retail over 800m<sup>2</sup>. Additional specific standards are applied to the Opaki Special Management Area, Bidwills Industrial Park Zone, and Waingawa Industrial Area.

The review of the provisions has identified that the Commercial and Industrial Zone provisions are generally effectively and efficiently achieving the objectives in the Operative District Plan, with some specific issues identified relating to:

- The need to align provisions with latest national and regional direction and various growth and town centre strategies;
- The clarity and/or complexity of some provisions resulting in difficulty interpreting and implementing them;
- The zoning of some sites and areas and alignment with its actual and intended use;
- Commercial development establishing outside of centres and in Industrial Zones.

The review has confirmed that the significant resource management issues in relation to the commercial and industrial areas have not changed significantly since the Operative District Plan was prepared. The key resource management issues are:

- Commercial:
  - Maintenance of the viability and vibrancy of Wairarapa’s town centres from out-of-centre commercial development.
  - Commercial activities and development located close to residential areas can adversely affect the character and amenity of the neighbouring residential areas.
  - Recognising and protecting the values of those parts of the town centres that have active street frontages.
  - Providing for the needs of commercial and mixed use areas in a way that recognises the particular values of the different town centres and commercial areas and does not detract from the local character and amenity values, is compatible with heritage values, and creates a positive interface with public space.
  - Development can adversely affect the safe, effective, and efficient operation of the transport network.
- Industrial:
  - Industrial activities and development located close to more sensitive land uses can adversely affect the character and amenity of those more sensitive areas and can result in reverse sensitivity issues.
  - Prioritising industrial zoned land for industrial land uses.
  - Industrial activities and buildings can degrade the amenity and character values of an area.
  - Development can adversely affect the safe, effective, and efficient operation of the transport network.

The Proposed Wairarapa Combined District Plan (Proposed District Plan) adopts a zone framework comprising:

- Town Centre Zone
- Neighbourhood Centre Zone
- Mixed Use Zone
- General Industrial Zone

These zones have been selected as they cover the nature and scale of commercial and industrial activities occurring across the Districts. The use of three commercial and mixed use zones instead of a single commercial zone allows a more nuanced approach and enables rules to be more tailored to the nature of the different areas, such as the surrounding residential environment of the Neighbourhood Centre zoned areas, and allows recognition that some activities are better focused in certain areas.

The Proposed District Plan retains a relatively permissive approach, enabling a wide range of permitted activities in each zone, consistent with the nature and purpose of the zone.

The rules adopt more of a focus on an ‘activity-based’ approach, as opposed to the ‘effects-based’ approach in the Operative District Plan. This means that there are more rules that relate to specific land uses and types of development, which provide a clear indication of whether the activity is permitted.

Some provisions have been tightened to better protect industrial land for industrial purposes and to encourage retail and service activities to locate within the Town Centre Zone.

Greater management is proposed for residential activities through resource consent requirements where there are more than two units in the Commercial and Mixed Use Zones. In the General Industrial Zone some residential activity is provided for as a permitted activity, but only where it is ancillary to an industrial activity.

Permitted activity standards have been retained to manage effects, particularly at zone interfaces, and on active street frontages, with some additions and changes also proposed. A change is proposed to the maximum height limits, with height limits that better reflect the nature and location of the zones. A maximum height of 15m is proposed for the General Industrial Zone, 15m for the Town Centre and Mixed Use Zones in Featherston, Carterton, and Masterton, 12m for the Town Centre and Mixed Use Zones in Greytown and Martinborough, and 10m for the Neighbourhood Centre Zone.

The table below provides a summary of the key changes in activity status of the Proposed District Plan compared to the Operative District Plan.

Activity	Operative District Plan Zone		Proposed District Plan Zone			
	Commercial	Industrial	NCZ	MUZ	TCZ	GIZ
Buildings and structures, including construction, additions and alterations	C(s) in Carterton Character Area, otherwise NSR/P(s)	NSR/P(s)	P (s)	P (s)	P (s)	P (s)
Demolition of buildings and structures	C(s) in Carterton Character Area, otherwise NSR/ P(s)	NSR/P(s)	P	P	P (s)	P
Relocatable buildings	C	C	P (s)	P (s)	P (s)	P (s)

Activity	Operative District Plan Zone		Proposed District Plan Zone			
	Commercial	Industrial	NCZ	MUZ	TCZ	GIZ
Residential unit/activities	NSR/P(s) D (s) (including if it is at ground level or has frontage to a road)	D	Up to 2 P (s)  (if it is above ground level or at the rear)	Up to 2 P (s)  (if it is above ground level or at the rear)	Up to 2 P (s)  (if it is above ground level or at the rear)	P (when ancillary to industrial activity)  D otherwise
Healthcare activities	NSR/P(s)	NSR/P(s)	P (s)	P (s)	P	D*
Food and beverage activities	NSR/P(s)	NSR/P(s)	P (s)	D	P	D*
Retail activities	NSR/P(s)	Up to 800m <sup>2</sup> NSR/P(s)  800m <sup>2</sup> to 2,000m <sup>2</sup> RD  2,000m <sup>2</sup> + D	P (s)	D	P	Up to 100m <sup>2</sup> P (s)
Visitor accommodation	NSR/P(s)	NSR/P(s)	D	P (s)	P	D*
Industrial activities	NSR/P(s) (apart from activities on the Schedule of Primary Industry which are D)	NSR/P(s) (apart from activities on the Schedule of Primary Industry which are D).  Some NC activities in the Opaki Special Management Area and Bidwills Industrial Park Zone.	NC	P (s) (excluding noxious or offensive industry)	NC	P (s)

Activity	Operative District Plan Zone		Proposed District Plan Zone			
	Commercial	Industrial	NCZ	MUZ	TCZ	GIZ
Community facilities	NSR/P(s)	NSR/P(s)	RD	P (s)	P	D*
Trade suppliers	NSR/P(s)	NSR/P(s)	D	P (s)	D (NC in HH/ASF*)	RD
Recreation activities	NSR/P(s)	NSR/P(s)	D	P (s)	P	D*
Drive through activities	NSR/P(s)	NSR/P(s)	D	RD	RD (NC in HH/ASF*)	RD
Business services	NSR/P(s)	NSR/P(s)	RD	D	P	D
Entertainment activities	NSR/P(s)	NSR/P(s)	D	D	P	D*
Educational facilities	NSR/P(s)	NSR/P(s)	D	D	P	D*
Noxious or offensive industry	NSR/P(s) (activities on the Schedule of Primary Industry are D)	NSR/P(s)	Not specified, but Industrial Activity is NC	NC	Not specified, but Industrial Activity is NC	Not specified, but Industrial Activity is P
Any activity in the Waingawa Industrial Area consistent with the Waingawa Industrial Area Structure Plan and an approved Development Concept Plan	n/a	C	n/a	n/a	n/a	As for the rest of the GIZ but must also comply with structure plan
<p>P (s) means permitted activity subject to standards</p> <p>D* means the activity is not specified in the chapter but is intended to fall under the Discretionary Activity 'catch all' rule</p> <p>HH/ASF means historic heritage precincts and active street frontages</p>						

The Proposed District Plan will provide a clear framework enabling a wide range of commercial and industrial activities to be undertaken in the Town Centre,

Neighbourhood Centre, Mixed Use, and General Industrial Zones, as appropriate to the zone, while retaining amenity that is consistent with the zone and the surrounding areas, and while supporting the use of industrial land for industrial uses and protecting the commercial viability and vibrancy of the town centres.

## 1.0 Introduction

This section 32 evaluation report is focused on the Commercial and Mixed Use Zones (comprising the Town Centre Zone, Neighbourhood Centre Zone, and Mixed Use Zone), and the General Industrial Zone.

The Commercial and Mixed Use Zones reinforce the role of these centres as focal points for business and community investment and recognise the need to provide suitable locations for certain commercial and retail types. The Commercial and Mixed Use Zones are expected to accommodate a diversity of commercial activity and some residential activity.

The Operative District Plan contains a single Commercial Zone and a single Industrial Zone.

The three proposed Commercial and Mixed Use Zones generally replace the Commercial Zone. The Commercial and Mixed Use Zones apply in and around the town centres and neighbourhood centres. The General Industrial Zone generally replaces the Industrial Zone. This applies to land predominantly used for industrial purposes. Large areas of General Industrial Zone land are generally located near key freight routes (State Highway 2 and the Wairarapa rail line). Smaller General Industrial Zone areas are also located in each of the towns across the Wairarapa.

This report sets out the statutory and policy context, identifies key resource management issues, consultation, and the evaluation of this topic to decide on the proposed provisions.

This report should be read in conjunction with the Section 32 Evaluation Overview and Strategic Directions Report and the following section 32 evaluation topic reports:

Report	How does this topic relate to the Commercial and Mixed Use and Industrial provisions
Subdivision	The Subdivision topic addresses the subdivision of land within the zones.
Transport	Provisions in the Transport chapter and s32 evaluation are relevant to activities in the commercial and industrial zones.
Historic Heritage	There are a number of heritage buildings in the Town Centre Zone and a few in the Mixed Use and Industrial Zones. Town Centres within Featherston, Greytown and Martinborough are subject to Historic Heritage Precinct overlays. The provisions in the heritage chapter may impact on

Report	How does this topic relate to the Commercial and Mixed Use and Industrial provisions
	land use and development in the Commercial and Mixed Use and Industrial zones. The evaluation of the heritage provisions is contained in the Historic Heritage s32 evaluation report.
Notable Trees	The provisions relating to notable trees and street trees within the Commercial and Mixed Use and Industrial zones are contained in the Notable Trees s32 evaluation report.
Signs	Signs in the Commercial and Mixed Use and Industrial zones are subject to the provisions in the Signs Chapter and the evaluation of those provisions is contained in the Signs s32 evaluation report.
Noise	<p>The Noise chapter contains noise limits for specific activities and zones. It also includes provisions for new buildings, change of use of existing buildings and additions to existing buildings to be occupied by a noise sensitive activity in Commercial and Mixed Use Zones and the General Industrial Zone. It includes provisions applying to noise sensitive activities in proximity to State Highways.</p> <p>The evaluation of these provisions is contained in the Noise s32 evaluation report.</p>
Light	The Light chapter contains provisions relating to light and standards that lighting must meet. The evaluation of these provisions is contained in the Light s32 evaluation report.
Temporary Activities	The Temporary Activities chapter contains provisions to manage the effects of temporary activities in the zones.
Natural Hazards	Areas in each of the zones are subject to natural hazards overlays. These areas have implications for subdivision, land use and development.

## 2.0 Statutory and policy context

### 2.1 Resource Management Act

As set out in the Section 32 Evaluation Overview and Strategic Directions Report, an evaluation is required of how the proposal achieves the purpose and principles in Part 2 of the RMA. This requires consideration of sections 5 to 8 of the RMA.

Section 5 sets out the purpose of the RMA which is to promote sustainable management of natural and physical resources. This section is set out in more detail in the Section 32 Evaluation Overview and Strategic Directions Report.

Section 6 requires all persons exercising functions and powers under the RMA to recognise and provide for specified matters of national importance. There are no section 6 matters directly relevant to this topic. However, some section 6 matters are to some degree relevant, but addressed in other chapters. This includes s6(f) the

protection of historic heritage from inappropriate subdivision, use, and development and s6(h) the management of significant risks from natural hazards.

Section 7 requires all persons exercising functions and powers under the RMA, in relation to managing the use, development, and protection of natural and physical resources, to have particular regard to a range of matters. The section 7 matters relevant to this topic are:

<b>Section</b>	<b>Relevant matter</b>
Section 7(b)	<i>the efficient use and development of natural and physical resources</i> The efficient use and development of the commercial and industrial land resource is a relevant consideration.
Section 7(ba)	<i>the efficiency of the end use of energy</i> The use of commercial and industrial land has implications for the efficiency of the end use of energy. Development patterns and built form influence the efficiency of the end use of energy.
Section 7(c)	<i>the maintenance and enhancement of amenity values</i> Amenity values are a relevant consideration in the use and development of commercial and industrial land. Amenity values will differ by zone. The impact on amenity values of adjacent areas is also relevant.
Section 7(f)	<i>maintenance and enhancement of the quality of the environment</i> Use and development in the commercial and industrial areas can impact on the quality of the environment.
Section 7(g)	<i>any finite characteristics of natural and physical resources</i> Commercial and industrial zoned land is a finite resource to be managed as well as the impact of activities on other natural and physical resources.
Section 7(i)	<i>the effects of climate change</i> Development patterns and built form influence the efficiency of the end use of energy, which contributes to the volume of greenhouse gas emissions.

Section 8 requires local authorities to take into account the principles of the Treaty of Waitangi. Tangata whenua, through iwi authorities have been consulted as part of the review process. This feedback has informed the section 32 evaluation, and the obligation to make informed decisions based on that consultation is noted.

## 2.2 National direction

### 2.2.1 National Policy Statements

The National Policy Statements relevant to this topic are:

NPS	Relevant Objectives / Policies
<p>National Policy Statement on Urban Development 2020, May 2022 (NPS-UD)</p>	<p>The NPS-UD was gazetted in August 2020 to replace the NPS-UDC. It aims to support well-functioning urban environments to provide for current and future community well-being. It requires RMA plans to provide opportunities for land development to meet housing and business needs, supported by adequate development capacity.</p> <p>Masterton is the only "urban environment" in the Wairarapa under the NPS-UD, and Masterton District Council is classed as a "tier 3" local authority.</p> <p>Of particular relevance to this topic are the following:</p> <ul style="list-style-type: none"> <li>• Objective 1: New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.</li> <li>• Objective 3: Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply: <ul style="list-style-type: none"> <li>(a) the area is in or near a centre zone or other area with many employment opportunities</li> <li>(b) the area is well-serviced by existing or planned public transport</li> <li>(c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment</li> </ul> </li> <li>• Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum: <ul style="list-style-type: none"> <li>...</li> <li>(b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and</li> <li>(c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and</li> <li>(d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and</li> <li>(e) support reductions in greenhouse gas emissions; and are resilient to the likely current and future effects of climate change</li> </ul> </li> <li>• Policy 2: Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.</li> </ul>

NPS	Relevant Objectives / Policies
	<ul style="list-style-type: none"> <li>• Policy 5: Regional policy statements and district plans applying to tier 2 and 3 urban environments enable heights and density of urban form commensurate with the greater of:               <ul style="list-style-type: none"> <li>(a) the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or relative demand for housing and business use in that location.</li> </ul> </li> <li>• Clause 3.3 sets requirements, relevant to tier 3 local authorities, for providing sufficient development capacity for business land.</li> <li>• Clause 3.35 requires tier 3 local authorities to ensure that:               <ul style="list-style-type: none"> <li>○ the objectives for every zone in an urban environment in its district describe the development outcomes intended for the zone over the life of the plan and beyond; and</li> <li>○ the policies and rules in its district plan are individually and cumulatively consistent with the development outcomes described in the objectives for each zone.</li> </ul> </li> </ul>

## 2.2.2 National Environmental Standards

There are no National Environmental Standards of direct relevance to this topic. Some National Environmental Standards will be relevant to certain activities within the zone e.g. the National Environmental Standards for Air Quality for discharges to air (a regional council issue) and the National Environmental Standards for Storing Tyres Outdoors. Refer to the Section 32 topic reports for Contaminated Land for specific discussion of the relevance of the NES-CS and Network Utilities for the NES-TF and NES-ETA.

## 2.2.3 National Planning Standards

The National Planning Standards provide for a range of zone options to be included in Part 3 – Area Specific Matters of the District Plan. There are eight possible zones within the Commercial and Mixed Use Zones, the purpose of which are as follows:

Zone	Description
Neighbourhood Centre Zone	Areas used predominantly for small-scale commercial and community activities that service the needs of the immediate residential neighbourhood.
Local Centre Zone	Areas used predominantly for a range of commercial and community activities that service the needs of the residential catchment.
Commercial Zone	Areas used predominantly for a range of commercial and community activities.

Zone	Description
Large Format Retail Zone	Areas used predominantly for commercial retail activities which require large floor or yard areas.
Mixed Use Zone	Areas used predominantly for a compatible mixture of residential, commercial, light industrial, recreational and/or community activities.
Town Centre Zone	Areas used predominantly for: <ul style="list-style-type: none"> <li>in smaller urban areas, a range of commercial, community, recreational and residential activities.</li> <li>in larger urban areas, a range of commercial, community, recreational and residential activities that service the needs of the immediate and neighbouring suburbs.</li> </ul>
Metropolitan Centre Zone	Areas used predominantly for a broad range of commercial, community, recreational and residential activities. The zone is a focal point for sub-regional urban catchments.
City Centre Zone	Areas used predominantly for a broad range of commercial, community, recreational and residential activities. The zone is the main centre for the district or region.

There are three possible zones within the Industrial Zones, the purpose of which are as follows:

Zone	Description
Light Industrial Zone	Areas used predominantly for a range of industrial activities, and associated activities, with adverse effects (such as noise, odour, dust, fumes and smoke) that are reasonable to residential activities sensitive to these effects.
General Industrial Zone	Areas used predominantly for a range of industrial activities. The zone may also be used for activities that are compatible with the adverse effects generated from industrial activities.
Heavy Industrial Zone	Areas used predominantly for industrial activities that generate potentially significant adverse effects. The zone may also be used for associated activities that are compatible with the potentially significant adverse effects generated from industrial activities.

## 2.2.4 National guidance documents

The following national guidance documents are relevant to this topic:

Document	Author/Owner	Summary
New Zealand Urban Design Protocol 2005	Ministry for the Environment	While the Wairarapa Councils are not signatories to the NZUDP 2005, this protocol is acknowledged as being a useful guideline for quality urban design, which is defined as being concerned with the design of buildings, places and spaces, and the ways people use them.

Document	Author/Owner	Summary
		<p>The Urban Design Protocol identifies six attributes that it considers successful towns and cities share. The protocol identifies seven essential design qualities that together create quality urban design:</p> <ul style="list-style-type: none"> <li>• Context: seeing buildings, places and spaces as part of whole towns and cities</li> <li>• Character: reflecting and enhancing the distinctive character, heritage and identity of our urban environment</li> <li>• Choice: ensuring diversity and choice for people</li> <li>• Connections: enhancing how different networks link together for people</li> <li>• Creativity: encouraging innovative and imaginative solutions</li> <li>• Custodianship: ensuring design is environmentally sustainable, safe and healthy</li> <li>• Collaboration: communicating and sharing knowledge across sectors, professions and with communities.</li> </ul>
<p>National Guidelines for Crime Prevention through Environmental Design in New Zealand, 2005</p>	<p>Ministry of Justice</p>	<p>These guidelines outline how urban planning, design and place management strategies can reduce the likelihood of crime and deliver numerous social and economic benefits in the long-term.</p> <p>CPTED is a crime prevention philosophy based on proper design and effective use of the built environment leading to a reduction in the incidence and fear of crime, as well as an improvement in quality of life.</p> <p>There are four key overlapping CPTED principles. They are:</p> <ol style="list-style-type: none"> <li>1. Surveillance – people are present and can see what is going on.</li> <li>2. Access management – methods are used to attract people and vehicles to some places and restrict them from others.</li> <li>3. Territorial reinforcement – clear boundaries encourage community 'ownership' of the space.</li> <li>4. Quality environments – good quality, well maintained places attract people and support surveillance.</li> </ol> <p>To achieve the above, seven qualities for well-designed, safer places are described and guidance provided for their implementation, these being:</p> <ul style="list-style-type: none"> <li>• Access: Safe movement and connections</li> <li>• Surveillance and sightlines: See and be seen</li> <li>• Layout: Clear and logical orientation</li> </ul>

Document	Author/Owner	Summary
		<ul style="list-style-type: none"> <li>• Activity mix: Eyes on the street</li> <li>• Sense of ownership: Showing a place is cared for</li> <li>• Quality environments: Well-designed, managed and maintained environments</li> <li>• Physical protection: Using active security measures</li> </ul>
Understanding and implementing intensification provisions of the National Policy Statement on Urban Development, September 2020	Ministry for the Environment	This guide is intended to help local authorities understand and implement the requirements of the intensification provisions in the National Policy Statement on Urban Development 2020 (NPS-UD). The intensification provisions relevant to Masterton are Objective 3 and Policy 5.
Introductory guide to the National Policy Statement on Urban Development 2020	Ministry for the Environment	This document provides a high-level overview of the National Policy Statement on Urban Development 2020, introducing a series of fact sheets and guides to help with implementation.

## 2.3 Regional direction

### 2.3.1 Regional Policy Statement for the Wellington Region

The table below identifies the relevant provisions and resource management topics contained in the Operative RPS.

Objective/Policy	Relevant matters
Objective 1	Discharges of odour, smoke and dust to air do not adversely affect amenity values and people's wellbeing.
Objective 22	<p>A compact well designed and sustainable regional form that has an integrated, safe and responsive transport network and:...</p> <p>...</p> <p>(c) sufficient industrial-based employment locations or capacity to meet the region's needs;</p> <p>...</p>
Policy 1	<p>Odour, smoke and dust - District plans</p> <p>District plans shall include policies and/or rules that discourage:</p>

Objective/Policy	Relevant matters
	<p>(a) new sensitive activities locating near land uses or activities that emit odour, smoke or dust, which can affect the health of people and lower the amenity values of the surrounding area; and</p> <p>(b) new land uses or activities that emit odour, smoke or dust and which can affect the health of people and lower the amenity value of the surrounding areas, locating near sensitive activities.</p>
Policy 30	<p>Maintaining and enhancing the viability and vibrancy of regionally significant centres – district plans</p> <p>District plans shall include policies, rules and/or methods that enable and manage a range of land use activities that maintain and enhance the viability and vibrancy of the regional central business district in Wellington city and the:</p> <p>(a) Sub-regional centres of:</p> <p>...</p> <p>(v) Masterton town centre</p>
Policy 31	<p>Identifying and promoting higher density and mixed use development – district plans</p> <p>District plans shall:</p> <p>(a) identify key centres suitable for higher density and/or mixed use development;</p> <p>(b) identify locations, with good access to the strategic public transport network, suitable for higher density and/or mixed use development; and</p> <p>(c) include policies, rules and/or methods that encourage higher density and/or mixed use development in and around these centres and locations,</p>
Policy 32	<p>Identifying and protecting key industrial-based employment locations – district plans</p> <p>District plans should include policies, rules and/or methods that identify and protect key industrial-based employment locations where they maintain and enhance a compact, well designed and sustainable regional form.</p>
Policy 54	<p>Achieving the region's urban design principles – consideration</p> <p>When considering an application for a notice of requirement, or a change, variation or review of a district or regional plan, for development, particular regard shall be given to achieving the region's urban design principles in Appendix 2.</p>
Policy 57	<p>Integrating land use and transportation – consideration</p> <p>When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district plan, for subdivision, use or development, particular regard shall be given to the following matters, in making progress towards achieving the key outcomes of the Wellington Regional Land Transport Strategy:</p>

Objective/Policy	Relevant matters
	<p>(a) whether traffic generated by the proposed development can be accommodated within the existing transport network and the impacts on the efficiency, reliability or safety of the network;</p> <p>(b) connectivity with, or provision of access to, public services or activities, key centres of employment activity or retail activity, open spaces or recreational areas;</p> <p>(c) whether there is good access to the strategic public transport network;</p> <p>(d) provision of safe and attractive environments for walking and cycling; and</p> <p>(e) whether new, or upgrades to existing, transport network infrastructure have been appropriately recognised and provided for.</p>

Change 1 to the RPS was notified on 19 August 2022. Change 1 is in its early stages of the Schedule 1 process and introduces a significant policy shift from the existing direction. It is understood that there has been a high level of public interest and submissions on Change 1. Based on this, reduced weight should be given to the policy direction with the expectation of further development of the policy as Change 1 progresses through the process.

The relevant provisions of Change 1 are outlined in the table below:

Objective/Policy	Relevant matters
Objective 22	<p>Changes are proposed to Objective 22 to replace the text as follows:</p> <p>Urban development, including housing and infrastructure, is enabled where it demonstrates the characteristics and qualities of well-functioning urban environments, which:</p> <p>...</p> <p>(j) Provide for commercial and industrial development in appropriate locations, including employment close to where people live;</p>
Policy 30	<p>Changes are proposed to Policy 30 to add reference to locally significant centres including Featherston, Greytown, Carterton, and Martinborough.</p>
Policy 31	<p>Changes are proposed to Policy 31 to replace the text as follows:</p> <p>District plans shall include policies, rules and/or methods that identify and enable a range of different building heights and density within urban areas where it contributes to maintaining, establishing or improving the qualities and characteristics of well-functioning urban environments, including as a minimum:</p> <p>...</p>

Objective/Policy	Relevant matters
	<p>(c) For any other territorial authority not identified as a tier 1 territorial authority, identify areas for greater building height and density where:</p> <p>(i) there is good access to existing and planned active and public transport to a range of commercial activities and community services; and/or</p> <p>(ii) there is relative demand for housing and business use in that location.</p>
Policy 32	<p>Changes are proposed to Policy 32 as follows:</p> <p>District plans <del>should</del> shall include policies, rules and/or methods that identify and protect key industrial-based employment locations where they <u>contribute to the qualities and characteristics of well-functioning urban environments by: maintain and enhance compact, well designed and sustainable regional form</u></p> <p><u>(a) Recognising the importance of industrial based activities and the employment opportunities they provide.</u></p> <p><u>(b) Identifying specific locations and applying zoning suitable for accommodating industrial activities and their reasonable needs and effects including supporting or ancillary activities.</u></p> <p><u>(c) Identifying a range of land sizes and locations suitable for different industrial activities, and their operational needs including land-extensive activities.</u></p> <p><u>(d) Managing the establishment of non-industrial activities, in industrial zones, by avoiding activities likely to result in reverse sensitivity effects on industrial activities, or likely to result in an inefficient use of industrial zoned land or infrastructure.</u></p>
Policy 57	<p>Changes are proposed to Policy 57 as follows:</p> <p>When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district plan, for subdivision, use or development, <u>require land use and transport planning within the Wellington Region is integrated in a way which:</u></p> <p><u>(a) supports a safe, reliable, inclusive and efficient transport network;</u></p> <p><u>(b) supports connectivity with, or provision of access to, public services or activities, key centres of employment activity or retail activity;</u></p> <p><u>(c) minimises private vehicle travel and trip length while supporting mode shift to public transport or active modes and support the move towards low and zero-carbon modes;</u></p> <p><u>(d) encourages an increase in the amount of travel made by public transport and active modes;</u></p> <p><u>(e) provides for well-connected, safe and accessible multi modal transport networks while recognising that the timing and sequencing of land use and public transport may result in a period where the provision of public transport may not be efficient or practical;</u></p>

Objective/Policy	Relevant matters
	<p>(f) supports and enables the growth corridors in the Wellington Region, including:</p> <p>(i) <u>Western Growth Corridor – Tawa to Levin;</u></p> <p>(ii) <u>Eastern Growth Corridor – Hutt to Masterton;</u></p> <p>(iii) <u>Let's Get Wellington Moving Growth Corridor</u></p>

### 2.3.2 Natural Resources Plan

The table below identifies the relevant provisions contained in the NRP for the commercial and industrial zones.

Section	Relevant matters
Objective O31	Human health, property, and the environment are protected from the adverse effects of point source discharges of air pollutants.
Objective O32	The adverse effects of odour, smoke and dust on amenity values and people's well-being are minimised.
Policy P61	Industrial point source discharges and fugitive emissions into air will be minimised by using good management practices.
Policy P62	The significant adverse effects from industrial point source discharges of hazardous air pollutants beyond the boundary of the property where the discharge is occurring, including any noxious or dangerous effects on human health or the environment, shall be avoided.
Rules	Section 5.1, rules R1 to R42, relate to air discharges, some of which are relevant to activities that may be undertaken in the Commercial and Mixed Use and particularly the General Industrial Zone.

### 2.3.3 Any other relevant regional plans or strategies

The following plans or strategies are relevant to this topic:

Plan / Strategy	Organisation	Relevant Provisions
Wellington Regional Growth Framework, July 2021	Collaboration between local councils, central government and mana whenua	<p><a href="https://wrgf.co.nz/reports/">https://wrgf.co.nz/reports/</a></p> <p>The Framework is a spatial plan that describes a long-term vision for how the region will grow, change and respond to key urban development challenges and opportunities in a way that gets the best outcomes and maximises the benefits across the region.</p> <p>The Framework identifies how the Wellington-Horowhenua region could accommodate a future population of 780,000 and an additional 100,000 jobs in the next 30 years. This would represent an additional 200,000 people living in the region.</p> <p>Relevant objectives include:</p>

Plan / Strategy	Organisation	Relevant Provisions
		<ul style="list-style-type: none"> <li>• Increase housing supply and improve housing affordability and choice</li> <li>• Enable growth that protects and enhances the quality of the natural environment and accounts for a transition to a low/no carbon future</li> <li>• Improve multi-modal access to and between housing, employment, education, and services</li> <li>• Encourage sustainable, resilient, and affordable settlement patterns/urban forms that make efficient use of existing infrastructure and resources</li> <li>• Build climate change resilience and avoid increasing the impacts and risks from natural hazards</li> <li>• Create employment opportunities.</li> </ul>
Wellington Regional Economic Development Plan 2022	Wellington Regional Leadership Committee	<p>A plan to guide the long-term direction of the Wellington region economy, identify issues and opportunities in key focus areas and help prioritise initiatives over the next 10 years.</p> <p>The plan sets a vision "to build a future-focused, creative, sustainable and thriving Wellington region for all to be proud of."</p>
Wellington Regional Land Transport Plan 2021	Greater Wellington Regional Council	<p><a href="https://www.gw.govt.nz/your-region/plans-policies-and-bylaws/plans-and-reports/transport-plans/wellington-regional-land-transport-plan-mid-term-review-2023/#plan">https://www.gw.govt.nz/your-region/plans-policies-and-bylaws/plans-and-reports/transport-plans/wellington-regional-land-transport-plan-mid-term-review-2023/#plan</a></p> <p>The RLTP is a blueprint for the region's transport network, aiming to enable a connected region, with safe, accessible and liveable places. The plan sets targets, identifies regional priorities and sets out the transport activities GWRC intends to invest in. It sets 5 objectives:</p> <ul style="list-style-type: none"> <li>• O1: People in the Wellington Region have access to good, affordable travel choices</li> <li>• O2: Transport and land use are integrated to support compact urban form, liveable places, and a strong regional economy</li> <li>• O3: People can move around the Wellington Region safely</li> <li>• O4: The impact of transport and travel on the environment is minimised</li> </ul>

Plan / Strategy	Organisation	Relevant Provisions
		<ul style="list-style-type: none"> <li>O5: Journeys to, from and within the Wellington Region are connected, resilient and reliable</li> </ul> <p>The RLTP aims to achieve 40% fewer deaths and serious injuries on roads, 35% less carbon emissions from transport, and 40% increase in the share of trips by active travel and public transport.</p>
Wellington Regional Public Transport Plan 2021	Greater Wellington Regional Council	<p><a href="https://www.gw.govt.nz/your-region/plans-policies-and-bylaws/plans-and-reports/transport-plans/wellington-regional-public-transport-plan-2021/">https://www.gw.govt.nz/your-region/plans-policies-and-bylaws/plans-and-reports/transport-plans/wellington-regional-public-transport-plan-2021/</a></p> <p>The RPTP guides the design and delivery of public transport services, information and infrastructure in the Wellington region.</p> <p>One of the Strategic Focus Areas is Mode Shift - contributing to the regional target of a 40% increase in regional mode share from public transport and active modes by 2030.</p>

## 2.4 Wairarapa policies, plans and strategies

### 2.4.1 Iwi Management Plans

There are currently no iwi management plans relevant to the Wairarapa.

### 2.4.2 Statutory Acknowledgements

As outlined in the Section 32 Evaluation Overview and Strategic Directions Report and identified in Appendices APP1 and APP2 to the Proposed District Plan, there are several statutory acknowledgement areas within the districts. However, there are currently no statutory acknowledgement areas applying to sites within the Commercial and Mixed Use or General Industrial Zones.

### 2.4.3 Any other relevant local plans or strategies

The following plans or strategies are relevant to this topic:

Plan / Strategy	Organisation	Relevant Provisions
Shaping Our Future - A Strategy for the Masterton Town Centre (Masterton)	Masterton District Council	The Strategy gives direction and shape to Masterton's centre for the next 20 years and beyond. It contains a set of actions to show how the strategy will be implemented. The strategy puts forward a spatial framework and a set of

Plan / Strategy	Organisation	Relevant Provisions
Town Centre Strategy), 2018		<p>agreed objectives for what the community wants the town centre to be.</p> <p>The Strategy sets out objectives relating to:</p> <ul style="list-style-type: none"> <li>• Land uses - includes a town centre defined by precincts (River, Civic, Retail, Mixed Use, Kuripuni), more people living in the town centre</li> <li>• Built form - including opportunities for new events centre and library</li> <li>• Green and Blue Infrastructure - including relationship to Waipoua River, links with Queen Elizabeth Park</li> <li>• Street Network - including objectives for Dixon Street, State Highway 2, Queen Street, and parking areas</li> <li>• Transport and Movement - including opportunities for public transport, pedestrian, and cycle connections</li> </ul> <p>The four key objectives for the town centre are:</p> <ul style="list-style-type: none"> <li>• Take us to the River</li> <li>• Join it Up</li> <li>• In focus</li> <li>• Green it Up</li> </ul> <p>The Strategy contains an action plan, with a series of actions and outcomes sought.</p>
My Masterton Our People, Our Land Strategy: He Hiringa Tangata, He Hiringa Whenua, 2018	Masterton District Council	<p>"He Hiringa Tangata, He Hiringa Whenua" is a wellbeing strategy developed by the Masterton District Council. The strategy focuses on promoting the wellbeing of both the people and the land within the Masterton district.</p> <p>The strategy sets out Council's long-term strategic direction for Masterton Whakaoriori across four key focus areas:</p> <ul style="list-style-type: none"> <li>• Social Development</li> <li>• Cultural Development</li> <li>• Environmental Development, and</li> <li>• Economic Development.</li> </ul> <p>The Economic Development section sets out a vision that Masterton/Whakaoriori has a strong and sustainable economy that supports our people and places. It includes priorities around business attraction and growth and strategic directions to create a supportive regulatory environment that enables sustainable infrastructure development and growth, enables</p>

Plan / Strategy	Organisation	Relevant Provisions
		sustainable growth in traditionally strong industries, and encourages new innovative and entrepreneurial high-value activities.
South Wairarapa Spatial Plan: Mapping Our Future to 2050, 2021	South Wairarapa District Council	<p>The Spatial Plan is a plan to help shape the way South Wairarapa's communities grow and develop over a 30 year time period. Step 1: Residential Growth Areas focuses on residential growth as the first step and identifies residential growth areas in Martinborough, Featherston, and Greytown that were adopted by Council on 10 November 2021.</p> <p>The Featherston master planning work has been prioritised and is currently underway.</p>
Carterton Urban Growth Strategy, 2017	Carterton District Council	<p>The Carterton Urban Growth Strategy is a strategy for the Carterton District to inform a planned approach for directing where and how to accommodate future residential growth.</p> <p>It identifies options for additional Industrial zoned land to accommodate growth and demand in light industrial/service activities. The strategy for light industrial growth is to maintain a proximity to the existing urban area to enable ease of access for workers and for the services these provide to the urban area.</p> <p>The Urban Growth Strategy identified the eastern side of the Carterton urban area as the most suitable location and direction for new greenfield development.</p>
Eastern Growth Area Structure Plan, 2021	Carterton District Council	The Eastern Growth Area Structure Plan is a result of consultation with the community on four potential structure plan options to develop the Eastern Growth Area as recommended by the Carterton Urban Growth Strategy. It provides a vision for future development of the rural land east of the current developed urban area of Carterton.
Wellington Regional Housing and Business Development Capacity Assessment 2023 (HBA)	Prepared for the Wellington Regional Leadership Committee (WRLC)	<p>The HBA considers the forecast housing and business land demand and development capacity for the districts. The assessment shows demand for business land will grow strongly across the Wellington-Horowhenua region over the next three decades, driven by population growth.</p> <p>Further information from the HBA is outlined in Section 3.2.</p>
Wairarapa Economic Development Strategy (WEDS), 2022	WEDS Forum WEDS is a collaborative venture	The first WEDS was released in 2017-18 and was updated in 2022. The WEDS is an economic development strategy for 2022 - 2030 and beyond. It identifies a strategy, key priorities, indicators of success, and an action

Plan / Strategy	Organisation	Relevant Provisions
	between the three Wairarapa Councils and WellingtonNZ (The Regional Economic Development Agency)	plan. In the land use focus area a desire to optimise land use has been identified; this has an agricultural focus.

## 2.5 Other legislation or regulations

The following additional legislative / regulatory requirements are also relevant to this topic:

Legislation / Regulation	Relevant Provisions
The Building Act 2004	The Building Act 2004 provides for the regulation of building work and sets performance standards for buildings.  It is particularly relevant given the density of buildings in commercial areas and the presence of heritage buildings in these zones. The Act also regulates the management of earthquake prone buildings.

## 3.0 Issues analysis

### 3.1 Background

#### 3.1.1 Commercial areas

Wairarapa's urban form is a series of connected urban areas located along the main transport routes which each support a local community.

The Wairarapa includes five town centres: Masterton in Masterton District, Carterton in Carterton District, and Greytown, Martinborough, and Featherston in South Wairarapa. There are also small-scale commercial areas in the coastal settlements of Riversdale and Castlepoint.

Masterton is the largest town in the Wairarapa, featuring a centralised commercial area taking a linear form (around 2km in length), primarily concentrated around Queen Street and largely contained between Chapel Street (State Highway 2) and Dixon Street. These streets form the main shopping precinct, lined with a mix of retail stores,

cafes, restaurants, and professional services. There is a mix of single-story and multi-story buildings. Large format retail is present in several larger sites in the town centre and destination anchors (supermarkets, Briscoes, The Warehouse) are vehicle oriented. Many heritage and character buildings contribute to the sense of place. Masterton also has several small suburban shopping centres in addition to the large central commercial zone.

Carterton's commercial area is centred around High Street (State Highway 2). The town's commercial district offers a range of local shops, eateries, and services. The urban form is generally characterised by 1-2 storey buildings and has a generally compact and walkable layout.

Greytown's commercial area is characterised by its picturesque Victorian architecture, with Main Street (State Highway 2) being the main focal point. Main Street is known for its boutique shops, cafes, and galleries housed within heritage buildings. It is generally characterised by 1-2 storey buildings adjacent to the footpath, with verandas and retail display windows.

Martinborough's commercial area centres around Martinborough Square. The Square is lined with shops, restaurants, and cafes. The urban form features a mix of single-storey buildings with occasional two-storey structures.

Featherston's commercial area is mainly concentrated along Fitzherbert Street (State Highway 2). The urban form is characterised by a mix of single-storey buildings, and a relatively compact layout.

The Operative District Plan applies a single Commercial Zone to the business and retail areas in the towns of the Wairarapa.

The Commercial Zone is that of a working business environment, and the zone has permitted activity standards and a range of permitted activities that reflect that the character and amenity values are those of a commercial environment.

The Commercial Zone is densely developed compared with the other zones. There are two distinct types of environment within the zone. Pedestrian-oriented commercial environments are focused on providing customers with a range of shops and services accessible by foot, usually protected by verandas. These pedestrian areas are located in the five town centres, as well as a number of smaller neighbourhood shopping centres. A pedestrian precinct overlay applies to the CBD in Masterton only. Other areas are vehicle oriented, including large-scale retail areas.

The Wairarapa's town centres are the historic heart of urban settlement and contain many buildings and sites of heritage value. The collective heritage values of Featherston, Greytown and Martinborough are significant assets to the Wairarapa. While there may be on-street parking in the town centres, it is often supplemented with public parking areas that service businesses in their immediate locality, particularly in the larger towns.

Elsewhere, the Commercial Zone is less densely developed and is dominated by the need for vehicle access and parking. Often the activities are larger in scale, such as bulk retailing, warehouses and servicing depots, which require large lots and on-site car parking, as well as a high visible presence on the street.

Masterton District Council has adopted a Town Centre Strategy to guide development and revitalisation of the town centre and give direction and shape to Masterton's town centre for the next 20 years. Carterton District has undertaken workshops to develop a strategy to enhance the Carterton town centre, although this has not been finalised.

### **3.1.2 Industrial areas**

Each of the towns contains industrial areas, ranging from scattered small-scale areas to large industrial developments, including the Waingawa area to the south of Masterton and Ngaumutawa Road in Masterton.

Most existing industrial uses are contained within the urban environment, with many industrial areas forming an integral part of Wairarapa's towns. However, there are a few large sites located in the rural environment. In particular, the industrial area at Waingawa is the Wairarapa's principal heavy industrial area, where large industrial activities have been co-located to concentrate the adverse effects, and to take advantage of road and rail accessibility, and labour market and services provided by the nearby towns.

Like Waingawa, the Ngaumutawa Road industrial area is located adjacent to the rail corridor and has easy access to State Highway 2 from both the north and south.

The Operative District Plan applies a single Industrial Zone to the industrial areas. Very few industrial areas are subject to overlays.

## **3.2 Evidence base**

The Councils have reviewed the Operative District Plan, considered existing plans and strategies, reviewed approaches undertaken in other district plans, and considered feedback from stakeholders and the community to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions. The following sections outline this evidence.

### 3.2.1 Analysis of Operative District Plan provisions

#### 3.2.1.1 Overview of Operative District Plan provisions

##### 3.2.1.1.1 Commercial Zone

The Operative District Plan identifies the following significant resource management issues in relation to the Commercial Zone:

- Maintenance of the viability and vibrancy of Wairarapa's town centres from out-of-centre commercial development.
- Commercial activities and development located close to residential areas can adversely affect the character and amenity of the neighbouring residential areas.
- The expansion of commercial activities into residential areas, thereby permanently changing the character and amenity values, particularly for those dwellings in the immediate vicinity.
- Commercial development along busy traffic corridors can adversely affect the safety and efficiency of those routes.
- Protecting the safety and amenity values of those parts of the Commercial zone that are largely dependent on pedestrian access particularly comparison retail areas in town centres.
- The requirements of commercial development and land use can adversely affect the amenity values of the town centres. In particular, the advertising and branding requirements of commercial activities can detract from the overall character and amenity values of commercial areas.
- Providing for the needs of commercial areas in a way that does not detract from the local character and amenity values, and protects the safety and efficiency of the roading network.

There is a single Commercial Zone in the Operative District Plan with provisions contained in Chapter 6. A number of overlays also apply to various parts of the commercial zone:

- Character Area (Carterton)
- Historic Heritage Precincts (Masterton, Greytown, Martinborough and Featherston)
- Pedestrian Precinct (Masterton)

There are six objectives in the Operative District Plan. These are:

- Objective Com1 – Character and Amenity Values: To maintain and enhance the character and amenity values of the Commercial Zone in a manner that enables its commercial functions to provide for the wellbeing of the Wairarapa while mitigating adverse effects on the natural and physical environment.
- Objective Com2 – Efficient Vehicle and Pedestrian Movement: To ensure efficient pedestrian flows, traffic movement and parking within the Commercial Zone.

- Objective Com3 – Interzone Management: To protect the amenity values of any adjoining Residential Zone from the adverse effects of activities within the Commercial Zone.
- Objective Com4 – Masterton Town Centre: To provide for Masterton’s Town Centre as the principal retail and servicing focus of the Wairarapa while maintaining and enhancing its characteristics and amenity values.
- Objective Com5 – Carterton Town Centre: To maintain and enhance the character and amenity values of Carterton’s Town Centre through new and innovative design that complements the surrounding streetscape while providing for diversity in building form, use and appearance.
- Objective Com6 – South Wairarapa Town Centres: To ensure the special characteristics and historic heritage values of the town centres of Featherston, Greytown, and Martinborough are maintained and enhanced in a manner that enables their efficient commercial functioning.

These objectives are implemented primarily through a regulatory approach with a series of policies and rules. The current zone provisions are relatively permissive, with most activities permitted if they are able to comply with permitted activity standards. These standards relate to matters such as building height limits and setbacks, fence requirements, maximum noise limits, sign requirements and screening. Activities specifically listed as requiring resource consent include relocating a dwelling, construction, alteration, addition or demolition of building frontages in the Carterton Character Area, new residential units at ground level with frontage onto a road, and industrial activities on the Schedule of Primary Industry.

There is no minimum lot size required for subdivision.

#### 3.2.1.1.2 Industrial Zone

The Operative District Plan identifies the following significant resource management issues in relation to the Industrial Zone:

- The effects of traffic generated by industrial activities, particularly heavy vehicles, can adversely affect the safe and efficient functioning of the road network, as well as the amenity values of neighbouring areas.
- Where industry establishes in isolated pockets, and in close proximity to more sensitive land uses, the potential for conflict with residential or rural amenity values is increased. Conversely, reverse sensitivity issues can also arise where incompatible land use activities that are sensitive to the environmental effects of existing industrial activities establish in proximity to existing established industrial sites.
- The visual effects of industrial buildings, plant and other structures, including outdoor storage, can significantly degrade the amenity values and character of an area, particularly near residential neighbourhoods or along major public arterial roads, such as State Highway 2.

- There is a need to provide for future industrial development in locations that are adequately serviced and where environmental management costs can be minimised.
- Where not appropriately managed, the nature and scale of industrial activities may adversely affect adjoining areas and the environment. For example, potential adverse effects from contaminated discharges of stormwater can degrade waterbodies, while other effects such as odour, noise, lighting, waste, heavy traffic, services and the like, may degrade amenity values.

There is a single Industrial Zone in the Operative District Plan with provisions contained in Chapter 7. Very few industrial areas are subject to overlays.

There are four objectives in the Operative District Plan. These are:

- Objective Ind1 – Provision for Industrial Activities: To provide for a wide range of activities within the Industrial Zone that can function efficiently within acceptable levels of environmental quality and amenity.
- Objective Ind2 – Effects on Road Network and Infrastructure: To maintain the safe and efficient functioning of the roading network from the adverse effects of industrial activities within the Zone, and to ensure industrial land can be adequately and economically serviced by public infrastructure.
- Objective Ind3 – Opaki Industrial Area: To provide for the efficient use and development of the Opaki Industrial Area in a manner that maintains and enhances the special amenity values of the vicinity, including those of the residences that overlook the area.
- Objective Ind4 – Waingawa Industrial Area: To provide for the efficient use and development of the Waingawa Industrial Area in a manner that protects the area's environmental qualities while recognising its context within the rural environment and its high profile location, as well as the potential infrastructural and access requirements of industry in this location.

These objectives are implemented primarily through a regulatory approach with a series of policies and rules. Under the operative Industrial Zone provisions, land uses are permitted provided they comply with performance standards and are not otherwise listed in the rules. The performance standards relate to matters such as building setbacks, maximum noise limits, and screening. Activities specifically listed as requiring resource consent include activities listed in the Schedule of Primary Industry (Appendix 4 of the Plan), relocated buildings, residential units, and retail over 800m<sup>2</sup>.

There are additional specific permitted activity standards (for example, in terms of building height, bulk, setbacks coverage, building design, landscaping/screening, and noise) for the following industrial areas:

- Opaki Special Management Area
- Bidwills Industrial Park Zone
- Waingawa Industrial Area.

The Opaki Special Management Area is located north of Masterton. This Special Management Area overlays the Hansells factory and a number of vacant parcels to the north of the factory site. Special Management Area provisions recognise the special amenity values of the area (especially the treed landscape), and that the site is overlooked by a number of residential properties from the east.

There is no minimum lot size required for subdivision.

### **3.2.1.2 State of the environment monitoring**

The table below summarises consenting information from the MfE National Monitoring System Database between 2014/2015 and 2020/2021. Resource consents data indicates the majority of commercial activity consents related to installation of signage, construction of new buildings or alterations to existing buildings. A small number of consents were granted for non-commercial activities in the commercial zone (e.g. residential activities). In South Wairarapa a number of consents were for activities in the Historic Heritage Precinct.

For industrial activities, data indicates that very few consents have been received for activities in the Industrial Zone. A small number of consents were granted for 'sensitive' land uses in industrial zones, including a childcare facility in Masterton and residential dwellings. The most significant application was for a 41-lot subdivision on Ngaumutawa Road in Masterton (noting the table below summarises land use consents).

Land use consent summary 2014/2015 - 2020/2021			
Council	Type	Number of consents	Description
Masterton District Council	Commercial	16	<p>Consents granted for various activities, including:</p> <ul style="list-style-type: none"> <li>• Construction of commercial development including supermarket, large format retail, development not meeting parking or screening requirements</li> <li>• A community facility (additions to library not complying with standards)</li> <li>• A petrol station</li> <li>• A residential dwelling</li> <li>• Artisan Container Village</li> <li>• Works within a heritage building</li> <li>• Signs (several, including digital billboard, signage that breaches standards)</li> </ul> <p>In addition, several consents were granted for commercial activities in the residential and rural zones.</p>
	Industrial	10	<p>Consents granted for various activities, including:</p> <ul style="list-style-type: none"> <li>• A residential activity</li> <li>• A childcare centre</li> <li>• An LPG depot</li> <li>• An unsealed carpark</li> <li>• Retail activity (x2)</li> </ul>
Carterton District Council	Commercial	-	Commercial consents in the Carterton District appear to largely be for the establishment of commercial activities in the residential or rural zones.
	Industrial	6	<p>Consents granted for activities, buildings, and extensions to buildings in the Waingawa Industrial Area including:</p> <ul style="list-style-type: none"> <li>• Timber treatment plant</li> <li>• Diesel storage and dispensing</li> <li>• Log yard extension</li> <li>• Industrial buildings</li> </ul>

South Wairarapa District Council	Commercial	24	Consents granted for a range of activities, mostly within the Historic Heritage Precinct. Including several for residential units.  In addition, several consents were granted for commercial activities in the residential and rural zones.
	Industrial	9	Consents granted include: <ul style="list-style-type: none"> <li>• Residential dwellings (including an 8 lot subdivision partly on industrial land)</li> <li>• Commercial activities in the Industrial Zone</li> <li>• A health centre</li> </ul>

### 3.2.1.3 Effectiveness of the Operative District Plan approach

The following issues have been identified with the effectiveness of the Operative District Plan:

Issue	Comment
<b>Commercial areas</b>	
Issue 1: Rule 6.5.6(a) relating to residential units at ground level is unclear and has been subject to conflicting interpretations	<ul style="list-style-type: none"> <li>• Rule 6.5.6(a) which states that 'any new residential unit at ground level, with frontage onto the road' is a discretionary activity. There is some uncertainty in the application of this rule and conflicting interpretations and legal opinions exist.</li> </ul>
Issue 2: There is a need to align the provisions with the latest national and regional direction and the various growth and town centre strategies	<ul style="list-style-type: none"> <li>• There has been development in national direction since the Operative District Plan was developed, in particular the National Planning Standards and the NPS-UD.</li> <li>• The Councils have undertaken work to plan for future development, including growth strategies and town centre strategies. This needs to be reflected in the District Plan.</li> </ul>
Issue 3: Commercial development, particularly retail and services, establishing outside of town centres potentially threatens the viability and vibrancy of the town centres	<ul style="list-style-type: none"> <li>• The Operative District Plan approach of a single commercial zone with very permissive rules makes it difficult to manage varying scales of commercial activities and to manage the location of activities, including discouraging certain commercial activities outside of town centres. This potentially threatens the vitality and viability of the town centres.</li> <li>• Some provisions could be strengthened to support the consolidation and retention of commercial activities within the central area in each town</li> </ul>
Issue 4: The application of different overlays in different areas e.g. Carterton Character Area adds complexity and makes provisions more difficult to interpret and implement	<ul style="list-style-type: none"> <li>• Carterton Character Area is unduly constraining the nature and design of new buildings and additions or alterations to existing buildings. This constraint is particularly applicable to earthquake prone buildings which require strengthening or demolition.</li> </ul>
Issue 5: A consistent building height standard across all commercial zones does not reflect the different nature and character of different areas	<ul style="list-style-type: none"> <li>• The building height in all commercial areas is 15m, which does not take into account the different character of different areas.</li> </ul>

<p>Issue 6: The zoning of some areas of land does not reflect its actual and intended use</p>	<ul style="list-style-type: none"> <li>• Some Operative District Plan zoning does not reflect the existing use of the sites and zoning should be reviewed to confirm that appropriate zones are applied to all parcels.</li> <li>• There are some areas of land in Masterton, Featherston and Martinborough that are currently zoned industrial but are occupied by commercial operations.</li> <li>• Additional zoning options provide the opportunity for more appropriate and nuanced application of zoning.</li> </ul>
<p><b>Industrial areas</b></p>	
<p>Issue 1: There is a need to align the provisions with the latest national and regional direction and the various growth and town centre strategies</p>	<ul style="list-style-type: none"> <li>• There has been development in national direction since the Operative District Plan was developed, in particular the National Planning Standards and the NPS-UD.</li> <li>• The Councils have undertaken work to plan for future development, including growth strategies and town centre strategies. This needs to be reflected in the District Plan.</li> </ul>
<p>Issue 2: The Operative District Plan has a permissive approach to commercial activities, including retail activities, and these activities are locating in the Industrial Zone rather than the town centres</p>	<ul style="list-style-type: none"> <li>• The permissive approach in the Operative District Plan means that commercial activities, including retail and business services, are able to establish in the Industrial Zone when such activity is more appropriately located in the town centres.</li> <li>• This approach potentially threatens the vitality and viability of the town centres and reduces the availability of industrial land for industrial purposes and ancillary activities.</li> </ul>
<p>Issue 3: The zoning of some areas of land does not reflect its actual and intended use</p>	<ul style="list-style-type: none"> <li>• Some Operative District Plan zoning does not reflect the existing use of the sites and zoning should be reviewed to confirm that appropriate zones are applied to all parcels.</li> <li>• There are some areas of land in Masterton, Featherston and Martinborough that are currently zoned industrial but are occupied by commercial activities.</li> <li>• Additional zoning options provides the opportunity for more appropriate and nuanced application of zoning.</li> <li>• Industrial zoning is no longer appropriate for the Opaki Special Management Area due to the nature of recent development within and surrounding these areas and the management area over Bidwills Industrial Area is unnecessary as Industrial Zone provisions generally manage zone interface issues.</li> </ul>

<p>Issue 4: The reference to the Schedule of Primary Industries is undated and unclear</p>	<ul style="list-style-type: none"> <li>The Schedule of Primary Industries is somewhat outdated and lacks the clarity required in identifying activities to which provisions might apply. The schedule is somewhat ambiguous as it includes a list of specific activities, but also 'any other industry, warehouse, or bulk storage that is, or under any conditions may become noxious or dangerous in relation to adjacent areas'.</li> </ul>
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### 3.2.2 Analysis of other District Plan provisions relevant to this topic

Current practice has been considered in respect of this topic, with a review undertaken of the following District Plans:

Plan	Description of approach
<p>Proposed Porirua District Plan (rev August 2022)</p>	<p>Uses the following Commercial and Mixed Use zones:</p> <ul style="list-style-type: none"> <li>NCZ - Neighbourhood Centre Zone</li> <li>LCZ - Local Centre Zone</li> <li>LFRZ - Large Format Retail Zone</li> <li>MUZ - Mixed Use Zone</li> <li>CCZ - City Centre Zone</li> </ul> <p>Uses the following Industrial zones:</p> <ul style="list-style-type: none"> <li>GIZ - General Industrial Zone</li> </ul> <p>The approach:</p> <ul style="list-style-type: none"> <li>Mixed Use Zone provides for a wide range of permitted activities: retail activities, commercial service activities, offices, entertainment facilities, food and beverage activities, visitor accommodation, healthcare activities, educational facilities, community facilities, large format retail activities, drive-through activities, and residential activities. Most of these are subject to a gross floor area limit, which varies depending on the activity. Trade suppliers and light industry are a restricted discretionary activity.</li> <li>General Industrial Zone provides for permitted activities for industrial activities and other activities ancillary to industrial activities subject to limitations on floor area depending on the activity. Also provides for service stations and trade suppliers.</li> </ul>

Plan	Description of approach
<p>Proposed New Plymouth District Plan (decisions version rev May 2023)</p>	<p>Uses the following Commercial and Mixed Use zones:</p> <ul style="list-style-type: none"> <li>• LCZ - Local Centre Zone</li> <li>• COMZ - Commercial Zone</li> <li>• LFRZ - Large Format Retail Zone</li> <li>• MUZ - Mixed Use Zone</li> <li>• TCZ - Town Centre Zone</li> <li>• CCZ - City Centre Zone</li> </ul> <p>Uses the following Industrial Zones:</p> <ul style="list-style-type: none"> <li>• GIZ - General Industrial Zone</li> </ul> <p>The approach:</p> <ul style="list-style-type: none"> <li>• Has a strong focus on hierarchy of centres and uses a number of zones to support this</li> <li>• Mixed Use Zone provides for a mixture of commercial services, supermarkets, recreational, residential and community activities</li> <li>• Uses City and Town Centre Design Guide to assist in achieving design quality (a non-statutory reference guide)</li> <li>• General Industrial Zone provides for a narrow range of permitted activities - industrial activities, food and beverage retail stores up to 100m<sup>2</sup>, trade and industry training facilities, and community corrections activities.</li> </ul>

Plan	Description of approach
<p>Proposed Waimakariri District Plan (rev 9 May 2023)</p>	<p>Uses the following Commercial and Mixed Use zones:</p> <ul style="list-style-type: none"> <li>• LCZ - Local Centre Zone</li> <li>• NCZ - Neighbourhood Centre Zone</li> <li>• LFRZ - Large Format Retail Zone</li> <li>• MUZ - Mixed Use Zone</li> <li>• TCZ - Town Centre Zone</li> </ul> <p>Uses the following Industrial Zones:</p> <ul style="list-style-type: none"> <li>• LIZ - Light Industrial Zone</li> <li>• GIZ - General Industrial Zone</li> <li>• HIZ - Heavy Industrial Zone</li> </ul> <p>Contains general objectives and policies and matters of discretion for all Commercial and Mixed Use zones and Industrial zones as well as zone-specific provisions.</p> <p>The approach:</p> <ul style="list-style-type: none"> <li>• Uses a number of zones to support a centres hierarchy</li> <li>• Seeks to avoid compromising the Town Centre role and function</li> <li>• The Mixed Use Zone is used for a specific function to support the regeneration of the Kaiapoi Town Centre on 'red zoned' land.</li> <li>• Zones provide for a wide range of permitted activities. Outside the Town Centre Zone activities such as retail and office are subject to permitted gross floor area limits.</li> <li>• Includes a specific Large format retail activity, which is permitted in the Large Format Retail Zone.</li> <li>• Uses three industrial zones and distinguishes "heavy industry" from other industry. The definition of "heavy industry" is a list of activities that are more likely to give rise to off-site effects particularly around odour and dust.</li> <li>• A wide range of activities is provided for in the Industrial zones with heavy industry a non-complying activity in the Light Industrial Zone. A narrow range of ancillary retail activities is provided for as a permitted activity.</li> </ul>

These plans were selected because:

- They have been subject to recent plan reviews that have addressed similar issues relating to this topic; and/or
- The councils are of a similar scale to the Wairarapa Districts and are confronting similar issues relating to this topic.

A summary of the key findings follows:

- Different plans use a range of different zones. It is common to use several Commercial and Mixed Use zones reflecting different roles and functions of different types of centres. The nature of the Mixed Use Zone tends to vary between different plans. Some plans use a single General Industrial Zone, while others have multiple zones reflecting different industrial uses.
- Plans generally provide for a wide range of permitted activities.
- The range of permitted activities in the Industrial zones is generally narrower and activities such as office and retail are restricted by floor area and/or must be ancillary.
- Some plans use non-statutory design guides to assist in achieving design quality.

### 3.2.3 Advice received from Iwi

No specific advice has been received from Rangitāne o Wairarapa or Ngāti Kahungunu ki Wairarapa regarding this topic and the proposed provisions evaluated within this report.

### 3.2.4 Technical information

An assessment prepared to inform the Wellington Regional Housing and Business Development Capacity Assessment 2023 (HBA) shows demand for business land will grow strongly across the Wellington-Horowhenua region over the next three decades, driven by population growth<sup>1</sup>.

The report made the following observations:

- Masterton District:
  - Masterton has a relatively even spread of employment across sectors.
  - Masterton acts as a services centre for the region. Steady population growth will drive demand for retail, education, and healthcare. Working from home will impact on demand for business land in Masterton district.
  - Forecast demand of an additional 219,033m<sup>2</sup> floorspace and 381,654m<sup>2</sup> land area out to 2052, across a range of sectors.
  - There is sufficient development capacity of business land to meet demand over the long term (based on the Draft Wairarapa Combined District Plan 2022).
- Carterton District:

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<sup>1</sup> Demand for business land in the Wellington-Horowhenua region: Assessing future needs, prepared for the Wellington Regional Leadership Committee Secretariat, 28 March 2023 by Sense Partners.

- Carterton has a high share of industry in its total jobs, reflecting the concentration of industry in the Waingawa Industrial Area.
  - The Waingawa Industrial Area in Carterton District is attracting industrial demand from across the entire Wairarapa region. Much of the flow on demand is expected to locate in Masterton.
  - Forecast demand of an additional 541,655m<sup>2</sup> floorspace and 1,335,124m<sup>2</sup> land area out to 2052, across a range of sectors.
  - There is sufficient development capacity of business land to meet demand over the long term (based on the Draft Wairarapa Combined District Plan 2022).
- South Wairarapa District:
    - South Wairarapa is mainly characterised by agricultural employment, but trends show agriculture losing its dominance. Retail (including accommodation and hospitality) is a considerable portion of jobs.
    - Forecast demand of an additional 39,125m<sup>2</sup> floorspace and 77,452m<sup>2</sup> land area out to 2052, across a range of sectors.
    - Tourism is expected to drive demand for retail services, such as accommodation and hospitality in South Wairarapa. The wine industry in Martinborough is an asset for the region, and a driver of tourism.
    - There is sufficient development capacity of business land to meet demand over the long term (based on the Draft Wairarapa Combined District Plan 2022).

### 3.2.5 Consultation

Public consultation was undertaken on the Draft District Plan in October to December 2022.

The Draft District Plan took a different approach from the Operative District Plan in introducing additional zones and moving to a more activities-based approach. The Draft District Plan contained three Commercial and Mixed Use Zone chapters (Town Centre Zone, Neighbourhood Centre Zone, and Mixed Use Zone, and one Industrial Zone (General Industrial Zone). It provided for a range of permitted activities in each of the zones, with a framework consistent with encouraging commercial activities in the town centres and industrial activities in the General Industrial Zone.

A summary of specific feedback on this topic received during consultation on the Draft Plan is contained in Appendix 1, including how it has been responded to in the Proposed District Plan.

Feedback was received from 29 individuals or organisations on the Commercial and Mixed Use and Industrial Zone chapters and zoning.

In summary, the key matters arising from the consultation undertaken on this topic were:

- Zoning of specific sites. Some feedback was received in support of the zoning applied but several sought a change to the zoning of specific sites or areas.
- Provisions for specific activities including supermarkets, educational facilities, and emergency service facilities.
- Standards including those relating to requirements for three waters servicing, fire-fighting water supply, outdoor living space for residential units, and maximum fence height.
- Requests for wording amendments to definitions, objectives, policies, rules and standards.

As a result of feedback changes were made to:

- The zoning of the commercial area in Solway on the southern side of High Street in Masterton, to zone it Mixed Use Zone rather than Neighbourhood Centre Zone.
- Include standards in each of the chapters relating to water supply, wastewater, and stormwater requirements. These require compliance with Councils' Engineering Development Standard.
- Amendments to the wording of some standards, including the fence height standards to ensure fences do not obscure emergency signage or infrastructure.
- Amendments to matters of discretion to more clearly reference effects on the transport network, to reference operational and functional requirements (TCZ-S7), and to reference the Radio New Zealand Waingawa facility (GIZ-S1).

### 3.3 Summary of issues

The statutory and policy context and available evidence outlined above identified a number of issues and a full review of the commercial and industrial provisions was considered appropriate.

Based on the research, analysis and consultation outlined above, the Commercial and Industrial Zone provisions are generally effectively and efficiently achieving the objectives in the Operative District Plan, with some specific issues identified as follows:

- Commercial areas:
  - Issue 1: Rule 6.5.6(a) relating to residential units at ground level is unclear and has been subject to conflicting interpretations.
  - Issue 2: There is a need to align the provisions with the latest national and regional direction and the various growth and town centre strategies.
  - Issue 3: Commercial development, particularly retail and services, establishing outside of town centres potentially threatens the viability and vibrancy of the town centres.

- Issue 4: The application of different overlays in different areas e.g. Carterton Character Area adds complexity and makes provisions more difficult to interpret and implement.
- Issue 5: A consistent building height standard across all commercial zones does not reflect the different nature and character of different areas.
- Issue 6: The zoning of some areas of land does not reflect its actual and intended use.
- Industrial areas:
  - Issue 1: There is a need to align the provisions with the latest national and regional direction and the various growth and town centre strategies.
  - Issue 2: The Operative District Plan has a permissive approach to commercial activities, including retail activities, and these activities are locating in the Industrial Zone rather than the town centres.
  - Issue 3: The zoning of some areas of land does not reflect its actual and intended use.
  - Issue 4: The reference to the Schedule of Primary Industries is undated and unclear.

The review has confirmed that the significant resource management issues in relation the commercial and industrial areas have not changed significantly since the Operative District Plan was prepared. Aspects relating to commercial activity in residential areas, signs, and traffic effects are still relevant, but are addressed elsewhere in the Transport and Residential topics.

The following resource management issues have been identified:

Issue	Comment
<b>Commercial areas</b>	
Issue 1: Maintenance of the viability and vibrancy of Wairarapa's town centres from out-of-centre commercial development	<ul style="list-style-type: none"> <li>• Development outside of centres disperses commercial activity rather than consolidating and retaining commercial activities within the central area of each town.</li> </ul>
Issue 2: Commercial activities and development located close to residential areas can adversely affect the character and amenity of the neighbouring residential areas	<ul style="list-style-type: none"> <li>• At the zone interface where commercial activities and residential activities are in close proximity, the different character and amenity of the commercial areas can adversely affect the character and amenity of the neighbouring residential areas.</li> </ul>
Issue 3: Recognising and protecting the values of those parts of the town centres that have active street frontages	<ul style="list-style-type: none"> <li>• Areas in Masterton and Carterton town centres have active street frontages and pedestrian-focused areas and it is important to protect the safety and amenity of these areas.</li> <li>• The amenity values and character of pedestrian-focused areas and vehicle-oriented areas differ. Pedestrian precincts benefit from compact and cohesive building forms and parking sited away from key pedestrian routes. The vehicle-oriented areas do not have or require the same level of connected building form, but they rely on large areas of on-site parking, often large single premises, with good vehicle access.</li> </ul>
Issue 4: Providing for the needs of commercial and mixed use areas in a way that recognises the particular values of the different town centres and commercial areas and does not detract from the local character and amenity values, is compatible with heritage values, and creates a positive interface with public space	<ul style="list-style-type: none"> <li>• The commercial areas are a working business environment and are focal points for a range of retail, business, and community and lifestyle activities.</li> <li>• The Wairarapa's town centres are the historic heart of urban settlement and contain many buildings and sites of heritage value. Featherston, Greytown and Martinborough centres in particular have significant heritage values.</li> <li>• Areas in Masterton and Carterton town centres have active street frontages and pedestrian-focused areas and it is important to protect the safety and amenity of these areas.</li> </ul>
Issue 5: Development can adversely affect the safe, effective, and efficient operation of the transport network	<ul style="list-style-type: none"> <li>• Commercial activities can generate high volumes of traffic which can have an adverse effect on the transport network.</li> <li>• The design and location of parking areas, vehicle access and servicing arrangements needs to support the safe, effective, and efficient operation of the transport network.</li> </ul>

<b>Industrial areas</b>	
Issue 1: Industrial activities and development located close to more sensitive land uses can adversely affect the character and amenity of those more sensitive areas and can result in reverse sensitivity issues	<ul style="list-style-type: none"> <li>• There are a number of industrial areas that are directly adjacent to residential and rural zones.</li> <li>• This gives rise for potential conflict with residential or rural amenity values.</li> <li>• Reverse sensitivity issues can also arise where incompatible land use activities that are sensitive to the environmental effects of existing industrial activities establish in proximity to existing established industrial sites.</li> </ul>
Issue 2: Prioritising industrial zoned land for industrial land uses	<ul style="list-style-type: none"> <li>• Non-industrial or ancillary development impacts on the role and function of the zone and reduces available land for industrial uses. It also affects the viability and vibrancy of centres.</li> </ul>
Issue 3: Industrial activities and buildings can degrade the amenity and character values of an area	<ul style="list-style-type: none"> <li>• The visual effects of industrial buildings, plant and other structures, including outdoor storage, can significantly degrade the amenity values and character of an area, particularly near residential neighbourhoods or along major public arterial roads, such as State Highway 2</li> </ul>
Issue 4: Development can adversely affect the safe, effective, and efficient operation of the transport network	<ul style="list-style-type: none"> <li>• The effects of traffic generated by industrial activities, particularly heavy vehicles, can adversely affect the safe and efficient functioning of the road network, as well as the amenity values of neighbouring areas.</li> </ul>

## 4.0 Scale and significance

### 4.1 Evaluation of scale and significance

Under section 32(1)(c) of the RMA, this evaluation report needs to contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

This section assesses the scale and significance of the Commercial and Mixed Use and General Industrial Zone provisions to determine the level of analysis required.

	<b>Low</b>	<b>Medium</b>	<b>High</b>
<b>Degree of change from the Operative District Plan</b>			√
<b>Effects on matters of national importance</b>	√		
<b>Scale of effects - geographically</b>		√	
<b>Scale of effects on people e.g. landowners, neighbourhoods, future generations</b>		√	

Scale of effects on those with specific interests e.g. tangata whenua	√		
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?		√	
Likelihood of increased costs or restrictions on individuals, communities or businesses		√	

In summary:

- The Proposed District Plan takes a different approach from the Operative District Plan in introducing additional zones and moving to a more activities-based approach. The Proposed District Plan introduces a framework for greater distinction between zones and directs most commercial and retail activities to locate in town centres. Activities will be more restricted in some areas so as to ensure the vitality and vibrancy of the town centres. Non-industrial activities in the General Industrial Zone will be more restricted in order to protect the industrial land for industrial uses and avoid compromising the role and function of the General Industrial Zone by non-industrial or incompatible activities.
- The Commercial and Mixed Use and General Industrial zones apply in a number of areas in each of the Districts and therefore cover a moderate geographical spread.
- The Commercial and Mixed Use and General Industrial zones are important to the social and economic wellbeing of the Districts and contain a relatively high density of development and activity. The provisions may affect those wanting to change the use of a site or undertake a new development, but a wide range of permitted activities is still provided for in all zones, particularly the Town Centre Zone. Therefore, the scale of effects on people is medium.
- The zones contain heritage buildings and features, which are a s6 matter, although these are largely addressed in the Heritage chapter and as part of the Heritage s32 topic.
- The provisions are likely to introduce increased costs and restrictions on those wishing to develop sites in the zones. While there is still a wide range of permitted activities provided for in all zones, the provisions are more restrictive than the Operative District Plan.

Overall, it is considered that the scale and significance of the proposal is medium.

## 4.2 Quantification of benefits and costs

Section 32(2)(b) of the RMA requires that, where practicable, the benefits and costs of a proposal are to be quantified.

Specific quantification of all benefits and costs associated with the Proposed District Plan is considered neither practicable nor readily available. In general, a qualitative assessment of costs and benefits associated with the Proposed District Plan is considered sufficient, and this is provided for in the assessment of policies, rules and other methods contained in section 7.0 of this report. However, where practicable and considered appropriate to supporting the evaluation, some of the benefits or costs associated with the Proposed District Plan have been quantified. The identification of costs and benefits has been informed by the body of evidence outlined in section 3.0 of this report.

## 5.0 Proposed provisions

### 5.1 National Planning Standards zoning

Based on the issues analysis in section 3.0 of this report and the National Planning Standards zone options, the following zone framework has been selected in relation to this topic:

Zone	Description
Town Centre Zone	Areas used predominantly for: <ul style="list-style-type: none"> <li>• in smaller urban areas, a range of commercial, community, recreational and residential activities.</li> <li>• in larger urban areas, a range of commercial, community, recreational and residential activities that service the needs of the immediate and neighbouring suburbs.</li> </ul>
Neighbourhood Centre Zone	Areas used predominantly for small-scale commercial and community activities that service the needs of the immediate residential neighbourhood.
Mixed Use Zone	Areas used predominantly for a compatible mixture of residential, commercial, light industrial, recreational and/or community activities.
General Industrial Zone	Areas used predominantly for a range of industrial activities. The zone may also be used for activities that are compatible with the adverse effects generated from industrial activities.

These zones have been selected as they cover the nature and scale of commercial and industrial activities occurring across the Districts. The use of three commercial and mixed use zones instead of a single commercial zone enables rules to be more tailored to the nature of the different areas, such as the surrounding residential environment of

the Neighbourhood Centre zoned areas, and allows recognition that some activities are better focused in certain areas.

## 5.1.1 Application of zoning

The Town Centre Zone replaces the existing Commercial Zone in the centre of each of the towns. It applies to areas with a range of commercial and community activities.

The Neighbourhood Centre Zone has been applied to pockets of commercial land in Masterton (in Solway, Vivian Street, First Street, and Upper Plain Road) and in coastal settlements (Castlepoint and Riversdale). The intention is to provide for small-scale commercial and community activities that service local neighbourhoods.

The Mixed Use Zone has been applied to land that is currently zoned Commercial or Industrial, where a variety of activities are currently taking place. This zone provides for a range of compatible activities and including commercial, light industrial, recreational, residential and community activities.

The General Industrial Zone has been applied to land used for industrial activities, generally comprising large areas of land located on the outskirts or beyond urban boundaries, and includes Waingawa Industrial Area, Ngaumutawa Road Industrial Area (at the northern end of Masterton) and the southern end of Ngaumutawa Road. There are also some smaller pockets of General Industrial zoned land reflecting existing uses including in various locations in Carterton, in the south of Greytown, along State Highway 2 and on the northern edge in Featherston, and adjacent to the town centre in Masterton.

Industrial zoning has not been applied to the Opaki Special Management Area as the predominant use in this area is now residential and additional industrial development in this area would be incompatible with this residential use.

## 5.2 Strategic directions

The following objectives from the Strategic Direction chapter of the Proposed District Plan are relevant:

<b>CCR-01</b>	<b>Climate change mitigation</b>
The Wairarapa develops and functions in a way that assists in the transition to a low-carbon future.	
<b>HC-01</b>	<b>Protection of heritage values</b>
The cultural, spiritual, and/or historical values associated with historic heritage and sites and areas of significance to Rangitāne o Wairarapa and Ngāti Kahungunu ki Wairarapa are recognised, protected and maintained.	

<b>UFD-O1</b>	<b>Urban form of the Wairarapa</b>
Wairarapa's urban form is a series of connected urban areas located along the main transport routes which each support a local community.	
<b>UFD-O2</b>	<b>Urban growth</b>
The Wairarapa's urban areas grow in a planned, efficient, and structured way to meet future needs in a responsive manner that:	
<ol style="list-style-type: none"> <li>1. provides for a variety of housing types that respond to a range of community needs;</li> <li>2. enables greater densities of development in areas with sufficient infrastructure capacity and located close to centres, services, open spaces and/or public transport;</li> <li>3. is compatible with the character and amenity of the urban areas.</li> </ol>	
<b>UFD-O3</b>	<b>Urban land supply</b>
There is sufficient development capacity to meet the Wairarapa's housing, commercial, industrial, educational, and recreational needs.	
<b>UFD-O4</b>	<b>Infrastructure capacity</b>
Urban growth and development is integrated with the efficient provision, including the timing and funding, of infrastructure, schools, and open spaces.	
<b>UFD-O5</b>	<b>Vibrant town centres</b>
The Wairarapa contains vibrant and viable town centres that are the location for shopping, leisure, cultural, entertainment, and social interaction experiences and provide for the community's employment and economic needs.	
<b>UFD-O6</b>	<b>Commercial activities</b>
Commercial activities located outside of town centres do not undermine the function and viability of the Wairarapa's town centres.	

These objectives relate to urban form and infrastructure and are therefore relevant to the Commercial and Mixed Use and General Industrial zones. UFD-O5 and UFD-O6 are directly relevant to town centres and commercial activities.

These objectives are evaluated in the Section 32 Evaluation Overview and Strategic Directions Report.

## 5.3 Overview of proposed provisions

The proposed provisions relevant to this topic are set out in detail in the Proposed District Plan and should be referenced in conjunction with this evaluation report.

In summary, the proposed provisions include:

- Definitions for commercial and industrial activities including for food and beverage activities, retail activities, industrial activities, visitor accommodation, trade suppliers, drive-through activities, business services, entertainment activities, educational facilities, and noxious or offensive industry.
- Objectives that address:
  - Town Centre Zone:

- Nine objectives addressing the zone's purpose, character and amenity, accessible and safe environments, interzone management, and specific values and characteristics for each of the Masterton, Carterton, and South Wairarapa town centres.
  - Neighbourhood Centre Zone:
    - Four objectives addressing the zone's purpose, character and amenity, the protection of the Town Centre Zone, and interzone management.
  - Mixed Use Zone:
    - Four objectives addressing the zone's purpose, character and amenity, the protection of the Town Centre Zone, and interzone management.
  - General Industrial Zone:
    - Five objectives addressing the zone's purpose, character and amenity, protection of the zone from non-industrial or incompatible activities, limiting commercial activities, and the development of Waingawa Industrial Area.
- Policies:
  - Town Centre Zone:
    - 12 policies relating to compatible and incompatible use and development, residential activities, other activities, managing effects on other zones, town centre vibrancy, Masterton town centre, Carterton town centre, built form on active street frontages, interface with public space, South Wairarapa town centres, and relocatable buildings.
  - Neighbourhood Centre Zone:
    - Six policies relating to compatible and incompatible use and development, residential activities, other activities, managing effects on other areas, and relocatable buildings.
  - Mixed Use Zone:
    - Six policies relating to compatible and incompatible use and development, residential activities, other activities, managing effects on other areas, and relocatable buildings.
  - General Industrial Zone:
    - Seven policies relating to providing adequate land for industrial activities, compatible and incompatible use and development, effects of industrial activities, sensitive activities, Waingawa Industrial Area, and relocatable buildings.

- A rule framework that manages land use and building and structure activities as follows:

Activity	Zone			
	Neighbourhood Centre Zone	Mixed Use Zone	Town Centre Zone	General Industrial Zone
Buildings and structures, including construction, additions and alterations	P (s)	P (s)	P (s)	P (s)
Demolition of buildings and structures	P	P	P (s)	P
Relocatable buildings	P (s)	P (s)	P (s)	P (s)
Residential activities	Up to 2 residential units P (s)	Up to 2 residential units P (s)	Up to 2 residential units P (s)	P (when ancillary to industrial activity) D otherwise
Healthcare activities	P (s)	P (s)	P	D*
Food and beverage activities	P (s)	D	P	D*
Retail activities	P (s)	D	P	P (s)
Visitor accommodation	D	P (s)	P	D*
Industrial activities	NC	P (s) (excluding noxious or offensive industry)	NC	P (s)
Community facilities	RD	P (s)	P	D*
Trade suppliers	D	P (s)	D (NC in HH/ASF*)	RD
Recreation activities	D	P (s)	P	D*
Drive through activities	D	RD	RD (NC in HH/ASF*)	RD
Business services	RD	D	P	D
Entertainment activities	D	D	P	D*
Educational facilities	D	D	P	D*
Noxious or Offensive Industry	Not specified, but Industrial Activity is NC	NC	Not specified, but Industrial Activity is NC	Not specified, but Industrial Activity is P

Activity	Zone			
	Neighbourhood Centre Zone	Mixed Use Zone	Town Centre Zone	General Industrial Zone
P (s) means permitted activity subject to standards				
D* means the activity is not specified in the chapter but is intended to fall under the Discretionary Activity 'catch all' rule				
HH/ASF means historic heritage precincts and active street frontages				

- Effects standards that address:
  - Maximum height
  - Maximum height in relation to boundary
  - Minimum building setback
  - Fence height and location
  - Screening of industrial activities (Mixed Use Zone and General Industrial Zone only)
  - Outdoor storage or servicing area screening
  - Outdoor living space for residential units (Town Centre Zone, Neighbourhood Centre Zone, Mixed Use Zone)
  - New buildings or additions or alterations to a building on an active street frontage (Town Centre Zone only)
  - Waingawa Industrial Area (General Industrial Zone only)
  - Drinking water supply
  - Wastewater disposal
  - Stormwater management

Standard	Town Centre Zone	Mixed Use Zone	Neighbourhood Centre Zone	General Industrial Zone
<b>Maximum Height</b>	15m in Featherston, Carterton and Masterton  12m in Greytown and Martinborough	15m in Featherston, Carterton and Masterton  12m in Greytown and Martinborough	10m	15m
<b>Height in relation to boundary (where adjoining Residential or Open Space and Recreation Zone)</b>	Yes	Yes	Yes	Yes
<b>Minimum setbacks</b>	Yes  (3m from Residential or Open Space and Recreation	Yes  (3m from Residential or Open Space and	Yes  (3m from Residential or Open Space and Recreation	Yes  (5m from other zones and 5m / 25m from

Standard	Town Centre Zone	Mixed Use Zone	Neighbourhood Centre Zone	General Industrial Zone
	Zone and 5m from surface waterbodies)	Recreation Zone and 5m / 25m from surface waterbodies)	Zone and 5m from surface waterbodies)	surface waterbodies)
<b>Fence height and location</b>	1.8m on boundary with Residential / Open Space and Recreation / Rural	1.8m on boundary with Residential / Open Space and Recreation / Rural	1.8m on boundary with Residential / Open Space and Recreation / Rural	1.8m on boundary with Residential / Open Space and Recreation / Rural
<b>Screening of industrial activities</b>	No	Yes	No	Yes
<b>Outdoor living space for residential units</b>	Yes	Yes	Yes	No
<b>Outdoor storage or servicing area screening</b>	Yes	Yes	Yes	Yes
<b>New buildings or additions or alterations to a building on an active street frontage</b>	Yes	No	No	No
<b>Drinking water supply</b>	Yes	Yes	Yes	Yes
<b>Wastewater disposal</b>	Yes	Yes	Yes	Yes
<b>Stormwater management</b>	Yes	Yes	Yes	Yes
<b>Waingawa Industrial Area</b>	No	No	No	Yes

- Supporting Centres Design Guide that provides guidance to integrate development into the surrounding existing and planned context and promote positive design outcomes for public space, commercial, mixed-use and residential developments in commercial and mixed use zones. The Design Guide will be a relevant consideration for resource consent applications; and
- Supporting Waingawa Industrial Design Guide to support the Waingawa Industrial Area Structure Plan and provide direction to the design of future industrial development that helps to achieve an integrated design vision for the Waingawa Industrial Area.

## 5.4 Other relevant objectives

Objectives in the district-wide chapters are generally relevant to the Commercial and Mixed Use and General Industrial zones where activities controlled by the district-wide

chapters occur in these areas. Objectives in the Subdivision and Financial Contributions chapters are also relevant:

- SUB-O1 Subdivision and development design
- SUB-O2 Servicing
- SUB-O3 Future development
- FC-O1 Infrastructure meets additional demand
- FC-O2 Servicing subdivision and development.

## 5.5 Other methods

The Centres Design Guide is a matter of discretion for resource consent applications, but it also provides general best-practice design guidance which is encouraged, but not required, to be considered for permitted activities.

## 6.0 Evaluation of the proposed objectives

Section 32(1)(a) of the RMA requires an evaluation to examine the extent to which the objectives proposed are the most appropriate way to achieve the purpose of the RMA. The level of detail must correspond to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.

This section of the report evaluates the objectives proposed for the Commercial and Mixed Use and Industrial Zone chapters.

An examination of the proposed objectives along with reasonable alternatives is included below, with the relative extent of their appropriateness based on an assessment against the following criteria:

1. Relevance (i.e. Is the objective related to addressing resource management issues and will it achieve one or more aspects of the purpose and principles of the RMA?)
2. Usefulness (i.e. Will the objective guide decision-making? Does it meet sound principles for writing objectives and does it clearly state the anticipated outcome?)
3. Reasonableness (i.e. What is the extent of the regulatory impact imposed on individuals, businesses or the wider community? Is it consistent with identified tangata whenua and community outcomes?)
4. Achievability (i.e. Can the objective be achieved with tools and resources available, or likely to be available, to the Councils?)

While not specifically required under section 32 of the RMA, in some instances alternative objectives are also considered to ensure that the proposed objective(s) are the most appropriate to achieve the purpose of the RMA.

<b>Proposed Objectives</b>	
<p><b>Town Centre Zone:</b>                      TCZ-O1 Purpose of the Town Centre Zone, TCZ-O2 Character and amenity values of the Town Centre Zone, TCZ-O3 Accessible and safe environments, TCZ-O4 Interzone management, TCZ-O5 Masterton town centre, TCZ-O6 Carterton town centre, TCZ-O7 Active street frontages, TCZ-O8 South Wairarapa town centres - values, TCZ-O9 South Wairarapa town centres - activities</p> <p><b>Neighbourhood Centre Zone:</b>                      NCZ-O1 Purpose of the Neighbourhood Centre Zone, NCZ-O2 Character and amenity values of the Neighbourhood Centre Zone, NCZ-O3 Protection of the Town Centre Zone, NCZ-O4 Interzone management</p> <p><b>Mixed Use Zone:</b>                      MUZ-O1 Purpose of the Mixed Use Zone, MUZ-O2 Character and amenity values of the Mixed Use Zone, MUZ-O3 Protection of the Town Centre Zone, MUZ-O4 Interzone management</p> <p><b>General Industrial Zone:</b>                      GIZ-O1 Purpose of the General Industrial Zone, GIZ-O2 Character and amenity values of the General Industrial Zone, GIZ-O3 Protection of General Industrial Zone, GIZ-O4 Commercial activities in the General Industrial Zone, GIZ-O5 Waingawa Industrial Area</p>	
<b>Alternatives considered</b>	
<p>Status quo (Operative District Plan):</p> <ul style="list-style-type: none"> <li>• Com1 - Character and Amenity Values, Com2 - Efficient Vehicle and Pedestrian Movement, Com3 - Interzone Management, Com4 - Masterton Town Centre, Com5 - Carterton Town Centre, Com6 - South Wairarapa Town Centres</li> <li>• Ind1 - Provision for Industrial Activities, Ind2 - Effects on Road Network and Infrastructure, Ind3 - Opaki Industrial Area, Ind4 - Waingawa Industrial Area</li> </ul>	
<b>Appropriateness to achieve the purpose of the RMA</b>	
<p>Appropriateness of Proposed Objective (relevance, usefulness, reasonableness, achievability)</p>	<ul style="list-style-type: none"> <li>• The objectives address the identified resource management issues for the commercial and industrial areas as outlined in Section 3.3. The objectives give effect to national direction, particularly the NPS-UD.</li> <li>• The objectives will guide decision making by clearly setting out the purpose, character, and amenity values of the various zones and setting a framework to provide clear direction as to what activities will be considered compatible and incompatible in the different zones and different towns. The provision of specific objectives for each zone provides greater clarity and direction in this respect.</li> <li>• The objectives are reasonable and will not place unjustifiable costs on the community. The objectives have been consulted on, including through the Draft District Plan consultation and feedback has largely been supportive.</li> <li>• The objectives are achievable and can be implemented with the tools and resources available to the Councils.</li> </ul>

<p>Appropriateness of Status Quo (relevance, usefulness, reasonableness, achievability)</p>	<ul style="list-style-type: none"> <li>• The existing objectives address the identified resource management issues.</li> <li>• The existing objectives provide less clarity and guidance for decision making as they are not as clear as the proposed objectives, particularly in relation to the purpose, character, and amenity values of the various zones.</li> <li>• There is one set of objectives for the Commercial Zone and one set of objectives for the Industrial Zone which does not provide as clear direction as to what activities will be considered compatible and incompatible in the different zones and different towns. The objectives do not provide guidance on the role and function of the centres and do not make it clear what locations are appropriate for retail, business service activities, residential activities, or industrial activities.</li> <li>• The existing Zones and provisions have been in place a long time and are well understood by community and consenting staff.</li> <li>• The status quo is currently being implemented within the Councils' powers, skills, and resources.</li> </ul>
<p><b>Preferred option and reasons</b></p>	
<p>The proposed objectives are the most appropriate means of achieving the purpose of the RMA because:</p> <ul style="list-style-type: none"> <li>• The proposed objectives address the identified resource management issues.</li> <li>• The proposed objectives are consistent with higher order planning direction, including the Regional Policy Statement, National Planning Standards and the direction of the National Policy Statement for Urban Development.</li> <li>• Clearly identifying compatible and incompatible activities is consistent with best practice and gives clear direction to plan users and decision makers.</li> <li>• The proposed objectives have been generally supported by the public through engagement undertaken, in particular the submissions received on the Draft District Plan.</li> <li>• The proposed objectives help give effect to strategic objectives set out in Section 5.2.</li> </ul>	

## 7.0 Evaluation of proposed provisions

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

The assessment must identify and assess the benefits and costs of environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must, if practicable, quantify the benefits and costs and assess the risk of

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

## **7.1 Evaluation**

For each potential approach an evaluation has been undertaken relating to the costs, benefits and the certainty and sufficiency of information (as informed by section 4.0 of this report) in order to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objective(s).

## 7.1.1 Provisions to achieve objectives relating to the Commercial and Mixed Use and General Industrial Zones

Under section 32(1)(b)(ii) of the RMA, reasonably practicable options to achieve the objective(s) associated with this proposal need to be identified and examined.

The other options considered reasonably practicable for achieving the objectives of the Proposed District Plan in relation to the Commercial and Mixed Use and General Industrial Zones are:

- Option 1: The proposed provisions
- Option 2: Retaining the status quo – the Operative District Plan

<p><b>Objectives:</b></p> <p><b>Town Centre Zone:</b>            TCZ-O1 Purpose of the Town Centre Zone, TCZ-O2 Character and amenity values of the Town Centre Zone, TCZ-O3 Accessible and safe environments, TCZ-O4 Interzone management, TCZ-O5 Masterton town centre, TCZ-O6 Carterton town centre, TCZ-O7 Active street frontages, TCZ-O8 South Wairarapa town centres - values, TCZ-O9 South Wairarapa town centres - activities</p> <p><b>Neighbourhood Centre Zone:</b>            NCZ-O1 Purpose of the Neighbourhood Centre Zone, NCZ-O2 Character and amenity values of the Neighbourhood Centre Zone, NCZ-O3 Protection of the Town Centre Zone, NCZ-O4 Interzone management</p> <p><b>Mixed Use Zone:</b>            MUZ-O1 Purpose of the Mixed Use Zone, MUZ-O2 Character and amenity values of the Mixed Use Zone, MUZ-O3 Protection of the Town Centre Zone, MUZ-O4 Interzone management</p> <p><b>General Industrial Zone:</b>            GIZ-O1 Purpose of the General Industrial Zone, GIZ-O2 Character and amenity values of the General Industrial Zone, GIZ-O3 Protection of General Industrial Zone, GIZ-O4 Commercial activities in the General Industrial Zone, GIZ-O5 Waingawa Industrial Area</p>		
<p><b>Option 1: Proposed approach (recommended)</b></p> <ul style="list-style-type: none"> <li>• Three Commercial and Mixed Use</li> </ul>	<p><b>Costs</b></p> <p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Provisions are enabling and permissive and controls over built form are limited, potentially</li> </ul>	<p><b>Benefits</b></p> <p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Higher quality environments with better design outcomes encouraged through design guides and</li> </ul>

<p>Zones which accommodate a range of activities and commercial environments and one Industrial Zone predominantly for industrial activities</p> <ul style="list-style-type: none"> <li>• Policies provide direction on compatible and incompatible use and development and identify particular values and considerations for different zones and different areas within the zones</li> <li>• An activities-based approach to rules which permits a wide range of commercial activities in the Commercial and Mixed Use Zones and</li> </ul>	<p>enabling development that does not align with best practice design.</p> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Greater restrictions on landowners and developers and higher regulatory costs if aspirations for land are not in alignment with the zone provisions e.g. retail in the General Industrial Zone or through more restrictive provisions e.g. lower maximum height limit in some areas.</li> <li>• Increased short-term costs to plan users and Council consenting teams as they build familiarity with the new provisions.</li> <li>• Potential increased costs to meet design requirements and regulatory costs to demonstrate design outcomes.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect costs have been identified.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect costs have been identified.</li> </ul>	<p>required through standards, particularly for active street frontages, and screening of storage and servicing areas.</p> <ul style="list-style-type: none"> <li>• Greater management of residential activities will manage compatibility with commercial and industrial activities, manage potential reverse sensitivity effects, and promote better design outcomes.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Provision for a wide range of permitted activities in each zone, enabling economic activity consistent with the purpose of each zone.</li> <li>• Greater certainty in provisions and direction on what will be considered appropriate, reducing regulatory consenting costs.</li> <li>• Higher quality environments attracting people to commercial areas encouraging retail spending.</li> <li>• Protection of industrial land for industrial uses, helping to ensure sufficient supply of industrial land.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Provision for a wide range of permitted activities in the Town Centre Zone, creating a vibrant mix of uses and promoting social interaction.</li> <li>• Greater certainty around what activities can be expected in each zone.</li> <li>• Management of zone interfaces, mitigating potential amenity effects on more sensitive uses e.g. Residential Zones.</li> </ul> <p><b>Cultural</b></p>
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<p>industrial and ancillary activities in the General Industrial Zone.</p> <ul style="list-style-type: none"> <li>• Protection of the viability and vibrancy of the town centres by limiting out of town centre large-scale commercial development</li> <li>• Protection of industrial land for industrial uses by limiting the range of activities in the General Industrial Zone</li> <li>• Management of activities that are incompatible with the role and function of each zone</li> <li>• Requirements for activities within identified Active Street Frontages to maintain an</li> </ul>		<ul style="list-style-type: none"> <li>• No direct or indirect benefits have been identified.</li> </ul>
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<p>active street frontage and provide a positive interface with public space</p> <ul style="list-style-type: none"> <li>• Management of amenity effects at zone interfaces with more sensitive uses, particularly residential and open space</li> <li>• A Centres Design Guide to promote good design</li> </ul> <p>Some town centres have Historic Heritage Area overlays and these are addressed in the Heritage topic s32 report.</p>		
<p><b>Effectiveness and efficiency</b></p>	<p>The proposed provisions are the most effective method of meeting the objectives given they will provide increased economic, environmental and social benefits as outlined above and provide for the economic and social needs of communities.</p> <p>The proposed provisions are the most efficient method of meeting the objectives given the benefits identified above. They provide a clearer and more certain framework and greater direction on the nature and level of activities and development appropriate to each zone and specific areas within the zones. The zoning applied to land best aligns with the actual and/or intended use of the land.</p>	

<p><b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b></p>	<p>It is considered that there is certain and sufficient information on which to base the proposed policies and methods as based on the state of the environment monitoring, knowledge of Council staff and community engagement.</p>	
<p><b>Overall evaluation</b></p>	<p>This option is the most appropriate way to achieve the objectives because:</p> <ul style="list-style-type: none"> <li>• The proposed policies provide clear direction as to the intent, purpose and character of the zones.</li> <li>• The proposed rule framework reflects the different nature and purpose of the zones and enables a wide range of activities while ensuring that industrial land is prioritised for industrial uses and the town centres remain the focal point for commercial activities, particularly retail and business services.</li> <li>• The proposed standards are aligned with the anticipated nature and scale of built development in the zones and the particular character and amenity of different areas e.g. the active street frontage, different town centres.</li> <li>• The proposed chapters and definitions align with the National Planning Standards and will allow appropriate activities to establish and operate in the zones.</li> </ul>	
<p><b>Option 2: Status Quo</b></p>	<p><b>Costs</b></p>	<p><b>Benefits</b></p>
<p>A single Commercial Zone with:</p> <ul style="list-style-type: none"> <li>• Overlays for Carterton Character Area, Historic Heritage Precincts, Pedestrian Precinct (Masterton).</li> <li>• A permissive rule framework with most</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Limited rules, standards and policy guidance to manage the location of activities results in lack of control over the location of certain activities, resulting in some incompatibility of activities, activities not aligning with the purpose of the zoning, and spread of retail activities out of centre.</li> <li>• Height controls do not take into account the different nature and character of different towns in Town Centre Zone (Greytown and Martinborough) or location in proximity to residential (Neighbourhood Centre Zone).</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Standards provide a level of certainty and mitigation of effects of activities and buildings on the environment.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Minimal restriction gives landowners wide flexibility to use and develop properties.</li> <li>• Reduced regulatory costs as, due to the wide range of permitted activities, resource consent will often not be required.</li> </ul> <p><b>Social</b></p>

<p>activities permitted if they are able to comply with permitted activity standards.</p> <ul style="list-style-type: none"> <li>Resource consent required for relocating a dwelling, construction, alteration, addition or demolition of building frontages in the Carterton Character Area, new residential units at ground level with frontage onto a road, and industrial activities on the Schedule of Primary Industry.</li> <li>Standards relating to matters such as building height limits and</li> </ul>	<ul style="list-style-type: none"> <li>As for Option 1, provisions are enabling and permissive and controls over built form are limited, potentially enabling development that does not align with best practice design.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>Less certainty in provisions and policy direction on what will be considered appropriate, increasing regulatory consenting costs.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>Spread of retail activities out of town centres threatens the viability and vitality of centres and use of these areas as social hubs.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>No direct or indirect costs have been identified.</li> </ul>	<ul style="list-style-type: none"> <li>Plan users are familiar with the existing provisions.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>No direct or indirect benefits have been identified.</li> </ul>
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<p>setbacks, fence requirements, maximum noise limits, sign requirements and screening.</p> <p>A single Industrial Zone with:</p> <ul style="list-style-type: none"><li>• A permissive rule framework with most activities permitted if they are able to comply with permitted activity standards.</li><li>• Resource consent required for activities on the Schedule of Primary Industry, relocated buildings, residential units, and retail over 800m<sup>2</sup>.</li><li>• Standards relating to matters such as building</li></ul>		
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<p>setbacks, maximum noise limits, and screening.</p> <ul style="list-style-type: none"> <li>Additional standards for Opaki Special Management Area, Bidwills Industrial Park Zone, and Waingawa Industrial Area.</li> </ul> <p>Design Guides for Carterton and South Wairarapa Town Centres and Waingawa Industrial Area</p>		
<p><b>Effectiveness and efficiency</b></p>	<p>The Commercial and Industrial Zone provisions are generally effectively and efficiently achieving the objectives in the Operative District Plan, but several issues have been identified. The Operative District Plan does not align with the National Planning Standards formatting requirements. Limited rules, standards and policy guidance to manage the location of activities results in a lack of control over the location of certain activities, resulting in some incompatibility of activities, activities not aligning with the purpose of the zoning, and spread of retail activities out of centres.</p> <p>Therefore, this option is not considered to be the most efficient, effective or appropriate option to achieve the objectives.</p>	
<p><b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b></p>	<p>It is considered that there is certain and sufficient information on which to assess the status quo provisions, based on the state of the environment monitoring, knowledge and experience of Council staff and the community consultation that has been undertaken.</p>	
<p><b>Overall evaluation</b></p>	<p>This option is not as effective or efficient or appropriate as Option 1: Proposed approach because:</p>	

- |  |  |
|--|--|
|  | <ul style="list-style-type: none"><li>• The provisions do not provide as clear direction as to the intent, purpose and character of the zones and allow large-scale retail activities to establish in the Industrial Zone.</li><li>• There is some uncertainty/ambiguity in some provisions leading to interpretation issues and associated regulatory costs.</li><li>• The zones and chapters do not align with the National Planning Standards zones or formatting requirements.</li></ul> |
|--|--|

## 8.0 Conclusion

This evaluation has been undertaken in accordance with section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as it:

- Gives effect to higher order documents, including the National Planning Standards;
- Addresses the identified resource management issues; and
- Is the most effective and efficient way to achieve the purpose of the RMA and the strategic objectives of the Proposed District Plan.



## Appendix 1: Feedback on Draft District Plan

Section/Topic	Submitter	Feedback	Response
Zoning	Individuals, landowners, businesses	Requests to rezone specific pieces of land to a commercial or industrial zone.	Changes were made to the zoning of the commercial area in Solway on the southern side of High Street, Masterton, to zone it Mixed Use Zone rather than Neighbourhood Centre Zone. In other cases the zoning in the Draft District Plan was considered the most appropriate zoning for the site and no change was made.
Definitions	Individuals, Corporate, National Interest Group	Amendments sought to the definitions of: <ul style="list-style-type: none"> <li>Industrial activity (to avoid capturing renewable energy production as an industrial activity)</li> <li>Noxious or offensive industry (to remove clause (j) and clause (e))</li> </ul>	No changes were made to the definition of “industrial activity” as it is not considered necessary given there is a specific definition for “renewable electricity generation activities”. No changes were made to the definition of “noxious or offensive industry”. This definition is used to distinguish a subset of industrial activities that are identified as a non-complying activity in the Mixed Use Zone (as opposed to industrial activities which are permitted). It is not used in any other chapters. Given the mixed nature of this environment it is considered appropriate that industry involving these aspects is a non complying activity. There is no such distinction in the General Industrial Zone where industrial activities are a permitted activity.
General	Corporate	Support for restricted discretionary activity status for non-compliance with standards.	Noted, approach retained.
	Regional Council	Requested all zones to contribute to well-functioning urban environments as articulated in Objective 22 of Proposed RPS Change 1.	The provisions in the Commercial and Mixed Use and General Industrial Zones are generally consistent with Objective 22(j) and “provide for commercial and industrial development in appropriate locations, including employment close to where people live”.
	Infrastructure	Requested three waters standards apply to development activities.	Amendments made to include standards for stormwater, water supply, and wastewater within each

Section/Topic	Submitter	Feedback	Response
			chapter. These standards require new development to comply with the Councils' Engineering Standards.
<b>Supermarkets</b>	Corporate	Support for permitted activity status of retail, including supermarkets, in the Town Centre Zone. Request for permitted activity status for supermarket activity in Neighbourhood Centre Zone and Mixed Use Zone.	Activity status in each zone retained. The purpose of the NCZ is for small scale commercial (and community) activities that service the needs of the immediate residential neighbourhood. Larger supermarkets are not likely to fit with this purpose. In relation to the MUZ, the provisions encourage retail activity in the TCZ. It is considered appropriate that if someone wished to establish a supermarket in the MUZ this would be by way of a discretionary activity resource consent, considering the compatibility of the use against the objectives and policies in the plan.
<b>Educational facilities</b>	Government entity	Requested amendments to Town Centre Zone, Neighbourhood Centre Zone and Mixed Use Zone objectives and policies to include educational facilities within zone purposes and as listed compatible activities. Supports permitted activity status for educational facilities in the Town Centre Zone and requests a restricted discretionary activities status in the Neighbourhood Centre Zone and Mixed Use Zone.	No amendments were made to the TCZ, NCZ, or MUZ objectives to include educational activities within the purpose of the zone. While these activities may occur in places within these zones they are not expected to be of such significance that they should be reflected in the overall purpose of the zones.  No amendments were made to include educational facilities in the lists of compatible use and development in NCZ-P1 and MUZ-P1. These policies list activities that are permitted in the zone. Consideration of 'other activities' would be under NCZ-P4 and MUZ-P4.  In relation to the activity status of educational facilities in the NCZ and MUZ, given the purpose and nature of these zones the compatibility of a proposed facility is best considered through a discretionary activity pathway.
<b>Fire fighting water supply</b>	National Interest Group	Requested inclusion of a new objective, policy and standard, matters of control	A standard was added in the Subdivision chapter and in zones that require or allow on-site water

Section/Topic	Submitter	Feedback	Response
		and matters of discretion in each of the TCZ, MUZ, NCZ, and GIZ zones relating to the provision of servicing for firefighting water supply.	supply. As sites within the Commercial, Mixed Use and Industrial zones will be required to connect to the reticulated network, no standard was added.
<b>Emergency Service Facilities</b>	National Interest Group	Requested emergency service facilities be provided for as a permitted activity in each of the TCZ, MUZ, NCZ, and GIZ zones and that hose drying towers up to 15m in height be excluded from the applicable building height standards.	Activity status retained as discretionary in the TCZ and NCZ but amended to restricted discretionary in the MUZ and GIZ, with traffic and noise effects being particular considerations included in the matters for discretion.
<b>Maximum fence height</b>	National Interest Group	Requested maximum fence height standard in each of the TCZ, MUZ, NCZ, and GIZ zones be amended so that fences and standalone walls do not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.	Amendment made to the maximum fence height standard in each of the four zones generally as sought.
<b>Outdoor living space for residential units</b>	National Interest Group	Requested an advice note be added to the outdoor living space standard for residential units in the TCZ, NCZ, and MUZ to reference the Building Code requirements.	No amendment made. This would result in unnecessary duplication and undermine the 'simplicity' of the District Plan.
<b>Town Centre Zone - general</b>	Individual	Concerns raised about the state of the Carterton Town Centre and the need for plans to encourage improvements.	These matters sit largely outside the scope of the district plan. TCZ-O2 addresses amenity and seeks that town centres are safe and attractive urban environments.
<b>Town Centre Zone - objectives</b>	Individual	Request to amend TCZ-O5 Masterton Town Centre to prioritise public activities over retail and business activities, add values and include natural characteristics.	No amendment made. Character and amenity values are already addressed in TCZ-O2. TCZ-O5 does not preclude other activities, including community facilities and entertainment activities, which are provided for as a permitted activity in the zone.
	National Interest Group, Local Interest Group	Support for TCZ-O8	Noted, approach retained.

Section/Topic	Submitter	Feedback	Response
<b>Town Centre Zone - Policies</b>	Regional Council, Local Interest Group	Requested some amendments to policies relating to: public transport and active modes, expressing light industrial activities as inappropriate, parking, storage and servicing being incompatible in the Historic Heritage zone, ensuring glazing is fully transparent, and encouraging development that promotes cycling. TCZ-P2 It is important light industrial activities are included as being inappropriate – current consenting has allowed these as ‘community’ facilities when they are light industrial.	No amendment made as TCZ-P1 reflects the permitted activities in the TCZ. Public transport infrastructure is enabled in the Transport Chapter. Approach to policies generally retained, as matters already addressed.
<b>Town Centre Zone - Rules</b>	Local Interest Group	Requested changes to several rules to provide more control over demolition/removal of buildings in the Greytown Town Centre, add matters of control to TCZ-R3 to address historic heritage, make non-retail non-complying on the Greytown Town Centre Main Street frontage and industrial activities prohibited in the Historic Heritage Precinct.	Approach retained, as matters were already either adequately addressed or the level of restriction requested was not justified.
<b>Town Centre Zone - Standards</b>	Local Interest Group	Requested changes to several standards relating to Design Guides and requirements within the Historic Heritage Precinct.	Approach retained without amendment. The active street frontage does not apply in Greytown.
	Corporate	Requested specific recognition in TCZ-S7 of the operational and functional requirements of supermarkets.	Amendment made to matters of discretion to reference operational and functional requirements.
<b>Town Centre Design Guide</b>	Corporate, Local Interest Group	Requests to view Design Guide.	The Design Guide has now been prepared.
<b>General Industrial Zone</b>	Individual	Amend GIZ-P1 to support limiting industrial activities in other zones. Suggest stronger wording.	No amendment. The policy refers to limiting industrial activity in other zones. Which zones and how that looks is best left to policies and rules in those zones.

Section/Topic	Submitter	Feedback	Response
	Individual	Support for GIZ-P4, particularly Points 3 and 4. Notes importance of mitigating the impacts of industry being so closely located to residential.	Noted.
	Corporate	Support for the proposed discretionary activity status for retail activity within the General Industrial zone, noting that supermarkets can comfortably locate in these zones without concern for reverse sensitivity and given the anticipated amenity level and traffic generation for the zone. Recommends “softening” the objectives and policies of the General Industrial zone.	No amendment. The intention of GIZ-P3 is to protect industrial land for industrial uses and to avoid non-industrial activities that are not ancillary to an industrial activity or provide goods or services essential to industrial activities and have an operational need to locate in the General Industrial Zone.
	Network Utility, National Interest Group	Request to amend Policy GIZ-P3 to recognise other activities such as network utilities and activities with an operational or functional need to locate.	No amendment made.
	Individual	Oppose GIZ-R6 which enables new residential activities to occur as a Permitted Activity. New residential activities should be a Restricted Discretionary Activity.	No amendment to GIZ-R6. GIZ-R6 only allows for residential activities in very limited circumstances as a permitted activity. It must be ancillary to the industrial use, limited to one unit per site, and the occupier must work on the site.  In addition, the Noise chapter contains noise insulation standards that ‘noise sensitive activities’ (which includes residential activities) would need to meet if there is a new building or change of use.
	Government entity	Comments on GIZ-R5, GIZ-R6; GIZ-R7; GIZ-R8; GRZ-R11 relating to: <ul style="list-style-type: none"> <li>- Management of traffic effects</li> <li>- Including noise insulation standards</li> <li>- Controlling permitted retail activities with further standards</li> </ul>	Amendment made to wording of GIZ-R8 to include “effects on the transport network”.  Traffic effects can and should be considered for discretionary activities. In that case consideration should be given to the objectives and policies in the Transport chapter. Also transport standards

Section/Topic	Submitter	Feedback	Response
		<ul style="list-style-type: none"> <li>- Effects of drive through activities and inclusion of matter of discretion for traffic generation</li> <li>- Support for discretionary activity status for waste management activities</li> </ul>	<p>would need to be met or a consent application made for infringement of standards. High Traffic Generating Activities over specified thresholds would require a consent.</p> <p>It is noted that district-wide provisions e.g. those relating to light, noise, signs also apply. NOISE-R12 requires noise insulation standards for “noise sensitive activity” in the GIZ.</p> <p>The definition of “drive-through activities” references retail activities.</p>
	Network Utility	Requested addition to GIZ-S1 Building Height and GIZ-S7 to refer to Radio New Zealand facility. Concern for potential for safety risks arising from the construction of tall structures near RNZ's facilities.	Amendment made to GIZ-S1 add to matters of discretion.





WAIRARAPA  
COMBINED  
DISTRICT PLAN  
**REVIEW**

*Te Mahere  
Rautaki  
a-rohe o  
Wairarapa*

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# Proposed Wairarapa Combined District Plan

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## Section 32 Evaluation Topic Report

### Ecosystems and Indigenous Biodiversity

OCTOBER 2023



Te Kaunihera-ā-Rohe o Taratahi  
**CARTERTON**  
DISTRICT COUNCIL



**SOUTH WAIRARAPA**  
DISTRICT COUNCIL  
*Kia Reretahi Tātau*

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Appendix 1: Feedback on Draft District Plan

## Executive summary

This Section 32 Evaluation Topic Report is focused on Ecosystems and Indigenous Biodiversity. The purpose of the Ecosystems and Indigenous Biodiversity topic is managing activities and their effects on indigenous biodiversity.

Biodiversity, or biological diversity, describes the variety of all biological life and the ecosystems of which it is a part. Indigenous biodiversity is biodiversity that is native to New Zealand. Human activity, such as extensive vegetation clearance and the introduction of plant and animal species, has significantly changed the landscape and as a result large parts of the Wairarapa are now highly modified landscapes. The Resource Management Act (RMA) requires the Councils to manage indigenous biodiversity.

There are a wide range of large and relatively unique natural areas within the Wairarapa. Historically, the dominant indigenous forest species of inland Wairarapa were typically a range of podocarps in the hill country, and rimu and tawa on the plains. Wetlands were dominant features of the plains, with Lake Wairarapa and its environs forming the largest wetland system in the lower North Island.

Human settlement has resulted in most of the Wairarapa's indigenous vegetation being significantly reduced or heavily modified, through clearance of large areas of indigenous vegetation, drainage of wetlands, and the introduction of exotic species, including pests. Today, while little deliberate modification takes place, the main threats to indigenous forests are primary production (including forestry) and plant and animal pest infestation. These pressures mean it is important to protect the remaining areas of significant indigenous vegetation and fauna where indigenous species can regenerate naturally on a long-term sustainable basis.

Maintaining indigenous biodiversity is a joint responsibility between the Greater Wellington Regional Council (GWRC) and the District Councils with some overlap between functions assigned under Sections 30 and Section 31 of the RMA. Both the District and Regional Councils have responsibilities in relation to biodiversity, and integrated management is required. District Councils' focus is on the protection and maintenance of terrestrial (land-based) ecosystems, and GWRC's focus is on non-terrestrial ecosystems (rivers, lakes, wetlands and the coast below mean high water springs). Tangata whenua are also involved in this integrated management.

Section 6(c) of the RMA states that "the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna" is a matter of national importance. There is both national and regional policy direction that provides further guidance on giving effect to this matter of national importance. Most notably, the National

Policy Statement for Indigenous Biodiversity (NPS-IB) directs both district and regional councils to protect significant natural areas and maintain all indigenous biodiversity in order to achieve no net loss. The NPS-IB has very recently come into effect and will require Councils to implement its direction by 4 August 2031, with some direction required to be implemented by 4 August 2028.

The Operative District Plan contains objectives and policies within Chapter 11 (Indigenous Biodiversity) and rules within Chapter 21 (District Wide Land Use Rules). The direction seeks to maintain biological diversity in the Wairarapa and protect areas of significant indigenous biodiversity. This is achieved through a combination of non-regulatory and regulatory methods. The Operative District Plan identifies 77 'Significant Natural Areas' (SNA) and requires protection of them through rules that limit vegetation clearance within them. As those SNAs do not include all significant indigenous biodiversity, a further 'general clearance' rule applies to modification of indigenous vegetation and requires consent largely where that modification is large in scale and of mature vegetation. Non-regulatory methods include public awareness, such as including 'Recommended Areas for Protection' in the District Plan for information purposes, and encouraging and enabling volunteered forms of protection such as community initiatives and covenants.

The key resource management issues for the Ecosystems and Indigenous Biodiversity topic are:

- Issue 1: Areas of significant indigenous ecosystems and habitat are not adequately protected and face threat of decline.
- Issue 2: Indigenous biodiversity that is outside areas that are of significance face threat of decline.

The Proposed Wairarapa Combined District Plan (Proposed District Plan) contains an Ecosystems and Indigenous Biodiversity Chapter in Part 2: Natural Environment Values. The chapter largely reflects the current direction of the Operative District Plan. This reflects an interim approach while the Councils collect further information and undertake further processes required in order to give effect to the NPS-IB. The direction is also identified to be an effective and efficient way of meeting the objectives. The key changes introduced in the proposed chapter are:

- One standalone chapter for Ecosystems and Indigenous Biodiversity as directed by the National Planning Standards, with specific objectives, policies and rules aimed at managing activities' effects on indigenous biodiversity,
- Introduction of policy direction for managing effects on significant indigenous biodiversity which reflects an effects management hierarchy,
- Discrete changes to rules to expressly permit certain activities including conservation activities and customary activities.

## 1.0 Introduction

This Section 32 Evaluation Topic Report contains a section 32 evaluation of the objectives, policies, and methods relating to the Ecosystems and Indigenous Biodiversity chapter in the Proposed District Plan.

The RMA requires district councils to recognise and provide for the protection of significant indigenous vegetation and significant habitats of indigenous fauna. Additionally, a function of district councils under the RMA is the control of any effects of the use, development, or protection of land, for the purpose of maintaining indigenous biological diversity (abbreviated to ‘biodiversity’).

The Wairarapa has a rich biodiversity, including some special plants and animals that are unique to the Wairarapa. Human settlement has resulted in most of the Wairarapa’s indigenous vegetation being significantly reduced or heavily modified, through clearance of large areas of indigenous vegetation, drainage of wetlands, and the introduction of exotic species, including pests. Today, while little deliberate modification takes place, the main threats to indigenous forests are stock browsing and plant and animal pest infestation. These pressures mean it is important to protect the remaining areas of significant indigenous flora and fauna where indigenous species can regenerate naturally on a long-term sustainable basis.

Section 6(c) of the RMA states that *“the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna”* is a matter of national importance. Both the New Zealand Coastal Policy Statement and National Policy Statement on Indigenous Biodiversity also direct the protection of indigenous biodiversity. Furthermore, the Wellington Regional Policy Statement requires territorial authorities to identify and protect indigenous ecosystems and habitats with significant indigenous biodiversity.

This report should be read in conjunction with the Section 32 Evaluation Overview and Strategic Directions Report and the following section 32 evaluation topic reports:

Report	How does this topic relate to the ECO provisions
Natural Features and Landscapes	This chapter contains provisions regarding identification and protection of outstanding natural features and landscapes and special amenity landscapes. Objectives, policies and rules manage activities at a district-wide scale to address the effects of subdivision, use and development on the characteristics and values of the identified overlay areas, which includes provisions managing the removal of indigenous vegetation both within and outside of significant natural areas.
Coastal Environment	This chapter applies within the identified inland extent of the coastal environment. Provisions identify and protect areas of high natural character in the coastal environment including outstanding natural features and landscapes, special amenity landscapes and significant

Report	How does this topic relate to the ECO provisions
	natural areas. Objectives, policies and rules manage activities at a district-wide scale to address effects of subdivision, use and development on the characteristics and values of the identified overlay areas.
Network Utilities	This chapter contains the provisions regarding activities associated with the development, maintenance, upgrading and operation of network utilities.

## 2.0 Statutory and policy context

### 2.1 Resource Management Act

As set out in the Section 32 Evaluation Overview and Strategic Directions Report, an evaluation is required of how the proposal achieves the purpose and principles in Part 2 of the RMA. This requires consideration of sections 5 to 8 of the RMA.

Section 5 sets out the purpose of the RMA which is to promote sustainable management of natural and physical resources. This section is set out in more detail in the Section 32 Evaluation Overview and Strategic Directions Report.

Section 6 requires all persons exercising functions and powers under the RMA to recognise and provide for specified matters of national importance. The section 6 matters relevant to ecosystems and indigenous biodiversity are:

Section	Relevant matter and applicability
Section 6(a)	<i>the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development</i>  Significant natural areas are identified within the coastal environment and contribute to the natural character values.
Section 6(c)	<i>the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna</i>  This is directly relevant to Ecosystems and Indigenous Biodiversity
Section 6(e)	<i>the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga</i>  This is directly relevant to ecosystems and indigenous biodiversity, recognises the cultural relationship with ecosystems and indigenous biodiversity through kaitiaki and as a taonga.
Section 6(g)	<i>the protection of protected customary rights</i>  This matter is also directly relevant to ecosystems and indigenous biodiversity, recognises the cultural rights and traditions that form part of the cultural relationship with ecosystems and indigenous biodiversity.

Section 7 requires all persons exercising functions and powers under the RMA, in relation to managing the use, development, and protection of natural and physical resources, to have particular regard to a range of matters. The section 7 matters relevant to ecosystems and indigenous biodiversity are:

Section	Relevant matter
Section 7(a)	<i>Kaitiakitanga</i> Kaitiakitanga is relevant to the identification, qualification and management of significant indigenous biodiversity.
Section 7(d)	<i>intrinsic values of ecosystems</i> This topic seeks to protect the intrinsic values of ecosystems.
Section 7(f)	<i>maintenance and enhancement of the quality of the environment</i> This topic seeks to maintain and enhance the quality of the environment through managing activities' effects on indigenous biodiversity.
Section 7(g)	<i>any finite characteristics of natural and physical resources</i> This topic identifies natural and physical values that require protection due to their finite characteristics.

Section 8 requires local authorities to take into account the principles of the Treaty of Waitangi. Tangata whenua, through iwi authorities have been consulted as part of the review process. This feedback has informed the section 32 evaluation, and the obligation to make informed decisions based on that consultation is noted.

Section 31(1)(b)(iii) of the RMA requires that every territorial authority, as a function of giving effect to the RMA, controls the actual or potential effects of the use of land including, where necessary, for the maintenance of indigenous biodiversity.

Section 76 (4A) – (4D) of the RMA limits the scope of regulations in regard to tree protection rules applicable to “urban environment allotments” defined within the RMA as generally meaning a serviced residential zone property within the urban area. Broad or general tree protection provisions cannot restrict the felling, trimming, damaging, or removal of trees within urban environment allotments, unless a schedule clearly identifies the property by address or legal description and the subject trees are identified.

Under section 86B of the RMA, rules in proposed plans that protect areas of significant indigenous vegetation or habitats of indigenous fauna have immediate legal effect from the date of notification.

Changes to section 104 of the RMA in 2017 introduced the concept of offsetting and compensation when assessing resource consents. Section 104(1) (ab) states that when considering an application for a resource consent, the consent authority must have regard to any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity.

## 2.2 National direction

### 2.2.1 National Policy Statements

The National Policy Statements relevant to this topic are:

NPS	Relevant Objectives / Policies
<p>National Policy Statement for Indigenous Biodiversity 2023 (NPS-IB)</p>	<p>The National Policy Statement for Indigenous Biodiversity was gazetted on 7 July 2023 and took effect as of 4 August 2023.</p> <p>The NPS-IB contains one objective and 17 policies. The objective requires the overall maintaining of indigenous biodiversity so that there is “at least no overall loss”. This objective is achieved in a variety of ways including both process and outcome focused direction. A summary of key direction relevant to the Proposed District Plan is:</p> <ul style="list-style-type: none"> <li>• Indigenous biodiversity is managed in a way to give effect to the ‘decision-making principles’,</li> <li>• Tangata whenua are actively involved in decision making to enable them to exercise their kaitiakitanga,</li> <li>• A precautionary approach is adopted,</li> <li>• Significant Natural Areas (SNA) are identified and protected,</li> <li>• Indigenous biodiversity outside of a SNA is maintained,</li> <li>• Promoting restoration of indigenous biodiversity, and</li> <li>• Promoting increased indigenous vegetation cover over both urban and non-urban environment.</li> </ul> <p>The decision-making principles must be applied to all decisions under the NPS-IB. The decision-making principles are outlined in Clause 1.7 of the NPS and direct the importance of incorporating Te Ao Māori in decision making. This in part is provided for through the involvement and partnership of tangata whenua in decision making as outlined in Clause 3.3 of the NPS.</p> <p>The direction of the NPS applies to both local and regional authorities and sets timeframes for key components to be given effect to. Relevant to the District Councils and the ecosystems and indigenous biodiversity topic are the following timeframes:</p> <ul style="list-style-type: none"> <li>• SNAs must be identified and included in the District Plan no later than 4 August 2028, and</li> <li>• Give effect to all other parts of the NPS no later than 4 August 2031.</li> </ul> <p>Due to the timing of the release of the NPS and the requirement for decision-making principles to be given effect to (which includes entering into partnership with tangata whenua), the Councils are unable to give effect to the NPS through this district plan review. However, the Councils plan to give effect to the NPS, including the identification and protection of SNAs, as a separate process to the plan review.</p>

NPS	Relevant Objectives / Policies
New Zealand Coastal Policy Statement 2010	<p>The New Zealand Coastal Policy Statement (NZCPS) provides direction for the management of the coastal marine area and coastal environment. While the direction largely relates to the Coastal Environment topic, there is key direction that is applicable to the Ecosystems and Indigenous Biodiversity topic. This direction includes:</p> <ul style="list-style-type: none"> <li>• Policy 11 which requires the preservation of indigenous biodiversity in the coastal environment,</li> <li>• Policy 13 which requires the preservation of natural character in the coastal environment, and</li> <li>• Policy 14 which requires the restoration of natural character in the coastal environment.</li> </ul> <p>The Ecosystems and Indigenous Biodiversity chapter manages indigenous biodiversity, including significant indigenous biodiversity, that is located within the coastal environment and is subject to the above direction.</p>

## 2.2.2 National Environmental Standards

The National Environmental Standards relevant to this topic are:

NES	Relevant regulations
National Environmental Standards for Plantation Forestry	Regulation 6(2)(b): A rule in a plan may be more stringent than these regulations if the rule recognises and provides for the protection of significant natural areas.
	Regulation 12: Afforestation must not occur within a significant natural area or an outstanding natural feature or landscape.
	Regulation 78(1): Replanting must not occur in any area closer than the stump line to an adjacent significant natural area.
	<p>Regulation 79(6): Wilding conifers established in wetlands and significant natural areas must be eradicated -</p> <ol style="list-style-type: none"> <li>a. before replanting begins if the wilding conifer has resulted from the previous harvest:</li> <li>b. at least every 5 years after replanting, if the wilding conifer has resulted from the replanting.</li> </ol>
	Regulation 93(2)(d): Clearance of indigenous vegetation in a significant natural area associated with a plantation forestry activity is a permitted activity if the indigenous vegetation is overgrowing

NES	Relevant regulations
<p>National Environmental Standard for Telecommunication Facilities</p>	<p>Regulation 44: Trees and vegetation in road reserve</p> <p>(1) This regulation applies to a regulated activity if-</p> <ul style="list-style-type: none"> <li>(a) the activity is carried out at a place that is in a road reserve and within the drip line of a tree or other vegetation; and</li> <li>(b) in the absence of these regulations, the relevant District Plan or proposed District Plan would require the facility operator to obtain a resource consent for the regulated activity.</li> </ul> <p>(2) This regulation is complied with if the regulated activity is carried out in accordance with the district rules about the protection of trees and other vegetation that apply at that place.</p>
	<p>Regulation 48: Significant habitats for indigenous vegetation</p> <p>(1) This regulation applies to a regulated activity if it is carried out at a place identified in the relevant district plan or proposed district plan as being subject to significant vegetation rules.</p> <p>(2) This regulation is complied with if the regulated activity is carried out in accordance with the significant vegetation rules that apply to that place.</p> <p>(3) In this regulation, significant vegetation rules means district rules about the protection of significant habitats for indigenous vegetation (however described).</p>
	<p>Regulation 49: Significant habitats for indigenous fauna</p> <p>(1) This regulation applies to a regulated activity if it is carried out at a place identified in the relevant District Plan or proposed District Plan as being subject to significant fauna rules.</p> <p>(2) This regulation is complied with if the regulated activity is carried out in accordance with the significant fauna rules that apply to that place.</p> <p>(3) In this regulation, significant fauna rules means district rules about the protection of significant habitats for indigenous fauna (however described).</p>
<p>National Environmental Standard for Electricity Transmission Facilities</p>	<p>Regulation 30(1) &amp; (2): Trimming, felling and removing trees and vegetation</p> <p>Permitted activities:</p> <p>(1) Trimming, felling, or removing any tree or vegetation, in relation to an existing transmission line, is a permitted activity if all of the applicable conditions in subclauses (2) to (6) are complied with.</p> <p>Conditions:</p> <p>(2) Any tree or vegetation must not be trimmed, felled, or removed if—</p> <ul style="list-style-type: none"> <li>(a) a rule prohibits or restricts its trimming, felling, or removal (as the case may be); or</li> <li>(b) it is in a natural area.</li> </ul>
	<p>Regulation 31: Trimming, felling and removing trees and vegetation</p> <p>Controlled Activity where the condition of Regulation 30 is not met.</p>

NES	Relevant regulations
	<p>Regulation 32: Trimming, felling and removing trees and vegetation Restricted Discretionary Activity where;</p> <p>(a) first;</p> <p>i. the condition in regulation 30(2) is breached; and</p> <p>ii. it does not satisfy the exception in regulation 31(1)(a)(ii):</p> <p>(b) second; 1 or more of the conditions in regulation 30(3) to (6) are breached.</p>
<p>National Environmental Standard for Freshwater Management 2020 (“NES-FW”)</p>	<p>The NES-FW sets out requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems (e.g. agricultural intensification, intensive winter grazing, vegetation clearance adjacent to natural wetlands, wetland drainage), the aim of which is to:</p> <ul style="list-style-type: none"> <li>• Set specific regulations for pastoral farming, including: <ul style="list-style-type: none"> <li>○ Requirement for farm environmental plans</li> <li>○ Minimum feedlots and other stock holding areas</li> <li>○ Limits on discharges of synthetic nitrogen</li> <li>○ Restrictions on further agricultural intensification.</li> </ul> </li> <li>• Restrict further agricultural intensification until the end of 2024,</li> <li>• Limit the discharge of synthetic nitrogen fertiliser to land, and require reporting of fertiliser use,</li> <li>• Protect natural inland wetlands,</li> <li>• Manage river structures and crossings, including providing for fish passage, and</li> <li>• Protect rivers from further loss through reclamation.</li> </ul> <p>The NES-FW is administered by the Regional Council. While this sits outside the District Councils’ jurisdiction, it is noted that there is an overlap between the NES-FW and the Ecosystems and Indigenous Biodiversity chapter, specifically as it relates to the protection of Natural Inland Wetlands.</p>

### 2.2.3 National Planning Standards

The National Planning Standards require that where the following matters are addressed, they must be included in the Ecosystems and Indigenous Biodiversity chapter in Part 2 – District-Wide Matters of the District Plan:

- a. identification and management of significant natural areas, including under s6(c) of the RMA,
- b. maintenance of biological diversity, and
- c. intrinsic values of ecosystems and indigenous biodiversity.

## 2.2.4 National guidance documents

The following national guidance documents are relevant to this topic:

Document	Author/Owner	Summary
Te Mana o te Taiao – Aotearoa New Zealand Biodiversity Strategy (2020 – 2050)	Department of Conservation	<p>The Strategy established four goals for the protection of indigenous biodiversity. The two directly relevant goals are:</p> <ol style="list-style-type: none"> <li>1. Treaty of Waitangi – Protect iwi and hapu interests in biodiversity and strengthen partnerships between government and iwi and hapu in protecting and sustainably using indigenous biodiversity.</li> <li>2. Halt the decline of New Zealand's indigenous biodiversity – maintain and restore natural habitats and ecosystems; and maintain and restore populations of indigenous species and subspecies.</li> </ol> <p>The remaining two goals are still considered relevant, but to a lesser degree:</p> <ol style="list-style-type: none"> <li>3. Community and individual action, responsibility and benefits – improve community understanding of biodiversity and the importance of protecting it and allow communities to enjoy the benefits of protecting biodiversity.</li> <li>4. Genetic resources of introduced species – maintain introduced species that are important for economic, biological and cultural reasons.</li> </ol>
Guidance on Good Practice Biodiversity Offsetting in New Zealand 2014	Department of Conservation	<p>The New Zealand Government's Guidance on Good Practice Biodiversity Offsetting in New Zealand (the Guidance) is designed for policy makers, planners, developers and decision-makers who need to gain an understanding of the concepts and current good practice around biodiversity offsetting.</p> <p>This guidance has adopted international guidance from the Business Biodiversity Offsetting Programme. This approach has become more established within national emerging ecology and biodiversity policy development.</p>
New Zealand Threat Classification System (2008)	Department of Conservation	<p>The NZ Threat Classification System is used to assess the threat status of taxa (species, subspecies, varieties and forma). There are thirty publications that list New Zealand's wild species, according to their threat of extinction.</p>
Supplement to the New Zealand Threat Classification System manual (2021)	Department of Conservation	<p>This document complements the 2008 version of the New Zealand Threat Classification System manual. It defines new qualifiers which were introduced to the NZTCS methodology and developed to clarify the threat status of New Zealand endemic species and facilitate the process of conservation prioritisation.</p>
Statement of National Priorities for Protecting	Department of Conservation	<p>The Statement identifies four national priorities for protecting indigenous biodiversity:</p>

Document	Author/Owner	Summary
Rare and Threatened Species on Private Land (2007)		<ol style="list-style-type: none"> <li>1. To protect indigenous vegetation associated with land environment, that have 20% or less remaining in indigenous cover (as defined by Land Environments of New Zealand)</li> <li>2. To protect indigenous vegetation associated with sand dunes and wetlands; ecosystem types that have become uncommon due to human activity.</li> <li>3. To protect indigenous vegetation associated with 'originally rare' terrestrial ecosystem types not already covered by priorities 1 and 2</li> <li>4. To protect habitats of acutely and chronically threatened indigenous species.</li> </ol>

## 2.3 Regional direction

### 2.3.1 Regional Policy Statement for the Wellington Region

The table below identifies the relevant provisions and resource management topics for Ecosystems and Indigenous Biodiversity contained in the RPS.

Objective/Policy	Relevant matters
Objective 3	<p>Habitats and features in the coastal environment that have significant indigenous biodiversity values are protected; and</p> <p>Habitats and features in the coastal environment that have recreational, cultural, historical, or landscape values that are significant are protected from inappropriate subdivision, use and development.</p>
Objective 7	The integrity, functioning and resilience of physical and ecological processes in the coastal environment are protected from the adverse effects of inappropriate subdivision, use and development
Objective 16	Indigenous ecosystems and habitats with significant biodiversity values are maintained and restored to a healthy functioning state.
Policy 23 (M)	<p>Identifying indigenous ecosystems and habitats with significant indigenous biodiversity values.</p> <ul style="list-style-type: none"> <li>• This policy is particularly important in that it requires territorial councils to undertake assessment against the specific criteria in Policy 23 to identify significant natural areas. Meeting any one of the criteria determines whether an ecosystem or habitat is considered significant; <ul style="list-style-type: none"> <li>○ Representativeness</li> <li>○ Rarity</li> <li>○ Diversity</li> <li>○ Ecological context and</li> <li>○ Tangata whenua values.</li> </ul> </li> </ul>

Objective/Policy	Relevant matters
Policy 24 (M)	<p>Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values.</p> <ul style="list-style-type: none"> <li>• Identified SNAs are required to be protected from inappropriate subdivision, use and development under this policy through the use of objectives, policies and rules within city and district plans.</li> <li>• Policy 24 advises that it is not intended to prevent change but to ensure change is carefully considered.</li> </ul>
Policy 47 (M)	<p>Managing effects on indigenous ecosystems and habitats with significant indigenous biodiversity values – consideration.</p>
Policy 61 (N)	<p>Allocation of responsibilities for land use controls for indigenous biodiversity.</p> <ul style="list-style-type: none"> <li>• This policy clarifies that in developing policies and rules to protect indigenous biodiversity; <ul style="list-style-type: none"> <li>○ Wellington Regional Council shall be responsible for developing objectives, policies, rules and/or methods in regional plans for the control of the use of land to maintain and enhance ecosystems in water bodies and coastal water. This includes land within the coastal marine area, wetlands and the beds of lakes and rivers; and</li> <li>○ city and district councils shall be responsible for developing objectives, policies, rules and/or methods in district plans for the control of the use of land for the maintenance of indigenous biological diversity. <u>This excludes land within the coastal marine area and the beds of lakes and rivers.</u> [emphasis added].</li> </ul> </li> </ul>
Policy 64 (N)	<p>Support a whole of catchment approach – non-regulatory.</p> <p>Take a whole of catchment approach that recognises the inter-relationship between land and water, and support environmental enhancement initiatives to restore and enhance:</p> <ol style="list-style-type: none"> <li>a) coastal features, ecosystems and habitats;</li> <li>b) aquatic ecosystems and habitats; and</li> <li>c) indigenous ecosystems and habitats.</li> </ol>
<p>Key:</p> <p>M = policies which must be implemented in accordance with stated methods in the RPS</p> <p>N = non-regulatory policies to help achieve the objectives of the RPS</p>	

### 2.3.2 Proposed Change 1 to the Regional Policy Statement

Change 1 to the Wellington Regional Policy Statement was notified on 19 August 2022. The change seeks to address the following key topics:

- Lack of urban development capacity and implementation of the National Policy Statement on Urban Development and Wellington Regional Growth Framework,

- Degradation of freshwater and partial implementation of the National Policy Statement for Freshwater Management,
- Loss and degradation of indigenous biodiversity including regional policy to implement central government strategy and draft RMA national policy direction, and
- The impacts of climate change including regional policy to complement central government policy direction.

Change 1 is in its early stages of the Schedule 1 process and introduces a significant policy shift from the existing direction. It is understood that there has been a high level of public interest and submissions on Change 1. Based on this, reduced weight should be given to the policy direction with the expectation of further development of the policy as Change 1 progresses through the process.

The applicable provisions of Change 1 to the RPS that relate to the Ecosystems and Indigenous Biodiversity topic are outlined in the table below (addition underlined, deletions struck through).

Objective/Policy	Relevant matters
Objective 16	Indigenous ecosystems and habitats with significant <u>ecosystem functions and services and/or</u> biodiversity values are <del>maintained</del> <u>protected, enhanced,</u> and restored to a healthy functioning state.
<u>Objective 16A</u>	<u>The region's indigenous ecosystems are maintained, enhanced, and restored to a healthy functioning state, improving their resilience to increasing environmental pressures, particularly climate change, and giving effect to Te Rito o te Harakeke.</u>
<u>Objective 16B</u>	<u>Mana whenua / tangata whenua values relating to indigenous biodiversity, particularly taonga species, and the important relationship between indigenous ecosystem health and well-being, are given effect to in decision-making, and mana whenua / tangata whenua are supported to exercise their kaitiakitanga for indigenous biodiversity.</u>
<u>Policy IE.1</u>	<p><u>Giving effect to mana whenua / tangata whenua values when managing indigenous biodiversity – regulatory</u></p> <p><u>District and regional plans shall include objectives, policies, methods and/or rules to partner with mana whenua / tangata whenua to:</u></p> <ul style="list-style-type: none"> <li>(a) <u>apply mātauranga Māori frameworks, and support mana whenua / tangata whenua to exercise their kaitiakitanga, in managing and monitoring indigenous biodiversity;</u></li> <li>(b) <u>identify and protect taonga species;</u></li> <li>(c) <u>support mana whenua / tangata whenua to access and exercise sustainable customary use of indigenous biodiversity, including for mahinga kai and taonga, in accordance with tikanga.</u></li> </ul>
<u>Policy IE.2</u>	<p><u>Giving effect to mana whenua / tangata whenua roles and values when managing indigenous biodiversity – consideration</u></p> <p><u>When considering an application for a resource consent, notice of requirement, or a plan change, variation or review of a district plan for subdivision, use or development, particular regard shall be given to enabling mana whenua / tangata whenua to exercise their role as kaitiaki, including, but not restricted to:</u></p> <ul style="list-style-type: none"> <li>(a) <u>providing for mana whenua / tangata whenua values associated with indigenous biodiversity, including giving local effect to Te Rito o te Harakeke,</u></li> </ul>

	<ul style="list-style-type: none"> <li>(b) <u>incorporating the use of mātauranga Māori in the management and monitoring of indigenous biodiversity; and</u></li> <li>(c) <u>supporting mana whenua / tangata whenua to access and exercise sustainable customary use of indigenous biodiversity, including for mahinga kai and taonga, in accordance with tikanga.</u></li> </ul>
Policy IE.3	<p><u>Maintaining, enhancing and restoring indigenous ecosystem health – non regulatory</u>  <u>To maintain, enhance and restore the ecosystem health, ecological integrity and ecological connectivity of the region’s indigenous ecosystems, and the ecological processes that support them, giving effect to Te Rito o te Harakeke, the Regional Policy Statement shall, as soon as practicable:</u></p> <ul style="list-style-type: none"> <li>(a) <u>identify the characteristics required for the region’s indigenous ecosystems to be in a healthy functioning state, including the processes that enable them to persist over the long-term, and</u></li> <li>(b) <u>identify strategic targets and priorities to ensure that management and restoration of indigenous ecosystems and habitats (including pest management) are directed at areas where the greatest gains can be made for indigenous biodiversity. Where possible, priorities should also deliver benefits for climate change mitigation and/or adaptation, and freshwater; and</u></li> <li>(c) <u>focus restoration efforts on achieving the strategic targets and priorities identified in (b)</u></li> </ul>
Objective 16C	<u>Landowner and community values in relation to indigenous biodiversity are recognised and provided for and their roles as stewards are supported.</u>
Policy IE.4	<p><u>Recognising the roles and values of landowners and communities in the management of indigenous biodiversity – non-regulatory</u></p> <p><u>Recognise and provide for the values of landowners and communities as stewards of the indigenous biodiversity of the Wellington Region, by:</u></p> <ul style="list-style-type: none"> <li>(a) <u>involving communities in the identification of targets and priorities for protecting, enhancing and restoring indigenous biodiversity; and</u></li> <li>(b) <u>supporting landowner and community restoration of indigenous ecosystems.</u></li> </ul>
Policy 23	<p>Identifying indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans</p> <p><u>By 30 June 2025, District and regional plans shall identify and evaluate indigenous ecosystems and habitats with significant indigenous biodiversity values; these ecosystems and habitats will be considered significant if they meet one or more of the following criteria:</u></p> <ul style="list-style-type: none"> <li>(a) Representativeness: the ecosystems or habitats that are typical and characteristic examples of the full range of the original or current natural diversity of ecosystem and habitat types in a district or in the region, and:             <ul style="list-style-type: none"> <li>i. are no longer commonplace (less than about 30% remaining); or</li> <li>ii. are poorly represented in existing protected areas (less than about 20% legally protected).</li> </ul> </li> <li>(b) Rarity: the ecosystem or habitat has biological or physical features that are scarce or threatened in a local, regional or national context. This can include individual species, rare and distinctive biological communities and physical features that are unusual or rare.</li> <li>(c) Diversity: the ecosystem or habitat has a natural diversity of ecological units, ecosystems, species and physical features within an area.</li> <li>(d) Ecological context of an area: the ecosystem or habitat:             <ul style="list-style-type: none"> <li>i. enhances connectivity or otherwise buffers representative, rare or diverse indigenous ecosystems and habitats; or</li> </ul> </li> </ul>

	<p>ii. provides seasonal or core habitat for protected or threatened indigenous species.</p> <p>(e) <u>Mana whenua / t̄angata whenua values: the ecosystem or habitat contains characteristics of special spiritual, historical or cultural significance to mana whenua / tangata whenua, identified in accordance with tikanga Māori.</u></p>
Policy 24	<p>Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans</p> <p>By 30 June 2025, <del>D</del>district and regional plans shall include policies, rules and methods to protect indigenous ecosystems and habitats with significant indigenous biodiversity values from inappropriate subdivision, use and development.</p> <p><u>Where the policies and/or rules in district and regional plans enable the use of biodiversity offsetting or biodiversity compensation for an ecosystem or habitat with significant indigenous biodiversity values, they shall:</u></p> <p>(a) <u>not provide for biodiversity offsetting:</u></p> <p>i. <u>where there is no appropriate site, knowledge, proven methods, expertise or mechanism available to design and implement an adequate biodiversity offset; or</u></p> <p>ii. <u>when an activity is anticipated to causes residual adverse effects on an area after an offset has been implemented if the ecosystem or species is threatened or the ecosystem is naturally uncommon;</u></p> <p>(b) <u>not provide for biodiversity compensation where an activity is anticipated to cause residual adverse effects on an area if the ecosystem or species is threatened or the ecosystem is naturally uncommon;</u></p> <p>(c) <u>ecosystems and species known to meet any of the criteria in (a) or (b) are listed in Appendix 1A (Limits to biodiversity offsetting and biodiversity compensation);</u></p> <p>(d) <u>require that the outcome sought from the use of biodiversity offsetting is at least a 10 percent net biodiversity gain, or from biodiversity compensation is at least a 10 percent net biodiversity benefit.</u></p>

### 2.3.3 Natural Resources Plan

The table below identifies the relevant provisions for Ecosystems and Indigenous Biodiversity contained in the NRP.

Section	Relevant matters
Objective O28	Ecosystems and habitats with significant indigenous biodiversity values are protected from the adverse effects of use and development, and where appropriate restored to a healthy functioning state including as defined by Table 3.4, 3.5, 3.6, 3.7, 3.8
Policy P28	Effects of climate change
Policy P30	Biodiversity, aquatic ecosystem health and mahinga kai Manage adverse effects of use and development, (e) specifically addresses critical habitat for indigenous aquatic species and indigenous birds
Policy P31	Adverse effects on biodiversity, aquatic ecosystem health and mahinga kai

Section	Relevant matters
Policy P38	Indigenous biodiversity values within the coastal environment
Policy P42	Ecosystems and habitats with significant indigenous biodiversity values
Policy P44	Managing effects on ecosystems and habitats with significant indigenous biodiversity values from activities outside these ecosystems and habitats

### 2.3.4 Any other relevant regional plans or strategies

The following plans or strategies are relevant to this topic:

Plan / Strategy	Organisation	Relevant Provisions
Te Pane Matua Taiao Annual Biodiversity Report 2021/22	Greater Wellington Regional Council	<p>The first Annual Biodiversity Report completed by Greater Wellington Regional Council. The purpose of the report is to:</p> <ul style="list-style-type: none"> <li>Summarise, with examples, Greater Wellington's progress against the new Long Term Plan performance measures for biodiversity,</li> <li>Highlight key strategic shifts within Greater Wellington and at national level for biodiversity conservation, and</li> <li>Identify opportunities where Greater Wellington can improve their approach to achieving positive outcomes for regional biodiversity</li> </ul>

## 2.4 Wairarapa policies, plans and strategies

### 2.4.1 Iwi Management Plans

There are currently no iwi management plans relevant to the Wairarapa.

### 2.4.2 Statutory Acknowledgements

The table below identifies the relevant statutory acknowledgements to the Ecosystems and Indigenous Biodiversity .

Settlement Act	Statutory Acknowledgement area	Relevance to Coastal Environment
Rangitāne Tū Mai Rā (Wairarapa Tamaki nui-	Lowes Bush Scenic Reserve	Allen/Lowes Bush is identified as a Significant Natural Area (reference SNs01) under both the Proposed and Operative District Plan.

Settlement Act	Statutory Acknowledgement area	Relevance to Coastal Environment
ā-Rua) Claims Settlement Act 2017	Pukeahurangi / Jumbo	Pukeahurangi / Jumbo is located within Tararua Forest Park which is identified as a Significant Natural Area (reference SNm02 and SNc07).
	Pukeamoamo / Mitre	Pukeamoamo / Mitre is located within Tararua Forest Park which is identified as a Significant Natural Area (reference SNm02 and SNc07).
Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Claims Settlement Act 2022	Lowes Bush Scenic Reserve	Allen/Lowes Bush is identified as a Significant Natural Area (reference SNs01) under both the Proposed and Operative District Plan.

### 2.4.3 Any other relevant local plans or strategies

There are no other plans or strategies relevant to this topic.

## 2.5 Other legislation or regulations

There is no other legislation or regulations relevant to this topic.

## 3.0 Issues analysis

### 3.1 Background

There are a wide range of large and relatively unique natural areas within the Wairarapa. Historically, the dominant indigenous forest species of inland Wairarapa were typically a range of podocarps in the hill country, and rimu and tawa on the plains. Wetlands were dominant features of the plains, with Lake Wairarapa and its environs forming the largest wetland system in the lower North Island.

#### 3.1.1 Pressures

Human settlement has resulted in most of the Wairarapa's indigenous vegetation being significantly reduced or heavily modified, through clearance of large areas of indigenous vegetation, drainage of wetlands, and the introduction of exotic species, including pests. Today, while little deliberate modification takes place, the main threats to indigenous

forests are primary production (including forestry) and plant and animal pest infestation. These pressures mean it is important to protect the remaining areas of significant indigenous vegetation and fauna where indigenous species can regenerate naturally on a long-term sustainable basis.

### 3.1.2 Significant Natural Areas

The Operative District Plan identifies 77 Significant Natural Areas (SNA) in Appendix 1.3. Those areas either are representative of natural areas that are largely no longer present within the Wairarapa, or comprise habitats of rare or endangered indigenous plants or animals. The SNAs currently identified do not represent all potential SNAs in the Wairarapa and a comprehensive survey is yet to be undertaken.

The Department of Conservation published Recommended Areas for Protection (RAP) within the Wairarapa<sup>1</sup> under its Protected Natural Areas Programme. RAPs are the most representative of indigenous flora and fauna, distinctive ecosystems and landscape within each of the ecological districts in the Wairarapa. RAP sites have been selected based on criteria such as rarity, diversity, representativeness, naturalness, size, fragility and significance. However, these surveys have not been ground-truthed, nor undertaken in accordance with SNA criteria, and many are at a scale that cannot be accurately identified within Councils' mapping systems. For these reasons, the sites have not been identified as SNAs in the Operative District Plan but are included in Appendix 1.3 for informational purposes.

As outlined in the sections above, there is both regional and national direction that requires the identification and protection of all SNAs, including over privately owned land. The identification must be undertaken in accordance with the criteria and process outlined in the NPS-IB and no later than 4 August 2028.

### 3.1.3 Non-regulatory protection

Outside of the District Plan and the RMA, there remain other non-regulatory forms of ecological protection and enhancement. More commonly, landowners, communities and organisations are voluntarily protecting and enhancing indigenous biodiversity. Often these are protective covenants (QEII Covenants) that are a volunteered legal agreement between landowner(s) and Queen Elizabeth II National Trust to protect a special open space feature in perpetuity. QEII Covenants provide a mechanism to protect natural features on private land. A particular strength is their ability to protect ecosystems or species which occur in the lowlands or on specific geology which may not be well

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<sup>1</sup> Eastern Wairarapa Ecological District: Survey report for the Protected Natural Areas Programme, June 2004 and Wairarapa Plains Ecological District: Survey report for the Protected Natural Areas Programme, January 2000.

represented in public conservation land. Currently there are 233 QEII Covenants that cover over 5,830 ha of biodiversity in the Wairarapa.

There are also various community lead projects such as:

- Wairarapa Moana Wetland Project,
- Wairarapa Pūkaha to Kawakawa Alliance,
- Lake Ferry Gully Planting,
- Ōkorewa Lagoon Project,
- Wainuioru Community River Care,
- Onoke Spit protection and enhancement, and
- Mangatarere Restoration.

Based on monitoring that has been undertaken for specific projects, there has been found to be increasing trends in indigenous fauna population. For instance, recent surveys undertaken for the Wairarapa Moana Project have found that there has been an increasing trend in native bird species numbers within Wairarapa Moana<sup>2</sup>.

## 3.2 Evidence base

The Councils have reviewed the Operative District Plan, commissioned technical advice and assistance from various internal and external experts and utilised this, along with internal workshops and community feedback to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions. The following sections outline this evidence.

### 3.2.1 Analysis of Operative District Plan provisions

#### 3.2.1.1 Overview of Operative District Plan provisions

The Operative District Plan identifies the following significant resource management issue in relation to Ecosystems and Indigenous Biodiversity:

1. Land use, subdivision and development can result in the damage and destruction of habitats, leading to their irreversible loss, further fragmentation and a reduction in species abundance and biodiversity.
2. Many remnant indigenous forests and wetlands require active protection and management in a way to ensure their ongoing long-term continued existence and enhancement.

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<sup>2</sup> The Spring 2022 Australasian Bittern (Matuku) and Spotless Crake (Pūweto) Survey (<https://drive.google.com/file/d/1MCfSsYr9WHpk0hQzVjTQLp6sDg1Xsbxo/view>) and the 2022 Kākahi Monitoring Report ([https://drive.google.com/file/d/1U8OLCNGVTTUvOM10Eeom8Luk\\_QjmlCQD/view](https://drive.google.com/file/d/1U8OLCNGVTTUvOM10Eeom8Luk_QjmlCQD/view))

3. The protection of significant indigenous biodiversity on private land whilst enabling landowners to meet their economic wellbeing
4. Landowners need support from a range of authorities and agencies for initiatives to protect and maintain biodiversity
5. Ecological corridors, which are important factors to the ongoing sustainability of biodiversity, are difficult to identify or maintain and enhance.

Chapter 11 of the Operative District Plan contains the following objectives:

#### 11.3.1 Objective Bio1 – Biological Diversity

To maintain and enhance the biological diversity of indigenous species and habitats within the Wairarapa.

#### 11.3.4 Objective Bio2 – Significant Vegetation and Habitats

To protect the areas of significant indigenous vegetation and significant habitats of indigenous fauna within the Wairarapa.

The objectives are given effect to by the following two sets of policies:

#### 11.3.2 Bio1 Policies

- a) Coordinate with other agencies and organisations in identifying risks, requirements, opportunities and effective methods for protecting and enhancing Wairarapa's biodiversity.
- b) Collaborate with other agencies and organisations in undertaking joint initiatives and in supporting landowners' initiatives in the protection and enhancement of biodiversity.
- c) Control the further destruction or irreversible modification of areas of indigenous vegetation or habitats where there may be significant biodiversity value.
- d) Protect the ecological integrity of areas of indigenous vegetation or habitat of significant biodiversity value.
- e) Support and encourage the protection of natural habitats on private land, including restoring and protecting linkages and ecological corridors.
- f) Increase public awareness of the natural values within the Wairarapa and encourage community support for the protection and conservation of the Wairarapa's biodiversity.

#### 11.3.5 Bio2 Policies

- a) Identify those areas that are habitats comprising significant indigenous vegetation or significant habitats of indigenous fauna in the Wairarapa.

- b) Control the further destruction or irreversible modification of significant areas of indigenous vegetation or significant habitats of indigenous fauna to protect their ecological integrity.
- c) Ensure that adverse effects on the values of Significant Natural Areas are avoided, remedied or mitigated.
- d) Provide for conservation lots to be created during land subdivision to protect Significant Natural Areas.
- e) Increase public awareness of the location and importance of significant indigenous habitats and species within the Wairarapa.
- f) Provide or facilitate as appropriate, support for landowners' efforts to protect and manage Significant Natural Areas.

Significant Natural Areas are identified in Appendix 1.3 of the District Plan. In addition, Recommended Areas of Protection based on the Department of Conservation's Protected Natural Areas Programme are included in the same appendix.

The rules relating to ecosystems and indigenous biodiversity are provided through Chapter 20 (District Wide Subdivision Rules) and Chapter 21 (District Wide Land Use Rules). There are specific rules that apply to the identified SNAs, and other rules that apply to all other indigenous biodiversity which are summarised below:

- The maintenance of an identified SNA is a permitted activity subject to standards (Rule 21.1.5), all other activities that cause modification of vegetation within an identified SNA is a discretionary activity (Rule 21.6).
- General clearance of vegetation is permitted where clearance is for a certain purpose, the vegetation is kanuka, manuka and tauhinu, or there is only small clearance of mature indigenous vegetation (Rule 21.1.6). In all other cases, the modification of vegetation is a discretionary activity (Rule 21.6).
- Subdivision for the purpose of creating a conservation lot is a controlled activity (Rule 20.1.2) within an identified SNA, all other forms of subdivision within an SNA is a discretionary activity (Rule 20.1.5).

### 3.2.1.2 State of the environment monitoring

**Table 1** below summarises consenting information from the MfE National Monitoring System Database between 2014/2015 and 2020/2021.

Table 1: Summary of consent data 2014 - 2021. Source: MfE National Monitoring System Database.

Period	Council	Number of consents	Description
Between 2014/2015 and 2020/2021	Masterton District Council	0	-
	Carterton District Council	2	<ul style="list-style-type: none"> <li>Modification of vegetation within a Significant Natural Area for health and safety reasons, and</li> <li>Modification of indigenous biodiversity that exceeds the general clearance standard.</li> </ul>
	South Wairarapa District Council	1	<ul style="list-style-type: none"> <li>Modification of vegetation within a Significant Natural Area to provide for the maintenance and operation of the National Grid.</li> </ul>

### 3.2.1.3 Effectiveness of the Operative District Plan approach

The following issues have been identified with the effectiveness of the Operative District Plan:

Issue	Comment
Issue 1: The Operative District Plan is yet to give effect to higher order direction.	<ul style="list-style-type: none"> <li>A comprehensive assessment of SNAs throughout the Wairarapa is yet to be undertaken as required by the Wellington Regional Policy Statement and the National Policy Statement for Indigenous Biodiversity.</li> <li>The National Policy Statement for Indigenous Biodiversity (NPS-IB) provides direction to provide for the overall maintenance of indigenous biodiversity which is yet to be given effect to. Due to the timing of its release, there is an inability to give effect to the NPS-IB through the district plan review, namely there is insufficient information available and there is an inability to give effect to the decision-making principles.</li> </ul>
Issue 2: There is a lack of specific direction on managing effects of activities on indigenous biodiversity.	<ul style="list-style-type: none"> <li>There is a lack of clear direction to decision makers for managing adverse effects to indigenous biodiversity, and in particular significant indigenous biodiversity.</li> <li>There is currently no provision for considering ecological offsetting or ecological compensation.</li> </ul>

### 3.2.2 Analysis of other District Plan provisions relevant to this topic

Current practice has been considered in respect to this topic, with a review undertaken of the following District Plans:

Plan	Description of approach
<p>Proposed Wellington City District Plan</p>	<p>The Proposed Wellington City District Plan follows the National Planning Standards format. The District Plan includes an Ecosystems and Indigenous Biodiversity sub-chapter under Natural Environment Values, within Part 2 – District Wide Matters.</p> <p>The chapter comprises four objectives which address the following:</p> <ul style="list-style-type: none"> <li>• Significant Natural Areas are protected from inappropriate subdivision, use and development, are protected in the coastal environment, protected from the adverse effects of plantation forestry and maintained or restored by mana whenua in accordance with kaitiakitanga.</li> </ul> <p>The chapter includes seven policies which address the following:</p> <ul style="list-style-type: none"> <li>• Protecting the biodiversity values of significant natural areas and encourage protection restoration and maintenance of indigenous biodiversity</li> <li>• Enabling vegetation removal in significant natural areas to provide for specific maintenance, restoration and management activities</li> <li>• Allow for subdivision, use and development in significant natural areas and only allow activities within identified significant natural areas in the coastal environment subject to specific circumstances.</li> <li>• Avoid new plantation forestry within significant natural areas, and provide for existing plantation forestry and associated activities where these maintain or restore the identified biodiversity values of significant natural areas.</li> </ul> <p>The rule framework sets out the following:</p> <ul style="list-style-type: none"> <li>• Permitted activities include trimming, pruning or removal of vegetation within a significant natural area subject to standards, removal of non-indigenous vegetation within a significant natural area, restoration and maintenance of a significant natural area.</li> <li>• Controlled activities include trimming, pruning and removal of vegetation within a significant natural area where compliance with one standard is not achieved or the works are for the upgrade or creation of new public walking/cycling track and ancillary structures undertaken by DOC, a Regional or Territorial Authority.</li> <li>• Restricted discretionary activities include permitted activities that do not comply with the relevant standards.</li> <li>• Non-complying activities include restricted discretionary activities that do not comply with the relevant standards and new plantation forestry within a significant natural area.</li> </ul>

<p>Proposed Central Hawke's Bay District Plan (Appeals version)</p>	<p>The Proposed Central Hawkes Bay District Plan follows the National Planning Standards format. The District Plan includes an Ecosystems and Indigenous Biodiversity sub-chapter under Natural Environment Values within Part 2 – District Wide Matters.</p> <p>The chapter comprises three objectives which address the following:</p> <ul style="list-style-type: none"> <li>• Protect significant indigenous vegetation and significant habitats of indigenous fauna</li> <li>• Maintaining indigenous biodiversity within the District</li> <li>• Recognise and provide for the relationship of tangata whenua and their traditions and culture with indigenous vegetation and fauna.</li> </ul> <p>The chapter includes 11 policies which address the following:</p> <ul style="list-style-type: none"> <li>• Identify significant natural areas where they meet the District Plan criteria for ecological significance, and give effect to other parts of the plan</li> <li>• Protect significant natural areas from subdivision, use and development while providing for trimming and clearance of vegetation where necessary</li> <li>• Avoid, remedy or mitigate adverse effects of subdivision, use and development that would result in loss of indigenous biodiversity</li> <li>• Avoid adverse effects of activities on significant natural areas in coastal environments</li> <li>• Encourage restoration and creation of ecological linkages</li> <li>• Recognise landowners' stewardship and current management practice, assist them with the establishment of protective covenant, education, and other non-regulatory methods to protect and maintain significant indigenous vegetation and/or significant habitats of indigenous fauna.</li> <li>• Ensure that new national significant infrastructure is not located in significant natural areas</li> <li>• Enable the use and development of Māori land containing areas of significant indigenous vegetation and/or habitats of indigenous fauna</li> </ul> <p>The rule framework sets out the following:</p> <ul style="list-style-type: none"> <li>• Permitted activities include trimming or clearance of indigenous vegetation within areas of domestic or ornamental landscape planting, planted shelter belts, plantation forestry undergrowth or planted indigenous forestry; specified trimming or clearance of indigenous vegetation, trimming or clearance of indigenous vegetation that has natural regrown on land cleared within the previous 15 years, trimming or vegetation clearance of indigenous vegetation inside and/or outside an identified significant natural area.</li> <li>• Restricted discretionary activities include permitted activities that do not comply with relevant standards.</li> <li>• Discretionary activities include permitted activities that do not comply with relevant standards.</li> <li>• Non-complying activities include trimming or clearance of indigenous vegetation which forms part of any natural wetland identified as a significant natural area.</li> </ul>
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<p>Proposed Far North District Plan</p>	<p>The Proposed Far North District Plan follows the National Planning Standards format. The District Plan includes an Ecosystems and Indigenous Biodiversity sub-chapter under Natural Environment Values within Part 2 – District Wide Matters.</p> <p>The chapter comprises five objectives which address the following:</p> <ul style="list-style-type: none"> <li>• Protect significant indigenous vegetation and significant habitats of indigenous fauna,</li> <li>• Maintain indigenous biodiversity within the District,</li> <li>• Recognise and provide for the relationship between Tangata Whenua and indigenous biodiversity,</li> <li>• Tangata Whenua have a role as kaitiaki and landowners in protecting and restoring indigenous biodiversity,</li> <li>• Restoration and enhancement of indigenous biodiversity is promoted and enabled.</li> </ul> <p>The chapter includes 10 policies which address the following:</p> <ul style="list-style-type: none"> <li>• Identify significant natural areas where they meet the District Plan,</li> <li>• Manage effects on significant natural areas to protect their values, including those within the coastal environment consistent with the New Zealand Coastal Policy Statement,</li> <li>• Ensure land use and subdivision is undertaken in a way that maintains indigenous biodiversity,</li> <li>• Encourage and support non-regulatory means of protection,</li> <li>• Manage effects of activities on indigenous biodiversity to maintain their values.</li> </ul> <p>The rule framework sets out the following:</p> <ul style="list-style-type: none"> <li>• Permitted activities include trimming, pruning or removal of vegetation within and outside a significant natural area where the works are required for a specific purpose including: to address health and safety risk, to maintain a road or lawful structure, biosecurity, undertaken in accordance with a covenant, construction of a single residential unit, construction of a fence, the clearance of vegetation is less than 10 years old, required to create a firebreak, or is for harvesting under the Forests Act.</li> <li>• Permitted activity for vegetation clearance and land disturbance within a significant natural area for papakāinga, subject to clearance limits of 1500 m<sup>2</sup> for a marae complex and 500 m<sup>2</sup> for a residential unit.</li> <li>• Permitted activities for vegetation clearance and land disturbance within a significant natural area for any purpose subject to either: <ul style="list-style-type: none"> <li>○ Clearance does not exceed 100 m<sup>2</sup> in a calendar year, or</li> <li>○ Clearance does not exceed between 500 – 5,000 m<sup>2</sup> per year, depending on the zone and whether it is remnant forest or not, <u>and</u> a report is prepared by a suitably qualified ecologist confirming the vegetation does not meet the criteria of a significant natural area.</li> </ul> </li> <li>• Discretionary activity status for any activities that are not otherwise permitted.</li> </ul>
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<p>Operative Southland District Council</p>	<p>The Proposed Far North District Plan includes it a Biodiversity Chapter within Section 2 – District Wide Matters.</p> <p>There is one objective that directs that significant indigenous vegetation and significant habitats of indigenous fauna are identified and protected.</p> <p>The chapter includes nine policies which address the following:</p> <ul style="list-style-type: none"> <li>• Identify and protect areas of significant indigenous vegetation and significant habitats of indigenous fauna,</li> <li>• Maintain areas of indigenous vegetation and habitats of indigenous fauna,</li> <li>• Avoid, remedy or mitigate the adverse effects of subdivision, land use and development on indigenous vegetation and habitats of indigenous fauna,</li> <li>• Recognise that removal of indigenous vegetation may be required in order to establish a building platform in certain zones,</li> <li>• Recognise the benefots of sustainable forest management,</li> <li>• Recognise the purpose of land granted under Te Ture Whenua Māori Act 1993,</li> <li>• Identify the ecological value of indigenous vegetation and habitats of indigenous fauna to determine significance,</li> <li>• Encourage biodiversity initiatives that promote the retention, maintenance and enhancement of indigenous biodiversity.</li> </ul> <p>The rule framework sets out the following:</p> <ul style="list-style-type: none"> <li>• Permitted activities for any clearance of indigenous vegetation where the works are required for a specific purpose including: to address health and safety risk, to maintain a fence, road or lawful structure, undertaken as a part of a reserve management plan, biosecurity, undertaken in accordance with a covenant, required for the operation and maintenance of a network utility, removal of wind thrown/dead trees, limits of clearance for sensitive areas (Stewart Island) and limitation on the year the vegetation was grown (pre-2000), required to create a firebreak, or is for harvesting under the Forests Act.</li> <li>• Controlled activity rule for silviculture and harvesting.</li> <li>• Discretionary activity status for any activities that are not otherwise permitted.</li> </ul>
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These plans were selected because:

- They have been subject to a recent plan review that has addressed similar issues relating to this topic; and
- The councils are confronting similar issues relating to this topic.

A summary of the key findings follows:

- Most plans use the National Planning Standards format and include a specific Ecosystem and Indigenous Biodiversity chapter,

- Where SNAs have been identified, provisions seek to protect those values through regulatory provisions that only provide for small scale activities as permitted and require consent for all other activities as either discretionary or non-complying.
- All plans provide clear direction for managing effects on significant indigenous biodiversity, with most plans adopting an effects management hierarchy.
- Where all SNAs have yet to be identified, a “general clearance” rule and associated standard is relied upon to manage effects.
- Non-regulatory methods are used alongside the district plan rules.

### 3.2.3 Advice received from Iwi

No specific advice has been received from Rangitāne o Wairarapa or Ngāti Kahungunu ki Wairarapa regarding Ecosystems and Indigenous Biodiversity and the proposed provisions evaluated within this report. However, Rangitāne o Wairarapa or Ngāti Kahungunu ki Wairarapa were consulted as part of the District Plan Review which has informed the preparation of the Proposed District Plan. General support was provided for the approach of deferring giving full effect to higher order planning documents (namely the National Policy Statement for Indigenous Biodiversity) until comprehensive work can be undertaken, including effective partnership with tangata whenua.

### 3.2.4 Consultation

The following is a summary of the primary consultation undertaken in respect of this topic:

Who	What	Form of engagement	When	Relevant Issues Raised
National Interest Groups and Regional Council	High level feedback on issues for the Ecosystems and Indigenous Biodiversity.	Meetings	August 2021 – April 2022	<ul style="list-style-type: none"> <li>• Operative Plan does not give effect to Regional Policy Statement.</li> <li>• Operative Plan does not provide sufficient protection for significant indigenous biodiversity, specifically SNAs.</li> </ul>
Industry groups	High level feedback on issues for the Ecosystems and	Meetings	August 2021 – April 2022	<ul style="list-style-type: none"> <li>• Support the current approach taken in the Operative Plan.</li> </ul>

Who	What	Form of engagement	When	Relevant Issues Raised
	Indigenous Biodiversity.			
Feedback on Draft District Plan	Feedback on Draft District Plan, through submissions and targeted discussions	Public submission period / drop-in sessions	October to December 2022	See Appendix 1.

Public consultation was undertaken on the Draft District Plan in October to December 2022.

A summary of specific feedback on this topic received during consultation on the Draft District Plan is contained in Appendix 1, including how it has been responded to in the Proposed District Plan.

In summary, the key findings arising from the consultation undertaken on this topic are:

- There is insufficient protection of significant indigenous biodiversity. SNAs need to be comprehensively identified and protected,
- Activities need to be reasonably provided for within and outside of the identified SNAs,
- District Plan needs to give effect to the Regional Policy Statement, including Change 1.

### 3.3 Summary of issues

The statutory and policy context and available evidence outlined above identified several issues, and most notably giving effect to the recent National Policy Statement for Indigenous Biodiversity. Many of the issues will require further investigation and information in order to implement them but that has not been able to be undertaken as part of this plan review, for instance the identification and protection of all SNAs. As further investigation and information is required that is not currently available, the Councils have determined that a "partial review", targeted to specific matters identified in the scoping, and aligning the provisions with the National Planning Standards, is appropriate. Further work will be required in the future to review the Ecosystems and Indigenous Biodiversity provisions to give effect to higher order planning documents.

Based on the research, analysis and consultation outlined above, the following issues have been identified with respect to the effectiveness of the Operative District Plan:

- Issue 1: The Operative District Plan does not give effect to higher order direction, including the recent National Policy Statement for Indigenous Biodiversity.
- Issue 2: There is a lack of specific direction on managing effects of activities on indigenous biodiversity.

The review has confirmed that the significant resource management issues relating to Ecosystems and Indigenous Biodiversity are essentially the same as identified in the Operative District Plan. The significance of the issue is now greater due to the national significance as direction through the NPS-IB.

The following resource management issues have been identified:

Issue	Comment
Issue 1: Areas of significant indigenous ecosystems and habitat are not adequately protected and face threat of decline.	<ul style="list-style-type: none"> <li>• Land use and development activities can result in removal of indigenous vegetation within habitats and areas of significance.</li> <li>• Many remnant indigenous forests and wetlands require active protection and management in a way to ensure their ongoing long-term continued existence and enhancement.</li> <li>• There is limited regulatory protection of significant indigenous biodiversity on private land and there is risk for degradation and loss of values to those ecosystems and significant indigenous biodiversity.</li> <li>• There are statutory requirements under s6(c) RMA, NZCPS, NPS-IB and the RPS.</li> </ul>
Issue 2: Indigenous biodiversity that is outside areas that are of significance faces threat of decline.	<ul style="list-style-type: none"> <li>• Land use and development activities can result in a decline in indigenous biodiversity throughout the Wairarapa.</li> <li>• There is direction in the NPS-IB to provide for the overall maintenance of indigenous biodiversity.</li> </ul>

## 4.0 Scale and significance

### 4.1 Evaluation of scale and significance

Under section 32(1)(c) of the RMA, this evaluation report needs to contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

This section assesses the scale and significance of the signs provisions to determine the level of analysis required.

	Low	Medium	High
<b>Degree of change from the Operative District Plan</b>	✓		
<b>Effects on matters of national importance</b>			✓
<b>Scale of effects - geographically</b>		✓	

Scale of effects on people e.g. landowners, neighbourhoods, future generations		✓	
Scale of effects on those with specific interests e.g. tangata whenua		✓	
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?		✓	
Likelihood of increased costs or restrictions on individuals, communities or businesses	✓		

In summary:

- There is a low level of change for the provisions from the Operative District Plan,
- The topic relates to matters of national significance as directed through the National Policy Statement for Indigenous Biodiversity,
- The Ecosystems and Indigenous Biodiversity chapter applies district wide and to large number of landowners,
- There is a medium scale of effects on people through the district wide rules, albeit little change from the Operative District Plan,
- Tangata Whenua have particular interest in the management of indigenous biodiversity through their cultural and spiritual connection,
- There is a medium level of policy risk given the proposed provisions largely reflect the Operative District Plan and are yet to fully give effect to higher order planning documents, namely the NPS-IB and the RPS,
- As the proposed provisions largely retain the Operative Plan direction, there is a low level of increased costs or restrictions on individuals, communities and businesses.

Overall, it is considered that the scale and significance of the proposal is **medium**.

## 4.2 Quantification of benefits and costs

Section 32(2)(b) of the RMA requires that, where practicable, the benefits and costs of a proposal are to be quantified.

Specific quantification of all benefits and costs associated with the Proposed District Plan is considered neither practicable nor readily available. In general, a qualitative assessment of costs and benefits associated with the Proposed District Plan is considered sufficient, and this is provided for in the assessment of policies, rules and other methods contained in section 7.0 of this report. However, where practicable and considered appropriate to supporting the evaluation, some of the benefits or costs associated with the Proposed District Plan have been quantified. The identification of

costs and benefits has been informed by the body of evidence outlined in section 3.0 of this report.

## 5.0 Proposed provisions

### 5.1 Strategic directions

The following objectives from the Strategic Direction chapter of the Proposed District Plan are relevant to the Ecosystems and Indigenous Biodiversity topic:

<b>NE-O1</b>	<b>Natural character, landscapes, features, and ecosystem</b>
The natural environment contributes positively to the Wairarapa's sense of place and identity.	
<b>NE-O4</b>	<b>Coastal environment</b>
The special qualities of the Wairarapa coastal environment are recognised and protected from inappropriate subdivision, use, and development.	
<b>NE-O5</b>	<b>Integrated management</b>
Land and water are managed using an integrated approach, in collaboration with tangata whenua, the community, and other government entities.	
<b>NE-O6</b>	<b>Healthy ecosystems</b>
The biological diversity of indigenous species and habitats within the Wairarapa are maintained and enhanced, and restored where degraded.	

The above objectives are directly relevant to the topic for the following reasons:

- NE-O1 provides an outcome that the natural environment contributes positively to the Wairarapa. This topic seeks to manage activities' effects to ecosystems and indigenous biodiversity.
- NE-O4 directs to protect and recognise the special qualities of the Wairarapa coastal environment. Some of the SNAs are identified are within the coastal environment.
- NE-O6 sets an outcome for how biological diversity is managed. This topic seeks to manage activities effects to ecosystems and indigenous biodiversity.

These objectives are evaluated in the Section 32 Evaluation Overview and Strategic Directions Report.

### 5.2 Overview of proposed provisions

The proposed provisions relevant to this topic are set out in detail in the Proposed District Plan and should be referenced in conjunction with this evaluation report.

In summary, the proposed provisions include:

- Definitions for natural inland wetlands, indigenous vegetation, significant natural areas, modification, biodiversity offsetting, environmental compensation and keeping of goats.
- Two objectives:
  - ECO-O1: The biological diversity of indigenous species and habitats within the Wairarapa is maintained and enhanced, or restored where degraded.
  - ECO-O2: Areas of significant indigenous vegetation and significant habitats of indigenous fauna within the Wairarapa are protected from inappropriate subdivision, use, and development.
- 12 policies that address the following:
  - Collaborate and coordinate with agencies, organisation and individuals in providing for indigenous biodiversity initiatives (ECO-P1 and ECO-P2),
  - Identify and protect areas of significant indigenous vegetation or habitats (ECO-P3 and ECO-P4),
  - Enable appropriate activities within areas of significant indigenous vegetation or habitats (ECO-P5),
  - Provides direction on the management of effects using an effects management hierarchy within areas of significant indigenous vegetation or habitats (ECO-P6),
  - Provides direction managing effects on non-significant indigenous biodiversity (ECO-P7 and ECO-P8),
  - Support and encourage non-regulatory means of protection (ECO-P9, ECO-P10 and ECO-P12), and
  - Restrict the keeping of goats near areas of significant indigenous vegetation and significant habitats of indigenous fauna (ECO-P11).
- A rule framework (ECO-R1) that manages the modification of indigenous biodiversity within the identified Significant Natural Areas (SNAs):
  - Permitted activity status for modification of indigenous biodiversity within an SNA for the following:
    - Where it is associated with a conservation activity or a customary activity,
    - Is required to comply or is provided for under another enactment or regulation,
    - Is undertaken in accordance with any specific covenants or other legal agreements,
    - Is for the removal of a specified pest plant species, and
    - Is required to remove or trim branches of vegetation to the extent necessary to avoid them interfering with lawfully established buildings and structures.

- Any modification that is not otherwise permitted is a discretionary activity.
- A rule framework (ECO-R2) that manages the modification of all other indigenous biodiversity (not within an identified SNA):
  - Permitted activity status for modification of indigenous biodiversity for the following:
    - Where it is associated with a conservation activity or a customary activity,
    - It meets the relevant performance standard,
    - Is for timber harvested for reasonable personal use or under an approval under the Forests Act 1949,
    - Is required to comply or is provided for under another enactment or regulation,
    - Is necessary to avoid loss of life, injury, or serious damage to property, and
    - Is undertaken in accordance with any specific covenants or other legal agreements.
  - Any modification that is not otherwise permitted is a restricted discretionary activity.
- Effects standards that address:
  - General clearance standard for indigenous vegetation outside of SNAs (ECO-S1), and
  - Fencing requirements for the keeping of goats (ECO-S2).
- Subdivision rules enable the controlled activity subdivision of a SNA to create a conservation allotment and in all other instances the any subdivision within an SNA is a non-complying activity (SUB-R7).
- A list of the Pest Plant Species as derived from the Wellington Regional Pest Management Plan is appended to the chapter as Appendix ECO-1.
- The following Schedules relate to chapter:
  - Schedule 5: Significant Natural Areas, and
  - Schedule 6: Recommended Areas for Protection.

## 6.0 Evaluation of the proposed objectives

Section 32(1)(a) of the RMA requires an evaluation to examine the extent to which the objectives proposed are the most appropriate way to achieve the purpose of the RMA. The level of detail must correspond to the scale and significance of the environmental,

economic, social and cultural effects that are anticipated from the implementation of the proposal.

This section of the report evaluates the objectives proposed for the Ecosystems and Indigenous Biodiversity topic.

An examination of the proposed objectives along with reasonable alternatives is included below, with the relative extent of their appropriateness based on an assessment against the following criteria:

1. Relevance (i.e. Is the objective related to addressing resource management issues and will it achieve one or more aspects of the purpose and principles of the RMA?)
2. Usefulness (i.e. Will the objective guide decision-making? Does it meet sound principles for writing objectives and does it clearly state the anticipated outcome?)
3. Reasonableness (i.e. What is the extent of the regulatory impact imposed on individuals, businesses or the wider community? Is it consistent with identified tangata whenua and community outcomes?)
4. Achievability (i.e. Can the objective be achieved with tools and resources available, or likely to be available, to the Councils?)

While not specifically required under section 32 of the RMA, in some instances alternative objectives are also considered to ensure that the proposed objective(s) are the most appropriate to achieve the purpose of the RMA.

<b>Proposed Objectives</b>	
<b>ECO-O1: Indigenous biodiversity</b> The biological diversity of indigenous species and habitats within the Wairarapa is maintained and enhanced, or restored where degraded.	
<b>ECO-O2: Significant indigenous vegetation and habitats</b> Areas of significant indigenous vegetation and significant habitats of indigenous fauna within the Wairarapa are protected from inappropriate subdivision, use, and development.	
<b>Alternatives considered</b>	
Status quo:	
<b>Objective Bio1 – Biological Diversity</b> To maintain and enhance the biological diversity of indigenous species and habitats within the Wairarapa.	
<b>Objective Bio2 – Significant Vegetation and Habitats</b> To protect the areas of significant indigenous vegetation and significant habitats of indigenous fauna within the Wairarapa.	
<b>Appropriateness to achieve the purpose of the RMA</b>	
Appropriateness of Proposed Objectives (relevance, usefulness,	<u>Relevance</u> : The objectives appropriately recognise and address the issues identified in Section <b>Error! Reference source not found..</b> The

<p>reasonableness, achievability)</p>	<p>objectives only partially give effect to higher order direction, but do not give full effect to the direction of the NPS-IB or the RPS.</p> <p><u>Usefulness</u>: The objectives provide clear direction to decision makers. The objectives clearly state the intended outcomes and the desired end state which is consistent with national best practice.</p> <p><u>Reasonableness</u>: The objectives are balanced in order to avoid imposing unjustifiably high costs on the community. The objectives provide certainty by clearly stating the outcomes sought. The approach is in line with best practice.</p> <p><u>Achievability</u>: The objectives are realistically able to be achieved based on the Councils' powers, skills, and resources.</p>
<p>Appropriateness of Status Quo (relevance, usefulness, reasonableness, achievability)</p>	<p><u>Relevance</u>: The objectives appropriately recognise and address the issues identified in Section 3.3. The objectives only partially give effect to higher order direction, but do not give full effect to the direction of the NPS-IB or the RPS.</p> <p><u>Usefulness</u>: The objectives lack clarity and do not specify what desired outcome is sought. For instance, Objective Bio1 is drafted as a direction rather than an outcome, and Objective Bio2 is unclear what the significant indigenous vegetation and significant habitats of indigenous fauna are to be protected from.</p> <p><u>Reasonableness</u>: Does not provide sufficient guidance as to expected outcomes and therefore creates uncertainty and risk.</p> <p><u>Achievability</u>: The status quo objectives are currently being implemented within Councils' powers, skills, and resources.</p>
<p><b>Preferred option and reasons</b></p>	
<p>The proposed objectives are the most appropriate means of achieving the purpose of the Act because:</p> <ul style="list-style-type: none"> <li>• The objectives address the relevant resource management issues,</li> <li>• The objectives are consistent with the National Planning Standards, and</li> <li>• The proposed objectives are focused on the key outcome in order to guide decision makers and plan users.</li> </ul>	

## 7.0 Evaluation of proposed provisions

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

The assessment must identify and assess the benefits and costs of environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must, if practicable, quantify the benefits and costs and assess the risk of

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

## **7.1 Evaluation**

For each potential approach an evaluation has been undertaken relating to the costs, benefits and the certainty and sufficiency of information (as informed by section 4.0 of this report) in order to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objective(s).

## 7.1.1 Provisions to achieve objectives relating to ECO-01 and ECO-02

Under section 32(1)(b)(ii) of the RMA, reasonably practicable options to achieve the objective(s) associated with this proposal need to be identified and examined.

The options considered reasonably practicable for achieving the objectives of the Proposed District Plan in relation to Ecosystems and Indigenous Biodiversity are:

- Option 1: The proposed provisions,
- Option 2: Alternative provisions that:
  - Identify all SNAs throughout the Wairarapa, and
  - Apply a 'precautionary approach' to the general indigenous vegetation modification.

<p><b>ECO-01: Indigenous biodiversity</b> The biological diversity of indigenous species and habitats within the Wairarapa is maintained and enhanced, or restored where degraded.</p> <p><b>ECO-02: Significant indigenous vegetation and habitats</b> Areas of significant indigenous vegetation and significant habitats of indigenous fauna within the Wairarapa are protected from inappropriate subdivision, use, and development.</p>		
<b>Option 1: Proposed approach (recommended)</b>	<b>Costs</b>	<b>Benefits</b>
<p><u>Policies:</u></p> <ul style="list-style-type: none"> <li>• ECO-P1: Coordination of indigenous biodiversity initiatives,</li> <li>• ECO-P2: Collaborate with indigenous biodiversity initiatives,</li> <li>• ECO-P3: Identify areas of significant indigenous vegetation or habitat,</li> <li>• ECO-P4: Protect areas of significant indigenous vegetation or habitat,</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Potential for further loss of indigenous biodiversity due to limited SNAs currently protected, and general vegetation clearance rules some modification (particularly non-mature indigenous vegetation).</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Limited flexibility for landowners to modify, damage or destroy areas of indigenous vegetation or habitats of</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• SNAs that are identified continue to be protected.</li> <li>• The general clearance rule ensures that large scale vegetation clearance, particularly mature vegetation, can be managed through a consent process.</li> <li>• Non-regulatory methods of protection and enhancement have been found to be effective under the Operative District Plan</li> </ul>

<ul style="list-style-type: none"> <li>• ECO-P5: Appropriate activities for areas of significant indigenous vegetation or habitat,</li> <li>• ECO-P6: Management of effects within significant indigenous vegetation or habitat,</li> <li>• ECO-P7: Appropriate modification of other indigenous vegetation,</li> <li>• ECO-P8: Management of effects on other indigenous vegetation,</li> <li>• ECO-P9: Support and encourage protection and restoration of natural habitats on private land,</li> <li>• ECO-P10: Public awareness of natural values,</li> <li>• ECO-P11: Keeping of goats, and</li> <li>• ECO-P12: Create conservation lots.</li> </ul> <p><u>Rules:</u></p> <ul style="list-style-type: none"> <li>• ECO-R2: Modification of indigenous vegetation outside of a Significant Natural Area.</li> </ul> <p><u>Standards:</u></p> <ul style="list-style-type: none"> <li>• ECO-S1: Modification of indigenous vegetation,</li> <li>• ECO-S2: Fencing requirements for the keeping of goats.</li> </ul> <p>These provisions:</p>	<p>indigenous fauna, and the economic implications for some productive land.</p> <ul style="list-style-type: none"> <li>• There will be some administrative costs associated with these provisions, including the time and cost where resource consents are needed for vegetation modification that does not meet the permitted thresholds.</li> <li>• Restrictions on use and development of land within identified SNAs, and thresholds set for vegetation modification outside of SNAs. Impact on development opportunities of land and opportunity costs for landowners.</li> <li>• The costs associated with non-regulatory methods of protection would be indirectly experienced by the community as ratepayers.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Loss of indigenous biodiversity would occur at a cost to the community.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• Potential for ongoing loss of identified taonga throughout significant indigenous biodiversity.</li> </ul>	<p>which will continue under the proposed approach.</p> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Vegetation modification provisions enable reasonable level of development.</li> <li>• Landowners are less exposed to the need for resource consents and costs, time, and uncertainty.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• The approach is familiar for plan users.</li> <li>• SNAs identified protect public open spaces that are of significance to the community, including the forest parks.</li> <li>• The approach enables further comprehensive investigation and processes for protecting and maintaining indigenous biodiversity.</li> <li>• The approach continues to encourage and enable community-led initiatives and public awareness of indigenous biodiversity in the Wairarapa.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• Taonga and values of significance to tangata whenua are recognised and protected within the SNAs identified.</li> <li>• Approach enables identification of SNAs in accordance with NPS-IB and the ability to apply the decision-making principles, including Te Ao Māori perspectives.</li> </ul>
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<ul style="list-style-type: none"> <li>• Apply a combination of a regulatory and non-regulatory approach to protecting and maintaining indigenous biodiversity and,</li> <li>• SNAs are identified based on those that are currently within the Operative District Plan. Regulatory provisions require their protection and only enable certain activities to be permitted with all others requiring resource consent.</li> <li>• Recommended areas for protection are included in the District Plan for information purposes to raise public awareness and ensure they are visible to plan users.</li> <li>• Regulatory provisions limit general vegetation clearance of indigenous vegetation, except for where the vegetation is a common species, vegetation is not mature, or the clearance is for a specific activity that is enabled.</li> <li>• Non-regulatory approach seeks to encourage community initiatives and voluntary forms of protection through covenanting.</li> </ul>		
<p><b>Effectiveness and efficiency</b></p>	<p>The proposed provisions are the most appropriate method of achieving the objectives. The provisions adopt a combination of regulatory and non-regulatory methods of protection of significant indigenous ecosystems. While the SNAs identified are limited and do not reflect all within the Wairarapa, there remains a general vegetation clearance rule to capture larger scale clearance and loss of significant indigenous biodiversity. The Recommended Areas for Protection remain within the District Plan to raise awareness. The policies give clear direction and provides</p>	

	<p>practical balance by managing effects while still enabling appropriate subdivision, use and activities.</p> <p>The Councils must give effect to higher order direction, most notably the NPS-IB. Due to the timing of its release, and the lack of information that is currently available, further work will be required to give effect to this direction. The approach provides the most efficient method of meeting the objectives in the interim. It provides an interim framework that will continue to apply a regulatory framework to vegetation modification, while not incurring undue restriction on landowners.</p> <p>As identified above the benefits outweigh the costs.</p>	
<p><b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b></p>	<p>It is considered that there is certain and sufficient information on which to assess the proposed provisions as they largely reflect the Operative District Plan provisions which have been in effect for a number of years and the effectiveness of both the regulatory and non-regulatory methods has been established through implementation.</p>	
<p><b>Overall evaluation</b></p>	<p>It is considered that this option will achieve the objectives in the Plan because:</p> <ul style="list-style-type: none"> <li>• It is consistent with the National Planning Standards,</li> <li>• It provides an interim framework that has not been identified to be inefficient or ineffective,</li> <li>• It enables the Councils to give effect to the NPS-IB with more complete information, and</li> <li>• It is the most efficient and effective approach for achieving the objectives.</li> </ul>	
<p><b>Option 2: Alternative precautionary general clearance option</b></p>	<p><b>Costs</b></p>	<p><b>Benefits</b></p>
<p>The options would seek to provide the following:</p> <ul style="list-style-type: none"> <li>• Identify and protect all SNAs throughout the Wairarapa, including over private land,</li> <li>• Conservative 'general clearance standard' for any modification of indigenous biodiversity,</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect environmental costs.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Costs to landowners through restrictions on vegetation clearance and regulatory costs. More landowners and developers will be subject to rules and resource consent application costs.</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Conservative protection of indigenous biodiversity is provided for, both significant and non-significant.</li> <li>• Minimises further loss of indigenous biodiversity.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect economic benefits are identified.</li> </ul>

<ul style="list-style-type: none"> <li>• Directive policy that seeks to maintain indigenous biodiversity consistent with the NPS-IB</li> </ul>	<ul style="list-style-type: none"> <li>• Opportunity cost for development that could not otherwise occur due to conservative regulatory provisions.</li> <li>• This option would bring a higher upfront cost borne on the Councils through the review process for the required evidence base to support the approach.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• This option is a major shift from the status quo which the public is familiar with. It also creates uncertainty for landowners and their ability to develop their land.</li> <li>• This approach limits the ability for a comprehensive assessment to be undertaken to identify ecological values, including accounting for outcomes sought by the community.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• Does not enable the effective partnership with tangata whenua and ability to give effect to the decision-making principles of the NPS-IB.</li> <li>• Will place high cost on Māori landowners through restriction on vegetation clearance and regulatory costs.</li> </ul>	<p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Provides for conservative protection of indigenous biodiversity at an earlier stage.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• Taonga and values of significance to tangata whenua are protected from development.</li> </ul>
<p><b>Effectiveness and efficiency</b></p>	<p>While this option would be effective in providing for environmental wellbeing, overall, it does not provide for economic, social and cultural wellbeing.</p> <p>This option is inefficient in that it would apply a conservative approach to protection in the absence of complete information. This will result in greater number of consent applications in</p>	

	<p>order to provide for 'case-by-case' assessments. The approach is piecemeal in that a further plan change will be required in order to give full effect to higher order documents (NPS-IB).</p> <p>As identified above the costs outweigh the benefits.</p>
<p><b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b></p>	<p>It is considered that there is a high risk of acting on uncertain and insufficient information for the following reasons:</p> <ul style="list-style-type: none"> <li>• A comprehensive assessment of significant natural areas throughout the Wairarapa has not been undertaken and could not be undertaken in accordance with the NPS-IB criteria with the District Plan review timeframe,</li> <li>• There is insufficient information generally regarding indigenous biodiversity throughout the Wairarapa to revise general clearance standards,</li> <li>• Due to the timeframes, there is an inability to give effect to the 'decision-making principles' as required by the NPS-IB which will require effective partnership with tangata whenua.</li> </ul>
<p><b>Overall evaluation</b></p>	<p>This option is not the most appropriate way to achieve the preferred objectives, due to the lack of information currently available, the inability to give effect to the decision-making principles of the NPS-IB and the risk of acting on uncertain and insufficient information.</p>

## 8.0 Conclusion

This evaluation has been undertaken in accordance with section 32 of the RMA in order to identify the need, benefits and costs, and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means of achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as it:

- Enables the Councils to best give effect to the higher order documents, including the National Planning Standards, NPS-IB and RPS,
- Is the most effective and efficient way to achieve the purpose of the RMA and the Proposed District Plan's Strategic Objectives, and
- It addresses all the identified resource management issues

## Appendix 1: Feedback on Draft District Plan

## Appendix 1: Summary of feedback on Draft District Plan for the Ecosystems and Indigenous Biodiversity topic

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Section/Topic	Submitter	Feedback	Analysis
General	Individual	The submitter suggested the introduction, objectives and policies are updated to require protection of mountain country from erosion through controlling pest mammals.	Specific rules within the ECO chapter already exist relating to the keeping of goats.
	National interest group, local industry group	The submitters requested amendments be made to the ECO chapter to give greater effect to the NPS-FM and NES-F, and direct to maintain 10% native cover throughout urban areas.	The District Plan is giving sufficient weight to the NPS-FM and there is no evidence that further protection is required over natural wetlands than the NES-F doesn't already provide. The District Plan cannot require additional tree cover and this strategic direction would not be appropriate in the ECO chapter.
Definitions	National interest group	Submitter sought review and amendment to the definition of 'biodiversity offset'	The suggested amendment was accepted in part.
Significant Natural Areas	National interest groups, local interest group	The submitters recommended changes to the identification of SNA's, to be comprehensive and ensure all areas of significant indigenous biodiversity are identified. One submitter suggested extending the definition of 'SNA' to include areas which qualify as an SNA, not just the areas scheduled within the plan.	The suggested changes have not been implemented as it would go against the 'status quo' approach, and the risk of acting is too great.
Objectives	Regional council, national interest groups	The submitters suggested several amendments to ECO-O1. Firstly, to replace 'enhance' with 'restore' as it is more directive and 'enhance' is ambiguous; amend to state that exotic species may provide significant habitat for indigenous fauna; amend to remove 'biological diversity'.	The amendments were accepted in part. ECO-O1 has been amended to include both 'restore' and 'enhance' rather than replacing the former with the latter. However no changes have been made to refer to exotic species, nor to remove 'biological diversity' from the objective.

	National interest groups	ECO-O2 should be combined with ECO-1. The objectives should emphasise maintenance or enhancement of habitats of indigenous species rather than just the biological diversity of indigenous species	Neither of the suggested amendments have been accepted. Including 'habitat of' into the objective would limit the objective direction and would be inconsistent with the status quo approach.
<b>Policies</b>	National interest group, regional council, industry groups	Several submitters supported ECO-P2 and ECO-P4 – P7.	Support is noted.
	National interest groups, industry group	The submitters suggested several amendments to ECO-P7: <ul style="list-style-type: none"> <li>• To allow landowners to manage indigenous vegetation they have planted</li> <li>• Restrict what vegetation can be cleared, specifically Manuka and Kanuka should not be cleared</li> <li>• Define 'mature vegetation'</li> <li>• Amend to include maintenance of improved pasture and weed and pest control.</li> </ul>	While noted, none of the suggested amendments have been accepted for ECO-P7 because it would be inconsistent with the 'status quo' approach and would require additional evaluation. Allowing landowners to manage indigenous vegetation would already be effectively enabled, except where it is mature vegetation and in which case it is reasonable to restrict clearance. Improved pasture and weeds/pests are not indigenous vegetation and therefore would not be restricted by the current rule. Including these clauses would confuse.
	Regional council	Suggested amendments to ECO-P1 and ECO-P2 to remove 'enhance' and replace with 'restore'.	Do not consider a simple replacement of 'enhancement' with 'restoration' is appropriate as different direction. Restoration is required only where there has been degradation – enhancement can be provided over habitats that are not degraded. Enhancement retained and additional direction added for circumstances when restoration may be appropriate.
	Industry groups	One submitter suggested an amendment to ECO-P5 to include the use of helicopters, a second submitter suggested allowing for maintenance of existing primary production activities.	No change was made to ECO-P5 as the use of helicopters over a SNA does not need to be managed, and very unlikely to require a landing area within one. Primary production is currently not enabled over SNAs nor should it be.

	National interest group	The submitter suggested that ECO-P5 and ECO-P6 needed to give better effect to the National Policy Statement for Electricity Transmission. The submitter did not support the requirement for more than minor residual adverse effects to be offset or compensated, as the NPS-ET does not require offsetting. The objectives should be clarified to explicitly mention trimming and removal of vegetation.	Changes have been made to clarify vegetation trimming and removal. Offsetting and compensation can be required, and is in line with NPS-FM effects management hierarchy and the RPS.
	National interest group	The submitter requested changes to ECO-P4 – P6: <ul style="list-style-type: none"> <li>• ECO-P4 should not apply to SNAs on private land</li> <li>• ECO-P5 should allow for maintenance of farming activities to be enabled within SNAs</li> <li>• ECO-P6 should not reference ‘at-risk’ species as it is too onerous</li> </ul> The submitter also suggested deleting ECO-P8 in its entirety.	None of the requested changes have been made to the policies. The amendment to ECO-P4 would not provide for protection and is not relevant as all SNAs are on public land. Maintenance of farming activities are not anticipated in the current SNAs. At-risk indigenous species are also of importance and therefore has not been removed from ECO-P6. ECO-P8 is required as it provides policy direction for areas that are not identified as SNAs.
<b>Rules</b>	National interest groups	The submitters seek to include reference to the Telecommunications Act 2001 and require that recognition of the need to remove material infected by unwanted organisms under the Biosecurity Act 1993 is provided, in ECO-R1 and ECO-R2.	Changes have been made to ECO-R1 and R2 in line with the request.
	National interest groups	Two submitters sought changes to ECO-R2 to provide to clearance of indigenous vegetation; while a third sought amendments to restrict clearance.	No changes have been made to ECO-R2 as they would not achieve the objectives. .
<b>Standards</b>	National interest groups, industry group	The industry group sought clarification in ECO-S1 and ECO-S2, that the standards only apply to indigenous vegetation modification which does not fall within clauses a, or c – l of ECO-R2. The national interest group seek to amend ECO-S1 to remove kanuka and manuka and restrict the ability for clearance of mature vegetation	Clarification has been provided to state that the rule applies for “one or more” of the subclauses. No change has been made to ECO-S1 as this would be inconsistent with the status quo approach and would require additional evaluation.





WAIRARAPA  
COMBINED  
DISTRICT PLAN  
**REVIEW**

*Te Mahere  
Rautaki  
a-rohe o  
Wairarapa*

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# Proposed Wairarapa Combined District Plan

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## Section 32 Evaluation Topic Report Energy

OCTOBER 2023

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## Appendix 1: Feedback on Draft District Plan

## Executive summary

This Section 32 Evaluation Topic Report is focused on Energy. The Energy topic is primarily focused on appropriately recognising and providing for renewable energy generation activities. The efficient use of energy is a relevant matter under the Resource Management Act 1991, however this matter is addressed via methods outside of the Proposed District Plan.

Renewable energy means energy produced from solar, wind, hydro, geothermal, biomass, tidal, wave and ocean current sources. Renewable electricity generation options that are available in the Wairarapa largely involve solar and wind. Due to the location of the wind resource in the districts, wind energy facilities are likely to be sited in elevated locations in coastal and rural areas. The characteristics that lend themselves to wind energy generation often also provide an important landscape backdrop for urban and rural areas. Solar energy by nature must be located on a relative flat site with sufficient exposure to high sunlight hours.

The Operative Wairarapa Combined District Plan (Operative District Plan) contains one objective and seven underlying policies that address energy. The direction seeks to encourage energy efficiency and generation of energy from renewable sources. The rules enable meteorological stations and masts, and the maintenance, operation, and minor upgrade of existing renewable electricity generation. All other renewable electricity generation activities require consent as a discretionary activity.

Following an evaluation of the current approach, including public engagement, a few implementation issues have been identified. In addition, through changing demand for different forms of renewable electricity generation and new technology, additional resource management issues have been identified that did not exist at the time the Operative District Plan was developed. The National Policy Statement for Renewable Electricity Generation 2011 was also introduced following the release of the Operative District Plan

The key resource management issues for the Energy topic are:

- Issue 1: The benefits of renewable electricity generation need to be recognised,
- Issue 2: Renewable electricity generation activities need to be appropriately provided for,
- Issue 3: Renewable electricity generation activities can cause adverse effects on people, communities and values that need to be appropriately managed,
- Issue 4: Operational and functional needs of renewable electricity generation activities need to be recognised and acknowledged, and

- Issue 5: The efficient and effective use, operation, repair, maintenance, and upgrade of renewable electricity generation activities can be constrained or compromised by other activities.

The Proposed Wairarapa Combined District Plan (Proposed District Plan) Energy chapter seeks to provide an integrated framework for renewable electricity generation activities. The provisions look to enable smaller-scale renewable electricity generation including small-scale (domestic) and community scale, while continuing to require a consent process for larger-scale renewable electricity generation with discretion to consider all relevant effects. The provisions also seek to better recognise the benefits of renewable electricity generation in supporting the transition to a low-carbon future.

A summary of the difference between rules of the Operative and Proposed District Plans is provided in the table below.

Activity	Activity Status	
	Operative District Plan	Proposed District Plan
Installation, maintenance, repair, upgrade, and removal of new utility equipment for investigating a site for its suitability for a renewable electricity generation activity	Permitted activity subject to performance standard	Permitted activity subject to performance standard
Operation, maintenance, repair, and removal of existing renewable electricity generation activities	Permitted activity	Permitted activity subject to performance standard
Small-scale renewable electricity generation activities in all zones	Discretionary activity	Permitted activity subject to performance standard
Community-scale renewable electricity generation (solar & wind) that is not within district-wide overlays in the rural zone	Discretionary activity	Controlled activity
Community-scale renewable electricity generation (solar & wind) that is not within district wide overlays in all other zones	Discretionary activity	Restricted Discretionary activity
Community-scale renewable electricity generation (solar & wind) that is within district-wide overlays in the rural zones	Discretionary activity	Restricted Discretionary activity
Community-scale renewable electricity generation (solar & wind) that is within district-wide overlays in all other zones	Discretionary activity	Discretionary activity
Large-scale renewable electricity generation activities in the rural zone	Discretionary activity	Discretionary activity
Large-scale renewable electricity generation activities in other zones	Discretionary activity	Non complying activity

## 1.0 Introduction

This Section 32 Evaluation Topic Report contains an evaluation in accordance with Section 32 of the Resource Management Act 1991, of the objectives, policies, and methods relating to the Energy (ENG) chapter of the Proposed Plan.

The purpose of the Energy chapter is to recognise and provide for the renewable energy resources in the Wairarapa and the benefits that can be derived from the use and development of these resources by renewable electricity generation activities. The appropriate management of adverse effects of renewable electricity generation activities on the environment is also addressed.

Renewable energy means energy produced from solar, wind, hydro, geothermal, biomass, tidal, wave and ocean current sources. Renewable electricity generation options that are available in the Wairarapa largely involve solar and wind. Due to the location of the wind resource in the districts, wind energy facilities are likely to be sited in elevated locations in coastal and rural areas. The characteristics that lend themselves to wind energy generation often also provide an important landscape backdrop for urban and rural areas. Solar energy by nature must be located on a relatively flat site with sufficient exposure to high sunlight hours.

Renewable electricity generation activities also have practical constraints that need to be considered. These activities can only occur where renewable energy resources are found, limiting the geographic areas where renewable electricity generation activities can occur. Logistical or technical practicalities, and the need to integrate with existing supporting infrastructure may also place constraints on these activities.

Increased demand also increases the need for more distribution systems, which may bring about adverse effects on the environment. The effects from energy generation and distribution facilities can generally be effectively addressed through a variety of methods. However, some level of adverse effects may need to be accepted in accordance with the necessity for energy, and as New Zealand moves towards a more sustainable energy future.

The proposed provisions respond to the National Policy Statement for Renewable Electricity Generation 2011. The Operative District Plan was prepared prior to this national direction being gazetted, so it does not currently give effect to this document.

This report sets out the statutory and policy context for the Energy chapter, key resource management issues, consultation, and the evaluation of this topic to decide on the proposed provisions.

This report should be read in conjunction with the Section 32 Evaluation Overview and Strategic Directions Report and the following section 32 evaluation topic reports:

Report	How does this topic relate to the Energy provisions
Ecosystems and indigenous Biodiversity	These chapters contain provisions relating to sites and areas of particular significance or holding identified values which are sought to be protected from inappropriate development. These sites and areas are identified spatially on the District Plan maps, separate from the zones. The relevant section 32 reports provide the background and rationale for their identification and protection. As renewable electricity generation activities provisions are to be applied district-wide, they must recognise these sites and areas and integrate with these provisions to ensure that renewable electricity generation activities do not compromise the significance or values of the identified sites and areas.
Natural Features and Landscapes	
Natural Character	
Public Access	
Coastal Environment	
Natural Hazards	
Sites of Significance to Māori	
Subdivision	This chapter sets out provisions for the subdivision of land. The objectives, policies and rules include those addressing subdivision for infrastructure, which includes renewable electricity generation facilities. These provisions therefore integrate with and support the provisions of the renewable electricity generation chapter.
Noise	Standards for renewable electricity generation activities must comply with the light and noise standards for the underlying zone where referenced in the Energy chapter rules.
Light	

## 2.0 Statutory and policy context

### 2.1 Resource Management Act

As set out in the Section 32 Evaluation Overview and Strategic Directions Report, an evaluation is required of how the proposal achieves the purpose and principles in Part 2 of the RMA. This requires consideration of sections 5 to 8 of the RMA.

Section 5 sets out the purpose of the RMA which is to promote sustainable management of natural and physical resources. This section is set out in more detail in the Section 32 Evaluation Overview and Strategic Directions Report.

Section 6 requires all persons exercising functions and powers under the RMA to recognise and provide for specified matters of national importance. The section 6 matters relevant to this topic are:

Section	Relevant matter and applicability
Section 6(a)	<p><i>the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development</i></p> <p>Renewable electricity generation activities may have an operational or functional need to be located or partially located within the coastal environment or the margins of waterbodies, particularly as a result of the geographical location of renewable energy resources. This matter sets a direction that these areas must be protected from inappropriate use and development, including in relation to renewable electricity generation activities.</p>
Section 6(b)	<p><i>the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development</i></p> <p>Renewable electricity generation activities may have an operational or functional need to be located or partially located within outstanding natural features and landscapes, particularly as a result of the geographical location of renewable energy resources. This matter sets a direction that these areas must be protected from inappropriate use and development, including in relation to renewable electricity generation activities.</p>
Section 6(c)	<p><i>the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna</i></p> <p>The development, maintenance and repair, upgrade or removal of renewable electricity generation activities may at times require works to be undertaken within areas of significant indigenous vegetation or significant habitats of indigenous fauna, or may have an operational or functional need to be located or partially located within such areas. This matter sets a direction that these areas must be protected.</p>
Section 6(d)	<p><i>the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers</i></p> <p>Renewable electricity generation activities located or partially located within the coastal environment, or the margins of waterbodies may impact public access within those areas. This matter sets a direction that development, operation, maintenance, upgrading or removal of renewable electricity generation activities needs to maintain or enhance access within these areas.</p>
Section 6(e)	<p><i>the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga</i></p> <p>Renewable electricity generation activities may have an operational or functional need to be located or partially located within sites or areas of significance to Māori. The relationship of Māori and their culture and traditions to these sites must be recognised and provided for in these instances.</p>
Section 6(f)	<p><i>the protection of historic heritage from inappropriate subdivision, use, and development</i></p> <p>The development, operation, maintenance, upgrade or removal of renewable electricity generation activities may at times require works to be undertaken which may affect areas or sites with historic heritage values. This matter sets a direction that these sites or areas must be protected.</p>

Section	Relevant matter and applicability
Section 6(h)	<p><i>the management of significant risks from natural hazards</i></p> <p>Renewable electricity generation activities have the potential to be adversely affected by natural hazard events. The development, operation, maintenance, upgrading or removal of renewable electricity generation activities also has the potential to affect the potential risk from natural hazards, both positively and negatively.</p>

Section 7 requires all persons exercising functions and powers under the RMA, in relation to managing the use, development, and protection of natural and physical resources, to have particular regard to a range of matters. The section 7 matters relevant to Energy are:

Section	Relevant matter
Section 7(aa)	<p><i>the ethic of stewardship</i></p> <p>This matter is relevant as renewable electricity generation activities may have effects on the environment, both positive and adverse, which may continue to be experienced by future generations.</p>
Section 7(b)	<p><i>the efficient use and development of natural and physical resources</i></p> <p>This matter includes the efficient use and development of land and physical resources such as the National Grid, including for renewable electricity generation development, operation, maintenance, upgrading or removal purposes. As such these activities should not be unduly restricted where they are appropriate and consistent with the purpose and principles of the Act.</p>
Section 7(ba)	<p><i>the efficiency of the end use of energy</i></p> <p>The development, operation, maintenance, upgrading or removal of renewable electricity generation activities has the potential to influence the efficiency of the end use of energy, through providing growth in electricity generation supply to meet demand-side growth due to the electrification of end uses of energy.</p>
Section 7(c)	<p><i>the maintenance and enhancement of amenity values</i></p> <p>By its nature, renewable electricity generation activities can include large structures required to make use of renewable energy resources. These structures therefore have the potential to have adverse effects on the amenity values of the areas in which they are located. This matter provides direction that the amenity values should be maintained or enhanced, and therefore not degraded by the development, operation, maintenance, upgrading or removal of renewable electricity generation activities.</p>
Section 7(f)	<p><i>maintenance and enhancement of the quality of the environment</i></p> <p>Given the definition of 'environment' in section 2 of the RMA, the development, operation, maintenance, upgrading, or removal of renewable electricity generation activities has the potential to affect the quality of the environment through effects on amenity values as noted above, as well as wider effects on other natural and physical resource; and social, economic,</p>

Section	Relevant matter
	aesthetic, and cultural conditions which may include sites and areas of significance or values, including those relating to matters of national importance under s6 (a), (b), (c), (e), and (f).
Section 7(g)	<i>any finite characteristics of natural and physical resources</i> While by definition renewable electricity generation activities rely on renewable electricity generation resources, viable locations for these activities can be considered a finite resource due to a range of environmental, functional and operation constraints.
Section 7(i)	<i>the effects of climate change</i> Renewable electricity generation directly assists in addressing the adverse effects of climate change by reducing the amount of greenhouse gas emissions generated from electricity generation activities. Renewable electricity generation activities include a range of energy generation methods which enable diversification of energy generation, potentially assisting in mitigating the effects of climate change, which may have adverse effects on the efficiency and effectiveness of current electricity generation activities such as the reliability of generation of electricity from hydroelectricity sources.
Section 7(j)	<i>the benefits to be derived from the use and development of renewable energy</i> Renewable electricity generation provides benefits locally, regionally and nationally. Benefits include those relating to increasing electricity generation capacity and security, and reducing the use of finite resources, irreversible effects on the environment, and reliance on imported fuels.

Section 8 requires local authorities to take into account the principles of the Treaty of Waitangi. Tangata whenua, through iwi authorities have been consulted as part of the review process. This feedback has informed the section 32 evaluation, and the obligation to make informed decisions based on that consultation is noted.

## 2.2 National direction

### 2.2.1 National Policy Statements

The National Policy Statements relevant to this topic are:

NPS	Relevant Objectives / Policies
<i>National Policy Statement for Renewable Electricity Generation 2011</i>	<i>Objective</i> <i>To recognise the national significance of renewable electricity generation activities by providing for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities, such that the proportion of New Zealand's electricity generated from renewable energy sources increases to a level that meets or exceeds the New Zealand Government's national target for renewable electricity generation.</i>

NPS	Relevant Objectives / Policies	
	Policy A	<i>Recognising the benefits of renewable electricity generation activities.</i>
	Policy B	<i>Acknowledging the practical implications of achieving New Zealand's target for electricity generation from renewable resources.</i>
	Policy C1	<i>Acknowledging the practical constraints associated with the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities.</i>
	Policy C2	<i>Decision-makers shall consider off-setting and compensation when considering residual adverse effects</i>
	Policy D	<i>Managing reverse sensitivity effects on renewable electricity generation activities</i>
	Policy E1-4	<i>Incorporating provisions for different forms of renewable electricity generation activities into district plans</i>
	Policy F	<i>Incorporating provisions for small and community-scale renewable electricity generation activities into district plans</i>
	Policy G	<i>Enabling identification of renewable electricity generation possibilities</i>
<i>National Policy Statement for Electricity Transmission 2008</i>	Policy 1	<p><i>In achieving the purpose of the Act, decision-makers must recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission. The benefits relevant to any particular project or development of the electricity transmission network may include:</i></p> <p><i>[...]</i></p> <p><i>iii) the facilitation of the use and development of new electricity generation, including renewable generation which assists in the management of the effects of climate change; or</i></p>
<i>National Policy Statement for Highly Productive Land</i>	Objective	<i>Highly productive land is protected for use in land-based primary production, both now and for future generations.</i>
	Policy 8	<i>Highly productive land is protected from inappropriate use and development.</i>
<i>New Zealand Coastal Policy Statement 2010</i>	Objective 6	<p><i>To enable people and communities to provide for their social, economic and cultural wellbeing and their health and safety, through subdivision, use and development, recognising that:</i></p> <p><i>[...]</i></p> <ul style="list-style-type: none"> <li><i>• The coastal environment contains renewable energy resources of significant value</i></li> </ul>
	Policy 6	<p><i>Activities in the coastal environment</i></p> <p><i>[...]</i></p>

NPS	Relevant Objectives / Policies	
		<i>(g) take into account the potential of renewable resources in the coastal environment, such as energy from wind, waves, currents and tides, to meet the reasonably foreseeable needs of future generations;</i>
<i>National Policy Statement for Indigenous Biodiversity 2023</i>	<p><i>The National Policy Statement for Indigenous Biodiversity (“NPS-IB”) seeks to provide for the overall maintenance of indigenous biodiversity. This includes direction on how to manage activities that will impact indigenous biodiversity and in particular indigenous biodiversity with significant value.</i></p> <p><i>The clause 1.3(3) states that the NPS-IB does not apply to the development, operation, maintenance or upgrade of renewable electricity assets and activities. The NPS-IB is therefore <u>not</u> applicable to the Energy chapter.</i></p>	

## 2.2.2 National Environmental Standards

There are no National Environmental Standards of direct relevance to this topic.

## 2.2.3 National Planning Standards

The National Planning Standards require that provisions relating to energy, infrastructure and transport that are not specific to the Special Purpose Zones chapter or sections must be located in one or more chapters under the Energy, Infrastructure and Transport heading. These provisions may include:

- A statement about the status of transport corridors e.g., the adjoining zoning applies to the centre line of mapped roads;
- Noise-related metrics and noise measurement methods relating to energy, infrastructure and transport, which must be consistent with the noise and vibration metrics standard;
- The management of reverse sensitivity effects between infrastructure and other activities.

## 2.2.4 National guidance documents

The following national guidance documents are relevant to this topic:

Document	Author/Owner	Summary
National Policy Statement for Renewable Electricity Generation 2011	Ministry for the Environment	<p>The purpose of this document is to provide local authorities with direction on implementing the National Policy Statement for Renewable Electricity Generation 2011, focusing on regional and district policy and plan making.</p> <p>The implementation guide sets out key information from the NPS-REG, an analysis of how regional councils and</p>

Document	Author/Owner	Summary
Implementation Guide		territorial authorities should give effect to the NPS-REG objectives and policies, as well as providing exemplar provisions.
National Policy Statement for Renewable Electricity Generation Technical Guide	Energy Efficiency and Conservation Authority	<p>The purpose of the technical guide is to assist the implementation of the NPS-REG by providing an explanation of technical terms and concepts used in the NPS-REG.</p> <p>The technical guide also provides an overview of the New Zealand electricity system and market, explanation of the renewable electricity target and a summary of the most common types of renewable electricity generation technologies.</p>

## 2.3 Regional direction

### 2.3.1 Operative Regional Policy Statement for the Wellington Region

The table below identifies the relevant provisions and resource management topics for Energy contained in the RPS.

Objective/Policy	Relevant matters
<b>Chapter 3.3 Energy, Infrastructure and Waste</b>	
Issues	<p>1. Energy</p> <p>The Wellington Region is dependent on externally generated electricity and overseas-sourced fossil fuels and is therefore vulnerable to supply disruptions and energy shortages. In addition, demand for energy is increasing. However, significant renewable energy resources exist within the Region.</p>
Objective 9	<p>The Region's energy needs are met in ways that:</p> <p>(a) improve energy efficiency and conservation;</p> <p>(b) diversify the type and scale of renewable energy development;</p> <p>(c) maximise the use of renewable energy resources;</p> <p>(d) reduce dependency on fossil fuels; and</p> <p>(e) reduce greenhouse gas emissions from transportation.</p>
<b>Chapter 4 Policies and Methods</b>	
Policy 7 (M)	<p>District and regional plans shall include policies and/or methods that recognise:</p> <p>[...]</p> <p>(b) the social, economic, cultural and environmental benefits of energy generated from renewable energy resources including:</p> <p>i. security of supply and diversification of our energy sources;</p> <p>ii. reducing dependency on imported energy resources; and</p> <p>iii. reducing greenhouse gas emissions.</p>
Policy 11 (M)	<p>District plans shall include policies and/or rules and other methods that:</p>

Objective/Policy	Relevant matters
	(a) promote energy efficient design and the use of domestic scale (up to 20kW) and small scale distributed renewable electricity generation (up to 100kW); and [...]
Policy 39 (R)	When considering an application for a resource consent, notice of requirement or a change, variation or review of a district or regional plan, particular regard shall be given to: (a) the social, economic, cultural and environmental benefits of energy generated from renewable energy resources and/or regionally significant infrastructure; and [...] (c) the need for renewable electricity generation facilities to locate where the renewable energy resources exist; and (d) significant wind and marine renewable energy resources within the region.
<b>Appendix 3: Definitions</b>	
Definition – Regionally significant infrastructure	Regionally significant infrastructure includes: [...] <ul style="list-style-type: none"> <li>• Facilities for the generation and transmission of electricity where it is supplied to the network, as defined by the Electricity Governance Rules 2003</li> </ul>
Definition – Renewable energy	As defined in the Resource Management Act. Energy produced from solar, wind, hydro, geothermal, biomass, tidal, wave and ocean current sources.
<p>Key:</p> <p>M = policies which must be implemented in accordance with stated methods in the RPS</p> <p>R = policies to which particular regard must be had when varying a district plan</p>	

The RPS notes the reliance in the Wellington Region of externally generated electricity, the increasing demand for electricity, and that renewable energy generation not only addresses these issues but also generates energy with lower greenhouse gas emissions than non-renewable sources. The RPS aims to ensure that more of the Region’s electricity needs are met from within the Region, while maximising the potential renewable energy sources. Its objectives and policies on the matter recognise the benefits of renewable electricity generation, aim for increased use and development of these activities as sources of energy, require district plans to include policies and/or rules to promote small scale renewable electricity generation, and recognises that they have functional and operational constraints based on where the energy resource is located.

### 2.3.2 Proposed Change 1 to the Regional Policy Statement

Change 1 to the Wellington Regional Policy Statement was notified on 19 August 2022. The change seeks to address the following key topics:

- Lack of urban development capacity and implementation of the National Policy Statement on Urban Development and Wellington Regional Growth Framework

- Degradation of freshwater and partial implementation of the National Policy Statement for Freshwater Management
- Loss and degradation of indigenous biodiversity including regional policy to implement central government strategy and draft RMA national policy direction
- The impacts of climate change including regional policy to complement central government policy direction.

Change 1 is in its early stages of the Schedule 1 process and introduces a significant policy shift from the existing direction. It is understood that there has been a high level of public interest and submissions on Change 1. Based on this, reduced weight should be given to the policy direction with the expectation of further development of the policy as Change 1 progresses through the process.

The applicable provisions of Change 1 to the RPS that relate to the Energy topic are outlined in the table below (addition underlined, deletions struck through).

Objective/Policy	Relevant matters
<p><u>Objective CC.3</u></p>	<p>To support the <u>global goal of limiting warming to 1.5 degrees Celsius, net greenhouse gas emissions from transport, agriculture, stationary energy, waste, and industry in the Wellington Region are reduced:</u></p> <p>(a) <u>By 2030, to contribute to a 50 percent reduction in net greenhouse gas emissions from 2019 levels, including a:</u> [...]</p> <p>(b) <u>By 2050, to achieve net-zero emissions.</u></p>
<p>Policy 7: Recognising the benefits from renewable energy and regionally significant infrastructure – regional and district plans</p>	<p>District and regional plans shall include policies and/or methods that recognise:</p> <p>(a) the social, economic, cultural and environmental benefits of <u>regionally significant infrastructure, and in particular low and zero carbon regionally significant infrastructure</u> including:</p> <ol style="list-style-type: none"> <li>i. people and goods can travel to, from and around the region efficiently and safely <u>and in ways that support transitioning to low or zero carbon multi modal travel modes;</u></li> <li>ii. public health and safety is maintained through the provision of essential services: - supply of potable water, the collection and transfer of sewage and stormwater, and the provision of emergency services;</li> <li>iii. people have access to energy, <u>and preferably low or zero carbon energy,</u> so as to meet their needs; and</li> <li>iv. people have access to telecommunication services.</li> </ol>

Objective/Policy	Relevant matters
	<p>(b) the social, economic, cultural and environmental benefits of energy generated from renewable energy resources including:</p> <ul style="list-style-type: none"> <li>i. security of supply and diversification of our energy sources;</li> <li>ii. reducing dependency on imported energy resources; and</li> <li>iii. reducing greenhouse gas <i>emissions</i>.</li> </ul>
<p>Policy 11: Promoting <u>and enabling</u> energy efficient design and small scale renewable energy generation – district plans</p>	<p>District plans shall include policies and/or rules and other methods that:</p> <ul style="list-style-type: none"> <li>(a) promote energy efficient design and <del>the</del> <u>energy efficient alterations to existing buildings</u>;</li> <li>(b) <u>enable the installation and</u> use of domestic scale (up to 20 kW) and <i>small scale</i> distributed renewable energy generation (up to 100 kW); <del>and provide for energy efficient alterations to existing buildings;</del></li> </ul>
<p>Policy 39: Recognising the benefits from renewable energy and regionally significant infrastructure – consideration.</p>	<p>When considering an application for a resource consent, notice of requirement or a change, variation or review of a district or regional plan, particular regard shall be given to:</p> <ul style="list-style-type: none"> <li>(a) the social, economic, cultural, and environmental benefits of energy generated from renewable energy resources <u>and/or regionally significant infrastructure, in particular where it contributes to reducing greenhouse gas emissions</u>; and</li> <li>(b) protecting regionally significant infrastructure from incompatible subdivision, use and development occurring under, over, or adjacent to the infrastructure; and</li> <li>(c) the need for renewable electricity generation facilities to locate where the renewable energy resources exist; and</li> <li>(d) significant wind, <u>solar</u> and marine renewable energy resources within the region</li> </ul>

### 2.3.3 Operative Natural Resources Plan for the Greater Wellington Region

The table below identifies the relevant provisions for the Energy topic contained in the Natural Resource Plan.

Objective/Policy	Relevant matters
<p>Objective O9</p>	<p>The social, economic, cultural and environmental benefits of Regionally Significant Infrastructure, renewable energy generation activities and the utilisation of mineral resources are recognised.</p>
<p>Objective O10</p>	<p>Regionally Significant Infrastructure and renewable energy generation activities that meets the needs of present and future generations are enabled in appropriate places and ways.</p>

Objective/Policy	Relevant matters
Objective O11	Significant mineral resources and the ongoing operation, maintenance and upgrade of Regionally Significant Infrastructure and renewable energy generation activities are protected from incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.
Policy P11	Benefits of Regionally Significant Infrastructure and renewable electricity generation facilities.  When considering proposals that relate to the provision of Regionally Significant Infrastructure, or renewable energy generation activities, particular regard will be given to the benefits of those activities.
Policy P13	The use, development, operation, maintenance, and upgrade of Regionally Significant Infrastructure and renewable energy generation activities are provided for, in appropriate places and ways. This includes by having particular regard to:  (a) the strategic integration of infrastructure and land use, and (b) the location of existing infrastructure and structures, and (c) the need for renewable energy generation activities to locate where the renewable energy resources exist, and (d) the functional need and operational requirements associated with developing, operating, maintaining and upgrading Regionally Significant Infrastructure and renewable energy generation activities.
Policy P15	Incompatible activities adjacent to Regionally Significant Infrastructure, renewable energy activities and significant mineral resources  Regionally Significant Infrastructure, renewable energy generation activities and significant mineral resources shall be protected from incompatible use and development occurring under, over or adjacent to it, by locating and designing any use and development to avoid, remedy or mitigate any reverse sensitivity effects.
Definition – Regionally Significant Infrastructure	Regionally Significant Infrastructure includes: <ul style="list-style-type: none"> <li>• facilities for the generation and/or transmission of electricity where it is supplied to the National Grid and/or the local distribution network</li> </ul>

### 2.3.4 Any other relevant regional plans or strategies

There are no other relevant regional plans or strategies applicable to the Energy topic.

## 2.4 Wairarapa policies, plans and strategies

### 2.4.1 Iwi Management Plans

There are currently no iwi management plans relevant to the Wairarapa.

### 2.4.2 Statutory Acknowledgements

There are currently no statutory acknowledgements applicable to the Energy topic.

### 2.4.3 Any other relevant local plans or strategies

There are currently no other relevant local plans or strategies applicable.

## 2.5 Other legislation or regulations

The following additional legislative / regulatory requirements are also relevant to this topic:

Legislation / Regulation	Relevant Provisions
Climate Change Response (Zero Carbon) Amendment Act 2019	<ul style="list-style-type: none"> <li>• Sets a new domestic greenhouse gas emissions reduction target to reduce net emissions of all greenhouse gases (except biogenic methane) to zero by 2050, and emissions of biogenic methane</li> <li>• Establishes a system of emissions budgets.</li> <li>• Requires the Government to develop and implement policies for climate change adaptation and mitigation.</li> <li>• Establishes an independent Climate Change Commission.</li> </ul>
Energy Efficiency and Conservation Act 2000	<ul style="list-style-type: none"> <li>• Section 5 Purpose, is: <i>The purpose of this Act is to promote, in New Zealand, energy efficiency, energy conservation, and the use of renewable sources of energy</i></li> <li>• Section 8 directs the preparation of the national energy efficiency and conservation strategy.</li> </ul>

Legislation / Regulation	Relevant Provisions
NZS6808:2010 Acoustics – Wind Farm Noise	<ul style="list-style-type: none"> <li>Provides suitable methods for the prediction, measurement, and assessment of sound from wind turbines. These methods may be applied during the processes of planning and developing a wind farm, then for confirming compliance with resource consent conditions covering sound levels, and also for the investigation and assessment of noise complaints about operating wind farms.</li> </ul>
Emissions Reduction Plan 2022: Te hau mārohi ki anamata Towards a productive, sustainable and inclusive economy	<ul style="list-style-type: none"> <li>Sets the first emission reduction plan in achieving net zero by 2050.</li> <li>Identifies renewable energy generation as a key component in meeting the targets.</li> <li>Sets aspiration for New Zealand to be 100% renewable energy sourced by the year 2030.</li> </ul>

## 3.0 Issues analysis

### 3.1 Background

Renewable electricity generation is an important resource management issue as the use and development of renewable energy resources can have significant local, regional and national benefits, including responding to climate change issues, while also having the potential to have significant adverse effects on the environment.

Climate change is an important issue for New Zealand, and the Wairarapa. The provision and use of energy is a significant contributor to greenhouse gas (GHG) emissions, with more than 40 percent of New Zealand's GHG emissions coming from the energy sector<sup>1</sup>. Because of New Zealand's reliance on renewable sources, primarily hydro and geothermal, electricity generation's contribution to New Zealand's GHG emissions is comparatively much lower at around 5.1 percent. The New Zealand Government has set a goal to be 'net zero' by the year 2050 and has released the first emissions reduction plan<sup>2</sup>. Energy plays a critical role in decarbonisation with an aspiration for a transition to a 100% renewable electricity energy system by the year 2030. The following outcomes are sought in relation to Energy:

- Energy will be accessible and affordable and will support the wellbeing of all New Zealanders,
- Energy supply will be secure, reliable and resilient, including in the face of global shocks, and

<sup>1</sup> Source: Greenhouse Gas Inventory 1990 – 2021 Snapshot - <https://environment.govt.nz/publications/new-zealands-greenhouse-gas-inventory-19902021-snapshot/#:~:text=New%20Zealand's%20net%20emissions%20were,cent%20compared%20with%201990%20levels.>

<sup>2</sup> [Aotearoa New Zealand's first emissions reduction plan \(environment.govt.nz\)](https://environment.govt.nz/publications/new-zealands-first-emissions-reduction-plan/)

- Energy systems will support economic development and an equitable transition to a low-emissions economy.

Renewable energy means energy produced from solar, wind, hydro, geothermal, biomass, tidal, wave and ocean current sources. Renewable electricity generation is the generation of electricity from these sources. Activities include the construction, operation and maintenance of structures associated with renewable electricity generation. Renewable electricity generation activities making use of renewable energy sources can occur at different scales, including small and community-scale distributed activities as well as larger commercial-scale activities. It also includes the connection of the generation facilities to the distribution network and the national grid for electricity conveyance.

Energy is critical to the functioning of the Wairarapa, and an increase in demand for energy at a local level has an impact on the limited resources available to provide energy. While non-renewable resources such as gas and coal will eventually be depleted, renewable resources including hydro, solar, wind power, and biomass sources may also bring about adverse effects on the environment, such as visual impacts and the impact of new dams on river systems.

Domestic small-scale wind turbines and solar panels may become more common, particularly for properties located at distance from energy sources. The scale of such facilities is unlikely to create significant environmental effects, particularly in rural areas where distances from neighbouring properties and screening vegetation, such as shelter belts, can avoid or mitigate any visual or noise effects. Community-scale wind turbines and solar panels offer an option to small, isolated communities in the Wairarapa, particular those that are coastal based. Community-scale generation facilities supply primarily the immediate community, with or without exporting excess supply back into the distribution network.

While domestic and community-scale energy efficiency and alternative energy sources will contribute to the reduction of energy consumption, they will be insufficient to meet the anticipated nationwide growth in demand for energy to supply growth in the economy. A substantial proportion of future energy supply will therefore need to be generated from new larger-scale renewable sources.

There are many different forms of economically viable renewable energy options currently being developed in New Zealand and overseas. Currently, the key potential sources of renewable energy development in the Wairarapa are solar and wind, although options such as biomass or wave energy may become more technically and economically viable in the future.

Parts of the Wairarapa contain an excellent potential for wind and solar generated electricity. Usually, wind electricity generation facilities are provided at a large scale. Therefore, they can potentially have environmental effects, particularly landscape and amenity effects, as wind electricity generation facilities, by necessity, are located in open, usually prominent locations where the wind resource occurs. The Wairarapa has

relatively high sunshine hours and areas potentially suitable for solar farms at various scales.

New renewable electricity generation also have logistical or technical practicalities, and the need to integrate with existing supporting infrastructure may also place constraints on these activities. All new large-scale renewable energy needs to connect into the national grid. As shown in **Figure 1**, the existing national grid infrastructure is only within the main valley.

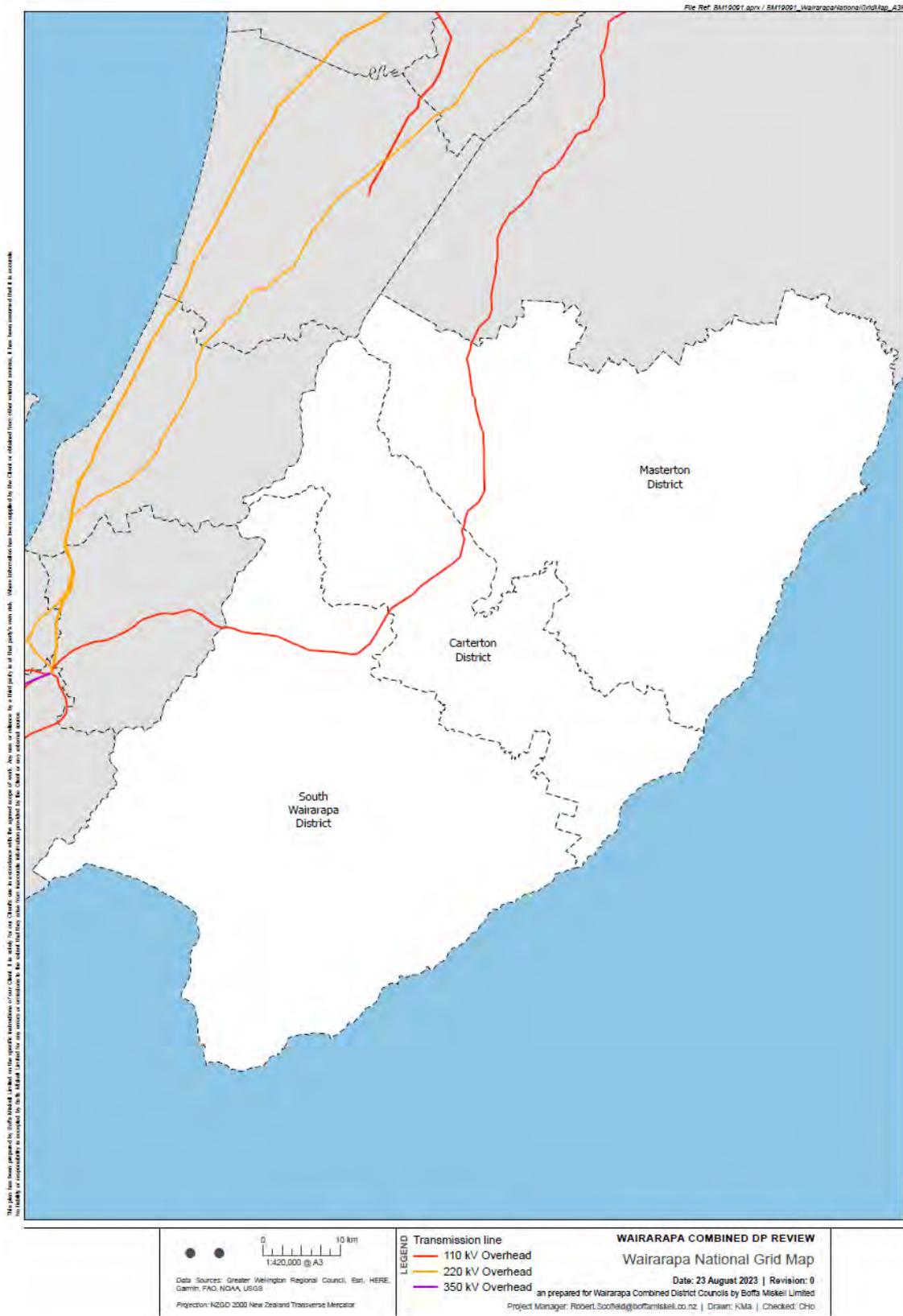


Figure 1: Location of National Grid infrastructure in the Wairarapa.

Due to the location of the wind resource in the districts, wind energy facilities are likely to be sited in elevated locations in coastal and rural areas. The characteristics that lend themselves to wind energy generation often also provide an important landscape backdrop for urban and rural areas. There are potential tensions between the existing values of these areas and their potential for wind energy generation. Similarly, solar energy generation by nature must be located on a relatively flat site in exposure to high sunshine hours. The optimal land for this is generally located in the valley floor where the most productive agricultural land is located. This causes potential conflict with other uses and values, such as primary production, highly productive land and rural character.

## 3.2 Evidence base

The Councils have reviewed the Operative District Plan, commissioned technical advice and assistance from various internal and external experts and utilised this, along with internal workshops and community feedback to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions. The following sections outline this evidence.

### 3.2.1 Analysis of Operative District Plan provisions

#### 3.2.1.1 Overview of Operative District Plan provisions

The Operative District Plan includes relevant direction in relation to energy in Chapter 16. The following significant resource management issues are identified in relation to energy:

- Renewable energy resources can have environmental benefits compared to utilising non-renewable energy resources.
- The growth of New Zealand's economy can only be supported by continued growth in the supply of energy.
- Energy conservation and efficiency measures are not expected to be sufficient to meet all future energy demand and additional energy generation is expected to be needed.
- Wairarapa's wind energy resource has significant potential for energy generation. New wind energy generation facilities will have particular location constraints – often needing locations on elevated land – with associated visual changes.

There is one objective (NUE2) that states:

*To move the Wairarapa towards a sustainable energy future by encouraging energy efficiency and the generation of energy from renewable sources.*

This objective is implemented through seven policies that direct the following:

- Encourage energy efficiency through conservation and efficient energy use (16.3.2(a)),
- Recognise the local, regional and national benefits to be derived from renewable energy generation (16.3.2(b)),
- Recognise and manage appropriate development of the Wairarapa's significant potential renewable energy resource (16.3.2(c)),
- Manage the adverse effects of renewable energy generation including promoting and recognising best practice methods and codes of practice (16.3.2(d) and 16.3.2(e)),
- Recognise the technical and operational requirements of energy generation (16.3.2(f)), and
- Manage subdivision and land use activities to avoid adverse effects on the efficient operation of established energy generation facilities (16.3.2(g)).

There are rules contained in the Chapter 21 that relate to energy. These rules provide for the following:

- Permit masts and meteorological structures subject to height limits (Rule 21.1.24(a)(i)),
- Permit any other buildings and structures subject to the underlying zone performance standards,
- Where masts and meteorological structures do not meet the permitted rule, they are either a controlled activity (Rule 21.2.4) or restricted discretionary (Rule 21.4.15),
- Permit the operation, maintenance, and minor upgrade of existing energy generating facilities and associated structures (Rule 21.1.24(a)(x)), and
- All other renewable energy generation activities, including the construction and operation and major upgrade, are not otherwise provided for and by default are a discretionary activity (Rule 21.6(a)).

### **3.2.1.2 State of the environment monitoring**

Based on the MfE National Monitoring System Database, between 2014/2015 and 2020/2021 only one consent was sought in relation to energy. This consent was a land use consent in South Wairarapa to install one wind turbine and tower in the rural zone.

In the last two years, there has been interest in new large-scale solar energy generation. There are currently two consent applications in process for large-scale solar energy generation facilities in South Wairarapa District and one consent application in process for a moderately-sized solar energy generation facility in the Carterton District.

There are two existing renewable electricity generation facilities in the Wairarapa. The Kourarau Power Stations (Kourarau Hydroelectric Power Scheme) were first established in 1923 as the first publicly owned hydroelectric power scheme in the Wairarapa. This power scheme is located near Gladstone in the Carterton District. The power scheme

has a generation capacity of 1MW from the two small power stations. The Hau Nui Wind Farm is a 15-turbine wind farm located south of Martinborough in the South Wairarapa District. The first stage was established in 1996 and the second stage established in 2004. The wind farm has a generation capacity of 8.7MW.

In 2013 resource consent was granted for the Castle Hill wind farm north of Masterton. Consent was granted for a 286-turbine facility generating up to 860MW. This resource consent was granted with a lapse period of 10 years, and is due to lapse in 2023. Genesis Energy has applied for an extension to the existing resource consent for a wind farm of 71 turbines generating 300MW.

### 3.2.1.3 Effectiveness of the Operative District Plan approach

The following issues have been identified with the effectiveness of the Operative District Plan:

Issue	Comment
Issue 1: Provision for new renewable electricity generation	There are currently no rules that provide for renewable electricity generation, even at a small scale. This lack of rules by default makes most activities discretionary, despite those that are of small scale or appropriate. This discourages uptake of renewable energy. This is particularly relevant for small communities that could benefit from 'community-scale' renewable energy generation.
Issue 2: Consistency with National Direction	The Operative District Plan was released prior to the release of the NPS-REG and therefore has not given effect to its direction. This has meant that there are no enabling provisions and reference to the NPS-REG is required when considering resource consent applications.
Issue 3: Consistency with regional direction	The Regional Policy Statement (RPS) provides direction that District Plans must include objectives, policies and rules that provide for renewable electricity generation. Proposed Change 1 to the RPS provides further direction in relation to climate change and the importance of renewable electricity generation in transitioning to a low-carbon economy. The Operative District Plan has not given full effect to this direction.
Issue 3: Management of effects of renewable energy	The current policy direction is high level and does not provide sufficient direction to decision makers in understanding what needs to be considered when determining a resource consent application.
Issue 4: Lack of recognition of solar generation	There is now growing demand for solar electricity generation in the Wairarapa. The Operative District Plan primarily anticipates wind energy therefore there is lack of specific direction or recognition for solar electricity generation.

### 3.2.2 Analysis of other District Plan provisions relevant to this topic

Current practice has been considered in respect of this topic, with a review undertaken of the following District Plans:

Plan	Description of approach
Proposed Porirua District Plan	<p>The Proposed Porirua District Plan includes Renewable Electricity Generation (REG) as a sub-chapter of the 'Infrastructure, Energy and Transport' chapter.</p> <p>There are two objectives for renewable electricity which recognise the benefits of renewable electricity generation (REG-01) and provide for renewable electricity generation activities (REG-02).</p> <p>There are ten renewable electricity policies which:</p> <ul style="list-style-type: none"> <li>• Recognise the benefits of renewable electricity generation</li> <li>• Enable the ongoing maintenance and repair of existing renewable electricity generation activities</li> <li>• Manage reverse sensitivity effects on any established or consented renewable electricity generation activities</li> <li>• Provide for investigation activities, small-scale, community-scale and large-scale renewable electricity generation activities in locations outside of overlays and within overlays subject to avoiding, remedying or mitigating adverse effects</li> <li>• Decommissioning of renewable electricity generation activities</li> </ul> <p>The rule framework includes:</p> <ul style="list-style-type: none"> <li>• Permitted activities include maintenance and repair (including within SNAs if permitted activity standards for vegetation trimming/removal are met), building or structure mounted solar panels, small-scale roof-mounted or freestanding wind turbines, and activities for the investigation, identification and assessment of potential sites and energy sources;</li> <li>• Restricted discretionary activities include those that do not meet relevant permitted activity standards, and community-scale wind and solar renewable electricity activities in the General Rural, Rural Lifestyle, General Industrial and Maori Purpose zone outside of specified overlays;</li> <li>• Discretionary activities include activities that do not meet relevant restricted discretionary activity standards, commercial-scale renewable energy generation activities located in other zones and in overlays, and large-scale renewable energy generation activities in the General Rural Zone outside of overlays;</li> <li>• Non-complying activities include renewable electricity generation activities that do not meet NZS 6806:2010 Acoustics – Wind farm noise, large-scale renewable electricity generation activities located within overlays, large-scale renewable energy generation activities located in the General Rural Zone and within specified overlays, and large-scale renewable electricity generation activities in all other zones.</li> </ul> <p>Permitted activity standards include:</p> <ul style="list-style-type: none"> <li>• Small-scale solar panels mounted to any building or structure: height, height in relation to boundary</li> <li>• Small-scale roof-mounted wind turbines: height, height in relation to boundary, rotor diameter, one turbine per site</li> <li>• Small-scale freestanding wind turbines: height, height in relation to boundary, setback from habitable buildings and property boundaries, rotor diameter, number of turbines on a site</li> <li>• Renewable electricity generation investigation activities: anemometer height, height in relation to boundary, removal, restoration of site following removal, and a 5-year timeframe</li> </ul>

	<ul style="list-style-type: none"> <li>• Trimming, pruning or removal of indigenous vegetation within a Significant Natural Area</li> </ul> <p>Restricted discretionary standards include:</p> <ul style="list-style-type: none"> <li>• Community-scale wind turbine towers (either freestanding or supported by guyed ropes): must be outside of overlays, height in relation to boundary, setback from habitable buildings and property boundaries</li> <li>• Community-scale freestanding solar panels: height, height in relation to boundary, setback, maximum area of 150m<sup>2</sup></li> </ul>
<p>Proposed Wellington City District Plan</p>	<p>The plan includes Renewable Electricity Generation as a sub-chapter of the 'Energy, Infrastructure and Transport' chapter.</p> <p>There are four objectives, which address the benefits of renewable energy use and development, adverse effects of renewable electricity generation activities, adverse effects on renewable electricity generation activities, and energy efficiency and conservation.</p> <p>The chapter contains 13 policies, which address the following:</p> <ul style="list-style-type: none"> <li>• Benefits of use and development</li> <li>• Providing for activities including investigation activities</li> <li>• Small-scale and community-scale renewable electricity generation activities within and outside overlays</li> <li>• Upgrading existing large-scale renewable electricity generation activities and providing for new large-scale renewable electricity generation activities both within and outside overlay</li> <li>• Upgrading existing renewable generation and providing for technological advances</li> <li>• Reverse sensitivity and encouraging energy efficient subdivision and development.</li> </ul> <p>The rule framework includes:</p> <ul style="list-style-type: none"> <li>• Permitted activities include maintenance and repair of existing renewable electricity generation activities, investigation activities and small-scale renewable electricity that comply with relevant REG, earthworks and noise standards.</li> <li>• Restricted discretionary activities include maintenance and repair of existing renewable electricity generation activities that do not comply with the relevant REG standards, investigation activities and small-scale renewable electricity generation that does not comply with relevant REG standards and is located within a scheduled site, identified ridgelines and hilltops or within a hazard overlay community-scale activities, and upgrading of existing large-scale renewable electricity generation activities</li> <li>• Discretionary activities include community-scale renewable electricity generation activities in the General Rural, General Industrial and Airport Zones that do not comply with relevant REG standards, as well as in all other zones, upgrading of existing activities in the General Rural Zone and Brooklyn Hill Wind Turbine in the Natural Open Space Zone that does not comply with relevant REG standards, new large-scale activities in the</li> </ul>

	<p>General Rural Zone and renewable electricity generation activities in all zones not otherwise provided for.</p> <ul style="list-style-type: none"> <li>• Non-complying activities include new large-scale renewable electricity generation activities in all other zones, and the General Rural Zone when located in a scheduled site or Coastal Hazard Overlay, and renewable electricity generation activities not otherwise provided for in all other zones.</li> </ul> <p>Permitted activity standards include:</p> <ul style="list-style-type: none"> <li>• Trimming, pruning or removal of indigenous vegetation limited to 2m within existing renewable electricity generation activity building or structure</li> <li>• Investigation activities: height; height in relation to boundary; 10-year timeframe; removal; restoration following removal</li> <li>• Small-scale roof-mounted solar panels: height; height in relation to boundary</li> <li>• Small-scale roof-mounted wind turbines: height; height in relation to boundary; rotor diameter, one turbine per site</li> <li>• Small-scale freestanding wind turbines: height, height in relation to boundary; maximum rotor diameter, setback from habitable buildings and property boundaries, number of turbines</li> <li>• Community-scale turbines: height, height in relation to boundary; setback from habitable buildings and property boundaries</li> <li>• Community-scale freestanding solar panels: height, height in relation to boundary, setback, cumulative area</li> <li>• Wind turbine noise limits and special audible characteristics</li> <li>• Upgrading of existing large-scale activities</li> </ul>
<p>Proposed Central Hawke’s Bay District Plan (Decisions Version 19 July 2023)</p>	<p>The plan includes Renewable Energy (RE) as a sub-chapter of the ‘Energy, Infrastructure and Transport’ chapter.</p> <p>There are two objectives which address enabling and encouraging the sustainable use and development of renewable energy resources, and enabling renewable electricity generation activities while avoiding, mitigating or offsetting adverse effects.</p> <p>There are six policies which include:</p> <ul style="list-style-type: none"> <li>• Provide for use and development of renewable energy resources for the District, specifically small-scale renewable electricity generation activities;</li> <li>• Protect renewable electricity generation activities from reverse sensitivity effects;</li> <li>• Recognise the constraints of managing new and existing renewable electricity generation activities and that in some circumstances, not all significant environmental effects of renewable electricity generation activities can be avoided or remedied.</li> </ul> <p>The rule framework includes:</p>

	<ul style="list-style-type: none"> <li>• Permitted activities include small-scale renewable energy generation, works relating to ongoing operation, maintenance or upgrades, wind monitoring masts.</li> <li>• Restricted discretionary activities include small-scale renewable energy generation activities in All Zones that do not meet relevant permitted activity standards, and wind monitoring masts in the General Rural Zone that do not meet the relevant permitted activity standards.</li> <li>• Discretionary activities include works or activities associated with operation, maintenance or upgrading of renewable electricity generation activities that do not meet the relevant permitted activity standards, construction and commissioning of new renewable electricity generation activities in All Zones.</li> <li>• Non-complying activities include wind monitoring masts that are located in a National Grid Yard, and construction and commissioning of new renewable electricity generation activities that do not meet the conditions as a discretionary activity.</li> </ul> <p>Permitted activity standards are applicable to small-scale energy generation activities and include:</p> <ul style="list-style-type: none"> <li>• Height; height in relation to boundary; setbacks; light and noise.</li> </ul>
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These plans were selected because:

- They have been subject to a recent plan change/plan review that has addressed similar issues relating to this topic, and
- The councils are of a similar scale to the Wairarapa districts and are confronting similar issues relating to this topic.

A summary of the key findings follows:

- All three plans include renewable electricity generation activities within energy sub-sections of wider utilities/infrastructure chapter.
- The renewable electricity generation objectives generally relate to:
  - Increasing renewable electricity generation activities;
  - Recognising benefits at different scales;
  - Managing adverse effects;
- The relevant policies of the analysed plans generally address:
  - Encouraging renewable electricity generation
  - Recognising the benefits of renewable electricity generation
  - Reverse sensitivity effects
  - Providing for operation, maintenance and upgrading activities;
  - Promoting small and community-scale activities

- Avoiding, remedying and mitigating adverse effects
- In terms of the rule frameworks of the analysed plans, these generally include the following:
  - Permitted activities:
    - Operation, repair, minor upgrading and maintenance;
    - Small-scale renewable electricity generation;
    - Identification and assessment of potential sites.
  - Restricted discretionary:
    - Permitted activities not complying with standards;
    - Community-scale renewable electricity generation activities;
    - Activities more specific to generation types and zones.
  - Discretionary:
    - Restricted discretionary or permitted activities that do not meet relevant standards;
    - Construction and commissioning of new renewable electricity generation activities;
    - Large and commercial-scale renewable electricity generation in specific zones;
  - Non-complying:
    - Renewable electricity generation activities not complying with discretionary activity standards.
    - Renewable electricity generation activities within specific overlays, zones or scheduled sites.

### 3.2.3 Advice received from Iwi

### 3.2.4 Advice received from Iwi

Section 32(4A) of the RMA requires evaluation reports prepared in relation to a proposed plan to include a summary of:

- All advice received from iwi authorities concerning the proposal; and
- The response to that advice, including any proposed provisions intended to give effect to the advice.

Under Clause 4A of Schedule 1 of the RMA local authorities are also required to:

- Provide a copy of any draft policy statement or plan to any iwi authority previously consulted under clause 3 of Schedule 1 prior to notification;
- Allow adequate time and opportunity for those iwi authorities to consider the draft and to supply advice; and

- Have particular regard to any advice received before notifying the plan.

No specific advice has been received from Rangitāne o Wairarapa or Ngāti Kahungunu ki Wairarapa regarding this topic and the proposed provisions evaluated within this report. Notwithstanding no specific advice being received, consultation with Rangitāne o Wairarapa or Ngāti Kahungunu ki Wairarapa in preparing the Proposed District Plan indicated support for the approach taken to the energy topic.

### 3.2.5 Consultation

The following is a summary of the primary consultation undertaken in respect of this topic:

Who	What	Form	When	Relevant Issues Raised
Electricity Generation Sector	<ul style="list-style-type: none"> <li>• Feedback on the issues associated with renewable electricity generation in the Wairarapa, and</li> <li>• Feedback on draft parameters and standards applying to different scales of renewable electricity generation.</li> </ul>	Meetings, workshops and written feedback	April – August 2022	<ul style="list-style-type: none"> <li>• Technical and operational requirements of renewable electricity generation</li> <li>• Providing a scalable approach to renewable electricity generation</li> <li>• Parameters and standards that apply to different scale renewable electricity generation including small-scale, community-scale and large-scale.</li> </ul>
Feedback on Draft Plan	Feedback on Draft Plan, through submissions and targeted discussions	Public submission period / drop in sessions	October to December 2022	See Appendix 1.

Public consultation was undertaken on the Draft District Plan in October to December 2022.

A summary of specific feedback on this topic received during consultation on the Draft District Plan is contained in Appendix 1, including how it has been responded to in the Proposed District Plan.

### 3.3 Summary of issues

The following resource management issues have been identified:

Issue	Comment
Issue 1: Recognising the benefits of renewable electricity generation	<ul style="list-style-type: none"> <li>• Renewable electricity generation activities can have local, regional and national-scale benefits;</li> <li>• Benefits include increasing electricity generation capacity and security, and reducing the use of finite resources, irreversible effects on the environment, and reliance on imported fuels;</li> <li>• Policy A of the NPS-REG requires that decision makers recognise the national significance of renewable electricity generation activities, including the national, regional and local benefits;</li> <li>• The RPS requires district plans to include policies and/or methods that recognise the social, economic, cultural and environmental benefits of energy generated from renewable energy resources. Proposed Change 1 to the RPS provides further direction in responding to the effects of climate change and providing for a transition to a low carbon economy. This is in part achieved through recognising and enabling new renewable electricity generation.</li> </ul>

Issue	Comment
<p>Issue 2: Providing for renewable electricity generation activities</p>	<ul style="list-style-type: none"> <li>• Renewable electricity generation activities can utilise a range of renewable energy resources, and be developed at a range of scales;</li> <li>• Investigation, identification and assessment of renewable energy resources is often required to determine the feasibility of renewable electricity generation activities;</li> <li>• Policy A of the NPS-REG requires that decision makers provide for the national significance of renewable electricity generation activities, including the national, regional and local benefits;</li> <li>• Policies E1 to E3 of the NPS-REG require that district plans include provisions to the extent relevant to the district for solar, biomass, tidal, wave and ocean current, hydro-electricity, and wind renewable energy;</li> <li>• Policy F of the NPS-REG requires that district plans include provisions for small and community-scale distributed renewable electricity generation;</li> <li>• Policy F of the NPS-REG requires that district plans include provisions for activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation;</li> <li>• The RPS requires district plans to include policies and/or methods that promote the use of domestic-scale and small-scale distributed renewable energy generation.</li> </ul>

Issue	Comment
<p>Issue 3: Adverse effects of renewable electricity generation activities</p>	<ul style="list-style-type: none"> <li>• Renewable electricity generation activities can have adverse effects on the environment that need to be managed. Adverse effects include short-term effects during construction, repair, and removal and longer-term effects during operation;</li> <li>• Effects of operational renewable electricity generation activities on amenity values, including noise from wind turbines, are a particular concern;</li> <li>• The adverse effects of renewable electricity generation activities may not always be able to be avoided, remedied or mitigated. Residual effects may need to be offset or compensated for;</li> <li>• Uncertainty in potential adverse effects may need to be addressed through adaptive management measures.</li> <li>• The Proposed District Plan includes a range of overlays identifying sites and areas within the Wairarapa with significant values to people and communities. These respond to requirements set out in Part 2 of the RMA, national direction and regional policies;</li> <li>• The development, operation, use, maintenance, repair and removal of renewable electricity generation activities has the potential to have adverse effects on these areas. While these effects may be acceptable outside of overlays, the values of the sites and areas may result in these effects not being appropriate within the respective overlays; and</li> <li>• As a standalone chapter, the provisions need to recognise and protect these sites and areas from inappropriate use and development for renewable electricity generation activities.</li> </ul>
<p>Issue 4: Operational and functional needs</p>	<ul style="list-style-type: none"> <li>• Different types of renewable electricity generation activities have differing functional and operational needs, which need to be recognised and provided for through the Proposed District Plan provisions and resource consent decision making.</li> <li>• These functional and operational needs may be a result of locational needs, logistical or technical practicalities, or the location of the supporting infrastructure for the renewable electricity generation activities;</li> <li>• Policy C1 of the NPS-REG requires decision makers to have regard to a range of practical constraints;</li> <li>• Policy C2 of the NPS-REG requires decision makers to have regard to offsetting measures or environmental compensation;</li> <li>• The RPS requires particular regard to be given to the need for renewable electricity generation facilities to locate where the renewable energy resources exist</li> </ul>

Issue	Comment
<p>Issue 5: The efficient and effective use, operation, repair, maintenance, and upgrade of renewable electricity generation activities can be constrained or compromised by other activities.</p>	<ul style="list-style-type: none"> <li>• Inappropriate subdivision, use and development, including intensification of activities, in the vicinity of renewable electricity generation activities can have reverse sensitivity effects which may result in constraints on its operation and use. This may result in adverse effects on their effective and efficient operation and consequently the local, regional and national benefits derived from them;</li> <li>• Policy D of the NPS-REG requires that activities are managed to avoid reverse sensitivity effects on consented and existing renewable electricity generation activities; and</li> <li>• The RPS requires that district plans include policies and rules that protect regionally significant infrastructure from incompatible new subdivision, use and development. The definition of regionally significant infrastructure includes facilities for the generation and transmission of electricity where it is supplied to the network.</li> </ul>

## 4.0 Scale and significance

### 4.1 Evaluation of scale and significance

Under Section 32(1)(c) of the RMA, this evaluation report needs to contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

This section assesses the scale and significance of the energy provisions to determine the level of analysis required.

	Low	Medium	High
<b>Degree of change from the Operative District Plan</b>		✓	
<b>Effects on matters of national importance</b>		✓	
<b>Scale of effects - geographically</b>		✓	
<b>Scale of effects on people e.g. landowners, neighbourhoods, future generations</b>		✓	
<b>Scale of effects on those with specific interests e.g. tangata whenua</b>	✓		
<b>Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?</b>	✓		

Likelihood of increased costs or restrictions on individuals, communities or businesses	✓		
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In summary:

- The degree of change from the Operative District Plan is medium. While the Operative District Plan lacked the specific rules and provisions that the Proposed District Plan provides, it did generally provide for renewable energy and the rule framework is similar in that smaller-scale activities are to be enabled and larger-scale activities require a consent process.
- The topic does not directly address a matter of national importance under Section 6 of the RMA but does address national direction (e.g. NPS-REG).
- There is a moderate scale of effect on people. This is both adverse through the environmental effects caused by new renewable energy generation and the conflict with other land uses, and positive through the benefits that renewable energy offers.
- The policy risk is low as it reflects best practice and aligns with most other contemporary district plans.
- The direction is unlikely to result in increased costs or restrictions for those looking to develop, maintain and operate renewable electricity.

Overall, it is considered that the scale and significance of the proposal is medium.

## 4.2 Quantification of benefits and costs

Section 32(2)(b) of the RMA requires that, where practicable, the benefits and costs of a proposal are to be quantified.

Specific quantification of all benefits and costs associated with the Proposed District Plan is considered neither practicable nor readily available. In general, a qualitative assessment of costs and benefits associated with the Proposed District Plan is considered sufficient, and this is provided for in the assessment of policies, rules and other methods contained in **Section 7.0** of this report. However, where practicable and considered appropriate to supporting the evaluation, some of the benefits or costs associated with the Proposed District Plan have been quantified. The identification of costs and benefits has been informed by the body of evidence outlined in **Section 3.0** of this report.

## 5.0 Proposed provisions

### 5.1 National Planning Standards

The Proposed District Plan includes an Energy chapter under the Energy, Infrastructure and Transport heading in accordance with the National Planning Standards. This Energy chapter primarily manages renewable energy generation activities in the Proposed District Plan and is integrated to account for all other applicable district-wide matters.

### 5.2 Strategic directions

The following objectives from the Strategic Direction chapter of the Proposed District Plan are relevant to ENG:

<b>CCR-O1</b>	<b>Climate change mitigation</b>
The Wairarapa develops and functions in a way that assists in the transition to a low-carbon future.	
<b>INF-O1</b>	<b>Infrastructure</b>
The benefits of infrastructure are recognised, while ensuring its adverse effects are well managed, and infrastructure is protected from incompatible land use, subdivision and development, including reverse sensitivity effects.	

These objectives are relevant to energy as enabling the existing and new renewable electricity generation will play a critical role in climate change mitigation for the Wairarapa. Provision for the associated infrastructure is key in providing for renewable electricity generation.

These objectives are evaluated in the Section 32 Evaluation Overview and Strategic Directions Report.

### 5.3 Overview of proposed provisions

The proposed provisions relevant to this topic are set out in detail in the Proposed District Plan and should be referenced in conjunction with this evaluation report.

In summary, the proposed provisions include:

- Definitions for renewable electricity generation, small-scale renewable electricity generation, community-scale electricity generation and upgrade.
- Three objectives that address:
  - Recognising the benefits of renewable electricity generation (ENG-O1),
  - Managing the effects of renewable electricity generation (ENG-O2), and

- Moving towards a low emission economy through efficient use of energy and generation through renewable sources (ENG-O3).
- Six policies that:
  - Enable site investigations for renewable electricity generation (ENG-P1),
  - Enable small-scale renewable electricity generation (ENG-P2)
  - Encourage community-scale renewable electricity generation providing for it to occur at an appropriate scale and location (ENG-P3),
  - Provide for large-scale renewable electricity generation where the potential effects can be appropriately managed as guided by the policy (ENG-P4),
  - Manage potential reverse sensitivity effects on existing renewable electricity generation (ENG-P5), and
  - Enable the operation, maintenance, repair and removal of existing renewable electricity generation (ENG-P6).
- A rule framework that manages land use activities as follows:

Activity	Zone and Activity Status	
	General Rural Zone	All other zones
Installation, maintenance, repair, upgrade, and removal of new utility equipment for investigating a site for suitability for a renewable electricity generation activity	Permitted activity subject to performance standard	Permitted activity subject to performance standard
Operation, maintenance, repair, and removal of existing renewable electricity generation activities	Permitted activity subject to performance standard	Permitted activity subject to performance standard
Small-scale renewable electricity generation activities	Permitted activity subject to performance standard	Permitted activity subject to performance standard
Community-scale renewable electricity generation (solar & wind) that is not over district-wide overlays	Controlled activity	Restricted Discretionary activity
Community-scale renewable electricity generation (solar & wind) that is over district-wide overlays	Discretionary activity	Discretionary activity
Large-scale renewable electricity generation activities	Discretionary activity	Non Complying activity

- Effects standards that address:
  - Renewable electricity generation investigations,
  - Community-scale solar electricity generation,
  - Community-scale wind turbine requirements,

- Structure height and setbacks,
- Light, and
- Noise.

## 6.0 Evaluation of the proposed objectives

Section 32(1)(a) of the RMA requires an evaluation to examine the extent to which the objectives proposed are the most appropriate way to achieve the purpose of the RMA. The level of detail must correspond to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.

This section of the report evaluates the objectives proposed for the Energy.

An examination of the proposed objectives along with reasonable alternatives is included below, with the relative extent of their appropriateness based on an assessment against the following criteria:

1. Relevance (i.e. Is the objective related to addressing resource management issues and will it achieve one or more aspects of the purpose and principles of the RMA?)
2. Usefulness (i.e. Will the objective guide decision-making? Does it meet sound principles for writing objectives and does it clearly state the anticipated outcome?)
3. Reasonableness (i.e. What is the extent of the regulatory impact imposed on individuals, businesses or the wider community? Is it consistent with identified tangata whenua and community outcomes?)
4. Achievability (i.e. Can the objective be achieved with tools and resources available, or likely to be available, to the Councils?)

While not specifically required under section 32 of the RMA, in some instances alternative objectives are also considered to ensure that the proposed objective(s) are the most appropriate to achieve the purpose of the RMA.

<b>Proposed Objectives</b>
<p><b>ENG-O1 Benefits of renewable electricity generation</b></p> <p>The significant local, regional, and national benefits of <i>renewable electricity generation</i> are recognised and provided for.</p>
<p><b>ENG-O2 Adverse effects of renewable electricity generation</b></p>

<p>Renewable electricity generation activities are designed and located to minimise adverse effects on communities and the environment while recognising their operational or locational constraints.</p> <p><b>ENG-O3 Energy generation and efficiency</b></p> <p>To move the Wairarapa towards a low emission economy through the efficient use of energy efficiency and generation of electricity from renewable sources in the Wairarapa.</p>	
<p><b>Alternatives considered</b></p>	
<p>Status quo:</p> <p><b>NUE2 – Energy Generation and Efficiency</b></p> <p>To move the Wairarapa towards a sustainable energy future by encouraging energy efficiency and the generation of energy from renewable sources.</p>	
<p><b>Appropriateness to achieve the purpose of the RMA</b></p>	
<p>Appropriateness of Proposed Objective (relevance, usefulness, reasonableness, achievability)</p>	<p><b>Relevance:</b> The objectives directly address issues 1 – 5 as identified in <b>Section 3.3</b> by recognising and providing for renewable electricity generation, adverse effects, operational and functional needs and protecting the values and qualities of overlays. The objectives give direct effect to section 7(j) of the RMA which requires particular regard be given to ‘the benefits to be derived from the use and development of renewable energy’. The objectives also give effect to matters listed in section 6 through seeking the protection of the values and qualities of overlays. Policies A and C1 of the RPS-REG and Policy 7 of the RPS are given effect to through the recognition of the benefits of renewable electricity generation and practical constraints.</p> <p><b>Usefulness:</b> Provides clarity for what is to be achieved in relation to renewable electricity generation when considering a resource consent application under s104. The proposed objective identifies that while operational and functional needs should be recognised, the effects from renewable electricity generation should be minimised and the values and qualities of overlays protected, which provides clear guidance for decision makers on what is sought to be achieved.</p> <p><b>Reasonableness:</b> The objectives do not create unjustifiably high costs on the community. The objectives address providing for renewable electricity generation which will enable a wider range of type and scale of renewable electricity generation activities, reducing potential consenting requirements for appropriate activities. Potential unnecessary costs on developers of renewable electricity generation activities will be reduced through recognition of operational and functional needs. The outcomes sought in relation to recognising and providing for renewable electricity generation activities provide greater certainty to people and the community and potential renewable electricity developers in relation to what is to be achieved. The level of risk associated with the objectives is considered to be low.</p> <p><b>Achievability:</b> The proposed objective is consistent with the strategic directions, including CCR-O1 and IF-O1. The objectives are realistically able to be achieved based on the Councils’ responsibilities under the RMA. The effects to be managed through the district plan in relation to renewable electricity generation include those which are common to buildings and structures managed by the Council.</p>
<p>Appropriateness of Status Quo (relevance, usefulness,</p>	<p><b>Relevance:</b> The current objective only addresses issues 1 and 2 as identified in <b>Section 3.3</b> but fails to recognise functional and operation need or address how effects will be managed. The status quo does not manage the effects of use, development or protection of land and</p>

<p>reasonableness, achievability)</p>	<p>associated natural and physical resources in relation to renewable electricity generation generally as it is largely focused on wind farms within rural zones. The status quo does not give effect to the NPS-REG or RPS policies.</p> <p><u>Usefulness</u>: The objective does not provide guidance for decision makers in relation to renewable electricity generation generally as it is largely focused on wind farms within rural zones. As such there is no clearly articulated outcome.</p> <p><u>Reasonableness</u>: There is currently a lack of clarity in relation to renewable electricity generation activities in the Operative District Plan, particularly for small or community-scale activities. This imposes costs on people and the community through additional potentially unnecessary consenting costs, time and resources. The current Operative District Plan does not address the use and development or renewable electricity generation activities generally, with the main focus on wind farms in the rural zone. This creates an unacceptable level of uncertainty for small and community-scale activities which are subject to the general zone objectives.</p> <p><u>Achievability</u>: The Operative District Plan objective is not considered to be consistent with the strategic directions, in particular CCR-O1 as the provisions for renewable electricity generation are narrow. The status quo is currently being implemented within Councils' powers, skills and resources.</p>
<p><b>Preferred option and reasons</b></p>	
<p>The inclusion of the proposed objectives within the Proposed District Plan addressing the recognition and provision for renewable electricity generation activities is considered to give effect to the relevant policies of the NPS-REG and is consistent with the purpose and principles of the RMA. The above analysis indicates that the preferred objective is the most relevant, useful, reasonable and achievable of the two options and therefore is the most appropriate way to achieve the purpose of the RMA.</p>	

## 7.0 Evaluation of proposed provisions

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

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

## 7.1 Evaluation

For each potential approach an evaluation has been undertaken relating to the costs, benefits and the certainty and sufficiency of information (as informed by **Section 4.0** of this report) in order to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objective(s).

## 7.1.1 Provisions to achieve objectives relating to Energy

Under section 32(1)(b)(ii) of the RMA, reasonably practicable options to achieve the objective(s) associated with this proposal need to be identified and examined.

The other options considered reasonably practicable for achieving the objectives of the Proposed District Plan in relation to energy are:

- Option 1: The proposed provisions of the Energy chapter of the Proposed District Plan.
- Option 2: Retaining the status quo provisions of the Chapter 16 of the Operative District Plan and relevant rules of Chapter 21.

<p><b>ENG-O1 Benefits of renewable electricity generation</b> The significant local, regional, and national benefits of <i>renewable electricity generation</i> are recognised and provided for.</p> <p><b>ENG-O2 Adverse effects of renewable electricity generation</b> Renewable electricity generation activities are designed and located to minimise adverse effects on communities and the environment while recognising their operational or locational constraints.</p> <p><b>ENG-O3 Energy generation and efficiency</b> To move the Wairarapa towards a low emission economy through the efficient use of energy efficiency and generation of electricity from renewable sources in the Wairarapa.</p>		
Option	Costs	Benefits
<p><b>Option 1: The proposed provision Policies</b></p> <ul style="list-style-type: none"> <li>• ENG-P1 Enable site investigations for renewable electricity generation</li> <li>• ENG-P2 Enable small-scale renewable</li> </ul>	<p><b>Environmental</b></p> <p>The environmental costs of the proposed provisions are generally experienced locally within the vicinity of renewable electricity generation activities.</p> <p>There are potential effects on biophysical values, such as landscapes, biodiversity and natural character. There is greater potential for such effects through wind generation given the nature of where the resource is. Most activities will require consent where such effects can be appropriately managed on a case-by-case basis. Small-scale renewable electricity generation, investigation and the operation, maintenance and repair of existing renewable electricity generation is enabled as a permitted</p>	<p><b>Environmental</b></p> <p>Direct environmental benefits of the proposed provisions are generally experienced at wider geographic scales, generally regional and national scales.</p> <p>The direct environmental benefits of the proposed provisions include those derived from reducing emissions of greenhouse gases from electricity generation activities involving fossil fuels, as a result of generating the electricity from renewable resources instead. The effects of climate change will have a range of adverse effects on the environment. Reducing greenhouse gas emissions will assist in limiting these adverse effects. Given the nature of atmospheric processes and the electricity generation</p>

<p>electricity generation</p> <ul style="list-style-type: none"> <li>• ENG-P3 Provide for community-scale renewable electricity generation</li> <li>• ENG-P4 Large-scale renewable electricity generation activities</li> <li>• ENG-P5 Reverse sensitivity</li> <li>• ENG-P6 Operation, maintenance, repair, removal and upgrade of renewable electricity generation activities</li> </ul> <p>These policies identify that renewable electricity generation (REG) activities can have a range of benefits are at different geographic scales and that new residential activities are to be</p>	<p>activity. These potential effects are addressed through the relevant standards controlling the height, height to boundary, setbacks and structure size and number limits as relevant.</p> <p>There are also potential effects on amenity and character. As highlighted by submissions on the Draft District Plan, this is particularly relevant to large-scale solar electricity generation facilities that cover expansive areas and alter the general amenity. As noted above, most renewable electricity generation activities require consent and there is discretion to consider all relevant adverse effects on a case-by-case basis. Activities that are enabled are small in scale and cause only minor and localised amenity effects.</p> <p><b>Economic</b></p> <p>There are some direct costs through additional consent processes that are required that may not otherwise have been required under the Operative District Plan. As the provisions are generally more enabling, this cost is low.</p> <p>Through the provision further enabling renewable electricity generation activities, including over productive land, there is potential loss of productive land and the opportunity cost to other land uses. This cost is greatest for larger-scale renewable electricity generation activities that cover expansive areas of productive land. As above, most renewable electricity generation activities requires a consent process and the efficient use of land/loss of productive land is a matter the Councils may consider.</p> <p><b>Social</b></p> <p>Direct social costs of the proposed provisions relate to the adverse effects of renewable electricity generation activities on the environment where these effects also impact people and communities. Through submissions on the Draft District Plan, it is apparent that there is concern</p>	<p>network in New Zealand, these benefits will generally be realised at global and national scales.</p> <p>Direct environmental benefits may also be derived from the provisions which allow for small and community-scale renewable electricity generation activities. These will primarily be smaller-scale wind turbines and solar panels. Enabling these activities will assist in developing a more localised, distributed electricity generation network. These smaller-scale activities will often be able to be developed attached to existing structures, or within more developed areas, where the sensitivity to such structures is relatively low. This will have the effect of reducing the need for much larger, centralised electricity generation activities which often require development within more isolated, less developed areas which may be highly sensitive to developments of such scale. In addition, distributed power generation may have lower transmission losses due to generation occurring closer to consumption. Therefore, the overall environmental effects of many distributed renewable electricity generation activities can be lower than the effects of larger centralised activities.</p> <p>Additionally, localised electricity generation may also be able to displace energy generation from fossil fuels particularly when combined with electricity storage technology, for example in home heating or small commercial or industrial activities.</p> <p>Associated with the above, an indirect environmental benefit is the reversibility of the adverse effects on the environment of some renewable electricity generation technologies, particularly small and community-scale activities. The small-scale and community-scale activities as provided for through the proposed rules and standards have a small physical footprint or can be attached to existing structures. As such, the actual physical impact on the environment is marginal, with removal of the structures</p>
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<p>designed to avoid conflict with existing REG activities.</p> <p>The policies enable investigation activities, operation and maintenance of existing REG activities, and small-scale REG.</p> <p>Community-scale REG activities are also provided for in specified zones, with criteria specified for these activities.</p> <p>Large-scale REG activities are provided for where effects can be appropriately managed.</p> <p><u>Rules</u></p> <ul style="list-style-type: none"> <li>• ENG-R1 Installation, maintenance, repair, upgrade, and removal of new utility equipment for investigating a site for suitability for a renewable electricity</li> </ul>	<p>from the public that large-scale solar renewable electricity generation activities will result in inappropriate land use change. As above, most renewable electricity generation activities require a consent process and consideration of whether the activity has a functional or operation need is a matter the Councils may consider.</p> <p><b>Cultural</b></p> <p>Direct cultural costs associated with the provisions relate to those generated if a renewable electricity generation activity is located within, or otherwise adversely affects, a site, resource or area with cultural values. As above, most renewable electricity generation activities require a consent process which provides for a case-by-case assessment of effects on cultural values. There is also specific provision to have regard to the effects on Sites of Significance to Māori.</p>	<p>resulting in no or marginal ongoing effects. This is also true to a degree for larger-scale renewable electricity generation activities, particularly wind turbines.</p> <p>Direct environmental benefits will include those derived from reduced reliance on fossil fuels for electricity generation. The increase in the use of renewable electricity generation activities for electricity generation provided for through the provisions would reduce demand for other forms for electricity generation and therefore the need for the use of fossil fuels, with a corresponding decrease in the adverse effects associated with the extraction, distribution and use of those fuels. The reduction in discharges of contaminants to air during the combustion process such as particulate matter would positively affect air quality.</p> <p><b>Economic</b></p> <p>Economic benefits of the proposed provisions will include those derived from providing for a wider range of renewable electricity generation activities, in terms of type and scale, through the District Plan and the associated increased certainty provided by these provisions.</p> <p>Enabling small-scale renewable electricity generation activities as a permitted activity also in turn enables people to provide services designing, engineering, producing, installing and servicing structures and components for those activities, increasing employment opportunities as a direct economic benefit.</p> <p>The anticipated flow-on effect is that more people, communities or organisations will decide to develop renewable electricity generation activities, which would have the following economic impacts:</p> <ul style="list-style-type: none"> <li>• increasing electricity generation capacity;</li> </ul>
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<p>generation activity</p> <ul style="list-style-type: none"> <li>• ENG-R2 Operation, maintenance, repair, and removal of existing renewable electricity generation activities</li> <li>• ENG-R3 Small-scale renewable electricity generation activities, including operation, maintenance, repair, and upgrade</li> <li>• ENG-R4 Community-scale renewable electricity generation (solar), including operation, maintenance, repair, and upgrade</li> <li>• ENG-R5 Community-</li> </ul>		<ul style="list-style-type: none"> <li>• increased use of renewable natural resources rather than finite resources;</li> <li>• reduced reliance on imported fuels; and</li> <li>• employment and market growth in renewable electricity generation technology.</li> </ul> <p>These economic effects may have flow-on indirect positive effects on the growth of national, regional and local gross domestic product. For example, a reduced reliance on imported fuels would mean an associated reduction in the ongoing costs to the economy of purchasing that fuel overseas.</p> <p>An additional indirect economic benefit may include reputational benefits for individual companies, and the country as a whole, from reduced environmental impacts from electricity generation. The environmental consciousness of companies and nations can positively influence people’s perception of those countries or companies, which in turn can result in a higher value being placed on products produced by those countries or companies, potentially increasing market growth for those products.</p> <p><b>Social</b></p> <p>Direct social benefits through the alignment of the provisions with the wider aspirations of the Community to transition to a low-carbon future.</p> <p>The indirect social benefits of the proposed provisions include those derived from an anticipated increase in the generation of electricity from renewable resources, and a corresponding reduction in the generation from fossil fuels leading to positive effects on air quality. These social benefits include the increased health and wellbeing of people and communities, primarily through reduced</p>
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<p>scale renewable electricity generation (wind), including operation, maintenance, repair, and upgrade</p> <ul style="list-style-type: none"> <li>• ENG-R6 Large-scale renewable electricity generation activities or upgrade of existing large-scale renewable electricity generation activities</li> <li>• ENG-R7 Renewable electricity generation activities not otherwise provided for</li> <li>• ENG-R8 Non-renewable electricity generation activities.</li> </ul> <p>These rules give effect to the policies regarding enabling, providing for,</p>		<p>respiratory illness, and increased enjoyment of the outdoors.</p> <p><b>Cultural</b> Indirect cultural benefits may also be experienced through the positive effects on air quality from increased renewable electricity generation, as identified above.</p>
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<p>or avoiding existing and investigative activities, and small-scale, community scale, and large-scale REG activities within certain zones and within and outside of Overlays, with appropriate activity status applied to each.</p> <p><u>Standards</u></p> <ul style="list-style-type: none"> <li>• ENG-S1 Renewable electricity generation investigations,</li> <li>• ENG-S2 Community-scale solar electricity generation,</li> <li>• ENG-S3 Community-scale wind turbine requirements,</li> <li>• ENG-S4 Structure height and setbacks,</li> <li>• ENG-S5 Light, and</li> <li>• ENG-S6 Noise</li> </ul>		
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<p>The standards set out requirements for permitted controlled, and restricted discretionary activities, particularly in relation to the location and size of associated structures. These include standards for maximum height, height in relation to boundary, rotor diameter and number of turbines per site, setbacks, and area. For investigation activities these also include duration and site remediation.</p>		
<p><b>Effectiveness and efficiency</b></p>	<p>The proposed provisions are considered likely to be highly effective in achieving the objectives as they directly address the resource management issues and the outcomes sought through the objectives. The provisions give effect to the RPS and the NPS-REG, and recognise and provide for the environmental, social, economic and cultural benefits of renewable electricity generation activities, while ensuring their appropriate management including minimising their adverse effects.</p> <p>The proposed provisions have significant benefits, particularly indirect environmental, social and economic benefits, while having acceptable environmental, economic, social and cultural costs. As such, they are considered to be efficient in achieving the objectives for renewable electricity generation activities.</p>	
<p><b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b></p>	<p>It is considered that there is certain and sufficient information on which to base the proposed policies and methods as:</p> <ul style="list-style-type: none"> <li>• There is clear national policy on the benefits and importance of renewable electricity generation for achieving national goals,</li> <li>• There is clear national direction through the NPS-REG which must be given effect to,</li> <li>• The RPS, including Proposed Change 1, also includes clear objectives and policies which must be given effect to through the Proposed District Plan,</li> </ul>	

	<ul style="list-style-type: none"> <li>• Guidance documents associated with the NPS-REG provide additional information and guidance on appropriate provisions, and</li> <li>• The overlays identified for the Proposed District Plan have been informed by recent research and up to date methodology.</li> </ul>	
<p><b>Overall evaluation</b></p>	<p>The proposed provisions are considered to be the most appropriate approach to achieve the objectives. The provisions appropriately give effect to higher order documents, including the RPS and NPS-REG, and are consistent with the purpose and principles of the RMA particularly s7(j). They are considered to be efficient and effective, as the identified costs are acceptable, while providing significant benefits, particularly indirect environmental, social and economic benefits at regional and national scales. They best recognise and provide for the positive effects of renewable electricity generation activities, while minimising their adverse environmental effects. The provisions provide certainty for applicants and the community. This is achieved through a regulatory regime with clear policy direction and appropriate activity status settings, including for activities within overlays. The rules and standards implement these policies to minimise their adverse effects.</p>	
<p><b>Option</b></p>	<p><b>Costs</b></p>	<p><b>Benefits</b></p>
<p><b>Option 2: Status Quo Policies</b></p> <ul style="list-style-type: none"> <li>• 16.3.5(a) Encourage energy efficiency through conservation and efficient energy use</li> <li>• 16.3.5(b) Recognise the local, regional and national benefits to be derived from renewable energy generation</li> </ul>	<p><b>Environmental</b></p> <p>The environmental costs of the proposed provisions are generally experienced locally within the vicinity of renewable electricity generation activities.</p> <p>Based on public feedback, the main environmental cost is in the form of loss of productive land, rural character, and amenity as a result of large-scale solar renewable electricity generation activities. This cost is a result of lack of recognition of solar generation and guidance on how effects should be managed.</p> <p><b>Economic</b></p> <p>The direct economic costs of the Operative District Plan provisions include those derived from restrictions on the use and development of renewable electricity generation activities. These effects include consenting costs for potential smaller-scale renewable electricity generation developers, including for small or community-scale activities.</p>	<p><b>Environmental</b></p> <p>The direct environmental benefits of the existing provisions are related to the requirement for resource consent processes for most renewable electricity generation activities. This allows a detailed assessment of the effects on the environment of any proposal, consents to be declined if the effects are not acceptable, and for effects to be mitigated through the imposition of conditions on consents.</p> <p><b>Economic</b></p> <p>There are indirect economic benefits to other land uses (namely primary production) through limiting the ability for new renewable electricity generation activities to be established through requiring a discretionary consent process for all new renewable electricity generation activities.</p> <p><b>Social</b></p> <p>The direct social benefits of the existing provisions relate to the consenting process required for all new renewable</p>

<ul style="list-style-type: none"> <li>• 16.3.5(c) Recognise and manage appropriate development of the Wairarapa's significant potential renewable energy resource</li> <li>• 16.3.5(d) Provide for renewable energy generation while, as far as practicable, avoiding, remedying or mitigating the adverse effects, particularly of large scale and/or prominent facilities</li> <li>• 16.3.5(e) Recognise and promote the use of environmental management codes of practice and best practice</li> </ul>	<p>Indirect economic costs of the current provisions include those derived from having a restrictive regulatory regime for renewable electricity generation activities, in terms of type and scale, through the District Plan and the associated uncertainty created by these provisions. The flow-on effect of this regime is that fewer people, communities or organisations will decide to develop renewable electricity generation activities. This in turn means that the potential economic benefits of greater use of renewable electricity generation activities as identified above (including increased electricity generation capacity, reduced reliance on imported fuels, and employment and market growth in renewable electricity generation technology) are not able to be realised. The flow-on positive effects on the growth of national, regional and local gross domestic product will also not be realised.</p> <p><b>Social</b></p> <p>The current provisions are not clear to the public how the effects of renewable electricity generation activities are to be managed, in particular effects caused by solar energy generation. This is apparent through the submissions and feedback received from the public with concerns over current resource consent applications.</p> <p><b>Cultural</b></p> <p>The direct cultural effects of the Operative District Plan provisions include the potential effects on areas and Sites of Significance to Māori. However, as discretionary activities a wind farm would be subject to a resource consent process and the assessment criteria contained in the existing provisions, which include, 'Impacts on archaeological and historic features and items, and sites of significance to tangata whenua'. As such the potential direct cultural costs are marginal.</p>	<p>electricity generation activities. The resource consent process allows for public participation. The Council has the ability to identify any affected persons and decide on whether to notify the application. For applications that have more than minor adverse effects on the environment, public notification allows the wider community to understand the proposal and make submissions on the application. The resource consent process also allows for any proposal to be declined if the effects are not acceptable and any actual or potential adverse effects on social matters to be avoided, remedied or mitigate through conditions placed on a granted resource consent.</p> <p><b>Cultural</b></p> <p>The cultural benefits of the existing provisions reflect the social benefits as set out above. The actual and potential cultural effects of proposals requiring resource consent would be taken into account when deciding to notify, impose conditions, or grant or decline consent.</p>
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<p>methods in energy generation, distribution and use</p> <ul style="list-style-type: none"> <li>• 16.3.5(d) Recognise the technical and operational requirements of energy generation and distribution and its benefits to the wellbeing of the Wairarapa when setting and implementing appropriate environmental standards to avoid, remedy or mitigate the adverse effects on the environment and when assessing applications for resource consent</li> <li>• 16.3.5(g) Manage subdivision and</li> </ul>	<p>Indirect effects may also be generated as a result of ongoing use of fossil fuels for electricity generation and the associated discharges of contaminants to air affecting the mauri of that taonga.</p>	
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<p>land use activities to avoid adverse effects on the efficient operation of established energy generation facilities</p> <p><u>Rules</u></p> <ul style="list-style-type: none"> <li>• 21.1.24(a)(i), 21.2.4 and 21.4.15 Masts and meteorological structures subject to height limits</li> <li>• Other buildings and structures subject to the underlying zone performance standards</li> <li>• 21.1.24(a)(x) Operation, maintenance, and minor upgrade of existing energy generating facilities and</li> </ul>		
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<p>associated structures</p> <ul style="list-style-type: none"> <li>• Rule 21.6(a) All new renewable energy generation activities, including the construction and operation and major upgrade, are not otherwise provided for</li> </ul>		
<p><b>Effectiveness and efficiency</b></p>	<p>The Operative District Plan provisions are not effective in achieving the objectives, as they do not provide for small-scale and community-scale renewable electricity generation activities or investigations. They also do not provide sufficient direction in recognising the benefits of renewable electricity generation or how effects should be managed.</p> <p>The Operative District Plan provisions are not efficient in achieving the objectives as they do not provide for different scales or types of renewable electricity generation activities, and therefore do not enable the potential significant benefits of renewable electricity generation which may be achieved with more enabling provisions. This in turn has significant environmental, social and economic costs which are not outweighed by the environmental and social benefits of restrictive provisions.</p>	
<p><b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b></p>	<p>There is considered to be sufficient and certain information regarding the existing provisions as:</p> <ul style="list-style-type: none"> <li>• They have been in place for over 10 years, and therefore there has been sufficient time for the benefits and costs to be realised,</li> <li>• There is significant national direction in relation to renewable electricity generation activities, and</li> <li>• Several central government reports are available detailing the benefits and costs of renewable electricity generation activities.</li> </ul>	
<p><b>Overall evaluation</b></p>	<p>The Operative District Plan provisions are not considered to be efficient or effective in achieving objectives. The provisions are focused solely on wind farms within the Rural zone, not renewable electricity generation activities more generally, and therefore do not give effect to the objectives or the NPS-REG or RPS. Additionally, the operative</p>	

	provisions do not provide for the recognition and protection of sites and areas with significant environmental, social and cultural values, or natural hazard risks.
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## 8.0 Conclusion

This evaluation has been undertaken in accordance with section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as it:

- Addresses the identified issues,
- Gives effect to higher order documents, including the national planning standards and NPS-REG, and
- Is the most effective and efficient way to achieve the purpose of the Act and the Proposed District Plan's strategic objectives.

## Appendix 1: Feedback on Draft District Plan

## Summary of feedback on Draft District Plan for the Energy topic

Section/Topic	Submitter	Feedback	Analysis
General	Individuals	Full support of the provisions. Retain the Energy chapter and all proposed objectives, policies and rules in this section relating to renewable energy.	Feedback is noted.
	Renewable energy company	Supports the inclusion of the Energy chapter, which provides for renewable electricity generation activities and recognises their operational and locational constraints.	Feedback is noted.
Definitions	Renewable energy companies	General support of the definition. Discrete changes sought to improve readability and to include battery energy storage.	Amendment has been made to the definition of large-scale renewable electricity generation activity in line with the suggestions.
Solar farms	Individuals	<p>General opposition to large scale generation and specifically raised the effects of solar farms and that the provisions did not sufficiently manage their effects. Concerns were raised that solar farms would be enabled that would result in significant effects on neighbouring towns. In particular, the electromagnetic effects, fire risk and soil contamination.</p> <p>Submitters requested that additional objectives and policies clearly identify all associated effects of solar farms and rules are reviewed to reflect this and discourage solar farms near built up areas. This request included altering the activity status of community scale (solar) renewable energy from controlled to discretionary.</p>	<p>It is apparent in the submitter feedback that the concerns relating to solar farming is directly toward large scale solar farms. The activity status remains discretionary meaning the Council would have full discretion in considering the effects of the activity. Further the policy direction (ENG-P4) provides for consideration of all relevant effects and does not limit the Councils in their determination.</p> <p>No further amendments have been made in response to the feedback.</p>
Highly productive land and impacts on primary production	Individuals	Concerns were raised by individuals that renewable energy activities would result in a loss of productive land and that there is direct conflict with primary production. Changes were requested to the objectives, policies and rules to require protection of productive land.	After considering this feedback, it is considered that there is sufficient general direction for managing effects on primary production is provided through the General Rural Zone. However, with the release of the National Policy Statement for Highly Productive Land (NPS-HPL), which does not enable

			<p>renewable energy over highly productive land, further direction has been included in the Energy Chapter to provide clarity on this issue. For consistency with the policy direction in the NPS-HPL, as well as the policy direction in the National Policy Statement for Renewable Electricity Generation, the overall policy direction is to 'discourage development of renewable energy generation over highly productive land'. To provide for this policy direction, the following changes have been made:</p> <ul style="list-style-type: none"><li>• Additional of clause (c) to ENG-P3 (Provide for community-scale renewable electricity generation) to reference protection of highly productive land;</li><li>• Amendment to clause (j) of ENG-P4 (Large-scale renewable electricity generation activities) to make direct reference to highly productive land and productive capacity;</li><li>• New matter of control to ENG-R2(2), ENG-R3(1) and ENG-R4(1) to enable the Councils to consider "measures to avoid and minimise any potential loss of highly productive land". This matter of control could include consideration of modifying the design, location and operation of the renewable energy activity to maintain the current productive capacity of that land and</li></ul>
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			<p>protect highly productive land; and</p> <ul style="list-style-type: none"> <li>• A new matter of discretion for ENG-R1(2), ENG-R2(3), ENG-R3(2), ENG-R3(3) and ENG-R4(2) to enable the Councils to consider “the actual and potential loss of highly productive land”. This matter of discretion could include declining an application if there is likely to be a loss to highly productive land or a reduction to the productive capacity of that land.</li> </ul>
<b>Objectives</b>	Renewable energy company	A renewable energy company sought that ENG-O1 is amended to go further than “recognise and enable” and rather the objective “promote renewable energy” and require providing for an increase in renewable energy generation in order to assist in decarbonisation of the economy. Helios Energy also sought a discrete change to the objective to capture the intention to be energy self-sufficient and increase energy efficiency.	While renewable energy generation plays a critical role in the reduction of greenhouse gas emissions, this change is not considered appropriate. The use of “promote” would indicate that the District Councils are taking an active role in increasing renewable energy infrastructure, as well as requiring a very enabling rule framework for renewable electricity generation. The District Councils have not committed to this, and this would conflict with the ‘balanced’ approach that the chapter seeks to take– i.e. supportive and enabling of renewable electricity generation while ensuring the adverse effects are managed.
<b>Policies</b>	Renewable energy company	A renewable energy company noted their support for ENG-P3 (community scale REG) but sought that the matters align with ENG-P4 (large scale REG) as the same effects could occur.	Amendments have been made to ENG-P3 in line with the suggestions.
	Renewable energy company	A renewable energy company raised that there currently lacks any policy direction for providing for upgrade and maintenance of existing renewable energy infrastructure. A suggested new policy was provided that would enable upgrade and	After considering the feedback, it is agreed that maintenance as well as the operation, repair and removal of existing renewable electricity generation should be enabled. While upgrading

		<p>maintenance of existing infrastructure.</p>	<p>generally provides for technological changes and opportunities for greater electricity generation, it is considered that it would be inconsistent with the 'balanced' approach to "enable" it. In line with this, the following amendments have been made:</p> <ul style="list-style-type: none"> <li>• New ENG-P6 (operation, maintenance, repair, removal and upgrade of renewable electricity generation) that enables the operation, maintenance, repair and removal of renewable electricity generation;</li> <li>• New ENG-R2 (operation, maintenance, repair, and removal of existing renewable electricity generation) that permits the operation, maintenance, repair and removal subject to not being provided for elsewhere (the small scale or community scale renewable electricity rules) and setting a timeframe for removal of structures to ensure land can be returned to an alternative use;</li> <li>• New ENG-R3 (upgrading of existing renewable electricity generation) that sets a restricted discretionary activity status for upgrading of any renewable electricity generation, other than small scale or community scale; and</li> </ul>
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			<ul style="list-style-type: none"> <li>Amendment to ENG-R4 (Small-scale renewable electricity generation) to incorporate "including operation, maintenance, repair, and upgrading" into the rule.</li> </ul>
<b>Rules</b>	Renewable energy company	A renewable energy company consider that the non-complying status for large scale renewable energy in any other zone, other than the General Rural Zone, is too onerous. It has been suggested that large scale renewable energy in all zones is a discretionary activity.	<p>Large scale renewable energy is not anticipated within any other zone, apart from the General Rural Zone due to potential incompatibility with other activities in these zones. Non-complying status remains appropriate.</p> <p>No amendments have been made.</p>
<b>Standards</b>	Individual	<p>An individual raised concern that rules generally lack performance standards. Specifically, additional performance standards were sought in relation to:</p> <ul style="list-style-type: none"> <li>Noise;</li> <li>Light; and</li> <li>Electric and Magnetic effects.</li> </ul>	<p>Additional standards have been included for noise and light which directly cross reference to the noise and light chapters. While a submitter has requested that an additional standard for "electric and magnetic effects", there is no evidence that this is a relevant effect to manage for renewable energy activities.</p>





WAIRARAPA  
COMBINED  
DISTRICT PLAN  
**REVIEW**

*Te Mahere  
Rautaki  
a-rohe o  
Wairarapa*

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# Proposed Wairarapa Combined District Plan

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## Section 32 Evaluation Topic Report Financial Contributions

OCTOBER 2023

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## Executive summary

This Section 32 Evaluation Topic Report is focussed on financial contributions. Financial contributions are to ensure development adequately pays for the cost of the additional demand placed on community assets, such as reserves and infrastructure. They also ensure that the adverse effects from subdivision and development on the environment or on community resources are minimised, including ways of offsetting any adverse effects with a contribution toward environmental improvements. Such contributions can be in the form of money, land, works or services and may include the provision of roads and services, vesting of land for reserves or upgrades to community facilities.

The Operative Wairarapa Combined District Plan (Operative District Plan) contains provisions that require subdividers/developers are required to bear the costs of works (infrastructure, roads and open space) that are undertaken within subdivisions and developments and are necessary to enable Council provided services to be used. In addition, subdividers/developers are also required to pay a contribution (i.e. financial contributions) to Councils for costs that Councils incur in providing and upgrading Council provided services for land that is subdivided or development. The financial contribution provisions are set out in Chapter 23 of the Operative District Plan.

The review of the financial contribution provisions concluded that the current contribution requirements are no longer sufficient to meet the costs of growth and development in the districts (being additional servicing needs e.g. infrastructure, roads, and open space). The funding deficit from financial contributions is a result of increasing growth rates in the districts and increasing costs of construction. The review has considered alternative approaches for calculating financial contributions.

In addition, the review concluded there is a lack of clarity or clear methodology on how financial contributions are calculated where upgrades are required. Revised wording has been considered to provide clarity and increased certainty.

The key resource management issue for financial contributions is:

- New subdivision and development increases demand on essential infrastructure, such as reserves, water supply, wastewater disposal and roads, resulting in the need to upgrade and extend infrastructure – identifying, planning and recovering such costs over the long-term is important to sustainable management.

The Proposed Wairarapa Combined District Plan (Proposed District Plan) contains a Financial Contributions Chapter which sets out objectives, policies and rules. New

objectives and policies specific for financial contributions are proposed to provide clarity on what is to be achieved and how the contributions are to be implemented. While these are new provisions, they generally reflect the existing philosophy in the Operative District Plan (those who benefit pay). The rules for financial contributions in the Proposed District Plan continue the current requirement that developers/subdividers pay the full costs for required infrastructure for subdivision and development. In addition, it is proposed to continue the requirement that developers/subdividers contribute towards the proportional costs of upgraded infrastructure that services the subdivision or development.

Key changes in the Proposed District Plan for financial contributions are:

- Increase in the maximum amount of the district-wide reserve and transport contributions in the Rural Zones from \$7,500 per lot to \$20,000 per lot. This maximum amount is also proposed to be subject to an annual adjustment based on the BERL Local Government Cost Index. The district-wide reserve and transport contributions are also proposed to apply to all types of land use activities.
- Increase and apply the district-wide reserve contribution for all land use activities from 0.25% to 1% of the building value for each additional residential unit or equivalent residential unit for non-residential activities.
- Addition of formula setting out how the proportional/share cost infrastructure contributions are calculated.
- Change in approach and methodology for calculating the district-wide infrastructure contribution from a set \$ value approach in the District Plan (currently \$5,000 per lot) to a 'buy-in' approach calculated each year in each Councils Long Term Plan/Annual Plan process based on the formula in the District Plan. This district-wide infrastructure would apply to all subdivisions and land use activities that connect to 3-waters infrastructure.
- Increase in the district-wide transportation contribution for subdivisions in Residential, Commercial and Industrial Zones from 2% to 3% of the land value of each lot. The district-wide transport contribution is also proposed to apply to all types of land use activities based on 1% of the building value for each additional residential unit or equivalent residential unit for non-residential activities.

The Proposed District Plan will ensure that subdivision and development is appropriately serviced by infrastructure, reserves and community facilities to provide for the likely or anticipated use of the land. In addition, the continued and new rules will ensure that the costs of this infrastructure, reserves and community facilities is fairly and equitably funded, including by applying the principle of 'those who benefit pay'. In addition, the financial contributions provisions are more transparent and certain, and are designed to be simple to administer and continue a standardised approach across the Wairarapa.

It is noted that when the new Water Services Entity for the Wellington/Wairarapa region establishes, the financial contributions for water, wastewater and stormwater in the District Plan will no longer apply.

## 1.0 Introduction

This Section 32 Evaluation Topic Report contains a section 32 evaluation of the objectives, policies, and methods relating to financial contributions in the Proposed District Plan.

The purpose of the financial contributions provisions are to ensure development adequately pays for the cost of the additional demand placed on community assets, such as reserves and infrastructure. They also ensure that the adverse effects from subdivision and development on the environment or on community resources are minimised, including ways of offsetting any adverse effects with a contribution toward environmental improvements. Such contributions can be in the form of money, land, works or services and may include the provision of roads and services, vesting of land for reserves or upgrades to community facilities.

The review of the financial contribution provisions concluded that the current contribution requirements are no longer sufficient to meet the costs of growth and development in the districts (being additional servicing needs e.g. infrastructure, roads, and open space). The funding deficit from financial contributions is a result of increasing growth rates in the districts and increasing costs of construction. The review has considered alternative approaches for calculating financial contributions.

In addition, the review concluded there is a lack of clarity or clear methodology on how financial contributions are calculated where upgrades are required. Revised wording has been considered to provide clarity and increased certainty.

This report sets out the statutory and policy context for financial contributions, identifies key resource management issues, consultation, and the evaluation of this topic to decide on the proposed provisions.

This report should be read in conjunction with the Section 32 Evaluation Overview and Strategic Directions Report and the following section 32 evaluation topic reports:

Report	How does this topic relate to the financial contributions provisions
Subdivision Section 32 Report	The Subdivision Section 32 Report sets out the evaluation for servicing requirements for subdivision which is related to financial contributions, in particular upgrades to existing infrastructure.

Report	How does this topic relate to the financial contributions provisions
Transportation Section 32 Report	The Transportation Section 32 Report sets out the evaluation for transport requirements for land use and subdivision which is related to financial contributions, in particular upgrades to existing transport infrastructure.

## 2.0 Statutory and policy context

### 2.1 Resource Management Act

As set out in the Section 32 Evaluation Overview and Strategic Directions Report, an evaluation is required of how the proposal achieves the purpose and principles in Part 2 of the RMA. This requires consideration of sections 5 to 8 of the RMA.

Section 5 sets out the purpose of the RMA which is to promote sustainable management of natural and physical resources. This section is set out in more detail in the Section 32 Evaluation Overview and Strategic Directions Report.

Section 7 requires all persons exercising functions and powers under the RMA, in relation to managing the use, development, and protection of natural and physical resources, to have particular regard to a range of matters. The section 7 matters relevant to financial contributions are:

Section	Relevant matter
Section 7(b)	<i>the efficient use and development of natural and physical resources</i> The requirement of financial contributions seek to ensure that physical infrastructure (resource) such as roads, parks and water services infrastructure can continue to operate and develop efficiently.
Section 7(c)	<i>the maintenance and enhancement of amenity values</i> Requiring financial contributions to provide reserves and infrastructure that are intended to maintain the amenity values and quality of the environment.
Section 7(f)	<i>maintenance and enhancement of the quality of the environment</i> Requiring financial contributions to provide reserves and infrastructure that are intended to maintain the amenity values and quality of the environment.

Section 108 of the RMA sets out the conditions that may be imposed on resource consents. Section 108(2)(a) provides that financial contributions may be required in relation to subdivision and development. Section 108(9) defines that a financial contribution means a contribution of money, land, or a combination of both. To impose financial contributions, Section 108(10) requires District Plans to state:

- The circumstances when a financial contribution is required;
- The manner for determining the level (amount) of contribution; and
- The purpose for which the contribution will be used.

Further to the ability to impose a financial contribution as a condition of resource consent, District Plans may also specify that financial contributions are payable in respect of permitted activities (section 77E).

## 2.2 National direction

### 2.2.1 National Policy Statements

The National Policy Statements relevant to this topic are:

NPS	Relevant Objectives / Policies
National Policy Statement on Urban Development 2020	The National Policy Statement on Urban Development seeks to establish well-functioning urban environments that respond to the changing needs of people, communities and future generations. Financial contributions contribute towards implementing this objective by providing for works, services and money towards upgrading or extending infrastructure and community assets to meet the demands of current and future generations.

### 2.2.2 National Environmental Standards

There are no National Environmental Standards of direct relevance to this topic.

### 2.2.3 National Planning Standards

The National Planning Standards are silent on how financial contributions fit into the District Plan structure. As financial contributions are typically associated with subdivision, the financial contributions chapter has been grouped with the subdivision chapter.

### 2.2.4 National guidance documents

There is no national guidance relevant to this topic.

## 2.3 Regional direction

### 2.3.1 Regional Policy Statement for the Wellington Region

The Wellington Regional Policy Statement (RPS) provides an overview of the resource management issues for the Wellington Region and sets out policies and methods to manage these issues. There are no specific policies relating to financial contributions in the Wellington RPS. However, there are some objectives and policies that provide

direction on coordinating and integrating land use development and infrastructure, including Policy 57 and Policy 58.

## 2.3.2 Natural Resources Plan

The NRP does not contain any specific provisions relating to financial contributions. Infrastructure and services developed as part of subdivision and land use development would need to comply with the requirements of the NRP.

## 2.4 Wairarapa policies, plans and strategies

### 2.4.1 Iwi Management Plans

There are currently no iwi management plans relevant to the Wairarapa.

### 2.4.2 Statutory Acknowledgements

As outlined in the Section 32 Evaluation Overview and Strategic Directions Report and identified in Appendices APP1 and APP2 to the Proposed District Plan, there are several statutory acknowledgement areas within the districts. Any application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area the consent authority must have regard to the statutory acknowledgement and provide notice to the relevant trustees.

### 2.4.3 Any other relevant local plans or strategies

The following plans or strategies are relevant to this topic:

Plan / Strategy	Organisation	Relevant Provisions
South Wairarapa Spatial Plan 2021	South Wairarapa District Council	<p>The Spatial Plan sets out the long term direction for the South Wairarapa district, protecting what is valued by communities while responding to change, growth and new opportunities.</p> <p>The Spatial Plan informs the Long Term Plan, District Plan and Infrastructure Strategy and Plans by identifying where and when new development is planned, including provision of infrastructure. The Spatial Plan provides a foundation for future infrastructure and community assets that need to be developed to support development, which in turn is the basis for financial contributions.</p>
Masterton Parks and Open Spaces Strategy 2021	Masterton District Council	This Strategy sets out the future needs for parks and open spaces in the Masterton district. These needs include providing for the reserve and

Plan / Strategy	Organisation	Relevant Provisions
		open spaces due to demand created by subdivision and development.
Council Long Term Plans	Masterton, Carterton and South Wairarapa District Councils	Each Councils Long Term Plan set outs the Council's activities, community outcomes, and funding and financial management information for a 10 year period. This information includes the planned expenditure on capital works, including for growth. It also includes planned revenue from financial contributions.

## 2.5 Other legislation or regulations

The following additional legislative / regulatory requirements are also relevant to this topic:

Legislation / Regulation	Relevant Provisions
Local Government Act 2002	Section 106 of the Local Government Act 2002 sets out the requirements for a policy on development contributions or financial contributions. Includes the requirement to summarise financial contributions in the district plan if they are applied.
Water Services Entities Act 2022 and Water Services Legislation Bill	<p>Under the Water Services Entities Act 2022, from 1 July 2024 (subsequently deferred to an unknown later date) drinking water, wastewater, and stormwater services would be provided by ten publicly owned water services entities (WSEs), in place of the 67 territorial authorities that currently provide these services. The Water Services Legislation Bill sets out the functions, powers, obligations, and over-sight arrangements of the WSEs.</p> <p>Section 350 of the Water Services Legislation Bill it states on or after 1 July 2024 (subsequently deferred to an unknown later date) territorial authorities may not require financial contributions to fund infrastructure or other assets that the water services entity holds, including infrastructure or other assets transferred from the territorial authority to a water services entity.</p> <p>Under the Water Services Legislation Bill, in place of financial contributions (or development contributions), water services entities may require water infrastructure contributions to fund capital expenditure to service additional or increased demand on water services infrastructure.</p>

## 3.0 Issues analysis

### 3.1 Background

As further subdivision occurs and new activities are established within the Wairarapa, the existing infrastructure and amenities come under pressure. Financial contributions are a way of ensuring that any adverse effects from subdivision and development on the environment or on community resources are minimised, including ways of offsetting any adverse effects with a contribution toward environmental improvements.

### 3.2 Evidence base

The Councils have reviewed the Operative District Plan, utilising internal experts and community feedback to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions. The following sections outline this evidence.

#### 3.2.1 Analysis of Operative District Plan provisions

##### 3.2.1.1 Overview of Operative District Plan provisions

The Operative District Plan identifies the following significant resource management issue in relation to financial contributions:

- New subdivision and development increases demand on essential infrastructure, such as reserves, water supply, wastewater disposal and roads, resulting in the need to upgrade and extend infrastructure – identifying, planning and recovering such costs over the long-term is important to sustainable management.

To address this issue, the Operative District Plan includes the following objective:

- 18.3.7 Objective SLD3 - To maintain sustainable and efficient public infrastructure that meets the additional demand generated by development and subdivision, while avoiding, remedying or mitigating adverse effects on the environment.

To achieve this objective, the Operative District Plan contains a series of policies (18.3.8) and rules (Section 23) requiring financial contributions towards new, upgraded or extended infrastructure. The existing financial contributions rules can be grouped into three types:

- Actual costs: The developer/subdivider to pay the full and actual costs of installing 3-waters services and constructing roads/access within the

subdivision or development. In addition, the full and actual costs of connecting the subdivision or development to the existing Council 3-waters services and roads. These connecting costs may include localised upgrading to existing 3-waters services and/or roads (e.g. localised road widening, larger water main pipe).

- Shared costs: The developer/subdivider to pay a proportion (share) of the costs of upgrading existing 3-waters services and roads to service the subdivision or development. This share of the upgrading costs is calculated for each subdivision or development based on the proportion of lots/residential units in the subdivision or development for the total upgrade cost.
- District-wide costs: The developer/subdivider to pay a contribution towards the costs of upgrading of the wider infrastructure and community amenities due to the cumulative effects of each subdivision or development.

### 3.2.1.2 State of the environment monitoring

Council officers have indicated that the current financial contributions rates in the District Plan are no longer sufficient to meet the costs of growth and development in the districts (being additional servicing needs e.g. infrastructure, roads, and open space). The anticipated shortfall is a result of increasing growth rates in the districts and increasing costs of construction. This reduces Council's ability to provide essential community infrastructure and services now and in the future. As financial contributions are contained in the District Plan, changing the financial contributions rates to cover increasing costs currently requires a plan change or review process.

A deficit has been identified between the level of financial contributions being collected and the forecasted financial contribution rates required to fund capital works for development and growth. The following information was taken from Wairarapa Councils' Annual Reports and Long-term Plans in 2021, which provides some illustration of the shortfall anticipated at the time. More detailed information is contained in Appendix 1. In acquiring land for new reserves, these are typically strategic purchases that arise when land comes to market. Therefore, reserve contributions are added to the reserve acquisition budget which is used as and when these acquisition opportunities arise. Similarly, transport and 3-waters upgrade projects are programmed in response to development. Infrastructure upgrade projects are added to the Council's work programme over time, therefore increasing planned expenditure over time.

**Table 1: Total Financial Contributions Received 2015-2021 (Source: MDC, CDC, SWDC Annual Reports)**

	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
Masterton District Council	\$0.42m	\$0.56m	\$2.18m	\$1.76m	\$2.03m	\$2.41m	\$2.86m
Carterton District Council	\$0.43m	\$0.66m	\$0.62m	\$0.67m	\$0.84m	\$1.06m	\$1.23m

South Wairarapa District Council	\$0.6m	\$1.08m	\$1.53m	\$1.48m	\$1.12m	\$2.1m	\$2.77m
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**Table 2: Total Forecasted Financial Contributions Required 2021-2031 (Source: MDC, CDC, and SWDC Long-term Plans 2021-2031, revised with Annual Plan re-forecasts)**

	2021/22	2022/23	2023/24	2024/25	2025/26 – 2030/31
Masterton District Council	\$3.0m	\$2.0m	\$6.7m	\$0.4m	\$9.0m (\$1.5m per annum)
Carterton District Council	\$0.59m	\$0.6m	\$0.61m	\$0.62m	\$3.88m (average of \$0.65m per annum)
South Wairarapa District Council	\$1.3m	\$1.38m	\$1.41m	\$1.45m	\$9.55m (average of \$1.6m per annum)

### 3.2.1.2.1 Case Study: Martinborough Wastewater Treatment Plant

The current situation with a pause being put on applications for new wastewater connections in Martinborough highlights the importance of integration between land use planning and infrastructure (see the Council's website for further background and information - [swdc.govt.nz/martinborough-wwtp/](http://swdc.govt.nz/martinborough-wwtp/)). This situation is an example of the resource management issue for financial contributions - "new subdivision and development increases demand on essential infrastructure, such as reserves, water supply, wastewater disposal and roads, resulting in the need to upgrade and extend infrastructure – identifying, planning and recovering such costs over the long-term is important to sustainable management".

Financial contributions are one funding source South Wairarapa District Council may use for upgrade works to remove the capacity constraints in the existing wastewater treatment plant.

### 3.2.1.3 Effectiveness of the Operative District Plan approach

The following issues have been identified with the effectiveness of the Operative District Plan:

Issue	Comment
Issue 1: Lack of clarity on calculating share (proportional) contributions	<ul style="list-style-type: none"> <li>Operative District Plan requires contributions towards the localised upgrade of infrastructure and community amenities. However, the current provisions lack clarity on how these share contributions are calculated.</li> </ul>
Issue 2: Insufficient district-wide contributions	<ul style="list-style-type: none"> <li>Operative District Plan requires district-wide contributions towards the costs of upgrading of the wider infrastructure and community amenity. The amount of existing contributions is below the costs of these upgrades, meaning infrastructure is not meeting the needs of current or future generations.</li> </ul>

### 3.2.2 Advice received from Iwi

Section 32(4A) of the RMA requires evaluation reports prepared in relation to a proposed plan to include a summary of:

- All advice received from iwi authorities concerning the proposal; and
- The response to that advice, including any proposed provisions intended to give effect to the advice.

Under Clause 4A of Schedule 1 of the RMA local authorities are also required to:

- Provide a copy of any draft policy statement or plan to any iwi authority previously consulted under clause 3 of Schedule 1 prior to notification;
- Allow adequate time and opportunity for those iwi authorities to consider the draft and to supply advice; and
- Have particular regard to any advice received before notifying the plan.

No specific advice has been received from Rangitāne o Wairarapa or Ngāti Kahungunu ki Wairarapa regarding this topic and the proposed provisions evaluated within this report.

### 3.2.3 Consultation

Consultation through each Councils Long Term Plan and Annual Plan processes has been relied on to inform the review of the financial contribution provisions. This consultation relates to the funding and capital works programme for growth related works. Community feedback through these plan processes was that benefactors should pay.

## 3.3 Summary of issues

The statutory and policy context and available evidence outlined above identified few issues, therefore a discrete review, focussing on discrete issues, was considered appropriate.

Based on the research, analysis and consultation outlined above the following issues have been identified with respect to the effectiveness of the Operative District Plan:

- Issue 1: Lack of clarity on calculating share (proportional) contributions
- Issue 2: Insufficient district-wide contributions to meet costs of upgrading infrastructure and community facilities.

The review has confirmed that the significant resource management issues relating to financial contributions are the same as identified in the Operative District Plan. The significance of the issue is also largely unchanged, although the increase in subdivision and development activity has increased the scale and magnitude of the adverse effects on infrastructure and community facilities.

The following resource management issues have been identified:

Issue	Comment
Issue 1: Subdivision and development adverse effects on infrastructure and community facilities.	<ul style="list-style-type: none"> <li>New subdivision and development increases demand on essential infrastructure, such as reserves, water supply, wastewater disposal and roads, resulting in the need to upgrade and extend infrastructure – identifying, planning and recovering such costs over the long-term is important to sustainable management.</li> </ul>

## 4.0 Scale and significance

### 4.1 Evaluation of scale and significance

Under section 32(1)(c) of the RMA, this evaluation report needs to contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

This section assesses the scale and significance of the signs provisions to determine the level of analysis required.

	Low	Medium	High
Degree of change from the Operative District Plan		✓	
Effects on matters of national importance	✓		
Scale of effects - geographically		✓	
Scale of effects on people e.g. landowners, neighbourhoods, future generations		✓	
Scale of effects on those with specific interests e.g. tangata whenua	✓		
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?	✓		
Likelihood of increased costs or restrictions on individuals, communities or businesses		✓	

In summary:

- The degree of change from the Operative District Plan is medium. The provisions are generally similar to those in the Operative District Plan relating to actual and shared cost contributions, while some of the district-wide contributions are increased.
- The proposal does not directly relate to any s6 matters of national importance.

- The provisions apply district-wide and affect those who undertake subdivisions or developments.
- There is little specific national or regional direction relating to financial contributions.
- Costs relate to increased financial costs on subdividers and developers.

Overall, it is considered that the scale and significance of the proposal is low to medium.

## 4.2 Quantification of benefits and costs

Section 32(2)(b) requires that, where practicable, the benefits and costs of a proposal are to be quantified.

Specific quantification of all benefits and costs associated with the Proposed District Plan is considered neither practicable nor readily available. In general, a qualitative assessment of costs and benefits associated with the Proposed District Plan is considered sufficient, and this is provided for in the assessment of policies, rules and other methods contained in section 7.0 of this report. However, where practicable and considered appropriate to supporting the evaluation, some of the benefits or costs associated with the Proposed District Plan have been quantified. The identification of costs and benefits has been informed by the body of evidence outlined in section 3.0 of this report.

## 5.0 Proposed provisions

### 5.1 Strategic directions

The following objectives from the Strategic Direction chapter of the Proposed District Plan are relevant to financial contributions:

<b>NE-O3</b>	<b>Open space</b>
<p>The Wairarapa community has access to a diverse range of open spaces within which:</p> <ol style="list-style-type: none"> <li>1. there is a wide range of recreational opportunities and experiences; and</li> <li>2. areas with natural, ecological, and landscape values, and sites of significance to tangata whenua are protected.</li> </ol>	
<b>UFD-O2</b>	<b>Urban growth</b>
<p>The Wairarapa's urban areas grow in a planned, efficient, and structured way to meet future needs in a responsive manner that:</p> <ol style="list-style-type: none"> <li>1. provides for a variety of housing types that respond to a range of community needs;</li> </ol>	

2. enables greater densities of development in areas with sufficient infrastructure capacity and located close to centres, services, open spaces and/or public transport;	
3. is compatible with the character and amenity of the urban areas.	
<b>UFD-O4</b>	<b>Infrastructure capacity</b>
Urban growth and development is integrated with the efficient provision, including the timing and funding, of infrastructure.	
<b>INF-O1</b>	<b>Infrastructure</b>
The benefits of infrastructure are recognised, while ensuring its adverse effects are well managed, and infrastructure is protected from incompatible land use, subdivision and development, including reverse sensitivity effects.	

These objectives are relevant to financial contributions as they recognise the importance and role of infrastructure and open space to supporting the wellbeing of local communities, and the need for integration of development and infrastructure.

These objectives are evaluated in the Section 32 Evaluation Overview and Strategic Directions Report.

## 5.2 Overview of proposed provisions

The proposed provisions relevant to this topic are set out in detail in the Proposed District Plan and should be referenced in conjunction with this evaluation report.

The proposed approach applies financial contributions to subdivision, development and land use activities. Financial contributions are required for reserve, 3-waters and transportation purposes.

The overall approach is a continuation of the existing approach which is based on three types of contributions:

- **Actual costs:** The developer/subdivider to pay the full and actual costs of installing 3-waters services and constructing roads/access within the subdivision or development. In addition, the full and actual costs of connecting the subdivision or development to the existing Council 3-waters services and roads. These connecting costs may include localised upgrading to existing 3-waters services and/or roads (e.g. localised road widening, larger water main pipe).
- **Shared costs:** The developer/subdivider to pay a proportion (share) of the costs of upgrading existing 3-waters services and roads to service the subdivision or development. This share of the upgrading costs is calculated for each subdivision or development based on the proportion of lots/residential units in the subdivision or development for the total upgrade cost.
- **District-wide costs:** The developer/subdivider to pay a contribution towards the costs of upgrading of the wider infrastructure and community amenities due to the cumulative effects of each subdivision or development.

Specific requirements in the shared costs and district-wide costs are either clarified or proposed to increase.

In summary, the proposed provisions are contained in the Financial Contributions chapter and include:

- Two objectives that:
  - Maintain sustainable and efficient infrastructure, reserves and community facilities to meet the additional demand; and
  - Ensure that subdivision and development is appropriately serviced by infrastructure, reserves and community facilities.
- Six policies that seek to:
  - FC-P1: Require subdividers/developers to meet the full costs for required infrastructure for subdivision and development;
  - FC-P2: Require subdividers/developers to contribute towards the proportional costs for existing infrastructure;
  - FC-P3: Require subdividers/developers to contribute towards the proportional costs for new infrastructure;
  - FC-P4: Require subdividers/developers to pay a fair and equitable contribution towards the district-wide costs for infrastructure;
  - FC-P5: Require subdividers/developers to pay a fair and equitable contribution towards the district-wide costs for reserves and community facilities;
  - FC-P6: Provide an annual review of district-wide contributions.
- A rule framework for financial contributions as follows:
  - Exemptions from the financial contributions where additional demand is not created or contributions have already been made;
  - Permitted Activity rules for:
    - Land use activities and subdivision where contributions are made in compliance with the standards.
  - Restricted Discretionary Activity rules for:
    - Land use activities and subdivision where contributions are not made in compliance with the standards.
- Standards that address:
  - FC-S1: Reserve contribution amount, circumstances, purpose and timing. Includes increased maximum district-wide contribution for reserves and transport in the Rural Zone from \$7,500 per lot to \$20,000 per lot. This maximum contribution is also proposed to be subject to an annual adjustment based on the BERL Local Government Cost Index. Also an increase in the district wide reserve contribution for land use activities from 0.25% to 1% of the value of each additional residential unit. It is also proposed to apply reserve contributions to all types of

land use activities, and for non-residential activities, the contribution is based on 1% of the value of residential equivalent unit;

- FC-S2: Water, wastewater and stormwater infrastructure contribution amount, circumstances, purpose and timing. Includes a new formula for calculating the share/proportional contribution towards localised infrastructure upgrades. Also a new approach for calculating the district wide infrastructure contribution from the set \$5,000 per lot approach to the buy-in approach with the \$ value to be set in each Councils Long Term Plan/Annual Plan each year.
- FC-S3: Transport contribution amount, circumstances, purpose and timing. Includes increased maximum district-wide contribution for reserves and transport in the Rural Zone from \$7,500 per lot to \$20,000 per lot. This maximum contribution is also proposed to be subject to an annual adjustment based on the BERL Local Government Cost Index. Also an increase in the district wide transport contribution for subdivision in the Residential, Commercial and Industrial Zones from 2% to 3% of the land value of each lot. It is also proposed to apply transport contributions to all types of land use activities, with the contribution for residential activities based on 1% of the value of each additional residential unit and for non-residential activities, the contribution is based on 1% of the value of residential equivalent unit

In Appendix 2 are a series of subdivision and development scenarios comparing the district-wide financial contributions under the Operative District Plan and Proposed District Plan. Note, for the district-wide 3-waters contributions, they are based on 2021/22 asset valuations and number of connections. In addition, an arbitrary 'adjustment factor' has been applied to each Council for illustrative purposes only. The basis for the arbitrary adjustment factor in these scenarios is to achieve district-wide 3-waters contributions of similar amounts across the three Wairarapa districts.

### 5.3 Other relevant objectives

There are other objectives in the Proposed District Plan relevant to financial contributions. In particular the objectives relating to subdivision and development.

The key other relevant objectives are:

- SUB-O1 Subdivision and development design
- SUB-O2 Servicing
- SUB-O3 Future development
- FUZ-O1 Purpose of the Future Urban Zone

### 5.4 Other methods

Other methods of key relevance to financial contributions are:

- Council Long Term Plans/Annual Plans which set out the funding and expenditure on capital works for extending or upgrading infrastructure and community facilities to accommodate subdivision and development.
- Other statutory or non-statutory strategy or planning documents determining the infrastructure and community facility investments and requirements to service future demand.

## 6.0 Evaluation of the proposed objectives

Section 32(1)(a) of the RMA requires an evaluation to examine the extent to which the objectives proposed are the most appropriate way to achieve the purpose of the RMA. The level of detail must correspond to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.

This section of the report evaluates the objectives proposed for the financial contributions chapter.

An examination of the proposed objectives along with reasonable alternatives is included below, with the relative extent of their appropriateness based on an assessment against the following criteria:

1. Relevance (i.e. Is the objective related to addressing resource management issues and will it achieve one or more aspects of the purpose and principles of the RMA?)
2. Usefulness (i.e. Will the objective guide decision-making? Does it meet sound principles for writing objectives (i.e. does it clearly state the anticipated outcome?)
3. Reasonableness (i.e. What is the extent of the regulatory impact imposed on individuals, businesses or the wider community? Is it consistent with identified tangata whenua and community outcomes?)
4. Achievability (i.e. Can the objective be achieved with tools and resources available, or likely to be available, to the Councils?)

While not specifically required under section 32 of the RMA, in some instances alternative objectives are also considered to ensure that the proposed objective(s) are the most appropriate to achieve the purpose of the RMA.

<b>Proposed Objectives</b>	
<p>FC-O1 Infrastructure meets additional demand</p> <p>Maintain sustainable and efficient infrastructure, reserves and community facilities to meet the additional demand generated by subdivision and development and to avoid, remedy, or mitigate adverse effects on the environment.</p> <p>FC-O2 Servicing subdivision and development</p> <p>Ensure that subdivision and development is appropriately serviced by infrastructure, reserves and community facilities to provide for the likely or anticipated use of the land and that the costs of this infrastructure, reserves and community facilities is fairly and equitably funded.</p>	
<b>Alternatives considered</b>	
<p>Status quo (operative District Plan)</p> <p>Subdivision linked objectives, with no specific objective(s) for financial contributions</p>	
<b>Appropriateness to achieve the purpose of the RMA</b>	
<p>Appropriateness of Proposed Objective (relevance, usefulness, reasonableness, achievability)</p>	<ul style="list-style-type: none"> <li>• The proposed objectives directly address the relevant resource management issues and ensure that the adverse effects of subdivision and development increasing demand on infrastructure and community amenities are appropriately managed through recovering costs.</li> <li>• The objectives ensure that the distribution of costs of upgrading or providing new infrastructure is fair and reasonable.</li> <li>• The proposed objectives clearly set the outcomes anticipated by the plan and the expectations for subdivision and development.</li> <li>• The objectives are directly linked to the function of s31(1)(a) of achieving integrated management of the effects of the use and development of land.</li> <li>• The objectives will ensure that costs are reasonably estimated and shared, and that ratepayers are not required to meet the cost of servicing new development.</li> <li>• The objectives are achievable as the approach is well understand, uses existing tools and systems, and within the Council's statutory powers.</li> </ul>
<p>Appropriateness of Status Quo (relevance, usefulness, reasonableness, achievability)</p>	<ul style="list-style-type: none"> <li>• The objectives in the Operative District Plan are very similar to the proposed objectives. The key difference is the objectives in the Operative District Plan are grouped with subdivision and land development provisions, and not directly with the financial contribution provisions.</li> </ul>
<b>Preferred option and reasons</b>	
<p>The proposed objectives are the most appropriate means of achieving the purpose of the Act because:</p> <ul style="list-style-type: none"> <li>• Address the resource management issues identified.</li> <li>• Achieve the purpose of the RMA to manage resources to enable people and communities to provide for their wellbeing and health and safety while managing adverse effects of activities on the environment. In addition, ensures the subdivision and development is</li> </ul>	

appropriated serviced by infrastructure and communities amenities, therefore meeting the environmental, social, cultural and economic wellbeing of the community.

- Ensuring integration of subdivision and development with infrastructure.
- While the objectives are likely to increase the cost of subdivision and development, they do not impose costs on the wider community.
- The costs arising from the objectives will be fair and relate to the effect of subdivision and development on existing and new infrastructure.

## 7.0 Evaluation of proposed provisions

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

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

### 7.1 Evaluation

For each potential approach an evaluation has been undertaken relating to the costs, benefits and the certainty and sufficiency of information (as informed by section 4.0 of this report) in order to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objective(s).

## 7.1.1 Provisions to achieve objectives relating to financial contributions

Under section 32(1)(b)(ii) of the RMA, reasonably practicable options to achieve the objective(s) associated with this proposal need to be identified and examined.

As described in Section 3 of this report, the policies and rules in the Operative District Plan are effective and efficient apart from a lack of clarity on calculating share (proportional) contributions and insufficient district-wide contributions. To address the lack of clarity on calculating the share cost contributions, it is proposed to add formula to the Proposed District Plan to make these calculations certain.

To address the issue of insufficient district-wide contributions, the options considered reasonably practicable for achieving the objectives of the Proposed District Plan are:

- Option 1: The proposed provisions
- Option 2: Retaining the status quo – Operative District Plan policies and rules

<p><b>FC-O1 Infrastructure meets additional demand</b> Maintain sustainable and efficient infrastructure, reserves and community facilities to meet the additional demand generated by subdivision and development and to avoid, remedy, or mitigate adverse effects on the environment.</p> <p><b>FC-O2 Servicing subdivision and development</b> Ensure that subdivision and development is appropriately serviced by infrastructure, reserves and community facilities to provide for the likely or anticipated use of the land and that the costs of this infrastructure, reserves and community facilities is fairly and equitably funded.</p>		
<p><b>Option 1: Proposed approach (recommended)</b></p>	<p><b>Costs</b></p>	<p><b>Benefits</b></p>
<p>Financial contributions chapter containing: Six policies relating to:</p> <ul style="list-style-type: none"> <li>• Full costs for required infrastructure</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect costs have been identified.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Increased costs on subdividers/developers with the increased district-wide transport contribution, likely increased district-wide 3-waters contributions and increase in maximum cap for</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Effects of subdivision and development on infrastructure and community facilities are mitigating, in turn resulting in high quality environment.</li> </ul>

<ul style="list-style-type: none"> <li>• Proportional costs for existing infrastructure</li> <li>• Proportional costs for new infrastructure</li> <li>• District-wide contributions for infrastructure, reserves and community facilities</li> <li>• Annual review of district-wide contributions</li> </ul> <p>Rules and standards requiring financial contributions, including:</p> <ul style="list-style-type: none"> <li>• Actual costs for infrastructure within the subdivision or development</li> <li>• Proportional (shared) costs for existing or new infrastructure</li> <li>• District-wide contributions for reserves and</li> </ul>	<p>reserve and transport contribution for the Rural Zone.</p> <ul style="list-style-type: none"> <li>• If increased costs on subdividers/developers reduce the amount of subdivision or development activity, potential negative flow on impact on economic growth and employment opportunities associated with subdivision and development.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect costs have been identified.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect costs have been identified.</li> </ul>	<ul style="list-style-type: none"> <li>• Higher provision for infrastructure and community facilities will allow more open space to be provided and other environmental improvements.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Council and ultimately, the community, benefit from the collection of financial contributions to offset or mitigate the effects of subdivision and development. The costs of mitigating effects on infrastructure and community facilities will fall more fairly on subdividers/developers and less on ratepayers.</li> <li>• Better quality and higher capacity infrastructure and community facilities can accommodate future subdivision and development, leading to potential positive economic growth and employment opportunities.</li> <li>• More certain provisions reduce administrative and compliance costs.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Increased capacity and better quality infrastructure and community facilities can be provided. Community well-being and health will be improved by more and better quality infrastructure and community facilities provision and management.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect benefits have been identified.</li> </ul>
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<p>transport calculated based on land value with an annual review</p> <ul style="list-style-type: none"> <li>District-wide contributions for 3-waters based on a 'buy-in' model reviewed annually</li> </ul>		
<p><b>Effectiveness and efficiency</b></p>	<p>The proposed provisions are considered to be the most effective method for meeting the objectives as they provide certainty and clarity on how financial contributions are to be calculated. The approach is administratively simple and standardised and can be applied across the three Districts. The increased amounts for some financial contributions will be more effective at delivering the infrastructure and community facilities to mitigate the adverse effects from subdivision and development. The increased contributions will be more effective at ensuring costs more fairly fall on those benefitting from subdivision and development. Overall, the benefits of this option are considered to outweigh the benefits.</p>	
<p><b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b></p>	<p>It is considered that there is certain and sufficient information on which to base the proposed policies and methods based on the state of the environment monitoring, District Plan effectiveness review and knowledge of council staff.</p>	
<p><b>Overall evaluation</b></p>	<p>This option is the most appropriate approach to achieve the objectives, since it most appropriately maintains sustainable and efficient infrastructure, reserves and community facilities to meet the additional demand generated by subdivision and development and to avoid, remedy, or mitigate adverse effects on the environment. This is achieved through a combination of financial contributions applied to subdivision and development.</p>	
<p><b>Option 2: Status Quo - Operative District Plan</b></p>	<p><b>Costs</b></p>	<p><b>Benefits</b></p>
<p>Financial contributions provisions within subdivision and land</p>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>Adverse effects including reduced level of service of infrastructure or community facilities where</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>No direct or indirect costs have been identified.</li> </ul> <p><b>Economic</b></p>

<p>development chapter containing:</p> <p>Three policies relating to:</p> <ul style="list-style-type: none"> <li>• Full costs for required infrastructure</li> <li>• Proportional costs for existing and new infrastructure</li> <li>• District-wide contributions for infrastructure, reserves and community facilities</li> </ul> <p>Rules and standards requiring financial contributions, including:</p> <ul style="list-style-type: none"> <li>• Actual costs for infrastructure within the subdivision or development</li> <li>• Proportional (shared) costs for existing or new infrastructure</li> </ul>	<p>capacity is exceeded from additional demand which is not mitigated by upgrades.</p> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• If infrastructure is upgraded, greater portion of the costs funded by ratepayers, therefore higher costs on ratepayers.</li> <li>• Poorer quality and lower capacity infrastructure and community facilities can accommodate less future subdivision and development, leading to potential negative economic growth and employment opportunities.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• No or small increase in capacity and lower quality infrastructure and community facilities is provided. Community well-being and health will be diminished by lower capacity and poorer quality infrastructure and community facilities provision and management.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect costs have been identified.</li> </ul>	<ul style="list-style-type: none"> <li>• Lower costs on subdividers/developers towards the upgrade or extension of infrastructure and community facilities.</li> <li>• Lower costs on subdividers/developers could increase the amount of subdivision or development activity, potential positive flow on impact on economic growth and employment opportunities associated with subdivision and development.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect benefits have been identified.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect benefits have been identified.</li> </ul>
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<ul style="list-style-type: none"> <li>• District-wide contributions for reserves and transport calculated based on land value</li> <li>• District-wide contributions for 3-waters based on a fixed amount</li> </ul>		
<b>Effectiveness and efficiency</b>	<p>While the existing financial contribution provisions are largely operating effectively, issues have been identified with the lack of clarity of calculating the proportional cost contributions and insufficient funding from the district-wide contributions. This ineffectiveness and inefficiency is resulting in infrastructure not being upgraded to meet demand or an unfair and unreasonable costs incurred by ratepayers.</p>	
<b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b>	<p>It is considered that there is certain and sufficient information on which to base the existing policies and methods based on the state of the environment monitoring, District Plan effectiveness review and knowledge of council staff.</p>	
<b>Overall evaluation</b>	<p>This option is not as effective or efficient as Option 1: Proposed approach. While the existing provisions are largely operating effectively, issues have been identified with the lack of clarity of calculating the proportional cost contributions and insufficient funding from the district-wide contributions. This ineffectiveness and inefficiency is resulting in infrastructure not being upgraded to meet demand or an unfair and unreasonable costs incurred by ratepayers.</p>	

### 7.1.1.1 Method for Calculating District-Wide 3-Waters Infrastructure Contribution

In addition to the above overall evaluation of the approach for financial contributions, the method for calculating the district-wide 3-waters infrastructure contribution has been reviewed. As identified above, the review of the Operative District Plan concluded that the

existing district-wide 3 waters contribution was not providing sufficient funding and is resulting in adverse effects on the efficient operation of infrastructure and community facilities. These adverse effects arise from the cumulative effects of multiple subdivisions and developments serviced by the infrastructure and community facilities.

Given this conclusion, the following reasonably practicable options have been considered for calculating the district-wide 3-waters contribution:

- Option 1: The proposed provisions (buy-in model with annual review)
- Option 2: Retaining the status quo – Operative District Plan (assumed level of growth and infrastructure)

#### 7.1.1.1.1 Summary of Option 1: The proposed provisions (buy-in model with annual review)

Option 2 'Buy-In Model with Annual Adjustment' applies an approach for calculating the financial contributions based on the value of each type of infrastructure and number of connections to this infrastructure in each district. This approach addresses the cumulative impact on the existing network and is based on 'buying in' to the existing network. Effectively this contribution ('buy in') then entitles the contributor (subdivider/developer) to use of the network as with existing ratepayers in the District and enables Council to increase the capacity of the network to meet the increasing demand for services. The approach is based on the following formula.

$$\$A \times [B/B+C]$$

Where:

- A = the replacement value of the specific reticulation system after adjustment for capital expenditure in this activity at the time the connection is sought;
- B = the number of residential equivalent connections to be added to that reticulation system (technical detail provided), and;
- C = the total number of existing connections to that reticulation system.

The formulae as stated above is adjusted (calculated) annually based on the latest valuation of the asset as at 1 July, multiplied by an adjustment factor to provide a discount to the level of contribution charged. The purpose of the adjustment factor is to enable Council to annually adjust the level of the contribution in response to the level of development activity within the District. The adjustment factor and the contribution amounts are set annually through the Long Term Plan/Annual Plan process and advertised through the Schedule of Fees and Charges. The application of this formula for district-wide 3-waters contributions is contained in Appendix 3 based on

2021/22 asset valuations and number of connections. The calculations in Appendix 3 are applied in the scenarios for district-wide financial contributions in Appendix 2. As noted earlier in this report, an arbitrary 'adjustment factor' has been applied to each Council for illustrative purposes only in Appendix 2. The basis for the arbitrary adjustment factor in these scenarios is to achieve district-wide 3-waters contributions of similar amounts across the three Wairarapa districts.

### 7.1.1.1.2 Summary of Option 2: Retaining the status quo – Operative District Plan (assumed level of growth and infrastructure)

Option 1 is the status quo approach. This approach is based on estimating the costs of upgrading or constructing new infrastructure to serve new development. To estimate these costs, a number of assumptions need to be made using the following formula. Once this formula is applied, a set amount for the financial contribution is determined and included in the District Plan.

$$(E+D) - C / (B-A)$$

Where:

- E = actual or estimated cost of upgrading services to serve the potential total number of allotments;
- D = value of estimated surplus capacity in existing services over that which is required to serve total number of properties currently in the area;
- C = estimated cost of upgrading required to existing services to serve total number of properties currently in area;
- B = potential total number of lots likely to be in the area to be served by the upgraded service, when the area is fully developed;
- A = total number of lots in area which are served by the service.

**FC-O1 Infrastructure meets additional demand**

Maintain sustainable and efficient infrastructure, reserves and community facilities to meet the additional demand generated by subdivision and development and to avoid, remedy, or mitigate adverse effects on the environment.

**FC-O2 Servicing subdivision and development**

Ensure that subdivision and development is appropriately serviced by infrastructure, reserves and community facilities to provide for the likely or anticipated use of the land and that the costs of this infrastructure, reserves and community facilities is fairly and equitably funded.

Option 1: Proposed approach (recommended)	Costs	Benefits

<p>Option 1: The proposed provisions (buy-in model with annual review)</p>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>No direct or indirect costs have been identified.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>May not fully account for future infrastructure where upgrades have not been planned or calculated.</li> <li>Potential uncertainty year-to-year for subdividers/developers on the quantum of financial contributions.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>No direct or indirect costs have been identified.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>No direct or indirect costs have been identified.</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>No direct or indirect benefits have been identified.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>High level of certainty on the methodology for calculating the quantum of financial contribution.</li> <li>Equitable for all types of development (intensification and greenfield).</li> <li>Ability for the community/property owners/developers to comment on the quantum of financial contribution each year as part of Annual Plan/Long Term Plan process.</li> <li>Ability to increase/decrease contribution each year based on costs and development activity.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>No direct or indirect benefits have been identified.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>No direct or indirect benefits have been identified.</li> </ul>
<p><b>Effectiveness and efficiency</b></p>	<p>The buy-in model with annual adjustment is effective in providing a transparent and consistent approach for calculating the financial contributions based on the value of each type of infrastructure in each district. As the value of infrastructure assets can change year-to-year due to cost increases or capital works, an annual re-calculation through the Long-Term Plan/Annual Plan process ensures the quantum of the financial contribution is kept current. However, this approach can be less efficient as the quantum of financial contribution could change year-to-year which provides uncertainty for developers/subdividers.</p>	
<p><b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b></p>	<p>It is considered that there is certain and sufficient information on which to base the existing policies and methods based on the state of the environment monitoring, District Plan effectiveness review and knowledge of council staff.</p>	

<b>Overall evaluation</b>	This option is the most appropriate approach to achieve the objectives as it better reflects the costs of upgrading and extending infrastructure to meet the additional demand generated by subdivision and development and to avoid, remedy, or mitigate adverse effects on the environment.	
<b>Option 2: Status Quo</b>  Option 2: Retaining the status quo – Operative District Plan (assumed level of growth and infrastructure)	<p><b>Costs</b></p> <p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>No direct or indirect costs have been identified.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>Less effective for upgrades to network wide infrastructure, such as upgrades to treatment/processing plants.</li> <li>Risk of cost increases and financial contributions not reflecting actual costs to provide infrastructure.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>No direct or indirect costs have been identified.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>No direct or indirect costs have been identified.</li> </ul>	<p><b>Benefits</b></p> <p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>No direct or indirect benefits have been identified.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>High level of certainty where the capital costs of infrastructure are able to be identified and calculated.</li> <li>Effective for new urban growth areas with specific infrastructure requirements.</li> <li>Provides for cost sharing between Council and developers, including ability for developers to undertake works in advance of Council works programme.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>No direct or indirect benefits have been identified.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>No direct or indirect benefits have been identified.</li> </ul>
<b>Effectiveness and efficiency</b>	This approach can be effective when applied to targeted areas for new development where specific infrastructure projects are required. However, this approach is less effective and inefficient in funding the costs for network wide infrastructure upgrades across the whole district. In addition, it is not effective in addressing the cumulative effects of individual subdivisions or development, as well as recognising any changes to the costs of infrastructure projects.	
<b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b>	It is considered that there is certain and sufficient information on which to base the existing policies and methods based on the state of the environment monitoring, District Plan effectiveness review and knowledge of council staff.	

<b>Overall evaluation</b>	This option is not the most appropriate approach to achieve the objectives as it does not reflect the costs of upgrading and extending infrastructure to meet the additional demand generated by subdivision and development and to avoid, remedy, or mitigate adverse effects on the environment.
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### 7.1.1.1.3 Transitioning to a Buy-In Approach

If the Councils were to apply a new or different approach to calculating and applying financial contributions, consideration needs to be given to the transition period. For certainty, new contributions would come into effect on a specific date.

If the methodology in Option 1 is used, alignment and integration with the Councils Annual Plan/Long Term Plan should be considered. This alignment and integration would enable the methodology to be set in the District Plan and the quantum for financial contributions set in each Annual Plan/Long Term Plan. Given the timing of the Proposed District Plan process, it is anticipated that new district-wide 3-waters contributions would be included as part of each Councils 2024 Long-Term Plan.

In addition, it is noted that under the Water Services Reform, the 3-waters assets, functions and services (water supply, wastewater and stormwater) will transfer from District Councils to new regional Water Services Entities. The exact timing for the establishment of the new Wellington/Wairarapa region Water Services Entity is unknown at this time. However, it is anticipated to be some time in 2024 - 2026. When the new Water Services Entity for the Wellington/Wairarapa region establishes, the financial contributions for water, wastewater and stormwater in the District Plan will no longer apply. It is anticipated that the new Water Services Entity will require Water Infrastructure Contributions. The nature and amount of these new contributions will be determined by the Water Services Entity.

Therefore, the proposed district-wide 3-waters contributions are likely to apply for a limited period in which they apply.

## 8.0 Conclusion

This evaluation has been undertaken in accordance with section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as it:

- The retention of the general approach for financial contributions provide a degree of continuity and certainty for subdividers/developers and community;
- The new policies provide greater clarity and certainty on the approach for financial contributions;
- The addition of formula for the proportional cost contributions provide greater clarity and certainty for these types of contributions;
- Retention of the approach for district-wide reserve and transport contributions based on land value provides certainty and familiarity;
- Increase in the percentage of land value payable for district-wide transport contributions is effective in funding the increased costs of transport capital works;
- New approach for calculating district-wide 3-waters infrastructure contributions is effective in reflecting the costs of funding 3-waters infrastructure capital works;
- Increase in maximum value of the district-wide reserve and transport contributions reflects the increased costs of land for acquiring new reserves and increased costs of transport capital works;
- The revised policy and rules for financial contributions provides a balance between the efficiency and effectiveness of achieving the proposed objectives;
- Will provide funding for infrastructure and community facilities that better serves the needs of subdivision and development and the wider community.

## Appendix 1: Summary of Councils Financial Contribution Information

**Masterton District Council - Financial Contributions per WCDP**

	\$'000s									
	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23 AP	2023/24 LTP	2024/25 LTP	2025/26 LTP
<b>RESERVES CONTRIBUTIONS</b>										
Contributions Received	149	538	507	547	658	981	654	462	467	471
Contributions Applied to Capex	(176)	(283)	(276)	(242)	(558)	(934)	(164)	(124)	(208)	(48)
<b>INFRASTRUCTURE (3 waters)</b>										
Contributions Received	208	1,026	751	835	888	945	755	790	550	555
Contributions Applied to Capex	(12)	(77)	(16)	(21)	(1,811)	(735)	(1,480)	(426)	(215)	(220)
<b>ROADING</b>										
Contributions Received	95	475	399	463	636	1,087	600	1,700	389	392
Contributions Applied to Capex	-	-	(276)	(728)	(13)	(1,543)	(4,990)	(1,800)	-	-
<b>TOTAL</b>										
Contributions Received	452	2,039	1,657	1,845	2,181	3,013	2,009	2,952	1,406	1,418
Contributions Applied to Capex	187	360	568	990	2,382	3,212	6,634	2,350	423	268

Note: Other financial contributions not shown above include joining fees for specific schemes such as Riversdale Beach sewerage scheme.

## Carterton District Council - Financial Contributions per WCDP

	Actuals from Annual Report															
<b>Reserves Contributions</b>	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/2022</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28</b>	<b>2028/29</b>	<b>2029/30</b>	<b>2030/31</b>	
Receipts	\$0.14m	\$0.15m	\$0.22m	\$0.29m	\$0.40m	\$0.52m	\$0.20m	\$0.20m	\$0.46m	\$0.48m	\$0.49m	\$0.50m	\$0.52m	\$0.53m	\$0.55m	
Expenditure	\$0.14m	\$0.07m	\$0.07m	\$0.17m	\$0.05m	\$0.07m	\$0.27m	\$0.01m	\$0.05m							

	Actuals from Annual Report															
<b>Three Waters Contributions</b>	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/2022</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28</b>	<b>2028/29</b>	<b>2029/30</b>	<b>2030/31</b>	
Receipts (water supply)	\$0.22m	\$0.21m	\$0.11m	\$0.25m	\$0.11m	\$0.14m	\$0.13m	\$0.13m	\$0.24m	\$0.26m	\$0.27m	\$0.20m	\$0.21m	\$0.22m	\$0.15m	
Receipts (wastewater)	\$0.15m	\$0.14m	\$0.07m	\$0.17m	\$0.07m	\$0.10m	\$0.09m	\$0.09m	\$0.16m	\$0.17m	\$0.18m	\$0.14m	\$0.14m	\$0.15m	\$0.10m	
<b>Receipts Total</b>	<b>\$0.36m</b>	<b>\$0.35m</b>	<b>\$0.19m</b>	<b>\$0.42m</b>	<b>\$0.19m</b>	<b>\$0.24m</b>	<b>\$0.22m</b>	<b>\$0.22m</b>	<b>\$0.41m</b>	<b>\$0.43m</b>	<b>\$0.44m</b>	<b>\$0.34m</b>	<b>\$0.36m</b>	<b>\$0.37m</b>	<b>\$0.26m</b>	
Expenditure (water supply)	\$0.21m	\$0.00m	\$0.004m	\$0.02m	\$0.00m	\$0.07m	\$0.08m	\$0.19m	\$0.01m	\$0.01m	\$0.00m	\$0.01m	\$0.00m	\$0.02m	\$0.01m	
Expenditure (wastewater)	\$0.14m	\$0.00m	\$0.00m	\$0.00m	\$0.00m	\$0.00m	\$0.06m	\$0.13m	\$0.01m	\$0.00m	\$0.00m	\$0.01m	\$0.00m	\$0.01m	\$0.01m	
<b>Expenditure Total</b>	<b>\$0.35m</b>	<b>\$0.00m</b>	<b>\$0.004m</b>	<b>\$0.02m</b>	<b>\$0.00m</b>	<b>\$0.07m</b>	<b>\$0.14m</b>	<b>\$0.32m</b>	<b>\$0.02m</b>	<b>\$0.01m</b>	<b>\$0.00m</b>	<b>\$0.02m</b>	<b>\$0.00m</b>	<b>\$0.04m</b>	<b>\$0.02m</b>	

	Actuals from Annual Report															
<b>Roading Contributions</b>	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/2022</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28</b>	<b>2028/29</b>	<b>2029/30</b>	<b>2030/31</b>	
Receipts	\$0.20m	\$0.16m	\$0.20m	\$0.22m	\$0.40m	\$0.45m	\$0.21m	\$0.21m	\$0.34m	\$0.35m	\$0.36m	\$0.23m	\$0.25m	\$0.26m	\$0.12m	
Expenditure	\$0.18m	\$0.00m	\$0.03m	\$0.13m	\$0.00m	\$0.11m	\$0.00m									

	Actuals from Annual Report															
<b>Total Contributions</b>	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/2022</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28</b>	<b>2028/29</b>	<b>2029/30</b>	<b>2030/31</b>	
Receipts	\$0.70m	\$0.67m	\$0.60m	\$0.93m	\$0.99m	\$1.22m	\$0.63m	\$0.64m	\$1.21m	\$1.25m	\$1.30m	\$1.08m	\$1.12m	\$1.17m	\$0.92m	
Expenditure	\$0.67m	\$0.07m	\$0.10m	\$0.31m	\$0.05m	\$0.25m	\$0.40m	\$0.33m	\$0.03m	\$0.02m	\$0.01m	\$0.03m	\$0.01m	\$0.05m	\$0.07m	

## South Wairarapa District Council - Financial Contributions per WCDP

	Actuals from Annual Report					Forecast from LTP									
	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
<b>Reserves Contributions</b>															
Receipts	\$0.36m	\$0.42m	\$0.44m	\$0.38m	\$0.53m	\$0.55m	\$0.58m	\$0.60m	\$0.61m	\$0.62m	\$0.64m	\$0.65m	\$0.66m	\$0.68m	\$0.69m
Expenditure	\$0.09m	\$0.00m	\$0.12m	\$0.00m	\$0.01m	\$0.48m	\$0.33m	\$0.33m	\$0.00m						

	Actuals from Annual Report					Forecast from LTP									
	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
<b>Three Waters Contributions</b>															
Receipts (water supply)	\$0.22m	\$0.25m	\$0.24m	\$0.12m	\$0.29m	\$0.15m	\$0.16m	\$0.16m	\$0.17m	\$0.17m	\$0.18m	\$0.18m	\$0.19m	\$0.19m	\$0.20m
Receipts (wastewater)	\$0.17m	\$0.43m	\$0.36m	\$0.15m	\$0.60m	\$0.20m	\$0.21m	\$0.22m	\$0.22m	\$0.23m	\$0.24m	\$0.24m	\$0.25m	\$0.26m	\$0.27m
<b>Receipts Total</b>	<b>\$0.40m</b>	<b>\$0.68m</b>	<b>\$0.60m</b>	<b>\$0.27m</b>	<b>\$0.88m</b>	<b>\$0.35m</b>	<b>\$0.37m</b>	<b>\$0.38m</b>	<b>\$0.39m</b>	<b>\$0.40m</b>	<b>\$0.41m</b>	<b>\$0.42m</b>	<b>\$0.44m</b>	<b>\$0.45m</b>	<b>\$0.47m</b>
Expenditure (water supply)	\$0.00m	\$0.00m	\$0.31m	\$0.06m	\$0.00m	\$0.06m	\$0.00m	\$0.00m	\$0.12m	\$0.00m	\$0.00m	\$0.00m	\$0.00m	\$0.01m	\$0.00m
Expenditure (wastewater)	\$0.00m	\$0.11m	\$0.10m	\$1.11m	\$0.00m	\$0.22m	\$0.59m	\$0.18m	\$2.78m	\$1.24m	\$1.24m	\$1.17m	\$0.02m	\$0.02m	\$0.02m
<b>Expenditure Total</b>	<b>\$0.00m</b>	<b>\$0.11m</b>	<b>\$0.41m</b>	<b>\$1.17m</b>	<b>\$0.00m</b>	<b>\$0.28m</b>	<b>\$0.59m</b>	<b>\$0.18m</b>	<b>\$2.89m</b>	<b>\$1.24m</b>	<b>\$1.24m</b>	<b>\$1.17m</b>	<b>\$0.02m</b>	<b>\$0.03m</b>	<b>\$0.02m</b>

	Actuals from Annual Report					Forecast from LTP									
	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
<b>Roading Contributions</b>															
Receipts	\$0.33m	\$0.43m	\$0.43m	\$0.47m	\$0.70m	\$0.40m	\$0.43m	\$0.44m	\$0.45m	\$0.47m	\$0.48m	\$0.49m	\$0.51m	\$0.52m	\$0.54m
Expenditure	\$0.00m	\$0.02m	\$0.09m	\$0.29m	\$0.40m	\$0.20m	\$0.20m	\$0.20m	\$0.20m	\$0.20m	\$0.20m	\$0.20m	\$0.20m	\$0.20m	\$0.20m

	Actuals from Annual Report					Forecast from LTP									
	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
<b>Total Contributions</b>															
Receipts	\$1.08m	\$1.53m	\$1.48m	\$1.12m	\$2.11m	\$1.30m	\$1.38m	\$1.41m	\$1.45m	\$1.49m	\$1.53m	\$1.57m	\$1.61m	\$1.66m	\$1.70m
Expenditure	\$0.09m	\$0.13m	\$0.61m	\$1.46m	\$0.41m	\$0.96m	\$1.13m	\$0.71m	\$3.09m	\$1.44m	\$1.44m	\$1.37m	\$0.22m	\$0.23m	\$0.22m

## Appendix 2: Subdivision and Development Scenarios Showing District-Wide Financial Contributions under the Operative District Plan and Proposed District Plan

	Residential Infill Subdivision (per lot)		
	Masterton	Carterton	South Wairarapa
Total Land/Building Value (\$)	\$ 170,000	\$ 249,000	\$ 270,000
Land/Building Area (m2)	546	601	574
Land/Building Value Per m2 (\$)	\$ 311	\$ 414	\$ 470
No. connections (RUE)	1	1	1
<b>Operative District Plan</b>			
Reserve Contribution	\$ 5,100	\$ 7,470	\$ 8,100
Roading Contribution	\$ 3,400	\$ 4,980	\$ 5,400
Reserves & Rooding Sub-Total	\$ 8,500	\$ 12,450	\$ 13,500
3-Waters Contribution	\$ 5,000	\$ 5,000	\$ 5,000
<b>Total Contribution</b>	<b>\$ 13,500</b>	<b>\$ 17,450</b>	<b>\$ 18,500</b>
<b>Proposed District Plan</b>			
Reserve Contribution	\$ 5,100	\$ 7,470	\$ 8,100
Roading Contribution	\$ 5,100	\$ 7,470	\$ 8,100
Reserves & Rooding Sub-Total	\$ 10,200	\$ 14,940	\$ 16,200
Water Supply Contribution	\$ 10,212	\$ 8,160	\$ 9,829
Wastewater Contribution	\$ 15,180	\$ 9,597	\$ 6,311
Stormwater Contribution	\$ 3,895	\$ 3,933	\$ 875
3-Waters Sub-Total	\$ 29,287	\$ 21,690	\$ 17,015
Adjustment Factor	40%	50%	60%
3-Waters Contribution	\$ 11,715	\$ 10,845	\$ 10,209
<b>Total Contribution</b>	<b>\$ 21,915</b>	<b>\$ 25,785</b>	<b>\$ 26,409</b>

Additional Residential Unit (per unit)		
Masterton	Carterton	South Wairarapa
\$ 375,000	\$ 375,000	\$ 375,000
130	130	130
\$ 2,885	\$ 2,885	\$ 2,885
1	1	1
\$ 938	\$ 938	\$ 938
\$ -	\$ -	\$ -
\$ 938	\$ 938	\$ 938
\$ 5,000	\$ 5,000	\$ 5,000
<b>\$ 5,938</b>	<b>\$ 5,938</b>	<b>\$ 5,938</b>
\$ 3,750	\$ 3,750	\$ 3,750
\$ 3,750	\$ 3,750	\$ 3,750
\$ 7,500	\$ 7,500	\$ 7,500
\$ 10,212	\$ 8,160	\$ 9,829
\$ 15,180	\$ 9,597	\$ 6,311
\$ 3,895	\$ 3,933	\$ 875
\$ 29,287	\$ 21,690	\$ 17,015
40%	50%	60%
\$ 11,715	\$ 10,845	\$ 10,209
<b>\$ 19,215</b>	<b>\$ 18,345</b>	<b>\$ 17,709</b>

Additional Minor Residential Unit (per unit)		
Masterton	Carterton	South Wairarapa
\$ 275,000	\$ 275,000	\$ 275,000
80	80	80
\$ 3,438	\$ 3,438	\$ 3,438
0.40	0.40	0.40
\$ 688	\$ 688	\$ 688
\$ -	\$ -	\$ -
\$ 688	\$ 688	\$ 688
\$ 5,000	\$ 5,000	\$ 5,000
<b>\$ 5,688</b>	<b>\$ 5,688</b>	<b>\$ 5,688</b>
\$ 2,750	\$ 2,750	\$ 2,750
\$ 2,750	\$ 2,750	\$ 2,750
\$ 5,500	\$ 5,500	\$ 5,500
\$ 4,085	\$ 3,264	\$ 3,932
\$ 6,072	\$ 3,839	\$ 2,524
\$ 1,558	\$ 1,573	\$ 350
\$ 11,715	\$ 8,676	\$ 6,806
40%	50%	60%
\$ 4,686	\$ 4,338	\$ 4,084
<b>\$ 10,186</b>	<b>\$ 9,838</b>	<b>\$ 9,584</b>

**Notes:**

Contributions exclude GST  
 No additional location specific contributions have been applied (e.g. not within a growth area or area with additional contribution such as the Waingawa industrial area)

Residential Unit Equivalent:

Studio and 1 Bdrm unit = 40%

2 Bdrm unit = 75%

3+ Bdrm unit = 100%

	Rural Subdivision 1ha in size (per lot)		
	Masterton	Carterton	South Wairarapa
Total Land/Building Value (\$)	\$ 300,000	\$ 320,000	\$ 350,000
Land/Building Area (m2)	10,000	10,100	10,300
Land/Building Value Per m2 (\$)	\$ 30	\$ 32	\$ 34
No. connections (RUE)	1	1	1
<b>Operative District Plan</b>			
Reserve Contribution	\$ 6,000	\$ 6,400	\$ 7,000
Roading Contribution	\$ 9,000	\$ 9,600	\$ 10,500
Reserves & Roothing Sub-Total	\$ 7,500	\$ 7,500	\$ 7,500
3-Waters Contribution	\$ -	\$ -	\$ -
<b>Total Contribution</b>	<b>\$ 7,500</b>	<b>\$ 7,500</b>	<b>\$ 7,500</b>
<b>Proposed District Plan</b>			
Reserve Contribution	\$ 6,000	\$ 6,400	\$ 7,000
Roading Contribution	\$ 9,000	\$ 9,600	\$ 10,500
Reserves & Roothing Sub-Total	\$ 15,000	\$ 16,000	\$ 17,500
Water Supply Contribution	\$ -	\$ -	\$ -
Wastewater Contribution	\$ -	\$ -	\$ -
Stormwater Contribution	\$ -	\$ -	\$ -
3-Waters Sub-Total	\$ -	\$ -	\$ -
Adjustment Factor			
3-Waters Contribution	\$ -	\$ -	\$ -
<b>Total Contribution</b>	<b>\$ 15,000</b>	<b>\$ 16,000</b>	<b>\$ 17,500</b>

	Rural Subdivision 4ha in size (per lot)		
	Masterton	Carterton	South Wairarapa
Total Land/Building Value (\$)	\$ 512,500	\$ 480,000	\$ 515,000
Land/Building Area (m2)	40,000	40,100	40,000
Land/Building Value Per m2 (\$)	\$ 13	\$ 12	\$ 13
No. connections (RUE)	1	1	1
<b>Operative District Plan</b>			
Reserve Contribution	\$ 10,250	\$ 9,600	\$ 10,300
Roading Contribution	\$ 15,375	\$ 14,400	\$ 15,450
Reserves & Roothing Sub-Total	\$ 7,500	\$ 7,500	\$ 7,500
3-Waters Contribution	\$ -	\$ -	\$ -
<b>Total Contribution</b>	<b>\$ 7,500</b>	<b>\$ 7,500</b>	<b>\$ 7,500</b>
<b>Proposed District Plan</b>			
Reserve Contribution	\$ 10,250	\$ 9,600	\$ 10,300
Roading Contribution	\$ 15,375	\$ 14,400	\$ 15,450
Reserves & Roothing Sub-Total	\$ 20,000	\$ 20,000	\$ 20,000
Water Supply Contribution	\$ -	\$ -	\$ -
Wastewater Contribution	\$ -	\$ -	\$ -
Stormwater Contribution	\$ -	\$ -	\$ -
3-Waters Sub-Total	\$ -	\$ -	\$ -
Adjustment Factor			
3-Waters Contribution	\$ -	\$ -	\$ -
<b>Total Contribution</b>	<b>\$ 20,000</b>	<b>\$ 20,000</b>	<b>\$ 20,000</b>

**Notes:**

Contributions exclude GST  
 No additional location specific cont  
 applied (e.g. not within a growth a  
 additional contribution such as the  
 industrial area)

	Commercial/Industrial Subdivision 1,000m2 (per lot)		
	Masterton	Carterton	South Wairarapa
Total Land/Building Value (\$)	\$ 665,000	\$ 445,000	\$ 750,000
Land/Building Area (m2)	3,325	6,255	3,000
Land/Building Value Per m2 (\$)	\$ 200	\$ 71	\$ 250
No. connections (RUE)	1	1	1
<b>Operative District Plan</b>			
Reserve Contribution	\$ 19,950	\$ 13,350	\$ 22,500
Roading Contribution	\$ 13,300	\$ 8,900	\$ 15,000
Reserves & Roding Sub-Total	\$ 33,250	\$ 22,250	\$ 37,500
3-Waters Contribution	\$ 5,000	\$ 5,000	\$ 5,000
<b>Total Contribution</b>	<b>\$ 38,250</b>	<b>\$ 27,250</b>	<b>\$ 42,500</b>
<b>Proposed District Plan</b>			
Reserve Contribution	\$ 19,950	\$ 13,350	\$ 22,500
Roading Contribution	\$ 13,300	\$ 8,900	\$ 15,000
Reserves & Roding Sub-Total	\$ 33,250	\$ 22,250	\$ 37,500
Water Supply Contribution	\$ 10,212	\$ 8,160	\$ 9,829
Wastewater Contribution	\$ 15,180	\$ 9,597	\$ 6,311
Stormwater Contribution	\$ 3,895	\$ 3,933	\$ 875
3-Waters Sub-Total	\$ 29,287	\$ 21,690	\$ 17,015
Adjustment Factor	40%	50%	60%
3-Waters Contribution	\$ 11,715	\$ 10,845	\$ 10,209
<b>Total Contribution</b>	<b>\$ 44,965</b>	<b>\$ 33,095</b>	<b>\$ 47,709</b>

**Notes:**

Contributions exclude GST  
 No additional location specific cont applied (e.g. not within a growth a additional contribution such as the industrial area)

Additional Commercial/Industrial Unit (per unit)		
Masterton	Carterton	South Wairarapa
\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
400	400	400
\$ 2,500	\$ 2,500	\$ 2,500
1	1	1
N/A		
N/A		
\$ -	\$ -	\$ -
\$ 5,000	\$ 5,000	\$ 5,000
<b>\$ 5,000</b>	<b>\$ 5,000</b>	<b>\$ 5,000</b>
N/A		
N/A		
\$ 10,000	\$ 10,000	\$ 10,000
\$ 10,000	\$ 10,000	\$ 10,000
\$ 10,212	\$ 8,160	\$ 9,829
\$ 15,180	\$ 9,597	\$ 6,311
\$ 3,895	\$ 3,933	\$ 875
\$ 29,287	\$ 21,690	\$ 17,015
40%	50%	60%
\$ 11,715	\$ 10,845	\$ 10,209
<b>\$ 21,715</b>	<b>\$ 20,845</b>	<b>\$ 20,209</b>

Provision needs to allowed for high use water & wastewater.

Current proposed contributions are for 1 x Residential Equivalent (RE)  
 RE = 1000cuMtr water, 600 CuMtr wastewater  
 Need provision to recover financial contributions from commercial and industrial developments that propose to use more than residential equivalent volumes. Annual charging via water metres is likely.

## Appendix 3: Calculations of District-Wide Infrastructure Contributions Based on Buy-In Model

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<b>Formula</b>						
\$A x [B/B+C]]						
Where:						
<ul style="list-style-type: none"> <li>• A = the replacement value of the specific reticulation system after adjustment for capital expenditure in this activity at the time the connection is sought;</li> <li>• B = the number of residential equivalent connections to be added to that reticulation system (technical detail provided), and;</li> <li>• C = the total number of existing connections to that reticulation system.</li> </ul>						
	<b>Masterton District</b>		<b>Carterton District</b>		<b>South Wairarapa District</b>	
<b>Water</b>	<b>LTP 21/31</b>	<b>Assumptions</b>	<b>LTP 21/31</b>	<b>Assumptions</b>	<b>LTP 21/31</b>	<b>Assumptions</b>
A	\$94,977,475	Masterton urban water supply only, excludes rural supplies & water races	\$24,438,474	Includes Waingawa	\$ 41,735,056	
B	1		1		1	
C	9,300		2,995		4246	
Contribution	\$ 10,212		\$ 8,157		\$ 9,827	
<b>Wastewater</b>	<b>LTP 21/31</b>	<b>Assumptions</b>	<b>LTP 21/31</b>	<b>Assumptions</b>	<b>LTP 21/31</b>	<b>Assumptions</b>
A	\$139,947,381	Masterton urban wastewater only, excludes Riversdale, Tinui & Castlepoint sewerage systems (these rural systems have established capital contributions to join to scheme)	\$29,950,945	Includes Wastewater Treatment Ponds upgrade project valued at \$11m (added on top of ORC from the LTP)	\$ 26,564,233	
B	1		1		1	
C	9,218		3121		4209	
Contribution	\$ 15,180		\$ 9,594		\$ 6,310	
<b>Stormwater</b>	<b>LTP 21/31</b>	<b>Assumptions</b>	<b>LTP 21/31</b>	<b>Assumptions</b>	<b>LTP 21/31</b>	<b>Assumptions</b>
A	\$36,225,829		\$10,777,017		\$ 3,716,846	Excludes water races
B	1		1		1	
C	9,300	Note: no. serviced properties assumed to be same as no. of properties connected to water service	2,740		4246	
Contribution	\$ 3,895		\$ 3,932		\$ 875	
Appendix 3: Calculations of District-Wide Infrastructure Contributions Based on Buy-In Model						
<b>Total 3 waters contribution</b>	<b>\$ 29,287</b>		<b>\$ 21,682</b>		<b>\$ 17,012</b>	





WAIRARAPA  
COMBINED  
DISTRICT PLAN  
**REVIEW**

*Te Mahere  
Rautaki  
a-rohe o  
Wairarapa*

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# Proposed Wairarapa Combined District Plan

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## Section 32 Evaluation Topic Report Future Urban Zone

OCTOBER 2023

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## Appendices

Appendix 1: Feedback on Draft District Plan

## Executive summary

This Section 32 evaluation report is focused on the Future Urban Zone.

Population growth in the Wairarapa is increasing demand for land for housing and businesses. Therefore, there is a need to identify and provide additional land for this purpose.

The Operative Wairarapa Combined District Plan (Operative District Plan) provides for new housing and businesses on land previously identified and zoned for this purpose. This land is progressively being developed. However, the Operative District Plan zoning and provisions do not identify future urban areas. The three Wairarapa District Councils have undertaken urban growth planning work which identifies future urban areas. Areas have been identified as being suitable for future urban development in the Carterton Urban Growth Strategy 2019, the South Wairarapa Spatial Plan 2021 and urban growth technical assessment for the Masterton District.

The review of the Operative District Plan has identified that land for future development is at risk from ad hoc subdivision and development which could result in suboptimal outcomes for rural and urban environments. In addition, the review concluded the Operative District Plan does not give effect to the National Policy Statement for Urban Development of providing sufficient land supply.

The review has identified the following significant resource management issues in relation to the future urban development:

- The need for adequate land supply for housing and business;
- Safeguarding land that is identified for future urban growth;
- Inefficient pattern of land use development and limited capacity of infrastructure to meet the needs for future housing and business.

In response to these issues, the Proposed Wairarapa Combined District Plan (Proposed District Plan) proposes to introduce a new Future Urban Zone. The Future Urban Zone is applied to areas suitable for urbanisation in the future. Future Urban Zone areas will continue to accommodate existing and compatible rural activities that do not compromise planned future urban uses.

The purpose of the Future Urban Zone is a 'holding' zone where land can continue to be used for a range of rural activities in the interim. The Future Urban Zone seeks to constrain land from being subdivided, used, or developed for urban purposes until a structure plan has been prepared for the area and the land is rezoned. The structure planning approach helps ensure that optimal type and form of urban development is

achieved, which is then enabled once the area is rezoned in accordance with the structure plan. The Future Urban Zone has been applied to the following locations:

- Masterton District
  - Ngaumutawa Road / West Bush Road / Chamberlain Road
- Carterton District
  - Eastern Growth Area
- South Wairarapa District
  - Greytown - Jellicoe to Pāpāwai Mid Residential (GB)
  - Martinborough - Ferry Road Mid Residential (MF)
  - Martinborough - Outer Residential Lifestyle (MA).

This Future Urban Zone chapter has specific objectives, policies and rules. This zone enables similar activities to the General Rural Zone apart from activities which would be incompatible with future urban development. Permitted activity standards are used to manage effects, particularly at zone interfaces, and seek to achieve compatibility with properties and activities in adjoining zones.

The table below provides a summary of the activity status of different land use activities in the Future Urban Zone in the Proposed District Plan.

Activity	Proposed District Plan
	Future Urban Zone
Buildings and structures, including construction, additions and alterations	P (s)
Demolition of buildings and structures	P
Relocatable buildings	P (s)
Residential activities	P (s)
Accessory buildings and structures	P (s)
Papakāinga	P (s)
Residential visitor accommodation	P (s)
Home business	P (s)
Primary production	P (s)
Conservation activities	P
Rural produce retail	P (s)
Quarrying activities	P (s) (farm quarry) D (all other quarries)
Seasonal worker accommodation	P (s)
Any other activity not listed	D

Activity	Proposed District Plan
	Future Urban Zone
Intensive farming	NC
Retirement village	NC
Community facility	NC
Healthcare facility	NC
Commercial activities	NC
Industrial activities	NC
Rural industry activities	NC
P means permitted activity (no resource consent required) P (s) means permitted activity subject to standards (no resource consent required) D means discretionary activity (resource consent required) NC means non-complying activity (resource consent required)	

The Proposed District Plan will provide better outcomes for urban development through a planned and integrated approach between subdivision, land use development and infrastructure.

## 1.0 Introduction

This Section 32 Evaluation Topic Report contains a Section 32 evaluation of the objectives, policies, and methods relating to the Future Urban Zone in the Proposed District Plan.

The Future Urban Zone is classified as a special purpose zone under the National Planning Standards 2019. The Future Urban Zone is applied to areas suitable for urbanisation in the future. Future Urban Zone areas will continue to accommodate existing and compatible rural activities that do not compromise planned future urban uses.

The purpose of the Future Urban Zone is a 'holding' zone where land can continue to be used for a range of rural activities in the interim. The Future Urban Zone seeks to constrain land from being subdivided, used, or developed for urban purposes until a structure plan has been prepared for the area and the land is rezoned. The structure planning approach helps ensure that optimal type and form of urban development is achieved, which is then enabled once the area is rezoned in accordance with the structure plan.

This report sets out the statutory and policy context for the Future Urban Zone, identifies key resource management issues, consultation, and the evaluation of this topic and the proposed provisions for this chapter.

This report should be read in conjunction with the Section 32 Evaluation Overview and Strategic Directions Report and the following Section 32 evaluation topic reports:

Report	How does this topic relate to the Future Urban Zone provisions
Rural Zones	This chapter contains provisions relating to the management of the two rural zones (General Rural and Rural Lifestyle Zones). All identified Future Urban Zone areas are currently zoned Rural and will continue to have rules and standards similar to the General Rural Zone. Rural land use will be able to continue until Future Urban Zone areas are developed for urban purposes. All Future Urban Zone areas are predominantly surrounded by the General Rural Zone and General Residential Zone.
Residential Zones	This chapter contains provisions relating to the management of the two residential zones (General Residential and Settlement Zones). As the Future Urban Zone areas will be predominantly residential in nature in the future, the layout and built form of development will be enabled and regulated by these provisions. The Residential Design Guide will work with the residential provisions to achieve desired outcomes.
Commercial Zones	This chapter contains provisions relating to the management of the five commercial zones, of which the Local Centre and Neighbourhood Centre Zones are potentially applicable in terms of servicing future residential areas. The layout and built form of local and neighbourhood centres will be enabled and regulated by these provisions. The Centres Design Guide will work with the commercial provisions to achieve desired outcomes for these areas.
Natural Hazards	This chapter contains the provisions that manage the risk to life and property from natural hazards and implements a risk-based approach to managing land use activities in identified natural hazard areas. Natural hazards are present to varying degrees in all Future Urban Zone areas and future development will need to work within the risk-based framework set out in these provisions.
Transport	This chapter contains the transport provisions for subdivision, land use, and development including vehicle crossings, driveways, access, and parking requirements.
Subdivision (Three waters, infrastructure) (Financial contributions)	<p>Subdivision: This chapter contains rules and standards regulating subdivision, including minimum lot sizes for new lots, servicing requirements (access, three waters) and esplanade reserves where relevant. These provisions enable and direct the nature of development in the Future Urban Zone.</p> <p>Regarding servicing, this chapter also contains provisions to help ensure new developments maintain appropriate levels of service within the three waters network (water supply, wastewater, and stormwater). It requires new developments to be assessed in terms of required levels of service for each water network, and improvements to be made if necessary.</p>

## 2.0 Statutory and policy context

### 2.1 Resource Management Act

As set out in the Section 32 Evaluation Overview and Strategic Directions Report, an evaluation is required of how the proposal achieves the purpose and principles in Part 2 of the RMA. This requires consideration of sections 5 to 8 of the RMA.

Section 5 sets out the purpose of the RMA which is to promote sustainable management of natural and physical resources. This section is set out in more detail in the Section 32 Evaluation Overview and Strategic Directions Report.

Section 6 requires all persons exercising functions and powers under the RMA to recognise and provide for specified matters of national importance. The section 6 matters relevant to the Future Urban Zone are:

Section	Relevant matter and applicability
Section 6(a)	<p><i>the preservation of natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development</i></p> <p>Any future urban development will need to preserve the natural character of the coastal environment.</p>
Section 6(h)	<p><i>the management of significant risks from natural hazards</i></p> <p>Future development will need to avoid, remedy or mitigate risks from natural hazards which would include flooding.</p>

Section 7 requires all persons exercising functions and powers under the RMA, in relation to managing the use, development, and protection of natural and physical resources, to have particular regard to a range of matters. The section 7 matters relevant to the Future Urban Zone are:

Section	Relevant matter
Section 7(b)	<p><i>the efficient use and development of natural and physical resources</i></p> <p>The Future Urban Zone will enable residential and business activities which are valuable.</p>
Section 7(ba)	<p><i>the efficiency of the end use of energy</i></p> <p>Development and built form are a major determinant of the efficiency and end use of energy and will be a key consideration for any new development.</p>
Section 7(c)	<p><i>the maintenance and enhancement of amenity values</i></p> <p>The Future Urban Zone will enable residential areas and other complimentary land uses such as open space which typically feature amenity values that are appreciated by the community and contribute to their desirability as places to live.</p>

Section	Relevant matter
Section 7(f)	<p><i>maintenance and enhancement of the quality of the environment</i></p> <p>The Future Urban Zone provisions will ensure the maintenance and enhancement of the quality of the environment.</p>

Section 8 requires local authorities to take into account the principles of the Treaty of Waitangi. Tangata whenua, through iwi authorities, have been consulted as part of the review process. This feedback has informed the Section 32 evaluation, and the obligation to make informed decisions based on that consultation is noted.

## 2.2 National direction

### 2.2.1 National Policy Statements

The National Policy Statements relevant to this topic are:

NPS	Relevant Objectives / Policies
National Policy Statement on Urban Development 2020	<p>The NPS-UD was gazetted in August 2020 to replace the NPS-UDC. It aims to support well-functioning urban environments to provide for current and future community well-being. It requires RMA plans to provide opportunities for land development to meet housing and business needs, supported by adequate development capacity.</p> <p>Masterton is the only urban area in the Wairarapa classified as a Tier 3 Urban Environment under the NPS-UD. All other Wairarapa centres have populations smaller than the threshold required for Tier 3 status.</p> <p><b>Policy 1</b></p> <p>Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:</p> <ol style="list-style-type: none"> <li>a. have or enable a variety of homes that:             <ol style="list-style-type: none"> <li>i. meet the needs, in terms of type, price, and location, of different households; and</li> <li>ii. enable Māori to express their cultural traditions and norms; and</li> </ol> </li> <li>b. have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and</li> <li>c. have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and</li> <li>d. support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and</li> <li>e. support reductions in greenhouse gas emissions; and</li> <li>f. are resilient to the likely current and future effects of climate change.</li> </ol> <p><b>Policy 2</b></p>

NPS	Relevant Objectives / Policies
	<p>Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.</p> <p><b>Policy 5</b></p> <p>Regional policy statements and district plans applying to tier 2 and 3 urban environments enable heights and density of urban form commensurate with the greater of:</p> <ul style="list-style-type: none"> <li>a. the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or</li> <li>b. relative demand for housing and business use in that location.</li> </ul> <p><b>Policy 6</b></p> <p>When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:</p> <ul style="list-style-type: none"> <li>a. the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement</li> <li>b. that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes: <ul style="list-style-type: none"> <li>i. may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and</li> <li>ii. are not, of themselves, an adverse effect</li> </ul> </li> <li>c. the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)</li> <li>d. any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity</li> <li>e. the likely current and future effects of climate change.</li> </ul> <p><b>Policy 8</b></p> <p>Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:</p> <ul style="list-style-type: none"> <li>a. unanticipated by RMA planning documents; or</li> <li>b. out-of-sequence with planned land release.</li> </ul> <p><b>Policy 9</b></p> <p>Local authorities, in taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) in relation to urban environments, must:</p> <ul style="list-style-type: none"> <li>a. involve hapū and iwi in the preparation of RMA planning documents and any FDSs by undertaking effective</li> </ul>

NPS	Relevant Objectives / Policies
	<p>consultation that is early, meaningful and, as far as practicable, in accordance with tikanga Māori; and</p> <ul style="list-style-type: none"> <li>b. when preparing RMA planning documents and FDSs, take into account the values and aspirations of hapū and iwi for urban development; and</li> <li>c. provide opportunities in appropriate circumstances for Māori involvement in decision-making on resource consents, designations, heritage orders, and water conservation orders, including in relation to sites of significance to Māori and issues of cultural significance; and</li> <li>d. operate in a way that is consistent with iwi participation legislation.</li> </ul> <p><b>Policy 10</b></p> <p>Tier 1, 2, and 3 local authorities:</p> <ul style="list-style-type: none"> <li>a. that share jurisdiction over urban environments work together when implementing this National Policy Statement; and</li> <li>b. engage with providers of development infrastructure and additional infrastructure to achieve integrated land use and infrastructure planning; and</li> <li>c. engage with the development sector to identify significant opportunities for urban development.</li> </ul> <p><b>3.35 Development Outcomes for Zones</b></p> <ul style="list-style-type: none"> <li>a. Every tier 1, 2 or 3 territorial authority must ensure that: <ul style="list-style-type: none"> <li>i. the objectives for every zone in an urban environment in its district describe the development outcomes intended for the zone over the life of the plan and beyond; and</li> <li>ii. the policies and rules in its district plan are individually and cumulatively consistent with the development outcomes described in the objectives for each zone.</li> </ul> </li> </ul>

## 2.2.2 National Environmental Standards

There are no National Environmental Standards directly relevant to this topic.

## 2.2.3 National Planning Standards

The National Planning Standards provide for a range of zone options to be included in Part 3 – Area Specific Matters of the District Plan. This includes the Future Urban Zone, the purpose of which is as follows:

Zone	Description
Future Urban Zone	Areas suitable for urbanisation in the future and for activities that are compatible with and do not compromise potential future urban use.

## 2.2.4 National guidance documents

There are no further national guidance documents relevant to this topic.

## 2.3 Regional direction

### 2.3.1 Regional Policy Statement for the Wellington Region

The table below identifies the relevant provisions and resource management topics for the Future Urban Zone contained in the RPS. Proposed changes to the relevant objectives and policies under Proposed Plan Change 1 to the Wellington Regional Policy statement are included (changes are explained, or where applicable, proposed additions have been underlined and proposed deletions ~~struckthrough~~):

Objective/Policy	Relevant matters
<p>Objective 22 (Regional form, design, and function)</p> <p>(Amended under PC1)</p>	<p>Objective 22 is aimed at compact, well-designed, and sustainable regional form that has an integrated, safe, and responsive transport network, and:</p> <ul style="list-style-type: none"> <li>b. an increased range and diversity of activities in and around the regionally significant centres to maintain vibrancy and vitality</li> <li>c. sufficient industrial-based employment locations or capacity to meet the region's needs</li> <li>e. Urban development in existing urban areas, or when beyond urban areas, development that reinforces the region's existing urban form</li> <li>i. integrated land use and transportation</li> <li>k. efficiently use existing infrastructure (including transport network infrastructure).</li> </ul> <p>The changes to Objective 22 under Proposed Plan Change 1 shift the objective's focus to enabling urban development where it achieves well-functioning urban environment principles, such as:</p> <ul style="list-style-type: none"> <li>a. Being compact and well-designed</li> <li>b. Providing sufficient development capacity to meet current and future needs</li> <li>c. Improving overall health, well-being, and quality of life</li> <li>d. Prioritising protection and enhancement of freshwater</li> <li>e. Achieving RPS objectives relating to natural environment values</li> <li>f. Supporting the transition to low-emission and climate-resilient transport</li> <li>g. Providing a variety of homes meeting diverse housing needs</li> <li>h. Enabling Māori to express cultural and traditional norms</li> </ul>

Objective/Policy	Relevant matters
	<ul style="list-style-type: none"> <li>i. Supporting improvements in housing affordability and intensification</li> <li>j. Providing for appropriately located commercial and industrial development</li> <li>k. Providing for multi-modal transport connectivity.</li> </ul>
Policy 30 (Regional form, design, and function) (Amended under PC1)	Policy 30 requires district plans to include policies and rules that enable and manage a range of land use activities that maintain and enhance the viability and vibrancy of regionally <u>and locally</u> significant centres. Masterton town centre is listed as a sub-regional centre under this policy.
Policy 31 (Regional form, design, and function) (Amended under PC1)	Policy 31 requires district plans to: <ul style="list-style-type: none"> <li>• Identify centres suitable for higher density development</li> <li>• Identify locations with good access to the strategic public transport network, suitable for higher density development</li> <li>• Include policies, rules, and methods to <del>encourage higher density development</del> <u>enable a range of building heights and densities.</u></li> </ul>
Policy UD.1 (Added under PC1)	Policy UD.1 introduced as part of Proposed Plan Change 1 requires district plans to provide for the occupation, use, development, and ongoing relationship of mana whenua / tangata whenua with their ancestral lands.
Policy UD.2 (Added under PC1)	Policy UD.2 introduced as part of Proposed Plan Change 1 requires district plans to enable Māori cultural and traditional norms.
Policy FW.3 (Added under PC1)	Policy FW.3 introduced as part of Proposed Plan Change 1 requires district plans to manage the effects of urban development on freshwater and the coastal marine area.
Policy CC.4 (Added under PC1)	Policy CC.4 introduced as part of Proposed Plan Change 1 seeks that district plans ensure nature-based solutions are an integral part of climate change responses.
Policy CC.14 (Added under PC1)	Policy CC.14 introduced as part of Proposed Plan Change 1 requires district plans to include provisions to provide for climate-resilient urban areas with regard to managing heat stress, increased rainfall and floods, drought and water scarcity and insecurity, more pollution, and more intense weather and disaster events.
Policy 42 (Regional form, design, and function) (Amended under PC1)	Policy 33 has been amended as part of Proposed Plan Change 1, and now requires district plans to support well-functioning urban environments and a reduction in transport-related greenhouse gas emissions.
Policy 54 (Regional form, design, and function)	Policy 54 requires district plans to have particular regard to achieving the region's urban design principles. The principles are set out in Appendix 2 to the RPS and include: context, character, choice, connections, creativity, custodianship, and collaboration.

Objective/Policy	Relevant matters
Policy 57 (Regional form, design, and function)	<p>Policy 57 lists matters that need to be given particular regard when considering proposals in terms of their effect on land transport outcomes. It requires consideration of the Wellington Regional Land Transport Strategy and lists several criterions. Key for residential activities include:</p> <ul style="list-style-type: none"> <li>• Whether any traffic generated can be accommodated within the existing transport network, including efficiency, reliability, and safety.</li> <li>• Connectivity with key centres of employment activity or retail activity, open spaces, or recreational areas.</li> <li>• Whether there is good access to the strategic public transport network.</li> </ul>
Policy 58 (Regional form, design, and function)	<p>Policy 58 requires that particular regard is given to whether proposed development is located to make efficient use of existing infrastructure capacity when considering proposals, including district plan reviews.</p>

## 2.3.2 Natural Resources Plan

The table below identifies the provisions in the Natural Resources Plan for the Wellington Region that are relevant to the Future Urban Zone.

Section	Relevant matters
Residential zones – O1, O17, O44	<p>Objective O1</p> <p>Air, land, freshwater bodies, and the coastal marine area are managed as integrated and connected resources; ki uta ki tai – mountains to the sea.</p> <p>Objective O14</p> <p>The natural character of the coastal marine area, natural wetlands, and rivers, lakes and their margins, and natural wetlands is preserved and protected from inappropriate use and development.</p> <p>Objective O44</p> <p>The adverse effects on soil and water from land use activities are minimised.</p>
Chapter 3 Objectives	<p>3.1 Ki uta ki tai: mountains to the sea</p> <p>3.2 Beneficial use and development</p> <p>3.3 Māori relationships</p> <p>3.7 Sites with significant values</p> <p>3.10 Land use</p> <p>3.11 Discharges to land and water</p>
Chapter 4 Policies	<p>4.1 Ki uta ki tai and integrated catchment management</p> <p>4.2 Beneficial use and development</p> <p>4.3 Māori relationships</p>

Section	Relevant matters
	4.6 Sites with significant values 4.8 Water and land quality
Chapter 5 Rules	Relevant rules include Rules R71 to R76 around on-site domestic wastewater, particularly for rural development on un-serviced land.

### 2.3.3 Any other relevant regional plans or strategies

The following plans or strategies are relevant to this topic:

Plan / Strategy	Organisation	Relevant Provisions
Wellington Regional Growth Framework, July 2021	Wellington Regional Growth Framework	<p>The Framework is a spatial plan that describes a long-term vision for how the region will grow, change, and respond to key urban development challenges and opportunities in a way that gets the best outcomes and maximises the benefits across the region.</p> <p>The Framework identifies how the Wellington-Horowhenua region could accommodate a future population of 780,000 and an additional 100,000 jobs in the next 30 years. This would represent an additional 200,000 people living in the region.</p> <p>Sections of particular relevance include:</p> <p>Diagram 2: Objectives to initiatives</p> <p>Objectives:</p> <ul style="list-style-type: none"> <li>• Increase housing supply and improve housing affordability and choice</li> <li>• Enable growth that protects and enhances the quality of the natural environment and accounts for a transition to a low/no carbon future</li> <li>• Improve multi-modal access to and between housing, employment, education, and services</li> <li>• Encourage sustainable, resilient, and affordable settlement patterns/urban forms that make efficient use of existing infrastructure and resources</li> <li>• Build climate change resilience and avoid increasing the impacts and risks from natural hazards</li> <li>• Create employment opportunities.</li> </ul> <p>1.2 The Region's Challenges</p> <p>1. The region lacks sufficient and affordable housing supply and choice, housing affordability is declining and a significant investment in infrastructure is needed to</p>

Plan / Strategy	Organisation	Relevant Provisions
		<p>enable enough housing and quality urban environments.</p> <ol style="list-style-type: none"> <li>2. Many of the urban areas in the region are vulnerable to the impacts of natural hazards and climate change, and as the region grows and becomes more densely settled, it will become increasingly important to improve resilience and protect and enhance the region's natural environment</li> <li>3. There is inequitable access to social, educational, and economic opportunities across the region</li> <li>4. Mana Whenua and Māori in the region have poor access to affordable housing choices.</li> </ol>
Wellington Regional Economic Development Plan 2022	Wellington Regional Leadership Committee	<p>A plan to guide the long-term direction of the Wellington region economy, identify issues and opportunities in key focus areas and help prioritise initiatives over the next 10 years.</p> <p>The plan sets a vision "to build a future-focused, creative, sustainable and thriving Wellington region for all to be proud of."</p>
Regional Land Transport Plan 2015 (Land Transport Management Act)	Greater Wellington Regional Council	<p>This Regional Land Transport Plan (RLTP) is a statutory document that must be prepared every six years as required by the Land Transport Management Act (LTMA). It is prepared by the Regional Transport Committee (RTC), which is a joint committee comprised of two representatives from GWRC, the mayors of the local councils in the region, and the regional director of the NZ Transport Agency.</p> <p>Strategic objective: A well planned, connected, and integrated transport network.</p> <p>Policy I6: Land use development will be well integrated with transport infrastructure, including denser development located around public transport nodes and along key public transport corridors to minimise dependence on private vehicles.</p> <p>Policy I10: Walking, cycling and public transport services will be provided for as part of new land use development, consistent with relevant best practise guidance.</p>
Regional Public Transport Plan 2021-2031 (Land Transport Management Act)	Greater Wellington Regional Council	<p>The Wellington Regional Public Transport Plan (RPTP) guides the design and delivery of public transport services, information and infrastructure in the Wellington region.</p>

Plan / Strategy	Organisation	Relevant Provisions
		<p>Objective: An integrated approach to the public transport network – including the planning and provision of services, infrastructure, and information</p> <p>Action: Work with local councils to integrate land use and public transport planning so that an increasing proportion of the urban population lives within 500 metres of a stop on a core bus or local service or within one kilometre from a rail station.</p>

## 2.4 Wairarapa policies, plans, and strategies

### 2.4.1 Iwi Management Plans

There are currently no iwi management plans relevant to the Wairarapa.

### 2.4.2 Statutory Acknowledgements

As outlined in the Section 32 Evaluation Overview and Strategic Directions Report and identified in Appendices APP1 and APP2 to the Proposed District Plan, there are several statutory acknowledgement areas within the districts. Any application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area the consent authority must have regard to the statutory acknowledgement and provide notice to the relevant trustees.

No statutory acknowledgements are specifically relevant to the proposed Future Urban Zone.

### 2.4.3 Any other relevant local plans or strategies

The following plans or strategies are relevant to this topic:

Plan / Strategy	Organisation	Relevant Provisions
Carterton Urban Growth Strategy 2017	Carterton District Council	<p>The Carterton Urban Growth Strategy:</p> <ul style="list-style-type: none"> <li>Identifies a projected residential growth demand using known trends</li> <li>Considers development in and around the existing Carterton urban boundary including any new 'greenfield' areas required to meet projected demand</li> <li>Provides for infrastructure to be provided in an efficient, affordable, and timely manner</li> </ul>

Plan / Strategy	Organisation	Relevant Provisions
		<ul style="list-style-type: none"> <li>Recognises and provides for the quality of the natural and built environments</li> <li>Supports the growth of the local economy through signalling growth opportunities and proactively providing land areas that are both suitable and attractive to development stakeholders.</li> </ul> <p>The Carterton Urban Growth Strategy identified the Eastern Growth Area as the optimal area for future urban growth due to its proximity and accessibility to existing community and infrastructure facilities and services.</p>
Eastern Growth Area Structure Plan 2021	Carterton District Council	The Eastern Growth Area Structure Plan is a result of consultation with the community on four potential structure plan options to develop the Eastern Growth Area as recommended by the Carterton Urban Growth Strategy.
South Wairarapa Spatial Plan 2021	South Wairarapa District Council	<p>The Spatial Plan provides a blueprint for future growth and development for South Wairarapa district. It supports the district to develop in ways that support future prosperity and wellbeing of the district while protecting its special attributes.</p> <p>The Spatial Plan aligns with the district’s vision and feeds into future annual plans, long-term plans, district plans, guides future infrastructure development.</p> <p>Relevant to the Future Urban Zone, the Spatial Plan identifies future Residential Growth Areas in South Wairarapa district.</p>
South Wairarapa Spatial Plan: Mapping Our Future to 2050	South Wairarapa District Council, 2021	<p>The Spatial Plan is a plan to help shape the way South Wairarapa's communities grow and develop over a 30-year time period.</p> <p>Step 1: Residential Growth Areas focuses on residential growth as the first step and identifies residential growth areas in Martinborough, Featherston, and Greytown that were adopted by Council on 10 November 2021.</p> <p>The Featherston master planning work has been prioritised and is currently underway.</p>

## 2.5 Other legislation or regulations

The following additional legislative / regulatory requirements are also relevant to this topic:

Legislation / Regulation	Relevant Provisions
Building Act 2004	<p>The Building Act 2004 provides for the regulation of building work and sets performance standards for buildings.</p> <p>It is particularly relevant given the density of buildings in commercial areas and the presence of heritage buildings in these zones. The Act also regulates the management of earthquake prone buildings.</p>

## 3.0 Issues analysis

### 3.1 Background

There is an increasing need for housing and business demand in the Wairarapa. As such, there was the need to rezone additional land for development to accommodate anticipated housing and business demand from population growth.

A constraining factor is the capacity of infrastructure to service new development, both infill and greenfield. This constraint has led to the creation of the Future Urban Zone, which defers rezoning of the land until the structure plan process is complete and the necessary service infrastructure is in place. This approach is complemented by the Financial Contributions section of the Proposed District Plan, which implements a strategy to fund necessary service provision and upgrades.

The Future Urban Zone is new to the Wairarapa. The Operative District Plan does not use this zone. However, the Operative District Plan contains two residential sub-zone called “Residential (Opaki and Chamberlain Road Future Development Areas)”. In addition, areas have been identified as being suitable for future urban development via the Carterton Urban Growth Strategy 2019 and the South Wairarapa Spatial Plan 2021.

### 3.2 Evidence base

The Councils have reviewed the Operative District Plan, commissioned technical advice and assistance from various internal and external experts, held internal workshops, and engaged with community feedback to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social, and cultural effects that are anticipated from implementation of the provisions. The following sections outline this evidence.

## 3.2.1 Analysis of Operative District Plan provisions

### 3.2.1.1 Overview of Operative District Plan provisions

The Operative District Plan does not currently contain a Future Urban Zone, although there are two residential sub-zones called the Opaki and Chamberlain Road future development areas. The Operative District Plan identifies the following significant resource management issues that are also relevant to the new proposed Future Urban Zone.

- Sporadic growth around Wairarapa's towns, resulting in a permanent effect on the land use patterns with undesirable urban environments, reduced safety and efficiency of roads, and unplanned pressure for infrastructure and public services.
- Development and infrastructure servicing urban development can have both positive and adverse effects on natural and physical resources, ecosystems, and amenity values (for example water bodies).

### 3.2.1.2 State of the environment monitoring

The Future Urban Zone relates to the demand and supply of urban land for housing and business purposes. The following information relates to subdivision consents, which provides an indication of demand for urban land.

Data from Masterton District Council identifies the number of residential subdivisions and lot development in 2017 and 2018:

- in 2017 there were 27 resource consents granted, creating 61 new residential lots within the Residential Zone; and
- in 2018 there were 44 resource consents granted, creating 453 new residential lots within the Residential Zone.

This represents a significant increase in new residential lots over the 12-month period to June 2018 and aligns with an increase in residential building consent numbers for Masterton (based on the number of residential building consents processed by Council).

The number of subdivisions and lots created from rural, residential, commercial, and industrial subdivisions in Carterton District from 2010-2020 is shown in Tables 1 and 2 below. Table 3 shows the number of subdivisions and lots created for residential, rural, and coastal areas in South Wairarapa District from 2010 – 2020.

Subdivision applications are primarily for subdivision within residential and rural environments, with only a small number of commercial and industrial subdivision applications. The period 2016 – 2019 saw a noticeable increase in the total number of lots created, particularly for rural zones. Section 3.2.1.2 of the Rural Zones Section 32 Report provides additional context in relation to rural subdivision.

The majority of the applications sought are for allotments that generally align with the current controlled activity minimum lot sizes.

In addition, as an indicator for future urban land demand which the Future Urban Zone is intended to satisfy, an assessment prepared to inform the Wellington Regional Housing and Business Development Capacity Assessment 2023 (HBA) shows demand for housing and business land will grow strongly across the Wellington-Horowhenua region over the next three decades, driven by population growth.<sup>1</sup>

The report made the following observations:

- Masterton District:
  - Population growth: The Masterton District forecast projects population growth of 13,200 between 2022 and 2052.
  - Housing capacity: This assessment has identified sufficient housing capacity to meet demand over the short, medium, and long-term periods.
  - Business demand: There is highest demand for healthcare and industrial land in the Masterton District.
  - Business capacity: There is sufficient development capacity on business land to meet demand over the long term.

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<sup>1</sup> Demand for business land in the Wellington-Horowhenua region: Assessing future needs, prepared for the Wellington Regional Leadership Committee Secretariat, 28 March 2023 by Sense Partners.

- Infrastructure capacity: Remains an ongoing challenge, with long-term constraints on water supply capacity. The local road network, State Highway network, public transport, open space, and education have sufficient capacity to meet future demand.
- Carterton District:
  - Population growth: The Carterton District forecast projects population growth of 4,600 between 2022 and 2052.
  - Housing capacity: This assessment has identified sufficient housing capacity to meet demand over the short, medium, and long-term periods.
  - Business demand: There is highest demand for industrial land in the Carterton District.
  - Business capacity: There is sufficient development capacity on business land to meet demand over the long term.
  - Infrastructure capacity: Remains an ongoing challenge, with long-term constraints on water supply capacity. The local road network, State Highway network, public transport, open space, and education have sufficient capacity to meet future demand.
- South Wairarapa District:
  - Population growth: The South Wairarapa District forecast projects population growth of 4,600 between 2022 and 2052.
  - Housing capacity: This assessment has identified sufficient housing capacity to meet demand over the short, medium, and long-term periods.
  - Business demand: There is highest demand for retail and industrial land in the South Wairarapa District.
  - Business capacity: There is sufficient development capacity on business land to meet demand over the long term.
  - Infrastructure capacity: Remains an ongoing challenge, with long-term constraints on water supply capacity. The local road network, State Highway network, public transport, open space, and education have sufficient capacity to meet future demand.

### 3.2.1.3 Effectiveness of the Operative District Plan approach

The following issues have been identified with the effectiveness of the Operative District Plan:

Issue	Comment
Issue 1: Give effect to the NPS-UD and provide sufficient land supply	The NPS-UD applies to Masterton, the District Plan therefore needs to provide sufficient zoned and feasible land available to meet the NPS-UD requirements.
Issue 2: Ad-hoc urban growth is resulting in suboptimal outcomes	Uncoordinated subdivision of rural land on the fringes of urban environments for urban use and development is resulting in inefficient urban environments and a loss of rural productive land.

### 3.2.2 Analysis of other District Plan provisions relevant to this topic

Current practice has been considered in respect of this topic, with a review undertaken of the following District Plans:

Plan	Description of approach
Proposed New Plymouth District Plan	<p>This Plan has been prepared in accordance with the National Planning Standards.</p> <p>The plan includes a Future Urban Zone which applies to land that has been identified as being suitable for urbanisation in the future.</p> <p>There are four objectives which relate to:</p> <ul style="list-style-type: none"> <li>Identifying the location for urban growth</li> <li>Structure plans to be incorporated by a plan change</li> <li>Predominant rural character of the FUZ is retained</li> <li>Activities within and adjacent to the FUZ do not compromise the ability to develop the area for urban growth purposes.</li> </ul> <p>There are seven policies which relate to:</p> <ul style="list-style-type: none"> <li>Allowing compatible activities</li> <li>Managing activities that maybe incompatible and avoiding incompatible activities</li> <li>Maintaining the role, function and character of the zone</li> <li>Ensuring activities are appropriately located</li> <li>Reserve sensitivity</li> <li>Plan changes for structure plans</li> </ul> <p>Rules are divided into:</p> <ul style="list-style-type: none"> <li>Land use activities</li> <li>Building activities.</li> </ul>
Porirua Proposed District Plan	<p>This Plan has been prepared in accordance with the National Planning Standards.</p> <p>Council's Housing and Business Capacity Assessment (2019) identified a need for additional land for housing and business purposes over the next thirty-years. The Future Urban Zone applies</p>

	<p>to Greenfield land that has been identified as being suitable for these purposes.</p> <p>There are three objectives which relate to:</p> <ul style="list-style-type: none"> <li>• Purpose of the zone</li> <li>• Character and amenity values</li> <li>• Maintaining development potential</li> </ul> <p>There are six objectives which relate to:</p> <ul style="list-style-type: none"> <li>• Identifying future urban areas</li> <li>• Urban development</li> <li>• Intended use of future urban areas</li> <li>• Appropriate use of development</li> <li>• Potentially inappropriate activities</li> <li>• Inappropriate use and development</li> <li>• A rule framework that manages buildings and activities.</li> </ul>
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These plans were selected because:

- They have been subject to recent plan changes/ reviews that have/has addressed similar issues relating to this topic;
- The councils are confronting similar issues relating to this topic.
- One Council is located within the Greater Wellington Region.

A summary of the key findings follows:

- The two plans included a Future Urban Zone within the special purpose zones.
- Both set a holding pattern through the application of the Future Urban zoning.
- They rely on plan changes and structure plan processes for rezoning to allow for urbanisation to occur.

### 3.2.3 Advice received from Iwi

Section 32(4A) of the RMA requires evaluation reports prepared in relation to a proposed plan to include a summary of:

- All advice received from iwi authorities concerning the proposal; and
- The response to that advice, including any proposed provisions intended to give effect to the advice.

Under Clause 4A of Schedule 1 of the RMA local authorities are also required to:

- Provide a copy of any draft policy statement or plan to any iwi authority previously consulted under clause 3 of Schedule 1 prior to notification;
- Allow adequate time and opportunity for those iwi authorities to consider the draft and to supply advice; and
- Have particular regard to any advice received before notifying the plan.

No specific advice has been received from Ngāti Kahungunu ki Wairarapa or Rangitāne o Wairarapa regarding this topic and the proposed provisions evaluated within this report.

### 3.2.4 Consultation

The following is a summary of the primary consultation undertaken in respect of this topic:

Who	What	When	Relevant Issues Raised
Greater Wellington Regional Council	Meetings and email correspondence	2021-2022	Future urban zone provisions and spatial extent
Public feedback on Draft District Plan	Feedback on Draft Plan, through submissions and targeted discussions	Oct – Dec 2022	Refer to summary below.

Public consultation was undertaken on the Draft District Plan in October to December 2022.

The Draft Future Urban Zone chapter contained three objectives and four associated policies with a rule framework based on buildings and activities.

Feedback on the chapter was received from 18 individuals and organisations. The submissions and the response to address the issues raised is summarised in Appendix 1. Feedback on the Draft District Plan can be generally grouped into three main issues:

- Amendments to objectives, policies, rules, and standards for the Future Urban Zone
- Location and extent of the Future Urban Zone
- Miscellaneous matters.

#### 3.2.4.1 Amendments to objectives, policies, rules, and standards for the Future Urban Zone

Comments received on the objectives and policies largely did not request specific changes. Rather, they raised concerns about the Future Urban Zone that reflected a misunderstanding of the zone's purpose. Submitters raised concerns about reverse sensitivity effects and safety conflicts (e.g., movement of large farm machinery) between continuing rural uses and incoming residential development, and concerns with infrastructure requirements for rural use.

From the submissions received, it appears that submitters have misunderstood that the Future Urban Zone signals the appropriateness of residential development and facilitates it. For clarity, the Future Urban Zone seeks to provide for existing rural land uses to continue until the necessary planning and infrastructure is in place to facilitate

urban development, at which point the land will be rezoned for urban use. The intention of the Future Urban Zone is to manage or avoid the concerns and effects raised by submitters. Amendments have been made to the introductory text of the chapter to make the purpose of this zone clear.

One submitter requested that education facilities be a Restricted Discretionary activity rather than a Non-complying activity in the Future Urban Zone, with matters of discretion to manage typical effects of schools on the environment and a specific matter to manage reverse sensitivity effects with existing rural uses. To support this, the submitter also requested specific changes to the policy framework for education facilities in the Future Urban Zone, including a minor wording amendment to Objective FUZ-O1 and amendment of Policy FUZ-P2 to enable supporting infrastructure to be developed in advance of the land being rezoned to residential use in order to service the local population as it grows.

While there may be some instances where it may be appropriate for schools to be built before the rest of an area is re-zoned for urban use, the rezoning process generally requires structure plans to be prepared before this can occur. Education facilities that are built ahead of structure plans being prepared have the potential to conflict with the plan for the area, resulting in suboptimal urban design outcomes. As such, it is considered appropriate to apply a Discretionary activity status for education facilities in the Future Urban Zone, which will allow Council to consider any matter in assessing the effects of the application. The rule for educational facilities (Rule FUZ-R18) has been deleted, which means that educational facilities will default to a Discretionary activity under Rule FUZ-R14. The amendments sought for FUZ-P2 are therefore considered appropriate to enable schools to be built only when and where the circumstances are appropriate.

Submissions on the rules and standards in the Future Urban Zone generally sought amendments to facilitate specific activities as set out below.

Another submitter requested amendments to rules and standards to require compliance with firefighting water supply standards. This request has been addressed by adding an additional standard to the Subdivision chapter, with a corresponding requirement also being added to the Future Urban Zone chapter (standard FUZ-S9). The submitter also requested hose drying towers be exempt from maximum building height standard. It is understood that hose drying towers are no longer installed, and those already existing are covered by existing use rights. Lastly, the submitter requested that emergency service facilities be a Permitted activity in the Future Urban Zone. The current activity status would default to a Discretionary activity under the catch-all rule for the zone. As with the General Residential Zone, this activity status is considered appropriate as there is the potential for emergency service facilities to generate incompatibility issues on future residential use, which should be considered and managed via a consent process where necessary.

A submitter sought a new standard requiring buildings be setback 5m from the rail corridor. The building setbacks imposed by the zone still apply (in the Future Urban Zone this is 3m from the front and two rear/side boundaries, and 1.5m from one rear/side boundary), and if additional room for maintenance and access purposes is required, there are other mechanisms available to achieve this, such as designations and access requests.

Another requested amendments to require new buildings to meet the requirements of the Wellington Water standard for three waters connections where they exist. Three new standards (FUZ-S6, FUZ-S7, and FUZ-S8) have been added to the Future Urban Zone to give effect to this request.

### 3.2.4.2 Extent of the Future Urban Zone

There was reasonable support from submitters for the areas identified as Future Urban Zone across the three districts. However, the following queries were raised by some submitters about the location and extent of the Future Urban Zone areas.

One submitter raised the issue that all the Future Urban Zone areas are partially or entirely on highly productive land (Land Use Class (LUC) I, II, and III), particularly Carterton and Greytown growth areas which are located on LUC II land. The submitter recognises that while some of these areas have already been identified for urban development and are therefore exempt under Section 3.5(7) of the National Policy Statement on Highly Productive Land (NPS-HPL), the submitter does not consider that development in these areas gives effect to the Operative Wellington Regional Policy Statement, particularly Policies 56 (development in rural areas), 59 (retaining the productive capacity of highly productive land) and Objective 22 (compact urban form).

The Future Urban Zone areas delineated in the Draft District Plan have been assessed and identified by Councils either in formal documents<sup>2</sup> or are in the process of having the relevant documents prepared.<sup>3</sup> This approach is intended to meet the requirements of Policy 5 of the NPS-HPL, which requires urban rezoning of highly productive land to be avoided except in instances set out in the National Policy Statement on Highly Productive Land (NPS-HPL<sup>4</sup>).

Section 3.5(7) of the NPS-HPL effectively excludes land from being classified as highly productive if that land has been identified for future urban development or is subject to a Council-initiated, adopted, notified Plan Change to rezone the land from rural to urban use. Section 3.6 of the NPS-HPL allows territorial authorities to rezone highly

<sup>2</sup> Carterton Urban Growth Strategy 2017, Carterton Draft Structure Plan 2020, South Wairarapa Spatial Plan 2021

<sup>3</sup> Masterton Housing and Business Capacity Assessment is being prepared in line with the requirements of the NPS-UD

<sup>4</sup> <https://environment.govt.nz/assets/publications/National-policy-statement-highly-productive-land-sept-22-dated.pdf>

productive land only if it is required to provide sufficient development capacity to meet demand for housing or business land to give effect to the National Policy Statement on Urban Development (NPS-UD), there are no other reasonably practicable or feasible alternatives for providing sufficient capacity, and the environmental, social, cultural, and economic benefits of rezoning outweigh the long-term costs of the loss of highly productive land. For the reasons set out in the growth strategies, structure plans, housing and business capacity assessments, and supporting research undertaken by the Wairarapa Councils, the growth areas identified and delineated by the Future Urban Zone are considered the most appropriate options for meeting the requirements of national and regional direction and resolving the conflicts between them.

Submitters raised concerns about the two Future Urban Zone areas in Masterton (Chamberlain Road and Cashmere), that these areas will be insufficient to meet medium or long-term demand for greenfield residential development. Other submitters opposed the location of the Chamberlain Road Future Urban Zone as much of it is located on highly productive land (LUC II) as defined by the National Policy Statement on Highly Productive Land (NPS-HPL).

The Masterton District has been growing faster than what was previously projected over the last five years (2018-2022) and projections prepared for Council by Sense Partners indicate that this growth is likely to continue. The following table sets out the latest housing demand projections for the Masterton District:

Dwellings 2021	Dwellings 2024	Dwellings 2031	Dwellings 2051	Total Additional Dwellings (2021-2051)
13,987	14,645 (+634)	16,826 (+2,137)	20,304 (+3,422)	6,193

The Chamberlain Road Future Urban Zone area has been reduced in spatial extent to avoid highly productive land as much as practicable. The size of the new area is expected to provide for around 570 new lots.

Part of the Cashmere Future Urban Zone has recently been subject to an approved private plan change to the Operative District Plan. As such, this area will now become part of the General Residential Zone for the Proposed District Plan. This area can provide for over 500 new lots.

Other submitters sought expansion of the urban boundary, particularly around Castlepoint. With the introduction of the NPS-HPL, the Councils' ability to delineate new greenfield areas for residential development is relatively constrained due to

Wairarapa's main centres being effectively surrounded by highly productive land, including Castlepoint. With reference to the above discussion on selecting the current Future Urban Zone areas and the tensions between the NPS-HPL and the NPS-UD outlined above, no further Future Urban Zone areas are identified than necessary to satisfy the requirements of the NPS-UD in order to infringe as little as possible on highly productive land (including areas around Castlepoint).

Regarding the Carterton Eastern Growth Area, one submitter considered that the land south of Park Road would be more viable for development than the Eastern Growth and would be less expensive to ratepayers. It is noted that the area south of Park Road is included in the Eastern Growth Area.

The 2017 Carterton Growth Strategy identified that the Eastern Growth Area was the most suitable location and direction for new greenfield development in Carterton due to its proximity and accessibility to the existing community, infrastructure facilities, and services, and avoidance of flood hazard areas. The Carterton Structure Plan was released for public consultation in December 2020 to January 2021, and elected members decided on the current approach to the Eastern Growth Area in August 2021. The next steps are to investigate water supply solutions for the area. Once this investigation is complete, Council may undertake further consultation with the community if necessary or move straight to the formal Plan Change process to give effect to the Eastern Growth Area Structure Plan. The timing of this investigation means the findings will not be available to enable urban zoning through the Proposed Plan, meaning a separate District Plan Change is required.

Submitters also questioned why there are no Future Urban Zone areas proposed for Featherston. As noted in the Draft District Plan released for community consultation, South Wairarapa District Council is currently undertaking the separate master planning process for Featherston. The final recommendations from this master planning process for zoning, including any land to be zoned Future Urban will be incorporated into the Proposed District Plan once the process is complete. A separate District Plan Change will be required to incorporate the outcomes of the Featherston master planning process into the Proposed District Plan

Submitters have questioned whether the growth area GC – North End Extension Growth Area in Greytown identified in the South Wairarapa Spatial Plan may be reconsidered in light of the findings of the Waiōhine River Action Plan. Only the GB – Jellicoe-Papawai Mid Residential Growth Area has been included in the Future Urban Zone in the Proposed District Plan, with other growth areas (including the GC – North End Extension) remaining part of the General Rural Zone, as they are not required to accommodate population growth within the next 5-10+ years. Plans for growth in Greytown will be due for review in approximately 5 years, with new data and information (such as from the Waiōhine River Action Plan) factored in at that time.

### 3.2.4.3 Miscellaneous matters

One submitter questioned the purpose of the Future Urban Zone. They considered it was better to rezone the areas straight to residential to avoid uncertainty or leave the areas as rural. Again, this appears to be a misunderstanding about the purpose of the Future Urban Zone. The zone is intended to provide a level of certainty on the location of future development areas and patterns, as it indicates areas that should be developed once the necessary planning, infrastructure and services are in place.

One submitter considered that Regent and Todds Road should be developed under a master plan. Todds Road forms the boundary of the 'MA' residential growth area for Martinborough identified in the South Wairarapa Spatial Plan in 2021. These areas will have master plans developed for them in due course.

One submitter opposed that a set distance from train station and central areas was used as threshold for where higher residential densities are proposed in Featherston. As above, the Featherston master planning process is still underway and is a separate process from the District Plan review. The District Plan will incorporate the relevant aspects of the final master plan once finalised.

## 3.3 Summary of issues

Based on the research, analysis and consultation outlined above the following issues have been identified with respect to the effectiveness of the Operative District Plan:

- The Operative District Plan does not give effect to the NPS-UD and provide sufficient land supply.
- Ad hoc subdivision of rural areas for urban growth is resulting in suboptimal outcomes for both rural and urban environments.

The following resource management issues have been identified:

Issue	Comment
Issue 1: The need for adequate land supply for housing and business	Council needs to plan ahead by providing zoned, serviced and feasible land for residential development to meet the needs of a growing population.  Higher order planning documents require the provision of sufficient housing and business land capacity to meet community needs.
Issue 2: Safeguarding land that is identified for future urban growth	Land that is identified as preferred areas for future urban growth, is protected from inappropriate land-use and/or development patterns that will compromise the future development of the land.
Issue 3: Inefficient pattern of land use development and limited capacity of infrastructure to meet	Ad hoc subdivision and development can result in inefficient land use pattern, provision of infrastructure and poor urban form.  Coordinated approach to subdivision, land use development and provision of infrastructure can reduce short and long term costs.

the needs for future housing and business	Capacity constraints of infrastructure limits the ability to service new subdivision and development.
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## 4.0 Scale and significance

### 4.1 Evaluation of scale and significance

Under section 32(1)(c) of the RMA, this evaluation report needs to contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

This section assesses the scale and significance of the signs provisions to determine the level of analysis required.

	Low	Medium	High
<b>Degree of change from the Operative District Plan</b>		✓	
<b>Effects on matters of national importance</b>		✓	
<b>Scale of effects - geographically</b>	✓		
<b>Scale of effects on people e.g. landowners, neighbourhoods, future generations</b>		✓	
<b>Scale of effects on those with specific interests e.g. tangata whenua</b>	✓		
<b>Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?</b>		✓	
<b>Likelihood of increased costs or restrictions on individuals, communities, or businesses</b>	✓		

In summary:

- The degree of change from the Operative District Plan is medium as the Future Urban Zone is a new zone for the Proposed District Plan, although largely covers areas of land that have already been identified for future development via other Council processes.
- The geographic scale of effects applies to specifically identified areas within the proposed Future Urban Zone. The geographic scale of these areas is relatively low in the context of the district.
- The landowners within or adjacent to the areas being rezoned and or identified as Future Urban Zone will be specifically affected by these changes. The rezoning for individual landowners will not affect their current land use but

economic benefits are likely to be realised if and when they chose to develop their land in the future. Landowners within the Future Urban Zone will be subject to some tighter subdivision and development controls in the meantime, but these controls are not likely to affect the majority of landowners continuing with their current land use activities.

- The wider community, tangata whenua, and future generations are likely to be affected positively by the proposal as it is expected to result in improved urban growth outcomes, creating high quality urban environments for people to live, work and play.
- The proposed Future Urban Zone provisions will give effect to the NPS-UDC and Part 2 of the RMA, and the National Planning Standard 2019.

Overall, it is considered that the scale and significance of the proposal is medium. The level of detail in this report corresponds with the scale and significance of the environmental, economic, and cultural effects that are anticipated from the implementation of the Future Urban Zone provisions.

## 4.2 Quantification of benefits and costs

Section 32(2)(b) of the RMA requires that, where practicable, the benefits and costs of a proposal are to be quantified.

Specific quantification of all benefits and costs associated with the Proposed District Plan is considered neither practicable nor readily available. In general, a qualitative assessment of costs and benefits associated with the Proposed District Plan is considered sufficient, and this is provided for in the assessment of policies, rules and other methods contained in Section 7.0 of this report. However, where practicable and considered appropriate to supporting the evaluation, some of the benefits or costs associated with the Proposed District Plan have been quantified. The identification of costs and benefits has been informed by the body of evidence outlined in Section 3.0 of this report.

## 5.0 Proposed provisions

### 5.1 National Planning Standards zoning

Based on the issues analysis in Section 3.0 of this report and the National Planning Standards zone options the following zone framework has been selected in relation to this topic:

Zone	Description
Future Urban	Areas suitable for urbanisation in the future and for activities that are compatible with and do not compromise potential future urban use

### 5.1.1 Application of zoning

Carterton District Council has adopted an Urban Growth Strategy which identifies an area east of the Carterton urban area for future urban development. South Wairarapa District Council has adopted the South Wairarapa Spatial Plan which also identifies urban growth areas in Featherston, Greytown and Martinborough. Technical work has been undertaken by Masterton District Council to identify potential future urban growth areas.

Based on this work the following areas are proposed for the Future Urban Zone:

- Masterton District
  - Ngaumutawa Road/West Bush Road/Chamberlain Road
- Carterton District
  - Eastern Growth Area
- South Wairarapa District
  - Greytown - Jellicoe to Pāpāwai Mid Residential (GB)
  - Martinborough - Ferry Road Mid Residential (MF)
  - Martinborough - Outer Residential Lifestyle (MA).

State Highway 2 (Opaki Road/Cashmere Oaks) was originally proposed to be part of the Future Urban Zone, but a recent plan change for the area has been approved. This plan change included a structure plan, and therefore this area will be zoned General Residential Zone for the Proposed District Plan.

## 5.2 Strategic directions

The following objectives from the Strategic Direction chapter of the Proposed District Plan are relevant to the Future Urban Zone.

<b>CCR-01</b>	<b>Climate change and resilience</b>
The Wairarapa develops and functions in a way that strengthens resilience to climate change and mitigates the effects of climate change.	
<b>CCR-03</b>	<b>Resilience to natural hazards</b>
The Wairarapa develops and functions in a way that does not increase risk and consequences of natural hazards.	

<b>RE-O3</b>	<b>Highly productive land</b>
Highly productive land is protected for use in land-based primary production, both now and for future generations.	
<b>TW-O3</b>	<b>Use of Māori land</b>
Rangitāne o Wairarapa and Ngāti Kahungunu ki Wairarapa can protect, develop, and use Māori land to undertake customary activities, and to support their social and economic aspirations.	
<b>UFD-O1</b>	<b>Urban form of the Wairarapa</b>
Wairarapa's urban form is a series of connected urban areas located along the main transport routes which each support a local community.	
<b>UFD-O2</b>	<b>Urban growth</b>
The Wairarapa's urban areas grow in a planned, efficient, and structured way to meet future needs in a responsive manner.	
<b>UFD-O3</b>	<b>Urban land supply</b>
There is sufficient development capacity to meet the Wairarapa's housing, commercial, industrial, and recreational needs.	
<b>UFD-O4</b>	<b>Infrastructure capacity</b>
Urban growth and development is integrated with the efficient provision, including the timing and funding, of infrastructure.	
<b>INF-O1</b>	<b>Infrastructure</b>
The benefits of infrastructure are recognised, while ensuring its adverse effects are well managed, and infrastructure is protected from incompatible land use, subdivision, and development, including reverse sensitivity effects.	

These objectives are evaluated in the Section 32 Evaluation Overview and Strategic Directions Report.

The Future Urban Zone spans many matters of strategic importance. For the climate change and resilience objectives, future urban areas can be resilient and mitigate climate change by being compact and well-designed, thereby reducing the need for private motor vehicles and lessening greenhouse gas emissions.

New urban areas have been located to avoid areas subject to high risks from natural hazards and highly productive land insofar as possible. Future urban areas will provide flexibility to enable use of Māori land for customary activities and to support cultural aspirations. Future Urban Zone provisions seek to enable development only once a structure plan and supporting infrastructure is in place.

The Future Urban Zone also contributes to the Urban Form and Development strategic directions. Compact and well-designed urban areas contribute to a connected urban form, efficient and structured urban growth, adequate land supply for residential, commercial, and industrial needs.

## 5.3 Overview of proposed provisions

The proposed provisions relevant to this topic are set out in detail in the Proposed District Plan and should be referenced in conjunction with this evaluation report.

In summary, the proposed provisions include:

- Three objectives that address:
  - Purpose of the zone
  - Character and amenity values
  - Maintaining the development potential of land.
- Four policies that:
  - Allow activities that are compatible with the Future Urban Zone
  - Manage activities that are potentially incompatible with the Future Urban Zone
  - Avoid activities that are incompatible with the Future Urban Zone
  - Avoid subdivision within the Future Urban Zone.
- A rule framework that manages land use and building and structure activities as follows:

Activity	Proposed District Plan
	Future Urban Zone
Buildings and structures, including construction, additions and alterations	P (s)
Demolition of buildings and structures	P
Relocatable buildings	P (s)
Residential activities	P (s)
Accessory buildings and structures	P (s)
Papakāinga	P (s)
Residential visitor accommodation	P (s)
Home business	P (s)
Primary production	P (s)
Conservation activities	P
Rural produce retail	P (s)
Quarrying activities	P (s) (farm quarry) D (all other quarries)
Seasonal worker accommodation	P (s)
Any other activity not listed	D
Intensive farming	NC

Activity	Proposed District Plan
	Future Urban Zone
Retirement village	NC
Community facility	NC
Healthcare facility	NC
Commercial activities	NC
Industrial activities	NC
Rural industry activities	NC
P means permitted activity (no resource consent required) P (s) means permitted activity subject to standards (no resource consent required) D means discretionary activity (resource consent required) NC means non-complying activity (resource consent required)	

- Effects standards that address:
  - Maximum height
  - Maximum height in relation to boundary
  - Building setbacks
  - Number of residential units
  - Transport requirements for rural produce retail activities.

## 5.4 Other relevant objectives

Objectives in the district-wide chapters are generally relevant to the Future Urban Zone where the activities controlled by the district-wide chapters occur in future urban areas. More specifically, the following objectives in the Subdivision and Financial Contributions chapter are also relevant:

- SUB-O1 Subdivision and development design
- SUB-O2 Servicing
- SUB-O3 Future development
- FC-O1 Infrastructure meets additional demand
- FC-O2 Servicing subdivision and development.

## 6.0 Evaluation of the proposed objectives

Section 32(1)(a) of the RMA requires an evaluation to examine the extent to which the objectives proposed are the most appropriate way to achieve the purpose of the RMA. The level of detail must correspond to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.

This section of the report evaluates the objectives proposed for the Future Urban Zone.

An examination of the proposed objectives along with reasonable alternatives is included below, with the relative extent of their appropriateness based on an assessment against the following criteria:

1. Relevance (i.e., Is the objective related to addressing resource management issues and will it achieve one or more aspects of the purpose and principles of the RMA?)
2. Usefulness (i.e., Will the objective guide decision-making? Does it meet sound principles for writing objectives (i.e., does it clearly state the anticipated outcome?)
3. Reasonableness (i.e., What is the extent of the regulatory impact imposed on individuals, businesses, or the wider community? Is it consistent with identified tangata whenua and community outcomes?)
4. Achievability (i.e., Can the objective be achieved with tools and resources available, or likely to be available, to the Councils?)

While not specifically required under Section 32 of the RMA, in some instances alternative objectives are also considered to ensure that the proposed objective(s) are the most appropriate to achieve the purpose of the RMA.

<b>Proposed Objectives</b>
<p><b>FUZ-O1 Purpose of the Future Urban Zone</b></p> <p>The Future Urban Zone enables existing uses and ensures that inappropriate subdivision and development does not compromise the efficient and effective transition from rural to urban environments and any necessary development of strategic three waters and transport infrastructure.</p> <p><b>FUZ-O2 Character and amenity values of the Future Urban Zone</b></p> <p>The Future Urban Zone supports existing rural uses and maintains the character and amenity values of the General Rural Zone until such time as it is rezoned for urban purposes.</p> <p><b>FUZ-O3 Maintaining the development potential of the Future Urban Zone</b></p> <p>Use and development in the Future Urban Zone does not result in any of the following:</p> <ol style="list-style-type: none"> <li>a. structures and buildings of a scale and form that will restrict or prevent future urban development;</li> </ol>

<p>b. the efficient and effective operation of the local and wider transport network being compromised;</p> <p>c. the need for significant upgrades, provision, or extension to the wastewater, water supply, or stormwater networks, any other infrastructure in advance of planned future urban development, or any planned infrastructure upgrades;</p> <p>d. the efficient provision of infrastructure being compromised;</p> <p>e. reverse sensitivity effects when urban development occurs;</p> <p>f. reverse sensitivity effects on existing rural activities or infrastructure;</p> <p>g. the efficient form or nature of future urban development being compromised; or</p> <p>h. development that does not align with or compromises the outcomes of any relevant growth strategy, master plan, or structure plan regarding provision of infrastructure and roading corridors.</p>	
<p><b>Alternatives considered</b></p>	
<p>Status quo: Rely on existing General Residential, Rural Zone and Subdivision objectives.</p>	
<p><b>Appropriateness to achieve the purpose of the RMA</b></p>	
<p>Appropriateness of Proposed Objective (relevance, usefulness, reasonableness, achievability)</p>	<ul style="list-style-type: none"> <li>• The proposed objectives provide a comprehensive framework to address the resource management issues in that Council needs to plan ahead by providing zoned and serviced land for residential development.</li> <li>• The proposed objectives will assist the Council to meet its obligations under the NPS-UD.</li> <li>• The proposed objectives assist the Councils to undertake their functions in RMA s31(1)(a);</li> <li>• The proposed objectives do not duplicate or overlap with regional council functions;</li> <li>• The proposed objectives do not create direct costs on the community;</li> <li>• Overall, the objective will have a positive long-term benefit in providing for future urban development which support the community;</li> <li>• The objectives are achievable and are generally consistent with other district plans.</li> </ul>
<p>Appropriateness of Status Quo (relevance, usefulness, reasonableness, achievability)</p>	<ul style="list-style-type: none"> <li>• The objectives partly addresses the resource management issues, however, land identified for future growth has not been adequately plan-enabled</li> <li>• The objectives provides direction to guide decision making but it is less clear in articulating the outcomes sought.</li> <li>• The objectives creates indirect costs on the community via poor outcomes of unplanned and unstructured urban growth.</li> <li>• The objectives are achievable.</li> </ul>
<p><b>Preferred option and reasons</b></p>	
<p>The above analysis indicates that the preferred objectives are the most appropriate way to achieve the purpose of the RMA by providing a coherent package of desired outcomes consistent with sustainable management.</p>	

## 7.0 Evaluation of proposed provisions

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

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

### 7.1 Evaluation

For each potential approach an evaluation has been undertaken relating to the costs, benefits and the certainty and sufficiency of information (as informed by Section 4.0 of this report) in order to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objective(s).

### 7.1.1 Provisions to achieve objectives relating to Future Urban Zone

Under Section 32(1)(b)(ii) of the RMA, reasonably practicable options to achieve the objective(s) associated with this proposal need to be identified and examined.

The other options considered reasonably practicable for achieving the objectives of the Proposed District Plan in relation to [topic] are:

- Option 1: The proposed provisions
- Option 2: Retaining the status quo – the Operative District Plan (identifying growth areas with no specific rules, and these areas are zoned Rural).

#### **FUZ-O1 Purpose of the Future Urban Zone**

The Future Urban Zone enables existing uses and ensures that inappropriate subdivision and development does not compromise the efficient and effective transition from rural to urban environments and any necessary development of strategic three waters and transport infrastructure.

#### **FUZ-O2 Character and amenity values of the Future Urban Zone**

The Future Urban Zone supports existing rural uses and maintains the character and amenity values of the General Rural Zone until such time as it is rezoned for urban purposes.

#### **FUZ-O3 Maintaining the development potential of the Future Urban Zone**

Use and development in the Future Urban Zone does not result in any of the following:

- a. structures and buildings of a scale and form that will restrict or prevent future urban development;
- b. the efficient and effective operation of the local and wider transport network being compromised;
- c. the need for significant upgrades, provision, or extension to the wastewater, water supply, or stormwater networks, any other infrastructure in advance of planned future urban development, or any planned infrastructure upgrades;
- d. the efficient provision of infrastructure being compromised;
- e. reverse sensitivity effects when urban development occurs;
- f. reverse sensitivity effects on existing rural activities or infrastructure;
- g. the efficient form or nature of future urban development being compromised; or

h. development that does not align with or compromises the outcomes of any relevant growth strategy, master plan, or structure plan regarding provision of infrastructure and roading corridors.		
Option 1: Proposed approach (recommended)	Costs	Benefits
<p>Future Urban Zone chapter containing three objectives on:</p> <ul style="list-style-type: none"> <li>• Purpose of the zone</li> <li>• Character and amenity values</li> <li>• Maintaining development potential</li> </ul> <p>Policy framework that:</p> <ul style="list-style-type: none"> <li>• Allow activities that are compatible</li> <li>• Manage activities that are potentially incompatible</li> <li>• Avoid activities that are incompatible</li> <li>• Avoid subdivision</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• In the short term, the existing rural character and amenity will remain unchanged. In the long term, the existing rural character and landscapes will be replaced by urban built form and urban activities.</li> <li>• In the long-term there will be a loss of land that could be utilised for primary production purposes, as well as restricting those activities in areas in the transition period.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• There is an opportunity cost for landowners in the short term as a result of a restrictive provision framework, limiting the ability to develop for urban purposes until a structure plan is prepared and plan change completed.</li> <li>• Costs on Council to prepare structure plans and plan changes to enable development.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• The Future Urban Zoning may lead to the land being underutilised in the interim period before it is rezoned for development.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No cultural costs identified.</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• In the short term, rural character and amenity will be maintained until the transition between rural and urban land use takes place.</li> <li>• In the long term, the existing rural character and landscapes will be replaced by urban built form and urban activities. The nature of Future Urban Zoning means that these urban built environments will be well-functioning and result in better environmental, economic, and social outcomes than if development were to continue in an ad hoc manner.</li> <li>• Prevents rural-residential subdivision and development, which compromises the efficient use of land for urban development while ensuring that rural land is maintained for productive purposes.</li> <li>• Restriction on activities that may have permanent effects on the rural environment, such as intensive primary production would ensure the land is not compromised for future urban development.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• The provisions clearly establish the Future Urban Zone as a transitional area that set a clear expectation for the future urban use of the land.</li> <li>• The establishment of the future urban zone also provides certainty in terms of the location of future</li> </ul>

<p>A rule framework that manages buildings and structures.</p>		<p>urban areas, providing certainty for future-planning a variety of land uses.</p> <ul style="list-style-type: none"> <li>• Future Urban Zoning allows time to plan and fund suitable infrastructure to support urban growth and development.</li> <li>• There will be significant economic benefits associated with the ultimate development of future urban zoned areas in accordance with the future rezoning process.</li> <li>• Making more land available for urban development may increase the affordability of the existing housing stock.</li> <li>• The ongoing provision for rural activities in the Future Urban Zone, including primary production, will also ensure economic use of the land continues in the interim.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Enables growth in key areas and provides more opportunities for affordable housing.</li> <li>• Certainty to landowners and community on the location of future urban development.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No cultural benefits identified.</li> </ul>
<p><b>Effectiveness and efficiency</b></p>	<p>This approach is considered to be efficient and effective as it provides clear direction that the Future Urban Zone is transitional and seeks to manage the transition from rural to urban areas. The approach achieves the proposed objectives in an efficient and effective manner by providing a balance between managing existing rural activities and ensuring those activities do not compromise an efficient future urban form.</p>	
<p><b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the</b></p>	<p>It is considered that there is certain and sufficient information on which to base the proposed policies and methods as:</p>	

<b>subject matter of the provisions</b>	<ul style="list-style-type: none"> <li>• The provisions set out a comprehensive framework for identifying land suitable for urban development and the requirements for urbanisation to occur.</li> <li>• The proposed provisions are common practice in other second-generation District Plans.</li> </ul>	
<b>Overall evaluation</b>	<p>Overall, it is considered that the proposed approach is the most appropriate approach to achieve the objectives. It ensures that there is sufficient zoned, serviced and feasible land to meet the District’s urban growth needs and manages the process of transitioning from rural to urban zoned land.</p>	
<b>Option 2: Status Quo</b>	<b>Costs</b>	<b>Benefits</b>
<p>Retain existing residential and rural zones and subdivision provisions</p>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Potential for ad hoc development and subdivision and therefore result in inefficient use of land.</li> <li>• No transition zone will mean that there is the potential for activities to occur within greenfield areas that would fragment them and limit their ability to provide suitable greenfield developments.</li> <li>• This approach provides less opportunity to consider how cumulative environmental effects will occur as a result of large-scale development and a reliance on other individual plan provisions to manage environmental effects rather than a comprehensive approach to the area.</li> <li>• Decision making at a consent level could be more disjointed and result in fewer benefits due to the absence of a guiding Structure Plan.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Less efficient utilisation of land due to ad hoc subdivision and development.</li> <li>• Not provide adequate zoned, serviced and feasible land available to meet growth demand.</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Environmental effects managed through other District Plan provisions. Rural character and amenity in future development areas is maintained. Housing and business development is provided within existing zoned areas making more efficient use of this land.</li> <li>• </li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• More efficient use of existing land and infrastructure.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• No social benefits identified.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No cultural benefits identified.</li> </ul>

	<ul style="list-style-type: none"> <li>• Infrastructure is unavailable to support additional subdivision and development growth, thereby the ability to subdivide or develop.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Lack of structure plan means there will be less cohesion between development and infrastructure, including social infrastructure such as open spaces and community facilities. Risk that no community facilities are provided.</li> <li>• Less certainty for the community on the location, scale and type of development in greenfield areas.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No cultural costs identified.</li> </ul>	
<p><b>Effectiveness and efficiency</b></p>	<p>The existing provisions are not the most effective method of meeting the objectives given they have resulted in environmental, economic and social costs as outlined above.</p> <p>The proposed provisions are not the most efficient method of meeting the objectives given the costs identified above. They have resulted in regulatory uncertainty, with associated economic costs.</p>	
<p><b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b></p>	<p>It is considered that there is certain and sufficient information on which to base the proposed policies and methods based on the state of the environment monitoring, District Plan effectiveness review and Council staff knowledge.</p>	
<p><b>Overall evaluation</b></p>	<p>This option is not the most appropriate way to achieve the preferred objectives, mostly because they are inefficient in terms of use of land and environmental costs.</p>	

## 8.0 Conclusion

This evaluation has been undertaken in accordance with Section 32 of the RMA to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as:

- The objectives and policies provide direction and certainty to plan users on the outcomes expected and highlight the transitional nature of the zone.
- The rule framework ensures that certain activities (ad hoc subdivision and urban development, intensive rural activities, rural industries, and rural-lifestyle subdivisions) are discouraged to ensure that land uses do not compromise the future urban use of the land.
- The zone and associated provisions identify adequate land to meet the districts short, medium and long term growth demands. The focus is on safeguarding this land for future urban growth.

## Appendix 1: Feedback on Draft District Plan

## Summary of feedback on Future Urban Zone

Section / Topic	Submitter	Feedback Received	Commentary
Future Urban Zone objectives and policies	Individual	Add policy regarding new cycle and pedestrian links in urban areas	This is better located in the transport, residential zone, and commercial zone chapters, which is what the FUZ will become once it is ready for development (i.e. master planning processes complete, which generally also include transport linkages including cycling and pedestrian).  Direction for active modes is included in GRZ policies.
	Individual	FUZ-O1 – Notes HSE concerns from farming community with movement of large machinery, no specific changes requested	Existing rural activities can continue without modification until rezoned in the future.
		FUZ-O2 – Notes concerns with Eastern Growth Area not being able to meet these requirements, no specific changes requested	The FUZ is intended to hold off urban rezoning until necessary infrastructure is in place.
		FUZ-O3 – Notes concerns with reverse sensitivity effects on residents of Park Road, no specific changes requested	This area has already been selected as Carterton’s new urban growth area (Eastern Growth Area). Transitioning is part of the process, and the FUZ seeks to manage these reverse sensitivity effects until the rezoning takes place.
		FUZ-P3 - No funding allocated to the extension of the wastewater or stormwater to the Eastern Growth Area, no specific changes requested	Funding for growth will be addressed by the financial contributions section of the Plan and Council’s planning processes.
	National interest group	FUZ-O1, O3, P2, P3, P4 – Support	Noted
	Government	FUZ-O1 – Support in part, add “ <i>additional infrastructure</i> ”	Changed in line with amendments to General Residential Zone – “ <i>social infrastructure</i> ” was considered a better term instead.
		FUZ-O2 – Support in part, add new point:  <i>h. enable additional infrastructure to support the future use of the area</i>	As above regarding “social infrastructure”. Agreed some centralised/community infrastructure should be allowed in advance of rezoning to prepare for wider residential development of an area.

<b>Future Urban Zone rules and standards</b>	National interest group	Support FUZ-R1, R4, R5, R6, R7, R8, R9, R11 provided compliance with fire fighting water supply standard is met, and relevant MOD is added for non-compliance	Firefighting water supply standard added to SUB chapter + add standard to FUZ (same as rural zones given existing on-site water supply of previous rural zoning).
		Supports FUZ-R3, provided additional matter of controls added re: firefighting water supply and site access	Firefighting water supply standard added to SUB chapter + add standard to FUZ.
		Add new rule to permit emergency service facilities	Catch-all Discretionary status still considered appropriate – potential to generate incompatibility effects for future residents.
		Amend FUZ-S1 and FUZ-S2 to allow exception for hose drying towers	Not necessary – these are either already existing or not used in new installations.
		Add new standard to require compliance with firefighting water supply standard	Firefighting water supply standard added to SUB chapter + add standard to FUZ.
	State owned enterprise	Add setback for all zones adjoining the rail corridor	Same approach as in General Residential Zone - Setbacks from site boundaries still apply, and if more room is required for maintenance and access purposes, consider that this should be done through other means e.g. designations, access requests.
	Government	FUZ-R18 – Amend to Restricted Discretionary activity	Amended – Matters of discretion aligned with similar activities in FUZ.
Regional infrastructure	Needs to include the requirement for new buildings to meet the requirements of the WWL water standard for 3W connections where these exist.	Amended	
<b>Future Urban Zone mapping</b>	Individual	Support the need for development to the south of Park Rd, either side of Rutland Road, subject to engagement and satisfaction of several criteria	The District Plan gives effect to the separate process that has already selected the Carterton Eastern Growth Area as the future urban zone for Carterton.
		Land south of Park Road (Carterton) is more viable for development without significant cost to ratepayers.	The District Plan gives effect to the separate process that has already selected the Carterton Eastern Growth Area as the future urban zone for Carterton.

	Corporate	Supports the identification of future urban land by way of Future Urban Zone.	Noted
	Individual	Seeks extension of urban boundary, particularly Castlepoint- expand existing coastal settlements rather than have new ribbon development.	Land around settlements is very constrained by Land Use Class 1-3 land. Expansion of settlements' urban boundaries not feasible in light of National Policy Statement for Highly Productive Land requirements.
	Individual	Support the location of the Future Growth Areas within the Masterton District and Carterton District as shown on the Planning Maps.	Noted
	Individual	Amend mapping of urban Featherston - why is there no future urban growth on the map (as in Greytown & Martinborough) when Featherston has been identified as a growth node?	Master planning process for Featherston is currently underway and will be incorporated into the District Plan once complete.
	Individual	<p>Opposes the parts of the draft plan relating to the 2 new future urban zones in Masterton</p> <p>Considers they do not meet the requirements of the NPS-UD to meet short, medium, and long term demand, be "plan enabled", current FUZ areas insufficient to meet demand, should include more greenfield development areas.</p> <p>Opposes Chamberlain Road FUZ. Should not be included unless all currently rural zoned LUC 3 (or lower) has first been either zoned residential, lifestyle, or FUZ.</p> <p>Concerns of including FUZ areas in a plan that includes LUC 2 land when it could be located on other LUC 3 land instead, given NPS-HPL requirements.</p> <p>Chamberlain FUZ is not significantly fragmented into small lots more than the rest of the rural zoned land around the urban boundary.</p>	<p>There are tensions between providing for sufficient development capacity under the NPS-UD and avoiding areas of highly productive land as required by the NPS-HPL as Wairarapa towns are generally surrounded by highly productive land, which is classified as LUC I – III land.</p> <p>The Chamberlain Road Future Urban Zone area has been reduced to avoid highly productive land as much as practicable. The size of the new area is expected to provide for around 570 new lots.</p> <p>The Cashmere FUZ area has recently been subject to a private plan change and will now be included as part of the GRZ. This area can provide for over 500 new lots.</p> <p>Expected demand to 2031 for Masterton is 2,137. These two areas will cater for half of the demand, while infill subdivision and more intensive development near Masterton centre is expected to facilitate the remainder.</p>

		<p>Only a small percentage of people living in the new Chamberlain FUZ would use the nearby Solway station. It seems wrong to put a lot of emphasis on that as a factor for selecting that area.</p> <p>GWRC or others wanting to protect the LUC 2 highly productive land included in the FUZ, may object to the inclusion of this FUZ in the new plan, which could result in appeals and delay in plan implementation.</p> <p>Given the uncertainty of Chamberlain and Cashmere FUZ areas, include more greenfield growth areas to make up for uncertainty.</p>	
	Individual	Supports the future growth areas in Martinborough.	Noted
	Individual	Following the Waiōhine Action Plan (and subject to the findings of that mapping) that the Council will look to rezone those areas identified in the GC - North End Extension Growth Area into the Future Urban Zone. Does the Council have 3 Waters infrastructure capacity information for Greytown to understand to assist to determine when Future Growth Areas are likely to be suitable for residential development.	Full detailed flood mapping for Greytown still to come from Greater Wellington Regional Council in the next ~5 years. Will consider once received.
	Regional Council	<p>Re-consider the location and extent of the Future Urban Zones given:</p> <ul style="list-style-type: none"> <li>• their potential value for productive capability and the remaining potential for infill development within existing urban areas</li> <li>• the relevance of the NPS-HPL Clause 3.5(7) for those areas not already identified in a growth strategy</li> </ul>	<p>Future Urban Zone areas are partially or entirely on highly productive land (Land Use Class (LUC) I, II, and III), particularly Carterton and Greytown growth areas which are located on LUC II land.</p> <p>The Future Urban Zone areas in the Draft District Plan have been assessed and identified by Councils either in formal documents (Carterton Draft Structure Plan 2020 and South Wairarapa Spatial Plan 2021) or are in the process of having the relevant documents prepared (Masterton</p>

		<ul style="list-style-type: none"> <li>the need to give effect to the operative RPS.</li> </ul>	<p>Housing and Business Capacity Assessment 2023). This approach is intended to meet the requirements of Policy 5 of the NPS-HPL, which requires urban rezoning of highly productive land to be avoided except in instances set out in the National Policy Statement on Highly Productive Land (NPS-HPL).</p> <p>Section 3.5(7) of the NPS-HPL excludes land from being classified as highly productive if that land has been identified for future urban development or is subject to a Council-initiated, adopted, notified Plan Change to rezone the land from rural to urban use. Section 3.6 of the NPS-HPL allows territorial authorities to rezone highly productive land only if it is required to provide sufficient development capacity to meet demand for housing or business land to give effect to the National Policy Statement on Urban Development (NPS-UD), there are no other reasonably practicable or feasible alternatives for providing sufficient capacity, and the environmental, social, cultural, and economic benefits of rezoning outweigh the long-term costs of the loss of highly productive land. This is a high threshold with stringent information requirements to ensure these criteria are met.</p> <p>It is acknowledged that there are tensions between the direction and requirements of the NPS-HPL, the NPS-UD, and the Operative Regional Policy Statement. For the reasons set out in the growth strategies, structure plans, housing and business capacity assessments, and the supporting research undertaken by the Wairarapa Councils, the growth areas identified and delineated by the Future Urban Zone are considered the most appropriate options for meeting the requirements of national and regional direction and resolving the conflicts between them.</p>
<b>Future Urban Zone miscellaneous</b>	Individual	<p>Supports increase in lot size for Carterton Eastern Growth Area</p> <hr/> <p>Disagrees with Draft Structure Plan for Carterton</p>	<p>Carterton Eastern Growth Area will be part of the General Residential Zone after the Future Urban Zone – (minimum 350m<sup>2</sup> with average of 400m<sup>2</sup> for 3+ lots).</p>

		Eastern Growth Area which still shows parts as “Medium Density”	Part of Carterton Eastern Growth Area – specific master planning and development plans separate and underway.
		Setback of development on south of Park Road - suggest a wide public walkway with trees.	
	Individual	Featherston Masterplan - oppose having a set distance from train station and other areas as threshold for where higher density living allowed.	Featherston master planning process still underway, separate process.
	Individual	Amend Future Urban Zone chapter to allow residential subdivision only on poor stony land, not valuable horticultural land.	This is the intention of identifying FUZ areas – balances competing needs of providing for well-functioning urban growth while avoiding highly productive land wherever possible (NPS-UD vs. NPS-HPL).
	Individual	Rezone FUZ areas straight to residential to bypass up to 5 years of uncertainty before being finalised, or leave land as it is currently zoned	This is the point of FUZ – indicates Council’s intention to develop the land once the necessary infrastructure etc. is in place to provide certainty around future development.
Individual	Regent/Todds Road should be developed under a master plan specification	Todds Road forms the boundary of the MA residential growth area for Martinborough identified in the South Wairarapa Spatial Plan. These will have more detailed master plans developed for them in due course.	



WAIRARAPA  
COMBINED  
DISTRICT PLAN  
**REVIEW**

*Te Mahere  
Rautaki  
a-rohe o  
Wairarapa*

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# Proposed Wairarapa Combined District Plan

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## Section 32 Evaluation Topic Report Rural

OCTOBER 2023

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Appendix 1: Feedback on Draft District Plan

## Executive summary

This Section 32 Evaluation Topic Report is focused on the Rural topic. The rural environment accounts for most of the land in the Wairarapa. Covering approximately 44% of the Wellington Region, the Wairarapa is the agricultural heart of the region, playing a vital role in supporting local farming activity, and contributing to the local and national economy as well as the distinctive character of the Wairarapa. The Wairarapa's rural environment contains a wide variety of land use activities, intensity of settlement, and diversity in naturalness. The diverse topography and density of property-holdings offers opportunities for a variety primary production activities. The most productive land is located in the central plains which are dominated by glacial and alluvial accumulations of gravels and silts, raised terrace systems and some lower rolling hills.

Land use in Wairarapa has had three major changes in the past 20-30 years. These are the conversion of hill country sheep farms to plantation forestry, stony sheep land to viticulture, and productive land, predominantly around towns, to lifestyle blocks. Traditional dairy land has remained relatively stable.

Rural land is a significant resource due to the economic value of primary production activities in the Wairarapa, and associated processing and service industries. The prosperity of the Wairarapa is largely dependent on the use of rural resources which is constantly changing in response to economic demands and conditions.

The Operative Wairarapa Combined District Plan (Operative Plan) applies rural zones to most (95%) of the land in the Wairarapa. The zones are currently split into three: Rural (Production), Rural (Special) and Rural (Conservation). The policy focus of the zones is on preserving rural character and landscape values. Rules around land use activity and subdivision are 'effects based' with building standards that apply to all land use activities and minimum allotment sizes that apply to all subdivision.

Following an evaluation of the current approach, including public engagement, several implementation issues have been identified. In addition, through changing land uses, additional resource management issues have been identified that did not exist at the time the Operative Plan was developed. There have also been changes in national policy direction in the last 10 years including the release of the National Planning Standards and the National Policy Statement for Highly Productive Land.

The key resource management issues for the Rural topic are:

- Issue 1: The Wairarapa's rural area has existing primary production activities that need to be provided for (farming, forestry, horticulture).

- Issue 2: The Wairarapa contains highly productive land and highly versatile soils that need to be safeguarded for rural production.
- Issue 3: The Wairarapa’s rural area has important character and amenity values that need safeguarding.
- Issue 4: The Wairarapa’s rural area is a resource that accommodates activities that can be compromised by sensitive activities through reverse sensitivity.
- Issue 5: Rural activities can generate substantial adverse effects that need to be managed, particularly on neighbouring residential zones.
- Issue 6: Rural development can adversely affect the safety, reliability and efficiency of the transport network.

The Proposed District Plan for the Rural topic is provided through two zones: General Rural Zone and the Rural Lifestyle Zone. There is specific policy focus for each zone on the predominant land use that is promoted. In the Rural Lifestyle Zone, this is generally light primary production and a low-density residential living. In the General Rural Zone, there are a range of activities enabled, but there is a clear embedded hierarchy in first providing for primary production before other activities. The rules adopt more of a focus on an ‘activity-based’ approach, as opposed to the ‘effects-based’ approach in the Operative District Plan. This means that there are more rules that relate to specific land uses and types of development which provide a clear indication of whether the activity is permitted.

A summary of the difference in activity status between the rural land use rules of the operative and proposed plans is provided in the table below.

Activity	District Plan Activity Status	
	Operative District Plan	Proposed District Plan
Buildings and structures, including construction, additions and alterations	Permitted activity subject to performance standard	Permitted activity subject to performance standard
Demolition of buildings and structures	There is no specific rule, but is otherwise allowed under Section 9 of the RMA	Permitted activity
Relocating a building	Controlled activity	Controlled activity
Seasonal worker accommodation	Controlled activity	Permitted activity subject to performance standard
Primary Production	There is no specific rule, but is otherwise allowed under Section 9 of the RMA	Permitted activity
Agricultural aviation	There is no specific rule, but is otherwise	Permitted activity

Activity	District Plan Activity Status	
	Operative District Plan	Proposed District Plan
	allowed under Section 9 of the RMA	
Residential visitor accommodation	Permitted activity	Permitted activity subject to performance standard
Residential activities	Permitted activity subject to standard	Permitted activity subject to performance standard
Intensive primary production	Permitted activity subject to standard	Permitted activity subject to performance standard
Conservation activities	There is no specific rule, but is otherwise allowed under Section 9 of the RMA	Permitted activity
Rural produce retail	There is no specific rule, but is otherwise allowed under Section 9 of the RMA	Permitted activity subject to performance standard
Farm quarries	There is no specific rule, but is otherwise allowed under Section 9 of the RMA	Permitted activity
Quarrying activities without on-site processing	There is no specific rule, but is otherwise allowed under Section 9 of the RMA	Restricted Discretionary activity
Quarrying activities with on-site processing	Discretionary activity	Discretionary activity
Papakāinga	Controlled activity	Permitted activity subject to performance standard
Motorised outdoor recreation activities	Restricted Discretionary activity	Restricted Discretionary activity
Visitor accommodation	Discretionary activity	Discretionary activity
Commercial boarding of cats, dogs, and other domestic pets	Discretionary activity	Discretionary activity
Commercial and industrial activities	Discretionary activity	Discretionary activity
Large scale commercial activities	Non Complying activity	Non Complying activity

There is a major shift in the subdivision provisions from the Operative District Plan to the Proposed District Plan. This is mainly in response to the significant resource management issue identified being the loss of productive land from fragmentation of land

holdings into smaller properties through subdivision. However, the provisions also seek to better enable the desired rural lifestyle in appropriate locations. The Proposed District Plan continues to rely on minimum allotment sizes to provide for appropriate subdivision and avoid inappropriate subdivision.

A summary of the differences in minimum allotment sizes between the Operative District Plan and Proposed District Plan is shown in the table below.

Subdivision	District Plan	
	Operative District Plan	Proposed District Plan
Small allotment minimum (rural lifestyle)	1 ha	0.5 ha
Large allotment minimum (primary production)	4 ha	40 ha

## 1.0 Introduction

This section 32 evaluation report is focused on the rural environment, which is represented by two zones: the General Rural Zone (GRUZ) and the Rural Lifestyle Zone (RLZ).

In the Operative District Plan the rural environment is identified in the Rural Zone in Chapter 4 which applies to most of the Wairarapa. The rural zone comprises three sub-zones: Rural (Production), Rural (Conservation) and Rural (Special). The policy focus of the Zones is on preserving rural character and landscape values. Further restrictions are applied to subdivision within the Rural (Special) zone which represents land over Land Use Capability (LUC) Class I and II soils, contains key infrastructure or is subject to flood risk. Land identified as Rural (Conservation) largely applies to publicly owned land and seeks to enable conservation activities – the National Planning Standards indicate that this would be Natural Open Space zoning.

The proposed General Rural Zone consists of areas used predominantly for primary production activities, including intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industries, and other activities that require a rural location.

The proposed Rural Lifestyle Zone consists of areas used predominantly for a residential lifestyle within a rural environment on lots smaller than those of the General Rural Zone, while still enabling primary production to occur.

This report sets out the statutory and policy context for the Rural topic, key resource management issues, consultation, and the evaluation of this topic to decide on the proposed provisions.

This report should be read in conjunction with the Section 32 Evaluation Overview and Strategic Directions Report and the following section 32 evaluation topic reports:

<b>Report</b>	<b>How does this topic relate to the Rural environment provisions</b>
Subdivision	The Subdivision topic addresses provisions relating to subdivision of land within the rural zones. The policy direction for the subdivision provisions is provided in the rural zones or over other district-wide topics. The evaluation for rural subdivision is provided in this evaluation report.
Strategic Direction Objectives	The Strategic Direction Objectives (SDO) contain rural environment objectives. The evaluation and appropriateness of those objectives is provided in both this report and the Strategic Direction evaluation report.
Natural Open Space	The Natural Open Space topic addresses the review of provisions relating to the Rural (Conservation) Zone and the ongoing management of publicly owned land. No evaluation on the appropriateness of the Rural (Conservation) Zone or replacement thereof is provided in this evaluation report.
Natural Hazards	Rural zones contain significant areas of land that are prone to natural hazards, particularly flood hazards within river margins and faults. These areas have implications for subdivision, land use and development
Natural Features and Landscapes	Rural zones contain a number of the Wairarapa's valued landscapes. There are various outstanding natural features and landscapes (ONFL) located (or part thereof) in the General Rural Zone. All of the special amenity landscapes (SALs) are located within the General Rural Zone. This has implications for subdivision, land use and development in rural zones around vegetation clearance, earthworks and structures.
Ecosystems and indigenous biodiversity	Rural zones contain a number of significant natural areas (SNAs) as identified in the Ecosystems topic. These have implications for subdivision, land use and development in rural zones around vegetation clearance, earthworks and structures.
Coastal Environment	Parts of General Rural Zone is located within the coastal environment. There are also various high, very high and part of an outstanding natural character areas identified over General Rural Zone. These areas have implications for subdivision, land use and development in rural zones around vegetation clearance, earthworks and structures.
Transport	This chapter contains provisions relating to Transport considerations for subdivision, land use and development, in particular as it relates to the safe and efficient transport network for the State Highways. Consideration of the relevant issue and an elevation of subdivision provisions is provided in this evaluation report. In all other instances, the Transport evaluation report should be considered.
Noise	This chapter contains provisions relating to noise and vibration from rural activities and from State Highways and the railway corridor. As SH53, SH2 and the railway corridor all travel through rural zones, this chapter is relevant to subdivision, land use and development in these areas.
Light	This chapter contains provisions relating to light generated from general activities.

Report	How does this topic relate to the Rural environment provisions
Signs	This chapter contains specific provisions relating to the scale, number, illumination, motion and placement of signs in the General Rural Zone and Rural Lifestyle Zone to ensure they are compatible with their location.

## 2.0 Statutory and policy context

### 2.1 Resource Management Act

As set out in the Section 32 Evaluation Overview and Strategic Directions Report, an evaluation is required of how the proposal achieves the purpose and principles in Part 2 of the RMA. This requires consideration of sections 5 to 8 of the RMA.

Section 5 sets out the purpose of the RMA which is to promote sustainable management of natural and physical resources. This section is set out in more detail in the Section 32 Evaluation Overview and Strategic Directions Report.

Section 6 requires all persons exercising functions and powers under the RMA to recognise and provide for specified matters of national importance. There are no section 6 matters directly relevant to this topic; however, all section 6 matters are to some degree relevant, as some areas within the rural zones are within mapped areas of natural coastal character, significant natural areas, outstanding natural features and landscapes, sites and areas of significance to Māori, natural hazards and historic heritage. These particular matters are addressed in the relevant overlay chapters.

Section 7 requires all persons exercising functions and powers under the RMA, in relation to managing the use, development, and protection of natural and physical resources, to have particular regard to a range of matters. The section 7 matters relevant to the rural environment are:

Section	Relevant matter
Section 7(b)	<i>the efficient use and development of natural and physical resources</i> This matter relates to using rural land efficiently in line with the principles of sustainable management, including ensuring it does not become overused.
Section 7(c)	<i>the maintenance and enhancement of amenity values</i> This matter relates to the need to maintain and enhance both rural amenity values, and those of adjacent zones.
Section 7(f)	<i>maintenance and enhancement of the quality of the environment</i> This matter relates to a general requirement to maintain and enhance the quality of the rural environment.
Section (g)	<i>Any finite characteristics of natural and physical resources</i>

Section	Relevant matter
	Relates to the finite quality and extent of the land contained (in particular highly productive land) within the General Rural Zone and the need for it to be managed in a way that recognises and reflects these considerations.

Section 8 requires local authorities to take into account the principles of the Treaty of Waitangi. Tangata whenua, through iwi authorities have been consulted as part of the review process. This feedback has informed the section 32 evaluation, and the obligation to make informed decisions based on that consultation is noted.

## 2.2 National direction

### 2.2.1 National Policy Statements

The National Policy Statements relevant to this topic are:

NPS	Relevant Objectives / Policies
National Policy Statement for Freshwater Management 2020 (NPS-FM)	<p>The NPS-FM came into force on 3 September 2020 and applies to the management of freshwater through a framework that considers and recognises Te Mana o te Wai as an integral part of freshwater management. It directs the content that regional councils, in consultation with their communities, must include in their regional plans, including that it must be managed in a way that improves degraded water bodies, and maintains or improves all others in accordance with national bottom lines.</p> <p>While primary responsibility for implementing the NPS-FM rests with regional councils, implementation directive 3.5(4) requires territorial authorities to 'include objectives, policies, and methods in their district plans to promote positive effects, and avoid, remedy, or mitigate adverse effects (including cumulative effects), of urban development on the health and wellbeing of water bodies, freshwater ecosystems, and receiving environments'. The General Rural Zone and Rural Lifestyle Zone provide for setbacks from waterbodies and require consent for any activity within close proximity.</p>
National Policy Statement for Highly Productive Land 2022 (NPS-HPL)	<p>The NPS-HPL came into force on 12 September 2022 and came about as a result of a cumulative loss of productive land in New Zealand. The direction seeks to protect highly productive land.</p> <p>The NPS-HPL has one objective:</p> <ul style="list-style-type: none"> <li>Highly productive land is protected for use in land-based primary production, both now and for future generations.</li> </ul> <p>There are 9 underlying policies that require:</p> <ul style="list-style-type: none"> <li>The identification of 'highly productive land' within a region which is required to be mapped in the Regional Policy Statement.</li> <li>The use of highly productive land is prioritised for land-based primary production.</li> </ul>

NPS	Relevant Objectives / Policies
	<ul style="list-style-type: none"> <li>• Rezoning of highly productive land into urban zoning or rural residential zoning is avoided, except where exemptions are met.</li> <li>• Highly productive land is protected from inappropriate use and development.</li> <li>• Avoidance of any subdivision over highly productive land, except where exemptions are met.</li> <li>• Reverse sensitivity effects are managed so not to constrain land-based primary production activities on highly productive land.</li> </ul> <p>The exemptions above generally require the activity to be for land-based primary production, or can satisfy that:</p> <ul style="list-style-type: none"> <li>• There will be no reduction in the long-term productive capacity of the land, and</li> <li>• The land use, development and subdivision will not result in major loss of productive land.</li> </ul> <p>Greater Wellington Regional Council is yet to map highly productive land in the Wairarapa. Until mapping is undertaken, 'highly productive land' is any land identified as LUC Class I-III subject to some exclusions.</p> <p>The direction of the NPS-HPL is directly relevant to the rural topics, including the following:</p> <ul style="list-style-type: none"> <li>• The identification of rural zones (including the rural lifestyle zone),</li> <li>• Objective and policy direction as it relates to the protection of highly productive land for land based primary production use,</li> <li>• Land use rules as it relates to avoiding inappropriate land use over highly productive land, and</li> <li>• Subdivision rules as it relates to avoiding subdivision over highly productive land, except where provided for by the NPS.</li> </ul> <p>The direction of the NPS-HPL is further considered by technical assessments as summarised in <b>Section</b> Error! Reference source not found. and in the evaluation provided in <b>Sections</b> Error! Reference source not found. and Error! Reference source not found..</p>

## 2.2.2 National Environmental Standards

The National Environmental Standards relevant to this topic are:

NES	Relevant regulations
National Environmental Standard for	The NES-CS is a nationally consistent set of planning controls and soil contaminant values. It ensures that land affected by contaminants in soil is appropriately identified and assessed before it

NES	Relevant regulations
<p>Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NES-CS)</p>	<p>is developed – and if necessary, the land is remediated or the contaminants contained to make the land safe for human use.</p> <p>Five activities relating to land on the HAIL list are controlled by the standard (e.g. earthworks, subdivision, change of use), with resource consent required where associated permitted activity standards cannot be met.</p> <p>The General Rural Zone and Rural Lifestyle Zone do not duplicate or conflict with the NES-CS.</p>
<p>National Environmental Standard for Plantation Forestry 2017 (NES-PF)</p>	<p>The NES-PF provides a nationally consistent set of standards to manage commercial plantation forestry activities on forests 1ha in area or greater. It covers 8 core activities (e.g. afforestation, earthworks, harvesting), allowing these to be carried out as permitted activities subject to conditions to manage potential effects on the environment. A resource consent is required where relevant conditions cannot be met or more stringent regional or district plan provisions apply to such activities within significant natural areas and outstanding natural features and landscapes or a unique or sensitive environment.</p> <p>The General Rural Zone and Rural Lifestyle Zone do not duplicate or conflict with the NES-PF. No stringency has been applied in the General Rural Zone or Rural Lifestyle Zone in accordance with Regulation 6.</p>
<p>National Environmental Standard for Freshwater Management 2020 (NES-FW)</p>	<p>The NES-FW sets out requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems (e.g. agricultural intensification, intensive winter grazing, vegetation clearance adjacent to natural wetlands, wetland drainage), the aim of which is to:</p> <ul style="list-style-type: none"> <li>• Set specific regulations for pastoral farming, including: <ul style="list-style-type: none"> <li>○ Requirement for farm environmental plans</li> <li>○ Minimum feedlots and other stock holding areas</li> <li>○ Limits on discharges of synthetic nitrogen</li> <li>○ Restrictions on further agricultural intensification.</li> </ul> </li> <li>• Restrict further agricultural intensification until the end of 2024</li> <li>• Limit the discharge of synthetic nitrogen fertiliser to land, and require reporting of fertiliser use</li> <li>• Protect natural wetlands</li> <li>• Manage river structures and crossings, including providing for fish passage</li> <li>• Protect rivers from further loss through reclamation.</li> </ul> <p>These regulations generally relate to activities managed by the regional council. Regardless, the General Rural Zone and Rural Lifestyle Zone do not duplicate or conflict with the NES-FW.</p>

### 2.2.3 National Planning Standards

The National Planning Standards provide for a range of zone options to be included in Part 3 – Area Specific Matters of the District Plan. There are four possible rural zones in the Rural Zones chapter:

Zone	Description
General Rural Zone	Areas used predominantly for primary production activities, including intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.
Rural Production Zone	Areas used predominantly for primary production activities that rely on the productive nature of the land and intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.
Rural Lifestyle Zone	Areas used predominantly for a residential lifestyle within a rural environment on lots smaller than those of the General Rural and Rural Production Zones, while still enabling primary production to occur.
Settlement Zone	Areas used predominantly for a cluster of residential, commercial, light industrial and/or community activities that are located in rural areas or coastal environments.

### 2.2.4 National guidance documents

There is no national guidance relevant to this topic.

## 2.3 Regional direction

### 2.3.1 Operative Regional Policy Statement for the Wellington Region

The table below identifies the relevant provisions and resource management topics for Rural Zones contained in the Operative RPS.

Objective/Policy	Relevant matters
Objective 1	Discharges of odour, smoke and dust to air do not adversely affect amenity values and people's wellbeing.
Policy 1	Odour, smoke and dust - District plans District plans shall include policies and/or rules that discourage: (a) new sensitive activities locating near land uses or activities that emit odour, smoke or dust, which can affect the health of people and lower the amenity values of the surrounding area; and

Objective/Policy	Relevant matters
	(b) new land uses or activities that emit odour, smoke or dust and which can affect the health of people and lower the amenity value of the surrounding areas, locating near sensitive activities.
Objective 22	A compact well designed and sustainable regional form that has an integrated, safe and responsive transport network and: ... (f) strategically planned rural development; ...
Policy 56	Policy 56: Managing development in rural areas – consideration When considering an application for a resource consent or a change, variation or review of a district plan, in rural areas (as at March 2009), particular regard shall be given to whether:  (a) the proposal will result in a loss of productive capability of the rural area, including cumulative impacts that would reduce the potential for food and other primary production and reverse sensitivity issues for existing production activities, including extraction and distribution of aggregate minerals;  (b) the proposal will reduce aesthetic and open space values in rural areas between and around settlements;  (c) the proposal's location, design or density will minimise demand for non-renewable energy resources; and  (d) the proposal is consistent with the relevant city or district council growth and/or development framework or strategy that addresses future rural development; or  (e) in the absence of such a framework or strategy, the proposal will increase pressure for public services and infrastructure beyond existing infrastructure capacity.
Objective 30	Soils maintain those desirable physical, chemical and biological characteristics that enable them to retain their ecosystem function and range of uses.
Policy 59	Retaining highly productive agricultural land (Class I and II land) – consideration When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district plan, particular regard shall be given to safeguarding productive capability on Class I and II land.
Objective 31	The demand for mineral resources is met from resources located in close proximity to the areas of demand
Policy 60	Utilising the region's mineral resources – consideration When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district or regional plan, particular regard shall be given to: ...

Objective/Policy	Relevant matters
	<p>(d) the social, economic, and environmental benefits from utilising mineral resources within the region; and</p> <p>(e) protecting significant mineral resources from incompatible or inappropriate land uses alongside.</p>

### 2.3.2 Proposed Change 1 to the Regional Policy Statement for the Wellington Region

Change 1 to the Wellington Regional Policy Statement was notified on 19 August 2022. The change seeks to address the following key topics:

- Lack of urban development capacity and implementation of the National Policy Statement on Urban Development (NPS-UD) and Wellington Regional Growth Framework
- Degradation of freshwater and partial implementation of the National Policy Statement for Freshwater Management (NPS-FM)
- Loss and degradation of indigenous biodiversity including regional policy to implement central government strategy and draft RMA national policy direction
- The impacts of climate change including regional policy to complement central government policy direction.

Change 1 is in its early stages of the Schedule 1 process and introduces a significant policy shift from the existing direction. It is understood that there has been a high level of public interest and submissions on Change 1. Based on this, reduced weight should be given to the policy direction with the expectation of further development of the policy as Change 1 progresses through the process.

The applicable provisions of Change 1 to the RPS that relate to the Rural environment are outlined in the table below (addition underlined, deletions struck through).

Objective/Policy	Relevant matters
<u>Objective 22B</u>	<u>Development in the Wellington Region's rural area is strategically planned and impacts on significant values and features identified in this RPS are managed effectively</u>
Policy 56	<p>When considering an application for a resource consent or a change, variation or review of a district plan, in rural areas (as at <del>March 2009</del><u>August 2022</u>), particular regard shall be given to whether:</p> <p>(a) the proposal will result in a loss of productive capability of the rural area, including cumulative impacts that would reduce the potential for food and other primary production and reverse sensitivity issues for existing production activities, including extraction and distribution of aggregate minerals;</p> <p>(b) the proposal will reduce aesthetic and open space values in rural areas between and around settlements;</p>

Objective/Policy	Relevant matters
	<p>(c) the proposal's location, design or density will minimise demand for non-renewable energy resources; and</p> <p>(d) the proposal is consistent with any <u>Future Development Strategy, or the <del>city or district</del> regional or local strategic growth and/or development framework or strategy that addresses future rural development, should the Future Development Strategy be yet to be released</u>; or</p> <p>(e) in the absence of such a framework or strategy, the proposal will increase pressure for public services and infrastructure beyond existing infrastructure capacity.</p>

### 2.3.3 Natural Resources Plan

The table below identifies the relevant provisions for the Rural topic contained in the Natural Resources Plan.

Section	Relevant matters
Objective O2	The importance and contribution of air, land, and water and ecosystems to the social, economic and cultural wellbeing and health of people and the community are recognised in the management of those resources.
Policy P1	<p>Ki uta ki tai and integrated catchment management</p> <p>Air, land, fresh water bodies and the coastal marine area will be managed recognising ki uta ki tai by using the principles of integrated catchment management. These principles include:</p> <p>(a) decision-making using the catchment as the spatial unit, and</p> <p>(b) applying an adaptive management approach to take into account the dynamic nature and processes of catchments, and</p> <p>(c) coordinated management, with decisions based on best available information and improvements in technology and science, and</p> <p>(d) taking into account the connected nature of resources and natural processes within a catchment, and</p> <p>(e) recognising links between environmental, social, cultural and economic sustainability of the catchment.</p>
Policy P6	<p>Uses of land and water</p> <p>The cultural, social and economic benefits of using land and water for:</p> <p>...</p> <p>(d) food production and harvesting (including aquaculture)</p> <p>(f) irrigation and stock water shall be recognised.</p>
Policy P8	<p>Beneficial activities</p> <p>The following activities are recognised as beneficial and generally appropriate:</p>

Section	Relevant matters
	<p>(e) the establishment of river crossings (culverts and bridges) or fences and fence structures that will result in the exclusion of regular livestock access from a water body</p> <p>(g) the retirement of erosion prone land from livestock access.</p>
Objective O32	The adverse effects of odour, smoke and dust on amenity values and people's wellbeing are minimised.
Policy P58	<p>Managing air amenity</p> <p>Air quality amenity in urban, rural and the coastal marine areas shall be managed to minimise offensive or objectionable odour, smoke and dust, particulate matter, fumes, ash and visible emissions.</p>
Objective O33	Soils are healthy, and retain a range of uses, and accelerated soil erosion is reduced.
Objective O34	The adverse effects on soil and water from land use activities are minimised, including to assist with achieving the outcomes and indicators of desired environmental states for water in Tables 3.1 to 3.8.
Policy P70	<p>Minimising effects of rural land use activities</p> <p>The adverse effects of rural land use activities, including any associated discharge that may enter water, shall be minimised through the use of regulatory and non-regulatory methods that promote, as a minimum, the use of good management practices including:</p> <p>(a) rules and methods in the Plan, and</p> <p>(b) development and implementation of farm environment plans, and</p> <p>(c) information gathering, monitoring, assessment and reporting, and</p> <p>(d) integrated catchment management within the Wellington Regional Council and with the involvement of mana whenua, territorial authorities, water users, farmers, households, industry, environmental groups and technical experts.</p>
Policy P71	<p>Managing the discharge of nutrients</p> <p>Where one or more of the objectives in Tables 3.1, 3.2 or 3.4-3.8 of Objectives O18 and O19 is/are not met in a catchment or water body, when managing rural land use activities, including any associated discharge of contaminants into water or into or onto land where contaminants may enter water, the Regional Council will:</p> <p>(a) give particular consideration to the role nutrients play in those objectives not being met, and</p> <p>(b) where nutrients do play a significant role, impose conditions on resource consents granted that require phosphorus and nitrogen losses from activities to be managed to contribute to improving outcomes in relation to the objective(s), and</p>

Section	Relevant matters
	(c) manage nutrients including by requiring farm environment plans in accordance with Policy P73.
Objective O35	The adverse effects of livestock access on surface water bodies are avoided, remedied or mitigated.

## 2.3.4 Any other relevant regional plans or strategies

The following plans or strategies are relevant to this topic:

Plan / Strategy	Organisation	Relevant Provisions
Wellington Regional Growth Framework	Wellington Regional Leadership Committee	The Wellington Regional Growth Framework describes a long-term vision for how the region will grow, change and respond to key urban development challenges and opportunities in a way that gets the best outcomes and maximises the benefits across the region. While the framework is centred around urban growth, it also recognises the rural environment and in particular productive land in the Wairarapa. This land is described as the ‘food bowl’ of the region. In line with its importance, the framework seeks to achieve compact urban form that does not impact upon the rural environment and rural production.
Regional Land Transport Plan 2021	Greater Wellington Regional Council	The Regional Land Transport Plan (“RLTP”) sets the direction for the Wellington Region’s transport network for the next 10–30 years. The RLTP describes our long-term vision, identifies regional priorities and sets out the transport projects intended to be invested in over the next six years.  Particularly relevant to the Rural topic is priority matter 4 “Improve safety, particularly at high-risk intersections and on high-risk urban and rural roads”. There are two State Highways that pass through the Wairarapa’s rural environment and intersect with many of its rural roads.

## 2.4 Wairarapa policies, plans and strategies

### 2.4.1 Iwi Management Plans

There are currently no iwi management plans relevant to the Wairarapa.

## 2.4.2 Statutory Acknowledgements

As outlined in the Section 32 Evaluation Overview and Strategic Directions Report and identified in Appendices APP1 and APP2 to the Proposed District Plan, there are several statutory acknowledgement areas within the districts. For any application for a resource consent for an activity within, adjacent to, or directly affecting a statutory acknowledgement area, the consent authority must have regard to the statutory acknowledgement and provide notice to the relevant trustees.

## 2.4.3 Any other relevant local plans or strategies

The following plans or strategies are relevant to this topic:

Plan / Strategy	Organisation	Relevant Provisions
South Wairarapa Spatial Plan: Mapping Our Future to 2050	South Wairarapa District Council, 2021	The Spatial Plan is a plan to help shape the way South Wairarapa's communities grow and develop over a 30-year time period. While the plan is primarily focused on the growth of the urban area, it considered the wider context and the significant resource of productive land in South Wairarapa. This informed identification of future growth areas and the appropriateness of rural lifestyle developments.
Carterton Urban Growth Strategy	Carterton District Council, 2017	The Carterton Urban Growth Strategy is a strategy for the Carterton District to inform a planned approach for directing where and how to accommodate future residential growth. This strategy considers both the urban and rural extents of the Carterton District.
Featherston Longwood Water Race Bylaw 1936	South Wairarapa District Council	<p>These Bylaws apply to the four water races located within the rural environment in South Wairarapa and Carterton Districts:</p> <ul style="list-style-type: none"> <li>• Moroa Water Race,</li> <li>• Longwood Water Race,</li> <li>• Taratahi Water Race, and</li> <li>• Carrington Water Race</li> </ul> <p>The Bylaws contain several regulations relating to the use of water from the water races and any land use and development within its margins. Notably, the Bylaws require approval for the placement of a building or structure within 10m of the Longwood Water Race and 5m of any of the other three races.</p>
Moroa Water Race Bylaw 2007	Carterton District Council	
Wairarapa South County Water Race Bylaw 1987		

## 2.5 Other legislation or regulations

The following additional legislative / regulatory requirements are also relevant to this topic:

Legislation / Regulation	Relevant Provisions
The Building Act 2004	The Building Act 2004 provides for the regulation of building work and sets performance standards for buildings. The Building Act applies to various buildings and structures that may be in the rural environment, including residential dwellings, sheds, barns and large dams.
Resource Management (Stock Exclusion) Regulations 2020	The regulations came into force on 3 September 2020 and require persons owning or controlling stock (i.e. beef/dairy cattle, deer, pigs) to, amongst other matters, exclude them from specified wetlands, lakes, and rivers more than 1m wide and from waterbodies regardless of the terrain.

## 3.0 Issues analysis

### 3.1 Background

#### Primary Production

The Wairarapa's economic prosperity is dependent on the use of rural land for production and at a regional level the Wairarapa rural production is often referred to as "the food bowl" for the region<sup>1</sup>. The rural industry contributes 10% of the Wairarapa GDP and is the largest employment sector<sup>2</sup>. There are a variety of primary production activities that occur within the Wairarapa as shown in Figure 1, with sheep and beef the predominant primary production type (based on production type by property).

<sup>1</sup> For example, this is referenced in the Wellington Regional Growth Framework 2021

<sup>2</sup> Wairarapa Informetrics data, 2017

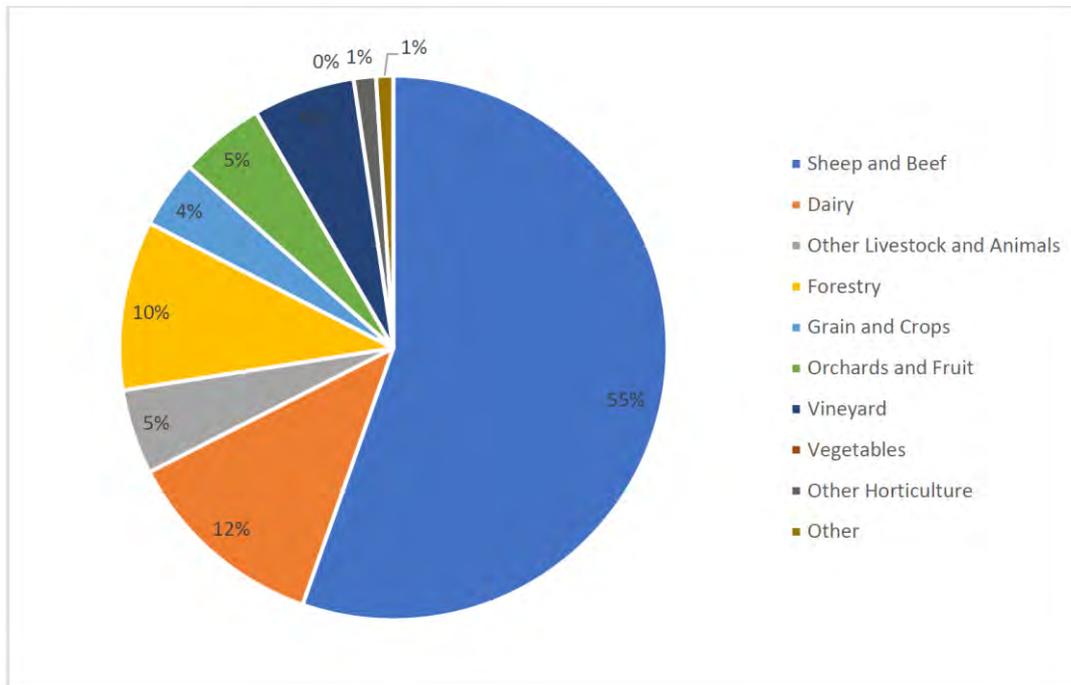


Figure 1: Primary production types in the Wairarapa. Source: Assessment of rural production and rural subdivision in the Wairarapa dated July 2023, prepared by AgFirst Limited.

The extensive sheep and beef farming is largely located along the eastern hill country, while some sheep and beef farms on lower lying land have adopted more intensive farming systems to stay economically viable.

Dairy farms, found mostly in southern Wairarapa, are adopting new technology and increasing herd sizes. Dairy farming in the Wellington-Wairarapa Region is worth \$151 million to the local economy and the region holds 3.6% of New Zealand's dairy herd and 3.3% of national dairy land. The average herd size for 2021-22 was 378 and the average farm size is 142ha<sup>3</sup>.

The Wairarapa region has a total of 1,090ha of vineyards which is 3% of the total vineyard producing area of New Zealand and this is projected to remain stable. The region has 128 vineyards and 83 (65%) of these are 5ha or below in size. The average size of a vineyard in Wairarapa is 9ha. The two predominant varieties are Pinot Noir (526.5ha) and Sauvignon Blanc (393.6ha)<sup>4</sup>.

### Productive capacity

The productive capacity of land is dependent on various factors, including the climatic conditions, quality and versatility of the soils, and land parcel size. This is reflected in the definition of 'productive capacity' from the NPS-HPL:

<sup>3</sup> Retrieved from <https://www.dairynz.co.nz/publications/dairy-industry/new-zealand-dairy-statistics-2021-22/>

<sup>4</sup> Retrieved from <https://www.nzwine.com/en/media/statistics/vineyard-reports/>

*in relation to land, means the ability of the land to support land-based primary production over the long term, based on an assessment of:*

- (a) physical characteristics (such as soil type, properties, and versatility); and*
- (b) legal constraints (such as consent notices, local authority covenants, and easements); and*
- (c) the size and shape of existing and proposed land parcels*

Land Use Capability (LUC) is a recognised metric for identifying the productive capacity of land, with land that is between LUC Class 1 – 3 considered ‘highly productive’. The most productive land is located in the central plains which are dominated by glacial and alluvial accumulations of gravels and silts, raised terrace systems and some lower rolling hills. This is reflected in the distribution of LUC Class 1 – 3 land located throughout the central plains as shown in **Figure 2**.



Figure 2: Land Use Capability 1, 2 and 3 land in the Wairarapa.

## Pressures

There are competing demands for use of the rural land (which is a finite resource) with potential for conflict, particularly in relation to continuing access to high quality rural land for production, demand for residential use for lifestyle purposes in the rural environment and a range of businesses that have established in the rural area. Differences in amenity expectations between production and living activities and erosion of productive potential, rural character and amenity values are key considerations.

Rural production is economically significant and direction from the Wellington Regional Policy Statement and the National Policy Statement for Highly Productive Land is for the retention of rural land for production purposes. The rural areas contain versatile soil resources that are valuable for the range of production activities they can support. Ongoing availability of land for production for the future is compromised by trends for land fragmentation, investment and use for mainly residential purposes. Once land is developed for 'lifestyle' purposes, it is unlikely that it will be returned to productive use in the foreseeable future.

**Table 1** shows the minimum effective area required for various primary production activities. As shown, land parcels between 7 and 315ha are required depending on the type of primary production. While there is a relatively large range, providing for feasible primary production activities is also dependant on other factors including reliable access to water.

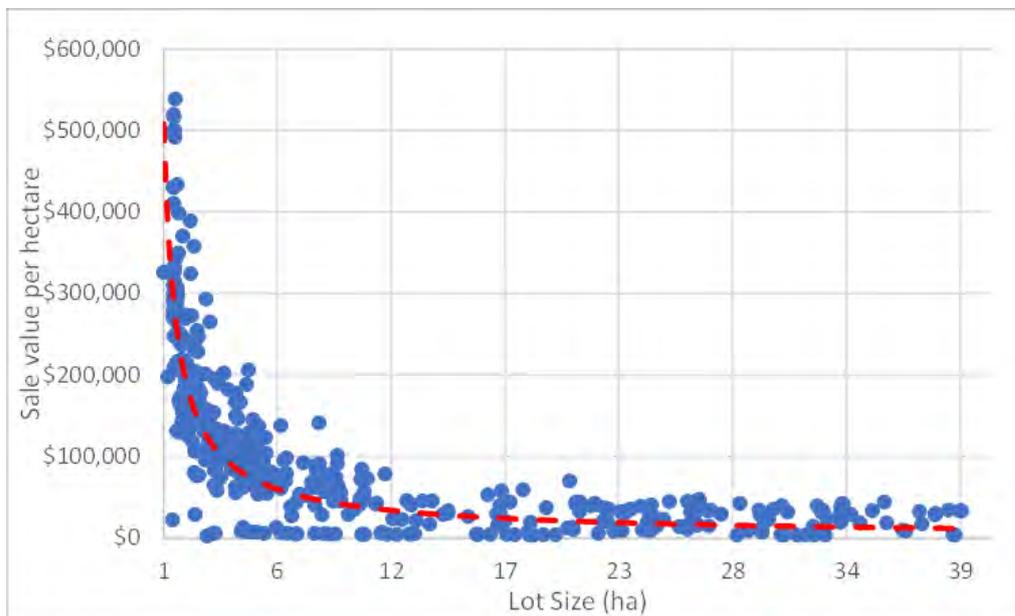
*Table 1: Indicative minimum effective areas for primary production activities. Source: Assessment of rural production and rural subdivision in the Wairarapa dated July 2023, prepared by AgFirst Limited.*

Land Use	EBITS \$/ha	Estimated area required (ha)
1. Sheep & Beef Extensive	\$454	270
2. Sheep & Beef Dry Stock	\$381	315
3. Finishing	\$537	223
4. Mixed	\$625	192
5. Arable	\$415	289
6. Dairy heavy soils	\$1,070	112
7. Dairy light soils	\$2,628	46
8. Pip fruit	\$16,367	7
9. Viticulture	\$3,686	33

There must also be the provision of residential units, sheds and access and associated land use for domestic purposes is in addition to the effective production area. It is

acknowledged that smaller areas may be sustainable for fresh produce, glasshouses and tunnel houses. However, to sustain the potential for a range of productive uses a larger area is required.

As shown in **Figure 3**, there is a higher land value for smaller lots that can be an incentive to subdivide larger land parcels, thereby increasing the price of rural land to reflect the possibility of subdivision, and for larger parcels that become increasingly scarce. Increasingly, the Wairarapa's rural environment is seen as an attractive place in which to reside, being within commuting distance to Wellington, but with many opportunities for people to enjoy the benefits of a rural lifestyle and a small holding of land. This, coupled with the general shortage of housing in the Greater Wellington Region, increases demand for creation of smaller allotments in the rural environment.



*Figure 3: Wairarapa Districts Rural Lot Sales values (\$ land value/ha). Source: Wairarapa Rural Subdivision Economic Assessment dated 27 June 2023 prepared by Formative*

Cumulative effects from small allotment subdivision include:

- increasing potential for conflict between rural and residential land uses and expectations,
- development of 'nodes' where demand for new or upgraded infrastructure and services may occur,
- loss of rural character, and
- higher dominance of residential focused activities, rather than rural productive activities

### **Rural Transport Network**

The suitability of transportation infrastructure is a key constraint on development in the rural area. The extent to which additional development can be accommodated without adversely impacting on the safe and efficient functioning of the rural road network and

the State Highways, depends on traffic generation and the condition (level of service) of the roads. The transportation network in the rural area consists of a network of local and regional roads. These are shown in the map below (**Figure 4**).

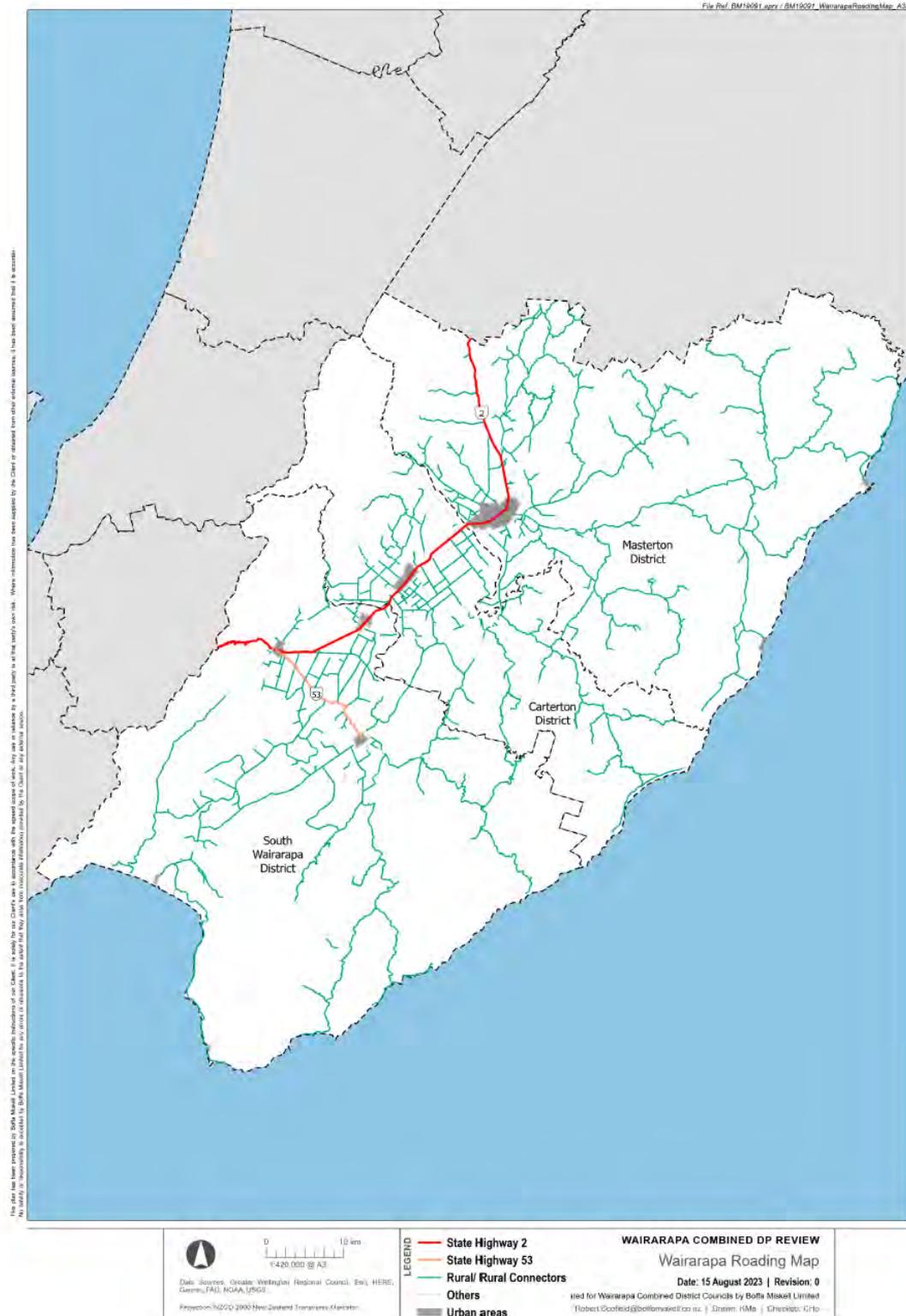


Figure 4: State Highways and Rural Roads in the Wairarapa.

State Highway 2 is a key transport spine that runs through the plains of the Wairarapa. At the local level it connects towns and communities and at the regional level it is a key transport link between Wellington and Napier supporting social and economic wellbeing.

State Highway 53 through the Wairarapa serves local purposes connecting towns and communities. Whilst this road does not have the higher order regional function to perform (like State Highway 2), it is still an important transport route that could also benefit from policy level improvements in the transport framework.

The Wairarapa's rural roads are of variable quality. Many roads are narrow and windy with poor visibility and safety and level of service constraints. State Highways 2 and 58 intersect with Rural roads at more than 30 locations. Many of these intersections have limited sight distances and no slip-lanes or right-turn facilities. In addition, there are 550 rural properties that have direct access onto the State Highways with speed zones of between 80 – 100kph.

## 3.2 Evidence base

The Councils have reviewed the Operative Plan, commissioned technical advice and assistance from various internal and external experts and utilised this, along with internal workshops and community feedback to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions. The following sections outline this evidence.

### 3.2.1 Analysis of Operative District Plan provisions

#### 3.2.1.1 Overview of Operative Plan provisions

The Operative District Plan identifies three zones within the Rural Environment being: the Rural (Primary Production) Zone, Rural (Special) Zone and Rural (Conservation) Zone:

- The Rural (Primary Production) subzone accounts for the majority of the rural land in the Wairarapa and would be the equivalent of a General Rural Zone as defined in the National Planning Standards.
- The Rural (Special) Zone comprises rural land of LUC Class 1 and 2, along and surrounding key infrastructure<sup>5</sup> and land that is subject to natural hazard risk. The Zone is largely located within peri-urban areas that would be vulnerable to pressure from sporadic urban growth and rural living/lifestyle subdivision and development. The commentary of the Operative District Plan describes the purpose of the Rural (Special) Zone as:

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<sup>5</sup> Aerodrome, municipal treatment facilities and landfills

*To recognise that such sporadic and unplanned intensification is generally inappropriate in these parts of the rural environment, and to place limitations as necessary to avoid future problems.*

- The Rural (Conservation) subzone comprises the conservation estate and publicly owned land. Within this zone, conservation activities are generally enabled.

There are three objectives for the Rural Environment Zones which generally seek to achieve the following:

- Maintain and enhance amenity values in the Rural Zones (Objective Rur1),
- Enable primary production and other land uses that function effectively and efficiently (Objective Rur2), and
- Ensure the amenity values of the adjoining zones are reasonably protected from adverse effects generated within the Rural Zones (Objective Rur3).

There are 12 underlying policies for the Rural Environment Zones. These policies generally direct the following:

- Identification of the three underlying zones and the purpose of each of those zones – Rural (Production), Rural (Special) and Rural (Conservation) (Policies Rur1(a)-(c)),
- Limit incompatibility with primary production and other activities in rural areas (Policies Rur2(a)-(c)),
- Manage effects of activities, including reverse sensitivity effects (Policies Rur2(d)-(f) & Rur3(a)), and
- Provide for the attributes of rural character including openness, productive working landscapes and a low density of buildings and structures (Policies Rur1(d)-(e)).

The land use rules in the Operative District Plan are generally permissive and apply an 'effects based' approach to the need for consent. This means that most land use activities within the Rural zones are permitted subject to various performance standards including setback requirements, building height limits and restriction on the number of dwellings.

There is one relevant objective to this topic in the Subdivision, Land Development & Urban Growth Chapter which generally seeks to achieve the following:

- Maintain and enhance character, amenity, natural and visual qualities of the Wairarapa, and protect the efficient and effective operation of land uses and physical resources (Objective 18.3.1).

There are four policies in the Subdivision, Land Development & Urban Growth Chapter that provide specific direction to achieve this objective for rural areas. These policies generally direct the following:

- Limit intensification of subdivision and land development in the rural environment (Policy 18.3.2(f)).

- Provide for subdivision of rural land for rural-residential purposes through minimum standards that seek to avoid or mitigate significant adverse effects on the viability and operation of the productive use of rural land, maintain rural character, manage reverse sensitivity, and are able to be self-serviced for water and wastewater (Policy 18.3.2(g)).
- Allotments under the minimum allotment sizes shall avoid the efficient and effective operation of the rural environment (Policy 18.3.2(h)).
- Protect the quality, character and values of the Wairarapa's rural environment (Policy 18.3.2(i)).

To implement these policies, the subdivision rules apply a minimum allotment size and allotment frontage thresholds. The activity statuses range from controlled activity through to non-complying. As a starting point, subdivision is enabled as a controlled activity. Within the Rural (Production) Zone, under Rule 20.1.2(b) a minimum allotment size of 4ha applies; however, additional small lot subdivision is enabled based on grand-parented dates that the Certificate of Title were issued:

- Where the Certificate of Title was issued before 26 August 2006<sup>6</sup>, there is no minimum allotment size or lot frontage threshold for any subdivision of a surplus dwelling<sup>7</sup> subject to a 4ha balance on the parent allotment, and
- Where the Certificate of Title was issued, or a subdivision consent was granted before 29 March 2008<sup>8</sup>, up to two allotments may be sought subject to a minimum allotment size of 1ha, minimum lot frontage of 100m and there is an average allotment size of 2ha.

Within the Rural (Special) Zone, there is no added provision for smaller lot subdivision with a minimum lot size of 4ha and minimum 100m lot frontage threshold for any controlled activity subdivision (Rule 20.1.2(b)). Boundary adjustments are enabled in both Rural Zones as a controlled activity (Rule 20.1.2(n)).

Where the controlled activity rules cannot be met, the activity status becomes either restricted discretionary, discretionary or non-complying depending on the nature of the non-compliance with the controlled activity threshold. Generally speaking, the activity status progresses rapidly to non-complying where the allotment size or frontage thresholds are not met.

### 3.2.1.2 State of the environment monitoring

#### *Land Use Consenting*

**Table 2** below summarises consenting information from the MfE National Monitoring System Database between 2014/2015 and 2020/2021. Resource consents data indicates the majority of consents processed have been associated with non-compliance

<sup>6</sup> Notification date of the Operative Plan

<sup>7</sup> Where there is an existing dwelling on the child allotment

<sup>8</sup> Notice of Decision on the Operative Plan date

with the building and structure standards. The most common consents across all three districts were for building relocations, followed by construction of new residential dwellings. There have been consents for a variety of commercial activities across all three districts. In South Wairarapa there is an identifiable trend of increasing commercial activities associated with viticulture and horticulture.

*Table 2: Land use consent data 2014 - 2021. Source: MfE National Monitoring System Database*

Period	Council	Number of consents	Description
2014/2015 to 2020/2021	Masterton District Council	20	<ul style="list-style-type: none"> <li>• Commercial activities, including: <ul style="list-style-type: none"> <li>○ Firewood business</li> <li>○ Contracting depot</li> <li>○ Beer brewing</li> <li>○ Dog grooming business in woolshed</li> <li>○ Retail activities</li> </ul> </li> <li>• Building relocations</li> <li>• Construction of new building and structures, including: <ul style="list-style-type: none"> <li>○ Wind monitoring mast</li> <li>○ Garages and sheds</li> <li>○ Residential dwellings</li> </ul> </li> <li>• Offices</li> </ul>
	Carterton District Council	14	<ul style="list-style-type: none"> <li>• Commercial activities, including: <ul style="list-style-type: none"> <li>○ Quarrying activities</li> <li>○ Kennels(one instance)</li> </ul> </li> <li>• Building relocations</li> <li>• Construction of new building and structures, including: <ul style="list-style-type: none"> <li>○ Temporary structures</li> <li>○ Residential dwellings</li> </ul> </li> </ul> <p>A minor dwelling</p>
	South Wairarapa District Council	62	<ul style="list-style-type: none"> <li>• Commercial activities, including: <ul style="list-style-type: none"> <li>○ Wineries/distilleries</li> <li>○ Retail activities</li> <li>○ Tourism</li> <li>○ Quarrying activities</li> </ul> </li> <li>• Visitor accommodation</li> <li>• Temporary events</li> </ul>

			<ul style="list-style-type: none"> <li>• Building relocations</li> <li>• Retirement village</li> <li>• Construction of new building and structures, including: <ul style="list-style-type: none"> <li>○ Billboard</li> <li>○ Residential dwellings</li> <li>○ Minor dwellings</li> </ul> </li> <li>• Garage and sheds</li> </ul>
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### Subdivision Consenting

The number of subdivision consent applications and lots created since 2010 are shown in the **Table 3**. As shown in **Figure 5**, there has been an increasing trend in the number of allotments created.

*Table 3: Number of subdivision applications and lots created between 2010 – July 2023. Source: District Councils database.*

Year	Masterton District		Carterton District		South Wairarapa District	
	Applications	Lots created	Applications	Lots created	Applications	Lots created
2010	24	64	2	4	16	52
2011	19	52	7	14	16	27
2012	12	34	12	33	19	43
2013	9	21	18	47	14	38
2014	19	57	13	31	15	30
2015	15	48	22	56	15	42
2016	14	34	16	47	28	57
2017	24	62	20	71	38	103
2018	24	63	18	54	42	128
2019	43	143	21	68	37	93
2020	29	76	16	51	32	95
2021	51	206	43	179	37	126
2022	31	207	37	247	49	290
2023 (to July)	23	103	24	86	35	101

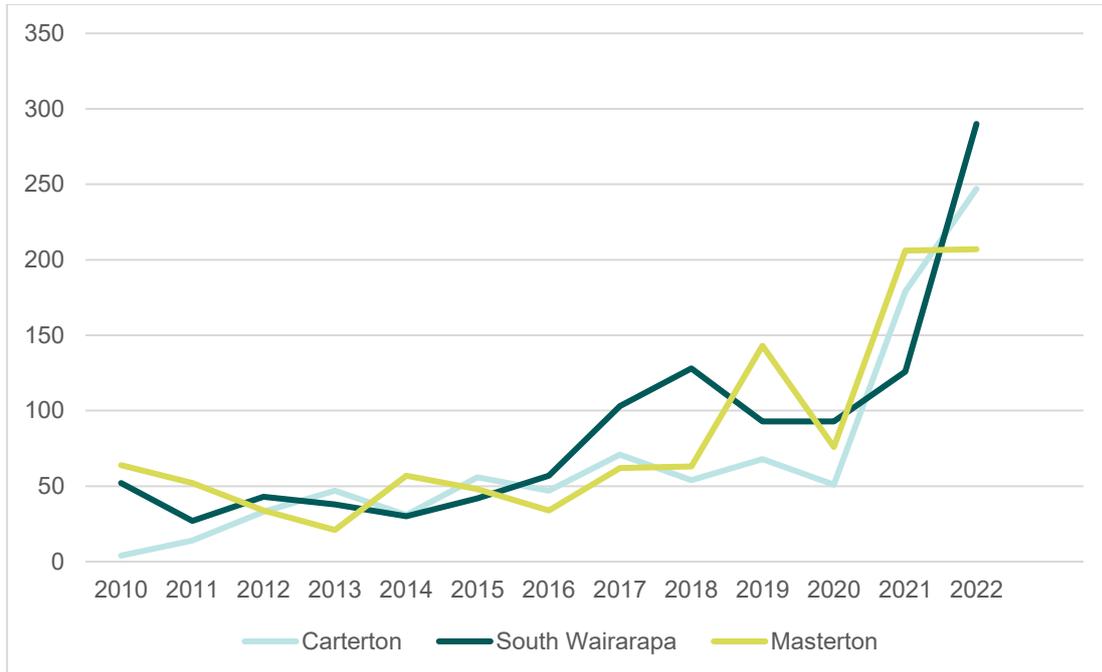


Figure 5: Number of allotments created between 2010 - 2022. Source: District Councils database.

Based on a review of the subdivision data, the majority of the applications sought are for smaller allotments (less than 8ha) that generally align with the current controlled activity minimum lot sizes. This is reflected in **Table 4** which shows the sizes of the allotments created since January 2020.

Table 4: Number of allotments sought by allotment size in the Wairarapa from January 2020 – July 2023. District Councils database.

Allotment size	Number of allotments
Less than 0.99ha	57
1 – 3.99ha	403
3 – 7.99ha	385
8 – 19.99ha	61
20 – 29.99ha	9
30 – 39.99ha	12
Greater than 40ha	57

Building consent data shows that in the last decade there were on average around 92 new dwelling building consents issued each year in Wairarapa’s rural areas<sup>9</sup>, and that is broadly consistent with population growth over the last decade which suggests that on average around 95 new households established in Wairarapa’s rural areas.<sup>10</sup>

As indicated above, the number of rural lots that have been created is greater than the number of dwellings that have been built in the rural area over the period. However, it is noted that not all subdivision over this period has been for residential living purposes. For example, some of the new lots may relate to the following (non-residential) issues:

- title corrections to match legal rights or minor boundary adjustments,
- provision of land for new accessways, and
- (re)alignment of roads, rail and other infrastructure.

### 3.2.1.3 Effectiveness of the Operative District Plan approach

#### *Land use*

Based on currently available data and feedback from Council officers, the Rural Zone provisions are generally effectively and efficiently achieving the objectives in the Operative District Plan. Primary production and other activities are generally operating efficiently and effectively, and adverse effects are being avoided, remedied or mitigated.

Resource consents data indicates that the majority of consents are related to non-compliance with building/structure standards and establishment of a range of commercial activities on a rural site. These resource consent processes are providing for a case-by-case assessment to determining the appropriateness of each proposal. An observation made by Council officers is that the ‘effects-based’ approach taken to the plan does mean that there is an inability to strategically direct or discourage certain activities from taking place in the rural environment. While the permitted rules have performance standards that would require larger scale activities to obtain resource consent, there are instances where potentially incompatible activities can exist without the need for consent. Examples include commercial activities, quarrying activities and storage of outdoor material. Conversely, there are other activities that have not been specifically enabled which has created either uncertainty to landowners or required unnecessary resource consent processes.

#### *Subdivision*

Based on the data available and feedback from Council officers, the Operative District Plan subdivision rules have been ineffective in various ways.

Similar to the land use provision, the framework applies an ‘effects-based’ approach, in that it anticipates that the default minimum allotment size will be sufficient to manage

<sup>9</sup> Statistics New Zealand (2023) New Dwelling Building Consents by SA2.

<sup>10</sup> Statistics New Zealand (2022) Population Estimates by SA2.

inappropriate subdivision. Where an application meets this baseline, a controlled activity status is provided with limited scope for the Council to consider the appropriateness of the subdivision. Based on the previous subdivision data as noted above, there has been a high demand for smaller allotment subdivision close to the minimum thresholds.

The matters of control and the activity status limit the Councils ability to consider loss of productive land (including cumulative loss), reverse sensitivity effects and reduction in rural character.

The current effects-based approach does not provide an ability to coordinate the spatial distribution of where certain (lifestyle) subdivision occurs. The distribution of subdivision between 2013 and 2022 is shown in Figure 6. As shown, subdivision has occurred in a relatively uncoordinated fashion and has largely occurred within the plains area, near main transport routes, and close to the main townships (Masterton, Carterton, Greytown, Featherston, and Martinborough).

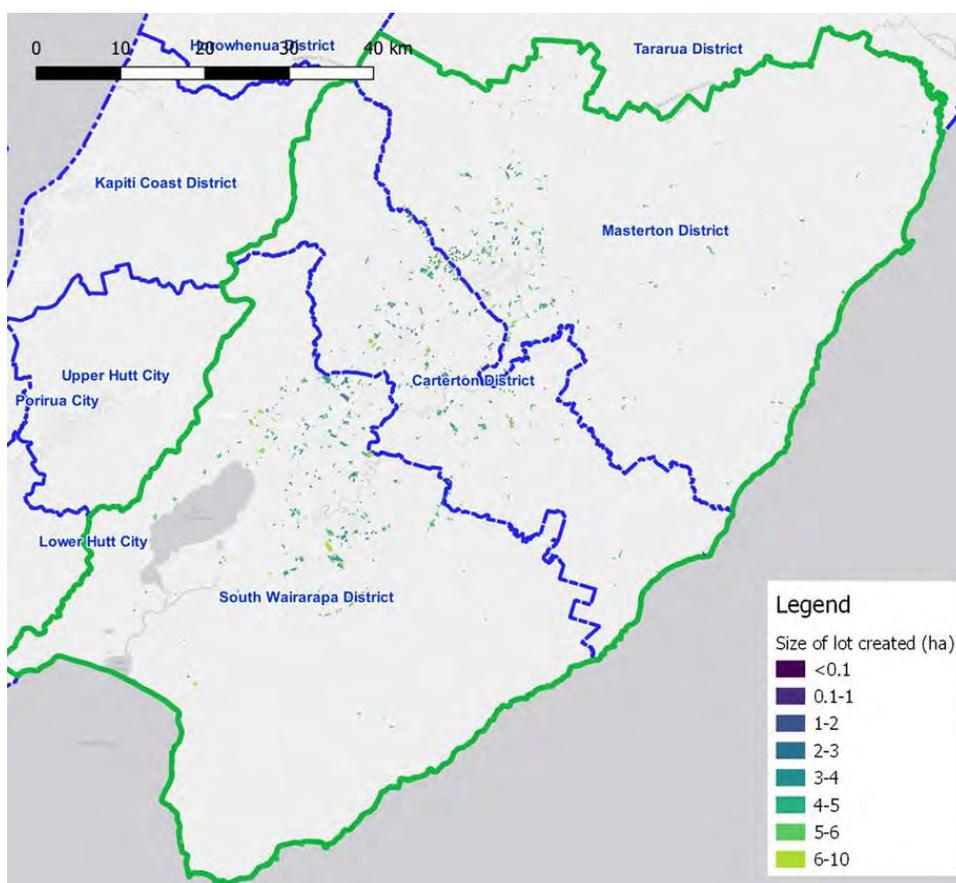


Figure 6: Wairarapa districts spatial distribution of Rural Zone Subdivision (2013-2022).

As noted above, there has been an increasing trend in the number of applications and allotments created. The actual demand of new dwellings per annum, based on past

building consent data<sup>11</sup>, and projections from Statistics NZ<sup>12</sup> and Housing and Business Assessment data<sup>13</sup>, is shown in **Table 5** below. This shows that the actual demand per annum is 82 - 92 dwellings per year. This actual demand is considered disproportionate to the number of allotments that have been created in recent years<sup>14</sup>, and the level of subdivision enabled under the Operative District Plan.

*Table 5: Wairarapa Rural Dwelling Demand.*

District	Rural Dwellings per annum		
	Dwelling Building Consents 2013 - 2022	Statistics NZ Projections 2023 - 2033	HBA data projections 2023 - 2033
Masterton	31	35	14
Carterton	27	29	33
South Wairarapa	33	24	34
Total	92	89	82

### 3.2.2 Advice received from Iwi

Section 32(4A) of the RMA requires evaluation reports prepared in relation to a proposed plan to include a summary of:

- All advice received from iwi authorities concerning the proposal; and
- The response to that advice, including any proposed provisions intended to give effect to the advice.

Under Clause 4A of Schedule 1 of the RMA local authorities are also required to:

- Provide a copy of any draft policy statement or plan to any iwi authority previously consulted under clause 3 of Schedule 1 prior to notification;
- Allow adequate time and opportunity for those iwi authorities to consider the draft and to supply advice; and
- Have particular regard to any advice received before notifying the plan.

No specific advice has been received from Rangitāne o Wairarapa or Ngāti Kahungunu ki Wairarapa regarding this topic and the proposed provisions evaluated within this report. Notwithstanding no specific advice being received, consultation with Rangitāne o Wairarapa or Ngāti Kahungunu ki Wairarapa in preparing the Proposed District Plan indicated support for the approach taken to the rural chapters, including rural subdivision.

<sup>11</sup> 2013 - 2022

<sup>12</sup> Statistics New Zealand (2022) Population Projections – medium scenario.

<sup>13</sup> Greater Wellington Partnership (2021) Demand for Dwellings 2023-2033, 50th Percentile.

<sup>14</sup> For instance, 744 new allotments were created in 2022 across the three districts.

### 3.2.3 Technical information

#### Primary Production Report – AgFirst

AgFirst Limited were commissioned to undertake an evaluation of the issues associated with subdivision of rural areas and provide feedback on the options for addressing these issues. Among other things, this assessment considered the following:

- Assessment of the current state of rural production in the Wairarapa.
- Analysis of the current and future pressure on rural production in the Wairarapa, including from rural lifestyle subdivision/development.
- Analysis of the land area required for rural production.

Below is a summary of the AgFirst report.

#### Current state of rural production

The assessment shows agriculture continues to be the backbone of the Wairarapa economy. Being the second largest industry in terms of GDP and the largest employer, it will therefore play an important role in the future of the districts. Whilst land use has transformed over the years with the increase in forestry and the rise of the viticulture industry, sheep and beef farming remains dominant.

Highly Productive Land is generally through the middle of the districts along the valley floor and is home to the districts' more intensive land uses, such as dairy, intensive sheep and beef, arable and horticulture, but as it covers only 18.2% of the districts' area it also competes with the urban centres and increasing rural subdivision.

#### Analysis of current/future pressure on rural production

Whilst there are many factors that put pressure on the primary production sector, a key enabler of its success will be ensuring that rural land, particularly highly productive land is protected for food and fibre production.

It is evident that rural subdivision has increased in the districts over the last decade with the distribution of rural lifestyle lots also showing a strong preference for smaller lot size in the rural zone with 40% of lots created since 2013 being smaller than 2ha, furthermore spatially these subdivided lots tend to be around urban centres and close to transport routes.

Continuation of the 4ha default minimum in the Operative District Plan will result in the loss of land for primary production, particularly over highly productive land. Although calculating a minimum land area for various uses to operate is complex, it is evident that in most cases a 4ha lot is not going to be sufficient land area to sustain an economically viable primary production enterprise.

There are growing pressures on primary production which are explored in this assessment that will impact land use change and the route of the primary production sector, so ensuring that rural land is made obtainable through availability will be one way to secure a positive future for primary production in the Wairarapa.

## Land required for rural production

The assessment identifies the effective land required for rural production which is shown in **Table 1** above.

## **Economic Analysis – Formative**

Formative were commissioned to undertake an economic evaluation and quantification of the rural subdivision enabled under the Operative District Plan, and an evaluation of the implications of proposed preferred options for rural subdivision. Among other things, this assessment considered the following:

- The economic rationale behind the need for rural subdivision policy,
- The outcomes that have occurred in the past to provide an understanding of the market,
- A comparison of expected supply and future demand to establish the potential implications,
- Quantification of the lost agricultural activity that could result under both the Operative District Plan and the preferred approach for the Proposed District Plan.

## Economic rationale

The assessment provides an overview of the economic rationale for needing subdivision policy. This rationale provides context to the standard economic theory concepts of supply and demand, and how a 'perfect' market<sup>15</sup> can still result in social welfare loss. This theory is shown in **Figure 7** with the green triangle indicating this welfare loss. In the case of subdivision, this is the flow-on impacts to the rest of the community, or the environment, that accrue from the decision to subdivide more rural lots. For each lot that is subdivided, the wider community will bear an additional social cost, which is greater than the private costs, including reduced local employment opportunities both on- and off-farm; reduced support for social infrastructure in rural settlements; and reduced local food supply.

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<sup>15</sup> That is, the market (i.e. landowners) would be likely to choose a subdivision pattern that would seek to maximise landowners' economic wellbeing, resulting in a sub-optimal outcome for both the community and the rural environment.

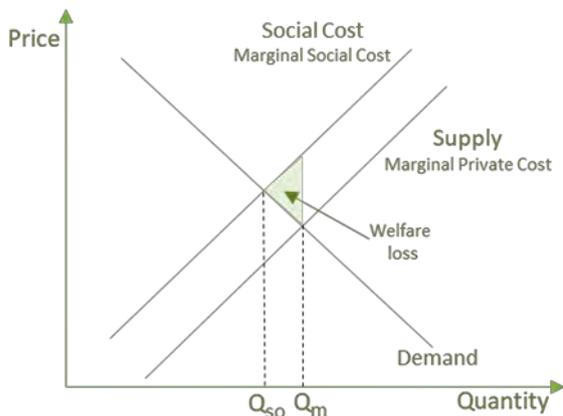


Figure 7: Standard Market Failure of a rural subdivision market. Source: Wairarapa Rural Subdivision Economic Assessment dated 27 June 2023 prepared by Formative

Standard economic theory shows that policy intervention can be used to shift the traded quantity to the optimal point, where the social costs are equal to the demand. Formative provided examples as to how this intervention may shift the equilibrium to a social optimal point in different scenarios.

### Wairarapa Subdivision Market Outcomes

Based on an evaluation of subdivision information, building consents and sales data, Formative find that increasingly there is a higher demand for smaller allotments as illustrated in **Figure 8**. Formative find that the attractiveness of rural lifestyle living diminishes for properties larger than a certain point (c.2-3ha). Properties larger than that require a level of labour, maintenance and costs associated with upkeep that are more than can be justified in order to accommodate ‘lifestyle living’, particularly if occupants have jobs off the lifestyle block. There is limited subdivision to create larger blocks of land because there is little benefit in creating larger lots.

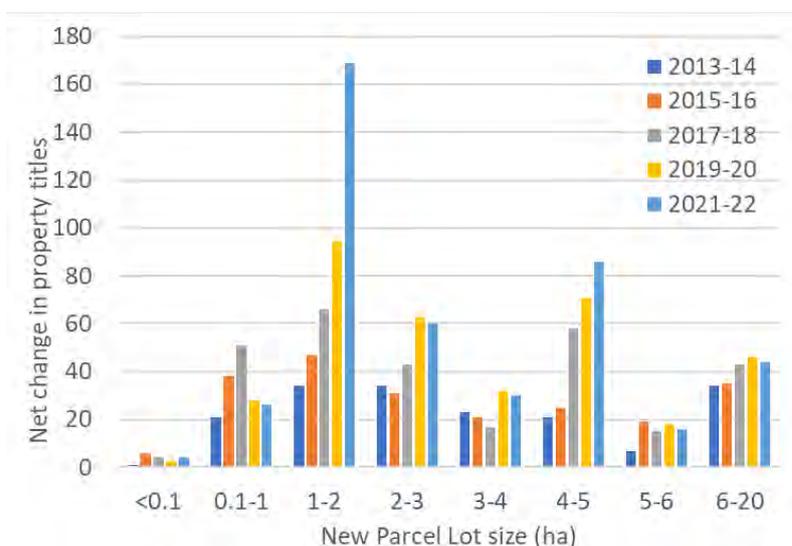


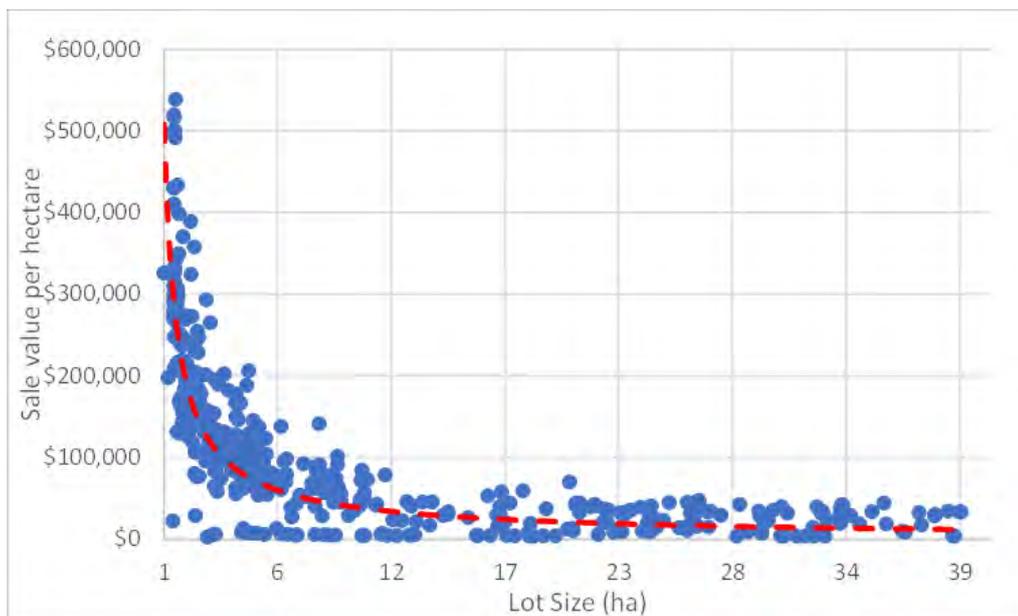
Figure 8: Wairarapa districts net change in Rural Zone properties by size of property (2013-2022).

The geographic spread of subdivided rural lots in the last decade is mapped in **Figure 6** above and shows a strong preference for new lots in the valleys, near main transport routes, and close to the main townships (Masterton, Carterton, Greytown, Featherston, and Martinborough), and that most of the smaller lots tend to have been located near State Highway 2 and in the western parts of the Wairarapa.

Sales data for Wairarapa’s rural properties shows a clear trend, with small rural lots (1-4ha) selling for \$200,000-\$500,000/ha, and large (4ha+) rural lots selling for \$20,000-\$60,000/ha (**Figure 9**).<sup>16</sup>

An average 2ha rural lot in Wairarapa has recently been selling for around \$400,000 (i.e. \$200,000/ha), and a 1ha lot sells for \$300,000, which makes a 1ha lot 25% cheaper in total, but 50% more expensive per unit of land area. If the Proposed District Plan is able to decrease the price of new lots by increasing supply (through more liberal subdivision rules for smaller rural blocks), this could induce more growth and demand, which will change the demand profile. This reflects the fact that demand and supply influence each other, and that more plentiful supply can increase demand, but an absence of supply can make it appear as if there is no demand.

*Figure 9: Wairarapa Districts Rural Lot Sales values (\$ land value/ha)*



<sup>16</sup> Corelogic (2023) Property Guru - Rural Lifestyle Sales customised data extracted 11 May.

## Supply and demand outlook

Formative evaluated the potential supply enabled under the Operative District Plan. The maximum feasible subdivision enabled under the Operative District Plan is shown in **Table 6**.

*Table 6: Wairarapa Districts Total Potential lot yield if all Subdivision Exercised*

Rural Land Subdivision Potential (Small lots 4ha)	South Wairarapa	Carterton	Masterton	Total
Operative District Plan	58,036	25,160	64,711	147,907

Based on an evaluation of various data sources, Formative have provided annual demand projections for new dwellings in the rural environment as shown in **Table 7**.

*Table 7: Wairarapa Districts Rural Dwelling Demand per annum*

Rural Dwellings per annum	Projection Formative 2023-33
South Wairarapa District	34
Carterton District	33
Masterton District	23
Total	90

### 3.2.4 Consultation

The following is a summary of the primary consultation undertaken in respect of this topic:

Who	What	Method	When	Relevant Issues Raised
National Interest Groups and Regional Council	High level issues and options relating to the rural zone	One on one meetings	August – November 2021	<ul style="list-style-type: none"> <li>Lack of activity-based rules makes for a seemingly permissive plan.</li> <li>Traffic generation / traffic safety caused by new activities. Specific reference given to quarrying activities and rural lifestyle that accesses a State Highway.</li> <li>Need for more integration with district-wide matters e.g. environmental protection overlays.</li> <li>Cumulative effect on water quality as a result of on-site wastewater treatment from rural residential development.</li> </ul>

Who	What	Method	When	Relevant Issues Raised
				<ul style="list-style-type: none"> <li>• Agricultural aviation needs to be specifically provided for.</li> </ul>
<p>Primary production sector groups and local land surveying companies</p>	<p>Rural subdivision issues and options</p>	<p>Workshops</p>	<p>February - May 2022</p>	<ul style="list-style-type: none"> <li>• Due to the fragmented nature of the Wairarapa, “productive potential” of land can in some ways be more important than “productive capacity”. This is on the basis that primary production in the Wairarapa typically requires larger parcels of land, therefore, if the land is already compromised (fragmented through subdivision), there is no potential for a productive use, regardless of the soil, topography, and climate characteristics.</li> <li>• There needs to be provision and incentive for amalgamation of smaller lots into existing larger lots. For example, providing for a boundary adjustment that allows a farm of 200ha to obtain 8ha of a 9ha neighbouring property.</li> <li>• General preference indicated for a defined rural lifestyle zone with several locations through the districts.</li> <li>• The actual demand for rural living/lifestyle is more of a large lot residential property within a rural context. This property might include some land for light grazing, but this use would remain relatively low maintenance. Suggestions of allotment sizes ranged between 0.25 – 0.5ha.</li> <li>• A nuanced approach should be adopted. Appropriate subdivision may still occur outside of an identified zone or a minimum allotment size</li> </ul>

Who	What	Method	When	Relevant Issues Raised
				<p>standard. Examples provided where boutique vineyards subdivide off a surplus dwelling.</p> <ul style="list-style-type: none"> <li>The land (vineyards) directly adjacent to Martinborough needs to be recognised and protected as a significant resource for the Wairarapa.</li> </ul>
Wairarapa Wine Growers Association	Input into the identification and importance of viticulture land surrounding Martinborough	Workshop	June 2022	<ul style="list-style-type: none"> <li>There needs to be further protection for viticulture land surrounding Martinborough. The extent of area should be based on current land use (where existing viticulture is) and land that is suitable for viticulture.</li> <li>Certain land use activities should be enabled for viticulture to operate efficiently and effectively.</li> </ul>
Feedback on Draft District Plan	Feedback on Draft District Plan	Public submission period / drop-in sessions	October to December 2022	See Appendix 1.
Wairarapa Winegrowers Association	Further input and feedback on the extent of the Martinborough Soils Overlay	Workshop	April 2023	<ul style="list-style-type: none"> <li>The spatial extent of the overlay may require further input either from a suitably qualified individual or through further collaborative input from additional members of the Wairarapa Winegrowers Association.</li> </ul>

Public consultation was undertaken on the Draft District Plan in October to December 2022.

A summary of specific feedback on this topic received during consultation on the Draft District Plan is contained in Appendix 1, including how it has been responded to in the Proposed Plan.

In summary, the key findings arising from the consultation undertaken on this topic are:

- An 'activity based' framework will be more appropriate than the current 'effects based' approach. This includes explicitly permitting some activities (primary production), and applying specific rules to others (quarrying activities, commercial activities etc.).

- Protecting rural production is not just about identifying and protecting the ‘productive land’, it is also about protecting the ‘productive potential’ of land. Where land is fragmented, it provides for little productive potential for rural activities. The district plan provisions must anticipate this.
- There needs to be better provision for the desired rural lifestyle in the Wairarapa.
- There is ongoing pressure placed on the safety and efficiency of the State Highways as a result of rural activities and in particular rural lifestyle development that has direct access to the State Highways.
- Productive land in the Wairarapa needs to be recognised and protected, which is not just the ‘highly productive land’ anticipated by the NPS-HPL.

### 3.3 Summary of issues

The following resource management issues have been identified:

Issue	Comment
<p>Issue 1:</p> <p>The Wairarapa’s rural area has existing primary production activities that need to be provided for (farming, forestry, horticulture).</p>	<p>The Wairarapa’s vibrancy and vitality is dependent on its thriving primary production industry. This is enabled through the ability for primary production to be undertaken in an efficient and effective way in the rural environment. The Operative District Plan’s Rural Zone enables most rural activities but does not enable all relevant primary production activities due to its effects-based approach. In addition, the provisions do not adequately manage ancillary activities or other activities that may conflict with primary production.</p> <p>The District Plan’s rural area subdivision provisions need to assist in continuing to provide for existing primary production.</p>
<p>Issue 2:</p> <p>The Wairarapa contains highly productive land and highly versatile soils that need to be safeguarded for rural production.</p>	<p>The Wairarapa contains highly versatile soils that provide for a variety of crops and agricultural production. The NPS-HPL also directs the protection of ‘highly productive land’ for land-based primary production. There is a significant portion of the rural environment that would be considered ‘highly productive’ by the NPS-HPL and requires appropriate protection. Without appropriate protection, there is potential for further loss to the productive land through inappropriate land use and subdivision.</p> <p>The District Plan’s rural area subdivision provisions need to assist in limiting further loss and fragmentation to productive land.</p>
<p>Issue 3:</p> <p>The Wairarapa’s rural area has important character and amenity values that need safeguarding.</p>	<p>The Wairarapa’s rural area is valued for its openness, naturalness and low density built form. It is therefore vulnerable to inappropriate activities, built development and subdivision/fragmentation.</p> <p>There are a variety of activities that can impact on rural character and amenity. This includes sporadic commercial and industrial development that has occurred, particularly between Masterton and Carterton. However, the predominant land use change trend in the last two decades has been rural lifestyle intensification.</p> <p>The District Plan’s rural area subdivision provisions need to assist in achieving rural character and amenity values.</p>
<p>Issue 4:</p>	<p>In order for Wairarapa’s rural area to continue to function efficiently, rural activities must not be compromised by more sensitive activities locating</p>

<p>The Wairarapa’s rural area is a resource that accommodates activities that can be compromised by sensitive activities through reverse sensitivity.</p>	<p>in proximity to them. The rural area is a working environment, where rural activities result in adverse environmental effects as part of their day-to-day operations including noise, dust and visual impacts. If activities sensitive to these effects are established nearby, the full and efficient productive use of the land can be compromised. Additionally, reverse sensitivity effects can arise where a new sensitive activity must either accept or protect itself from the effects associated with the working site. Policy 9 of the National Policy Statement for Highly Productive Land also directs that “reverse sensitivity effects are managed so as not to constrain land-based primary production activities on highly productive land”.</p>
<p>Issue 5: Rural activities can generate substantial adverse effects that need to be managed, particularly on neighbouring residential zones.</p>	<p>Rural provisions need to be set at levels which allow for a variety of rural activities to operate provided they do not result in significant adverse environmental effects.</p> <p>Without an assessment through a resource consent process, adverse effects from activities such as rural industry and intensive indoor primary production activities could have adverse effects that are greater than those of other permitted primary production activities, and this could create an undesirable permitted baseline of effects.</p>
<p>Issue 6: Rural development can adversely affect the safety, reliability and efficiency of the transport network</p>	<p>The suitability of transportation infrastructure is a key constraint on development in the rural area. The extent to which additional development can be accommodated without adversely impacting on the safe and efficient functioning of the rural road network, depends on traffic generation and the condition (level of service) of the roads. The impact of subdivision, land use and development on the safety, reliability and efficiency of the rural transport network needs to be considered to meet RPS objective 10 and policy 57.</p>

## 4.0 Scale and significance

### 4.1 Evaluation of scale and significance

Under section 32(1)(c) of the RMA, this evaluation report needs to contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

This section assesses the scale and significance of the Rural provisions to determine the level of analysis required. The assessment considers both the land use and subdivision provisions separately.

#### 4.1.2 Land Use

Land Use			
	Low	Medium	High
Degree of change from the Operative District Plan		✓	
Effects on matters of national importance		✓	
Scale of effects - geographically			✓
Scale of effects on people e.g. landowners, neighbourhoods, future generations		✓	
Scale of effects on those with specific interests e.g. tangata whenua	✓		
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?	✓		
Likelihood of increased costs or restrictions on individuals, communities or businesses		✓	

In summary:

- The Proposed District Plan takes a different approach from the Operative District Plan in introducing new rural zones in the form of a General Rural Zone and a Rural Lifestyle Zone. This differs from the former sub-zones being 'production' and 'special'. It also moves away from the 'effects-based' approach into a more 'activities-based' one. The Proposed District Plan introduces more of a hierarchy to the appropriate activities that may occur in the rural environment. There is a direction that primary production must be enabled over other activities that require a rural location.
- There is a matter of national significance that the Rural zones manage – the protection of highly productive land. The provisions of the Rural zones seek to give effect to this higher order direction by limiting certain land uses over highly productive land while continuing to enable land-based primary production.
- The Rural zones affect an extensive spatial area and are the largest of the zones in the Wairarapa. It is noted that this reflects a similar extent to that indicated in the Operative Plan with some small reductions through rezoning to other more appropriate zoning e.g. Open Space Zone, Future Urban Zone and Settlement Zone.
- There is a moderate scale of effects on landowners and future generations due to the significance of the resource (productive land).
- There is a low policy risk as the direction is consistent with the higher order direction, namely the RPS and NPS-HPL.
- While there is a shift in the framework towards more of an activity-based approach, the overall direction continues to provide a permissive framework (similar to the Operative Plan) for rural production and other activities that are anticipated in the

rural zones. Any increase in costs or restrictions on individuals, communities and businesses will be low.

Overall, it is considered that the scale and significance of the proposal for land use is **medium**.

### 4.1.3 Subdivision

Subdivision			
	Low	Medium	High
Degree of change from the Operative District Plan			✓
Effects on matters of national importance			✓
Scale of effects - geographically			✓
Scale of effects on people e.g. landowners, neighbourhoods, future generations			✓
Scale of effects on those with specific interests e.g. tangata whenua		✓	
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?		✓	
Likelihood of increased costs or restrictions on individuals, communities or businesses		✓	

In summary:

- There is a significant shift in the policy direction between the Operative and Proposed District Plans. The Proposed District Plan effectively shifts the default minimum allotment size from 4ha to 40ha. In addition, the provision for ‘small allotments’ differs from the Operative District Plan with smaller allotment sizes enabled down to 0.5 ha, but with limitations on where this subdivision can occur.
- The change directly addresses matters of national importance as directed through the NPS-HPL.
- The changes are widespread and will impact the majority of rural landowners. The scale of effects (both positive and adverse) is of significance.
- The changes will have both positive and adverse impacts to Tangata Whenua through the ability to subdivide their land (on properties within the Rural Zones), and the benefits associated with protecting productive land.
- There will be increased costs on individuals and businesses through further restrictions on subdivision. These costs are anticipated to be moderate - high. The cost to communities will be low.

Overall, it is considered that the scale and significance of the proposal for subdivision is **high**.

## 4.2 Quantification of benefits and costs

Section 32(2)(b) of the RMA requires that, where practicable, the benefits and costs of a proposal are to be quantified.

Specific quantification of all benefits and costs associated with the Proposed District Plan is considered neither practicable nor readily available. In general, a qualitative assessment of costs and benefits associated with the Proposed District Plan is considered sufficient, and this is provided for in the assessment of policies, rules and other methods contained in **section 6.0** of this report. However, where practicable and considered appropriate to supporting the evaluation, some of the benefits or costs associated with the Proposed District Plan have been quantified. The identification of costs and benefits has been informed by the body of evidence outlined in **section 3.0** of this report.

## 5.0 Proposed provisions

### 5.1 National Planning Standards zoning

Based on the issues analysis in **section 3.0** of this report and the National Planning Standards zone options the following zone framework has been selected in relation to this topic:

Zone	Description
General Rural Zone	Areas used predominantly for primary production activities, including intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.
Rural Lifestyle Zone	Areas used predominantly for a residential lifestyle within a rural environment on lots smaller than those of the General Rural and Rural Production zones, while still enabling primary production to occur.

General Rural Zone applies to the majority of the Wairarapa. As there tends to be a variety of activities that require a rural location within the Wairarapa, this dominant zoning is considered appropriate. It is noted that the National Planning Standards offer an additional rural zone in the “Rural Production Zone”. While much of the rural areas of the Wairarapa have productive characteristics that might align with a “Rural Production

Zone”, as other activities that require a rural location are part of the rural environment, it was determined that the General Rural Zone is more appropriate.

An area on the northern extent of Masterton urban area has been identified as appropriate for Rural Lifestyle zoning. Rural Lifestyle zoning is appropriate for this area as the land is already generally in rural lifestyle land use, and further rural lifestyle development is to be anticipated.

## 5.2 Strategic directions

The following objectives from the Strategic Direction chapter of the Proposed District Plan are relevant to the Rural topic:

<b>RE-01</b>	<b>Social and economic wellbeing</b>
The Wairarapa's rural environment contributes positively to the region's economic and social wellbeing.	
<b>RE-02</b>	<b>Productive capacity</b>
The General Rural Zone remains available for <i>primary production</i> activities and productive capacity is protected.	
<b>RE-03</b>	<b>Highly productive land</b>
Highly productive land is protected for use in <i>land-based primary production</i> , both now and for future generations.	
<b>RE-04</b>	<b>Character of the rural environment</b>
The character of the rural environment is maintained and enhanced.	
<b>RE-05</b>	<b>Rural lifestyle</b>
Opportunities for rural lifestyle subdivision and development are only provided in parts of the rural environment where they do not conflict with enabling primary production and protecting the productive capacity of land.	

These objectives are also evaluated in the Section 32 Evaluation Overview and Strategic Directions Report.

## 5.3 Overview of proposed provisions

The proposed provisions relevant to this topic are set out in detail in the Proposed District Plan and should be referenced in conjunction with this evaluation report.

In summary, the proposed provisions include:

- Definitions for highly productive land, primary production, ancillary activities, productive capacity, rural produce retail, rural industry, intensive primary production, intensive indoor primary production, intensive outdoor primary production, agricultural aviation, rural airstrip, helicopter landing area, seasonal worker accommodation, quarrying activities and sensitive activities.
- Objectives that address:

- General Rural Zone
  - Seven objectives addressing the zone purpose, rural character, providing for primary production, management of other activities that require a rural location, reverse sensitivity and protection of highly productive land.
- Rural Lifestyle Zone
  - Three objectives addressing the zone purpose, character and amenity and enabling appropriate activities.
- Policies that address:
  - General Rural Zone
    - Nine policies addressing compatible and incompatible activities, rural character, appropriate and inappropriate subdivision, quarrying activities, reverse sensitivity, versatile soils and highly productive land.
  - Rural Lifestyle Zone
    - Three policies addressing compatible and incompatible activities, and rural lifestyle character.
- The following two overlays apply to land use and subdivision within the General Rural Zone:
  - Martinborough Soils Overlay: Identifies land directly adjacent to Martinborough that is suitable for high value crops and is vulnerable to development. The Overlay limits the number of residential units to one per site and limits small lot subdivision which is explained further below.
  - Highly Productive Land: Identifies the extent of highly productive land as defined in the NPS-HPL. The Overlay applies additional limits on non-primary production activities and does not provide for small lot subdivision.
- A rule framework that manages land use and building and structure activities as follows:

Activity	Zone	
	General Rural Zone	Rural Lifestyle Zone
Buildings and structures, including construction, additions and alterations	Permitted activity subject to performance standard	Permitted activity subject to performance standard
Demolition of buildings and structures	Permitted activity	Permitted activity
Relocating a building	Controlled activity	Controlled activity

Activity	Zone	
	General Rural Zone	Rural Lifestyle Zone
Seasonal worker accommodation	Permitted activity subject to performance standard	Discretionary activity
Primary Production	Permitted activity	Permitted activity
Agricultural aviation	Permitted activity	Discretionary activity
Residential visitor accommodation	Permitted activity subject to performance standard	Permitted activity subject to performance standard
Residential activities	Permitted activity subject to performance standard	Permitted activity subject to performance standard
Intensive primary production	Permitted activity subject to performance standard	Discretionary activity
Conservation activities	Permitted activity	Permitted activity
Rural produce retail	Permitted activity subject to performance standard	Permitted activity subject to performance standard
Shelterbelts and small woodlots	Permitted activity	Permitted activity subject to performance standard
Home business	Discretionary activity	Permitted activity subject to performance standard
Farm quarry	Permitted activity	Non Complying activity
Quarrying activities (excluding farm quarries)	Restricted Discretionary activity	Non Complying activity
Papakāinga	Permitted activity subject to performance standard	Permitted activity subject to performance standard
Motorised outdoor recreation activities	Restricted Discretionary activity	Discretionary activity
Visitor accommodation	Discretionary activity	Discretionary activity
Commercial boarding of cats, dogs, and other domestic pets	Discretionary activity	Discretionary activity

Activity	Zone	
	General Rural Zone	Rural Lifestyle Zone
Commercial and industrial activities	Discretionary activity	Discretionary activity

- Subdivision rule framework that manages new subdivision activities as follows:

Activity	Zone	
	General Rural Zone	Rural Lifestyle Zone
Boundary adjustment	C	C
New allotment	C (min)	C (min)
New allotments on land less than 4 ha	C (min), (bal)	N/A
Surplus dwelling	C (min), (bal)	N-C
<p><u>Key:</u>            C means controlled activity            C (min) means controlled activity subject to a minimum allotment size            C (bal) means controlled activity subject to minimum balance maintained after subdivision            N/A means not applicable to the zone            N-C means non-complying activity</p>		

- Effects standards that address:
  - Maximum building height,
  - Maximum building height in relation to boundary,
  - Building setbacks,
  - Number of residential units,
  - Intensive primary production (only in General Rural Zone),
  - Transport requirements for rural produce retail,
  - On-site services,
  - Shelterbelts and small woodlots (only in Rural Lifestyle Zone), and
  - Minimum allotment size (subdivision).

## 5.4 Other relevant objectives

In addition to the Strategic Direction objectives that have been listed above, the following two objectives of the Subdivision chapter that are relevant to the Rural topic:

- SUB-O1: Subdivision and development design, and
- SUB-O2: Servicing.

## 6.0 Evaluation of the proposed objectives

Section 32(1)(a) of the RMA requires an evaluation to examine the extent to which the objectives proposed are the most appropriate way to achieve the purpose of the RMA. The level of detail must correspond to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.

This section of the report evaluates the objectives proposed for the Rural topic.

An examination of the proposed objectives along with reasonable alternatives is included below, with the relative extent of their appropriateness based on an assessment against the following criteria:

1. Relevance (i.e. Is the objective related to addressing resource management issues and will it achieve one or more aspects of the purpose and principles of the RMA?)
2. Usefulness (i.e. Will the objective guide decision-making? Does it meet sound principles for writing objectives and does it clearly state the anticipated outcome?)
3. Reasonableness (i.e. What is the extent of the regulatory impact imposed on individuals, businesses or the wider community? Is it consistent with identified tangata whenua and community outcomes?)
4. Achievability (i.e. Can the objective be achieved with tools and resources available, or likely to be available, to the Councils?)

While not specifically required under section 32 of the RMA, in some instances alternative objectives are also considered to ensure that the proposed objective(s) are the most appropriate to achieve the purpose of the RMA.

Zone purpose, character and values

Proposed Objectives
<p><b>GRUZ-O1: Purpose of the General Rural Zone</b></p> <p>The General Rural Zone is used primarily for <i>primary production</i>, activities that support <i>primary production</i>, and other activities that have a <i>functional need</i> or <i>operational need</i> to be located within the General Rural Zone.</p>
<p><b>RLZ-O1: Purpose of the Rural Lifestyle Zone</b></p> <p>The Rural Lifestyle Zone is used primarily for a residential lifestyle within a rural environment on lots smaller than those of the General Rural Zone, while still providing for primary production to occur.</p>
<p><b>GRUZ-O2: Rural Character</b></p> <p>The predominant character of the General Rural Zone is maintained and enhanced, which include:</p>

- (a) areas of viticulture, crops, pasture, forestry (indigenous and plantation), and the presence of a large number of farmed animals;
- (b) sparsely developed landscape with open space between *buildings* that are predominantly used for agricultural, pastoral and horticultural activities (e.g. barns and sheds), low density rural living (e.g. farmhouses, *seasonal worker accommodation*, and a small degree of rural lifestyle), and community activities (e.g. rural halls, domains, and schools);
- (c) a range of noises, smells, light overspill, and traffic, often on a cyclic and seasonal basis, generated from the production, manufacture, processing and/or transportation of raw materials derived from *primary production* and *ancillary activities*;
- (d) interspersed existing *rural industry* facilities associated with the use of the land for *intensive primary production*, quarrying, and cleanfills; and
- (e) the presence of rural *infrastructure*, including rural roads, State Highways, the National Grid and the on-*site* disposal of wastewater, and a general lack of urban *infrastructure*, such as street lights, solid fences, and footpaths.

**GRUZ-O7: Protection of highly productive land and other land with special characteristics**

Recognise and protect:

- (a) highly productive land; and
- (b) land that utilises the finite combination of climate and soil characteristics which make it suitable for high value crops including viticulture, orchards and olives.

**RLZ-O2: Character of the Rural Lifestyle Zone**

The predominant character of the Rural Lifestyle Zone is maintained, which includes:

- (a) low density residential living on rural lifestyle blocks, characterised by predominantly 1- to 2-storey *buildings* and high levels of on-*site* amenity, privacy, and large areas for landscape planting and small-scale primary production activities;
- (b) a diversity of topography and land quality, including land without significant rural production values; and
- (c) a general absence of urban *infrastructure*.

**Alternatives considered**

Status quo:

**Objective Rur1 – Protection of Rural Character & Amenity**

To maintain and enhance the amenity values of the Rural Zone, including natural character, as appropriate to the predominant land use and consequential environmental quality of different rural character areas within the Wairarapa.

**Appropriateness to achieve the purpose of the RMA**

<p>Appropriateness of Proposed Objective (relevance, usefulness, reasonableness, achievability)</p>	<p>Relevance: The objectives address the resource management issues as outlined in <b>Section 3.3</b> and in particular issues 2 and 3. The objectives give effect to both the National Planning Framework and the NPS-HPL.</p> <p>Usefulness: The objectives will guide decision making by clearly outlining what the purpose of the zone is and the particular values of significance to the zone. The objectives are also clear in the outcomes sought.</p> <p>Reasonableness: The objectives stating zones purpose, character and values will not place unjustifiable costs on the community, but rather will assist decision makers to maintain these values which have social</p>
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	<p>and environmental benefits. The objectives have been consulted on, including through the draft plan consultation and feedback has largely been supportive.</p> <p>Achievability: This proposed chapter can be implemented within the Councils' powers, skills and resources.</p>
<p>Appropriateness of Status Quo (relevance, usefulness, reasonableness, achievability)</p>	<p>Relevance: The objective only partially addresses the relevant resource management issues (issue 3) but fails to recognise and protect productive land. The status quo does not give effect to National Planning Standards or the NPS-HPL.</p> <p>Usefulness: The status quo provides some direction on the desired rural character of the Wairarapa but does not provide a clear purpose of the rural zones nor recognise its significant values.</p> <p>Reasonableness: The existing Zone chapter has been in place a long time and is well understood by community and consenting staff.</p> <p>Achievability: The status quo is currently being implemented within Councils' powers, skills and resources.</p>
<p><b>Preferred option and reasons</b></p>	
<p>The proposed objectives are the most appropriate means of achieving the purpose of the Act because:</p> <ul style="list-style-type: none"> <li>• The proposed Objectives address the relevant resource management issues.</li> <li>• The proposed Objectives are consistent with higher order planning direction, including the Regional Policy Statement, National Planning Standards and the National Policy Statement for Highly Productive Land.</li> <li>• Outlining zone purposes as objectives is in line with national best practice. GRUZ-O1 and RLZ-O1 provide for a range of rural and rural lifestyle activities within these zones and ensure that primary production activities continue to contribute to the wellbeing of the Wairarapa.</li> <li>• The proposed Objectives have been generally supported by the public through engagement undertaken, in particular the submissions received on the Draft District Plan.</li> <li>• The proposed Objectives help give effect to strategic objectives RE-O1, RE-O2, RE-O3 and RE-O4.</li> </ul>	

## Managing activities and adverse effects

<p><b>Proposed Objectives</b></p>
<p><b>GRUZ-O3: Provision for primary production</b></p> <p>The General Rural Zone is used primarily for <i>primary production</i>, activities that support <i>primary production</i>, and other activities that have a <i>functional need</i> or <i>operational need</i> to be located within the General Rural Zone.</p>
<p><b>GRUZ-O4: Enable compatible activities</b></p> <p><i>Primary production</i> activities are enabled, and other activities that have a <i>functional need</i> or <i>operational need</i> to be located within the General Rural Zone are enabled where they are not incompatible with primary production activities.</p>
<p><b>RLZ-O3: Enable compatible activities</b></p> <p><i>Residential activities</i>, light <i>primary production</i> activities, and ancillary activities that are compatible with the character and amenity values of the Rural Lifestyle Zone are provided for.</p>

<p><b>GRUZ-O5: Reverse sensitivity</b></p> <p><i>Sensitive activities</i> are designed and located to avoid or mitigate <i>reverse sensitivity</i> effects and incompatibility with <i>primary production</i>, other land uses activities and key transport corridors in the General Rural Zone.</p> <p><b>GRUZ-O6: Rural lifestyle</b></p> <ul style="list-style-type: none"> <li>(a) Rural lifestyle subdivision and development is managed in a way that avoids additional fragmentation of productive land and its productive potential.</li> <li>(b) Opportunities for rural lifestyle subdivision and development in appropriate locations within the General Rural Zone is provided for, insofar as GRUZ-O6(1) is met.</li> </ul>	
<p><b>Alternatives considered</b></p> <p>Status quo:</p> <p><b>Objective Rur2 – Provision for Primary Production and Other Activities</b></p> <p>To enable primary production and other land uses to function efficiently and effectively in the Rural Zone, while the adverse effects are avoided, remedied, or mitigated to the extent reasonably practicable.</p> <p><b>Objective Rur3 – Interzone Management</b></p> <p>To ensure the amenity values of adjoining zones are reasonably protected from the adverse effects of activities within the Rural Zone.</p>	
<p><b>Appropriateness to achieve the purpose of the RMA</b></p>	
<p>Appropriateness of Proposed Objective (relevance, usefulness, reasonableness, achievability)</p>	<p>Relevance: The objectives address the resource management issues as outlined Section 3.3 and in particular issues 1, 4, 5 and 6. The objectives give effect to both the National Planning Framework and the National Policy Statement for Highly Productive Land.</p> <p>Usefulness: The objectives will guide decision making by clearly stating the compatible and incompatible activities within the rural zones. The objectives are also clear in the outcomes sought.</p> <p>Reasonableness: The objectives will not place unjustifiable costs on the community, but rather will assist decision makers in providing for appropriate activities within the rural environment. The activities that are enabled and the requirement on managing effects aligns with the overall intent and purpose of the zones. The objectives have been consulted on, including through the draft plan consultation and feedback has largely been supportive.</p> <p>Achievability: This proposed chapter can be implemented within the Councils' powers, skills and resources.</p>
<p>Appropriateness of Status Quo (relevance, usefulness, reasonableness, achievability)</p>	<p>Relevance: The existing objectives only partially address the relevant resource management issues (issues 1 and 4) but fail to address incompatible activities, manage reverse sensitivity, or manage effects on the transport network. The status quo does not give effect to National Planning Standards or the National Policy Statement for Highly Productive Land.</p> <p>Usefulness: The status quo provides some direction on the appropriate activities and management of effects on adjoining zones but fails to address other relevant matters such as incompatible activities, reverse sensitivity and effects on transport network.</p> <p>Reasonableness: The existing Zone chapter has been in place a long time and is well understood by community and consenting staff.</p>

	Achievability: The status quo is currently being implemented within Councils' powers, skills and resources.
<b>Preferred option and reasons</b>	
<p>The proposed objectives are the most appropriate means of achieving the purpose of the Act because:</p> <ul style="list-style-type: none"> <li>• The proposed Objectives address the relevant resource management issues.</li> <li>• The proposed Objectives are consistent with higher order planning direction, including the Regional Policy Statement, National Planning Standards and the National Policy Statement for Highly Productive Land.</li> <li>• Clearly identifying compatible and incompatible activities is consistent with best practice and gives clear direction to plan users and decision makers.</li> <li>• The proposed Objectives have been generally supported by the public through engagement undertaken, in particular the submissions received on the Draft District Plan.</li> <li>• The proposed Objectives help give effect to strategic objectives RE-O1, RE-O2, RE-O3, RE-O4 and RE-O5.</li> </ul>	

## 7.0 Evaluation of proposed provisions

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

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

### 7.1 Evaluation

For each potential approach an evaluation has been undertaken relating to the costs, benefits and the certainty and sufficiency of information (as informed by section 4.0 of this report) in order to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objective(s).

### 7.1.1 Land use provisions to achieve the preferred objectives

Under section 32(1)(b)(ii) of the RMA, reasonably practicable options to achieve the objective(s) associated with this proposal need to be identified and examined.

The other options considered reasonably practicable for achieving the objectives of the Proposed District Plan in relation to land use provisions of the Rural topic are:

- **Option 1:** The proposed land use provisions of the General Rural Zone and Rural Lifestyle Zone.
- **Option 2:** Retaining the status quo provisions from the Operative District Plan.

#### GRUZ-O1: Purpose of the General Rural Zone

The General Rural Zone is used primarily for *primary production*, activities that support *primary production*, and other activities that have a *functional need* or *operational need* to be located within the General Rural Zone.

#### GRUZ-O2: Rural Character

The predominant character of the General Rural Zone is maintained and enhanced, which include:

- areas of viticulture, crops, pasture, forestry (indigenous and plantation), and the presence of a large number of farmed animals;
- sparsely developed landscape with open space between *buildings* that are predominantly used for agricultural, pastoral and horticultural activities (e.g. barns and sheds), low density rural living (e.g. farmhouses, *seasonal worker accommodation*, and a small degree of rural lifestyle), and community activities (e.g. rural halls, domains, and schools);
- a range of noises, smells, light overspill, and traffic, often on a cyclic and seasonal basis, generated from the production, manufacture, processing and/or transportation of raw materials derived from *primary production* and *ancillary activities*;
- interspersed existing *rural industry* facilities associated with the use of the land for *intensive primary production*, quarrying, and cleanfills; and
- the presence of rural *infrastructure*, including rural roads, State Highways, the National Grid and the on-site disposal of wastewater, and a general lack of urban *infrastructure*, such as street lights, solid fences, and footpaths.

#### GRUZ-O3: Provision for primary production

The General Rural Zone is used primarily for *primary production*, activities that support *primary production*, and other activities that have a *functional need* or *operational need* to be located within the General Rural Zone.

**GRUZ-O4: Enable compatible activities**

*Primary production* activities are enabled, and other activities that have a *functional need* or *operational need* to be located within the General Rural Zone are enabled where they are not incompatible with primary production activities.

**GRUZ-O5: Reverse sensitivity**

*Sensitive activities* are designed and located to avoid or mitigate *reverse sensitivity* effects and incompatibility with *primary production*, other land uses activities and key transport corridors in the General Rural Zone.

**GRUZ-O6: Rural lifestyle**

- (a) Rural lifestyle subdivision and development is managed in a way that avoids additional fragmentation of productive land and its productive potential.
- (b) Opportunities for rural lifestyle subdivision and development in appropriate locations within the General Rural Zone is provided for, insofar as GRUZ-O6(1) is met.

**GRUZ-O7: Protection of highly productive land and other land with special characteristics**

Recognise and protect:

- (a) highly productive land; and
- (b) land that utilises the finite combination of climate and soil characteristics which make it suitable for high value crops including viticulture, orchards and olives.

**RLZ-O1: Purpose of the Rural Lifestyle Zone**

The Rural Lifestyle Zone is used primarily for a residential lifestyle within a rural environment on lots smaller than those of the General Rural Zone, while still providing for primary production to occur.

**RLZ-O2: Character of the Rural Lifestyle Zone**

The predominant character of the Rural Lifestyle Zone is maintained, which includes:

- (a) low density residential living on rural lifestyle blocks, characterised by predominantly 1- to 2-storey *buildings* and high levels of on-site amenity, privacy, and large areas for landscape planting and small-scale primary production activities;
- (b) a diversity of topography and land quality, including land without significant rural production values; and
- (c) a general absence of urban *infrastructure*.

<b>RLZ-O3: Enable compatible activities</b>		
<p><i>Residential activities, light primary production activities, and ancillary activities that are compatible with the character and amenity values of the Rural Lifestyle Zone are provided for.</i></p>		
<b>Proposed package summary</b>	<b>Costs</b>	<b>Benefits</b>
<p><b>Option 1 – The Proposed Provisions</b></p> <p><u>Enabling compatible activities and buildings</u></p> <p>GRUZ-P1, GRUZ-P3, GRUZ-P8, RLZ-P1 and RLZ-P3 enable various activities that are compatible with the role and function of the rural zones. This is implemented through rules that:</p> <ul style="list-style-type: none"> <li>• Permit building activities subject to performance standards through GRUZ-R1, GRUZ-R2, RLZ-R1 and RLZ-R2,</li> <li>• Permit primary production activities and ancillary activities in the General Rural Zone through GRUZ-R4, GRUZ-R5, GRUZ-R6 and GRUZ-R11.</li> <li>• Permit residential activities to an appropriate density through GRUZ-R6 and RLZ-R4.</li> <li>• Continue to control the relocation of buildings through GRUZ-R3 and RLZ-R3.</li> <li>• Permit home businesses in the Rural Lifestyle Zone through RLZ-R9.</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• There will be some change to rural landscapes with some activities more enabled through the rules than currently (i.e. primary production and ancillary activities). These impacts will likely be minor, and overall rural character and amenity will be maintained. Furthermore, environmental overlays including Natural Features and Landscapes and Coastal Environment provisions will provide additional controls on environmental effects.</li> <li>• The proposed zoning does provide for a greater density of residential development in the Rural Lifestyle Zone and given that there is an expectation for allotments to be self-serviced, there is potential for cumulative effects to water quality through on-site wastewater treatment. The allotment minimums are anticipated to ensure effective space for wastewater treatment, further, there are permitted activities for wastewater discharges in the Natural Resources Plan which are anticipated to account for cumulative effects. Any associated cumulative effects will be low.</li> <li>• Potential for some incompatibility between permitted activities where the standards do not fully internalise the adverse effects. To fully internalise adverse effects for some activities would impose unreasonable costs, and not</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Retains use and productive capacity of the rural land resources, particularly highly productive land.</li> <li>• These provisions provide for a low level of development and built form to retain the open spaces and predominance of vegetation compared to buildings. They provide appropriate control over built form and the location of buildings to facilitate the maintenance and enhancement of the character and amenity values of the zones.</li> <li>• Potentially inappropriate activities will be managed through the resource consent process to ensure environmental effects are avoided, remedied or mitigated. Recognises the potential for and seeks to avoid reverse sensitivity effects through setbacks from sensitive activities.</li> <li>• Rules and standards provide certainty in terms of the level of effects that can be generated. This also benefits neighbours with protection from unreasonable adverse effects.</li> <li>• Minimises the potential for new rural activities to adversely affect existing sensitive activities.</li> </ul>

<ul style="list-style-type: none"> <li>• Permit papakāinga through GRUZ-R13 and RLZ-R10.</li> <li>• Permit residential visitor accommodation through GRUZ-R7</li> <li>• Permit conservation activities through GRUZ-R10 and RLZ-R6.</li> <li>• Permit shelterbelts and small woodlots subject to a performance standard through RLZ-R8.</li> </ul> <p><u>Managing quarrying activities</u></p> <p>GRUZ-P5 and RLZ-P2 provide for quarrying activities in the rural environment in appropriate circumstances. This is implemented through rules that:</p> <ul style="list-style-type: none"> <li>• Permit farm quarries in the General Rural Zone under GRUZ-R12</li> <li>• Require consent for all other quarrying activities in the General Rural Zone as either a restricted discretionary activity or a discretionary activity under GRUZ-R12 depending on whether there is crushing and screening.</li> <li>• Require consent for all quarrying activities in the Rural Lifestyle</li> </ul>	<p>recognise the functional needs or operational needs of activities.</p> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• There will be increased short-term costs to plan users and Council consenting teams as they build familiarity with the new provisions.</li> <li>• There may be a rush of land use change and development applications as provisions become operative which may bring associated administrative costs to the Councils, albeit these costs are largely recoverable.</li> <li>• There will be increased consenting costs for activities that are no longer enabled. For instance, quarrying activities now requires resource consent regardless of whether there is crushing/screening on site.</li> <li>• There is also a potential opportunity cost for people who may have had expectation of being able to undertake land use or development. This is likely to have the greatest impact to the ability for additional residential dwellings to be established in the General Rural Zone.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Some people may be impacted or concerned about change in character or amenity value from different land use activities.</li> <li>• Some non-primary production activities are restricted and require resource consent. This may present a barrier to some community or other non-primary production activities that support rural areas.</li> </ul>	<ul style="list-style-type: none"> <li>• Provides certainty for communities as to the future level of change or development they can expect.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• There are reduced consenting costs for some landowners where activities are better enabled, in particular primary production and ancillary activities.</li> <li>• The provisions prioritise primary production and protect highly productive land from inappropriate land use. This will provide security to the existing rural production industry in the Wairarapa that provides a large portion of employment and GDP to the districts. It also further enables new primary production activities to operate efficiently and effectively which generates new employment opportunities and GDP.</li> <li>• Increased opportunities for a range of primary production activities across the Wairarapa.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• The provisions provide for a range of economic activities, including primary production, rural produce retail, ancillary activities and intensive primary production. They also provide for family homes and additional residential units in appropriate locations. This should result in subsequent social benefits and maintain existing rural communities.</li> </ul>
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<p>Zone as a non-complying activity under RLZ-R14.</p> <p><u>Managing activities over productive land</u></p> <p>GRUZ-P7, GRUZ-P8 and GRUZ-P9 recognise the versatile and highly productive land in the rural environment and identify how activities are managed to protect their values. This is implemented through the following:</p> <ul style="list-style-type: none"> <li>• The Martinborough Soil Overlay.</li> <li>• The definition of 'highly productive land' and associated planning map layer.</li> <li>• Rules that limit the number of residential dwellings under Rule GRUZ-R6.</li> </ul> <p><u>Reverse sensitivity and effects on adjacent zones</u></p> <p>GRUZ-P3, GRUZ-P6 and RLZ-P3 seek to manage potential reverse sensitivity effects and interzone effects through particular controls on land use and development. This is implemented through rules and performance standards that:</p> <ul style="list-style-type: none"> <li>• Limit the number of residential dwellings under Rule GRUZ-R6.</li> <li>• Require building and activity setbacks from boundaries and sensitive activities through</li> </ul>	<p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect costs have been identified.</li> </ul>	<p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• There is specific provision for papakāinga within the rural zones which provides greater flexibility and opportunity for more housing options with different living arrangements.</li> </ul>
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<p>Standards GRUZ-S3, GRUZ-S2, GRUZ-S5 and RLZ-S3.</p> <p><u>Potentially incompatible activities</u></p> <p>GRUZ-P1, GRUZ-P3, GRUZ-P3, RLZ-P1, RLZ-P2 and RLZ-P3 only allow activities that are potentially incompatible with the role function and character of rural zones where they can demonstrate they meet certain criteria listed in these policies. Associated rules include:</p> <ul style="list-style-type: none"> <li>• General Rural Zone provides for motorised outdoor recreation activities as a restricted discretionary activity.</li> <li>• General Rural Zone provides for the following as discretionary activities: Visitor accommodation; rural industry; commercial boarding of cats, dogs and other domestic pets; and commercial and industrial activities where the gross floor area does not exceed 2,000m<sup>2</sup>.</li> <li>• Rural Lifestyle Zone provides for the following as discretionary activities: intensive primary production; rural industry; and commercial boarding of cats, dogs, and other domestic pets.</li> <li>• A 'catch all' discretionary activity rule for any activities that were not otherwise captured through GRUZ-R19 and RLZ-R16.</li> </ul>		
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<p><u>Incompatible activities</u></p> <p>GRUZ-P2 and RLZ-P2 seek to avoid activities that are incompatible with the role, function and character of the rural zones. This is implemented through rules that:</p> <ul style="list-style-type: none"> <li>• Apply non-complying status to quarrying activities and commercial / industrial activities (not otherwise provided for) in the Rural Lifestyle Zone through RLZ-R14 and RLZ-R15.</li> <li>• Apply non-complying status to commercial / industrial activities where the gross floor area is greater than 2,000m<sup>2</sup> in the General Rural Zone through GRUZ-R15.</li> </ul>		
<p><b>Effectiveness and efficiency</b></p>	<p>The proposed provisions are the most effective method of meeting the objectives given they will provide increased environmental, economic and social benefits as outlined above.</p> <p>The proposed provisions are the most efficient method of meeting the objectives given the benefits identified above. They will reduce costs associated with the existing provisions that were identified through consultation.</p>	
<p><b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b></p>	<p>It is considered that there is certain and sufficient information on which to base the proposed policies and methods as these objectives have been extensively canvassed through community engagement, and there is a high degree of confidence that they reflect desired community outcomes.</p>	
<p><b>Overall evaluation</b></p>	<p>It is considered that this option will achieve the objectives in the Plan because:</p> <ul style="list-style-type: none"> <li>• The proposed provision enables development and land use in each Zone to be effectively managed, recognising its distinctive amenity and character,</li> <li>• The proposed policies provide clear direction as to the intent, purpose and character of the zones,</li> </ul>	

	<ul style="list-style-type: none"> <li>• The proposed rule framework reflects the amenity anticipated in the zones by controlling development through rule requirements and appropriately complements the subdivision provisions,</li> <li>• The proposed standards are aligned with the anticipated nature and scale of built development in the Zone, and</li> <li>• The proposed chapters and definitions align with the National Planning Standards and will allow appropriate activities to establish and operate in the zone.</li> </ul>	
<b>Proposed package summary</b>	<b>Costs</b>	<b>Benefits</b>
<p><b>Option 2 – Status quo</b></p> <p>Note: policies and rules have been omitted from this analysis where they relate to natural open space, plantation forestry, signs, and noise. These are being addressed by other topic-based section 32 reports.</p> <p><u>Zoning of rural land</u></p> <p>Policies Rur1(a) and (c) seek to identify appropriate rural zoning which is achieved through the following two rural zones:</p> <ul style="list-style-type: none"> <li>• Rural (Special) Zone rural land that is LUC I &amp; II or contains particular infrastructure / constraints, and</li> <li>• Rural (Production) Zone for all remaining rural land.</li> </ul> <p><u>Enabling land use and activities where performance standards are met</u></p> <p>Policies Rur2(a) – (b) seek to enable primary production and other activities that operate effectively and efficiently in</p>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• The effects-based approach provides a permissive framework for most activities to be provided for in the rural environment. These provisions do not adequately provide for the management of cumulative environmental impacts of the increasing inappropriate land use and development. For example, there current approach enables a higher density residential development than is required, does not have sufficient controls on new quarrying activities and does not directly address all relevant activities (inappropriate or otherwise). The above results in various environmental effects including loss of rural character, loss of productive land and effects on natural values.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• These provisions allow for most primary production as a permitted activity, but do not capture all primary production activities which results in higher consenting costs. The provisions also do not adequately manage reverse sensitivity effects which directly impact upon primary</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• There are 'bottom lines' set through the effects-based rules that ensure that resource consent is required for activities that are above a certain scale which enables the Councils to consider them on a case-by-case basis.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• There may be savings in terms of time and cost as the Council and community are familiar with the provisions.</li> <li>• Gives landowners flexibility to use and develop properties for the most efficient purpose</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• These provisions have generally been supported by the community and rural industries through its simplistic and permissive approach.</li> </ul> <p><b>Cultural</b></p>

<p>the rural zones. This is implemented through rules that:</p> <ul style="list-style-type: none"> <li>• Permit a range of activities where the performance standards in Rule 4.5.2 are met.</li> <li>• Provide for certain activities through exemptions to noise limits through Rule 4.5.2(f), including the following: bird scaring devices, frost protection devices, an established helicopter operation, and temporary activities associated with primary production.</li> </ul> <p><u>Manage the effects of certain activities</u></p> <p>Policies Rur1(d) – (e) and Rur3(a) seek to manage effects of activities undertaken within the rural environment to ensure the rural character and amenity is maintained and effects do not impact amenity values in adjoining zones. This is implemented through rules that:</p> <ul style="list-style-type: none"> <li>• Require consent as a controlled activity for the following activities under Rule 4.5.3:             <ul style="list-style-type: none"> <li>○ Relocating a dwelling,</li> <li>○ Papakāinga, and</li> <li>○ Farmer accommodation.</li> </ul> </li> <li>• Require consent as a restricted discretionary activity for the</li> </ul>	<p>production and its efficient and effective operation.</p> <ul style="list-style-type: none"> <li>• The above issues have resulted in direct costs borne by landowners, and indirectly the Districts through lower productivity.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• The provisions do not adequately provide of a range of economic opportunities including rural produce retail and ancillary activities to primary production.</li> <li>• The provisions do not sufficiently recognise or protect the productive areas of the Wairarapa.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect costs have been identified.</li> </ul>	<ul style="list-style-type: none"> <li>• No direct or indirect benefits have been identified.</li> </ul>
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<p>following activities under Rule 4.5.5:</p> <ul style="list-style-type: none"> <li>○ Bird scaring devices or frost protection devices where the exemption is not met,</li> <li>○ Non-primary production activities that require a building of more than 25m<sup>2</sup> or involve the outdoor storage of goods,</li> <li>○ Any motorised outdoor recreation activity,</li> </ul> <ul style="list-style-type: none"> <li>● Require consent as a discretionary activity for the following activities under Rule 4.5.6:             <ul style="list-style-type: none"> <li>○ Activities listed in the schedule of primary industries,</li> <li>○ An industrial activity,</li> <li>○ A retail activity with a gross floor area less than 2,000m<sup>2</sup>.</li> </ul> </li> <li>● Require consent as a non-complying activity for the following activities:             <ul style="list-style-type: none"> <li>○ Noise sensitive activities located in the inner air noise boundary,</li> </ul> </li> </ul>		
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<ul style="list-style-type: none"> <li>○ Retail activities with a gross floor area more than 2,000m<sup>2</sup>.</li> </ul>		
<b>Effectiveness and efficiency</b>	<p>The proposed provisions are not the most effective method of meeting the objectives given that they have resulted in environmental, economic, social and cultural impacts as outlined above.</p> <p>The proposed provisions are not the most efficient method of meeting the objectives given the costs identified above. They have resulted in regulatory uncertainty and some unnecessary consenting costs, with associated economic costs.</p>	
<b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b>	<p>It is considered that there is certain and sufficient information on which to assess the status quo provisions as they have been in place for a long time, and their adequacy has been extensively canvassed through community engagement.</p>	
<b>Overall evaluation</b>	<p>This option is not the most appropriate way to achieve the preferred objectives as they do not appropriately manage all resource management issues, are not consistent with national direction and their 'effects-based' approach creates uncertainty for the public.</p>	

## 7.1.2 Subdivision provisions to achieve preferred objectives

Under section 32(1)(b)(ii) of the RMA, reasonably practicable options to achieve the objective/s associated with this proposal need to be identified and examined.

The other options considered reasonably practicable for achieving the objectives of the Proposed District Plan in relation to the subdivision provisions of the Rural topic are:

- **Option 1:** The proposed subdivision provisions relating to the rural environment.
- **Option 2:** Retaining the status quo provisions of the Operative District Plan.

**GRUZ-01: Purpose of the General Rural Zone**

The General Rural Zone is used primarily for *primary production*, activities that support *primary production*, and other activities that have a *functional need* or *operational need* to be located within the General Rural Zone.

**GRUZ-02: Rural Character**

The predominant character of the General Rural Zone are maintained and enhanced, which include:

- (a) areas of viticulture, crops, pasture, forestry (indigenous and plantation), and the presence of a large number of farmed animals;
- (b) sparsely developed landscape with open space between *buildings* that are predominantly used for agricultural, pastoral and horticultural activities (e.g. barns and sheds), low density rural living (e.g. farmhouses, *seasonal worker accommodation*, and a small degree of rural lifestyle), and community activities (e.g. rural halls, domains, and schools);
- (c) a range of noises, smells, light overspill, and traffic, often on a cyclic and seasonal basis, generated from the production, manufacture, processing and/or transportation of raw materials derived from *primary production* and *ancillary activities*;
- (d) interspersed existing *rural industry* facilities associated with the use of the land for *intensive primary production*, quarrying, and cleanfills; and
- (e) the presence of rural *infrastructure*, including rural roads, State Highways, the National Grid and the on-site disposal of wastewater, and a general lack of urban *infrastructure*, such as street lights, solid fences, and footpaths.

**GRUZ-03: Provision for primary production**

The General Rural Zone is used primarily for *primary production*, activities that support *primary production*, and other activities that have a *functional need* or *operational need* to be located within the General Rural Zone.

**GRUZ-04: Enable compatible activities**

*Primary production* activities are enabled, and other activities that have a *functional need* or *operational need* to be located within the General Rural Zone are enabled where they are not incompatible with primary production activities.

**GRUZ-05: Reverse sensitivity**

*Sensitive activities* are designed and located to avoid or mitigate *reverse sensitivity* effects and incompatibility with *primary production*, other land uses activities and key transport corridors in the General Rural Zone.

**GRUZ-06: Rural lifestyle**

- (a) Rural lifestyle subdivision and development is managed in a way that avoids additional fragmentation of productive land and its productive potential.
- (b) Opportunities for rural lifestyle subdivision and development in appropriate locations within the General Rural Zone is provided for, insofar as GRUZ-06(1) is met.

**GRUZ-O7: Protection of highly productive land and other land with special characteristics**

Recognise and protect:

- (a) highly productive land; and
- (b) land that utilises the finite combination of climate and soil characteristics which make it suitable for high value crops including viticulture, orchards and olives.

**RLZ-O1: Purpose of the Rural Lifestyle Zone**

The Rural Lifestyle Zone is used primarily for a residential lifestyle within a rural environment on lots smaller than those of the General Rural Zone, while still providing for primary production to occur.

**RLZ-O2: Character of the Rural Lifestyle Zone**

The predominant character of the Rural Lifestyle Zone is maintained, which includes:

- (a) low density residential living on rural lifestyle blocks, characterised by predominantly 1- to 2-storey *buildings* and high levels of on-site amenity, privacy, and large areas for landscape planting and small-scale primary production activities;
- (b) a diversity of topography and land quality, including land without significant rural production values; and
- (c) a general absence of urban *infrastructure*.

**RLZ-O3: Enable compatible activities**

*Residential activities*, light *primary production* activities, and ancillary activities that are compatible with the character and amenity values of the Rural Lifestyle Zone are provided for.

Proposed package summary	Costs	Benefits
<p><b>Option 1 – The Proposed Provisions</b></p> <p><u>Providing for primary production subdivision</u></p> <p>GRUZ-P1 and SUB-P5 seek to enable subdivision for primary production activities and other reasonable subdivision. This is</p>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• The subdivision enabled in the Rural Lifestyle Zone provides for a greater density of residential development and given there is a requirement for allotments to be self-serviced, there is potential for cumulative effects to water quality through on-site wastewater treatment. The minimum allotment sizes are anticipated to ensure effective space for wastewater treatment, further, there are permitted activities for wastewater discharges in the Natural</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Recent national direction in the form of the NPS-HPL has further highlighted the importance of protecting highly productive land from further fragmentation from subdivision. For the Wairarapa, it is not only land that contains productive attributes that needs to be protected, but also the larger cohesive land parcels where there remains “productive potential”. With approximately 66% of properties within the Wairarapa already less than 10ha, avoiding further</li> </ul>

<p>implemented through rules that:</p> <ul style="list-style-type: none"> <li>• Provide for subdivision of new allotments in the General Rural Zone greater than 40ha as a controlled activity through rule SUB-R2.</li> <li>• Provide for boundary adjustments within both the General Rural Zone and Rural Lifestyle Zone as a controlled activity through Rule SUB-R1.</li> <li>• Provide for the subdivision of a surplus dwelling on a rural property where a balance is maintained as a controlled activity through Rule SUB-R5</li> </ul> <p><u>Providing for rural lifestyle opportunities in appropriate locations</u></p> <p>RLZ-P1 seeks to enable subdivision for rural lifestyle in the Rural Lifestyle Zone. GRUZ-P1 and GRUZ-P4 seek provide opportunities for rural lifestyle in the General Rural Zone where it does not</p>	<p>Resources Plan which are anticipated to account for cumulative effects. Any associated cumulative effects will be low.</p> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Formative have assessed the economic costs and benefits of the proposed provisions. They have identified there will be an economic cost incurred by landowners and their ability to profit from permissive subdivision. At an individual level, this may be a high cost or at least a high opportunity cost. This would largely impact individuals who were subdividing land for rural lifestyle, however, given the conservative approach taken to the minimum allotment size, it may also result in additional consenting cost to landowners subdividing for primary production.</li> <li>• This option brings a higher upfront cost borne on the Councils through the review process for the required evidence base to support the approach.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• This option is a major shift from the status quo which the public is familiar with. It also limits certainty to landowners and their ability to subdivide.</li> <li>• The proposed provisions will limit rural lifestyle opportunities which in turn will impact individuals' ability to provide for their social wellbeing if their desire was to live in a rural context. Based on the likely annual demand over the next 10 years, the proposed provisions will sufficiently supply lifestyle opportunities for Masterton but will result in a shortfall in both Carterton and South Wairarapa which could be a shortfall of up to 457 dwellings (that are enabled as a controlled activity). This number may be reduced depending on the mapping of highly</li> </ul>	<p>fragmentation of larger cohesive land is important. The Proposed Plan seeks to shift to a 'precautionary' approach to further subdivision within the Rural Environment to minimise further fragmentation and resultant loss of rural land. This is supported by AgFirst in their assessment of the proposed provisions in comparison to the Operative Plan.</p> <ul style="list-style-type: none"> <li>• The proposed provisions will minimise reverse sensitivity effects through limiting where small allotment subdivision can occur that may otherwise conflict with primary production activities.</li> <li>• Rural character will be maintained through limiting potential for smaller allotments and coordinating where lifestyle development occurs.</li> <li>• The proposed provisions provide for a safer and more efficient transport network through additional restrictions/requirements on a new subdivision that has direct access to a State Highway.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• As assessed by Formative, the proposed provisions result in greater rural economic activity than the Operative Plan with a \$7 million improvement in GDP and 91 more jobs over the coming decade. Further, this will be an enduring effect, because the loss of rural productivity as a result of subdivision is permanent. While residential development, including in rural areas, stimulates economic activity, this assessment has assumed that the amount of residential construction activity would be identical under each of the scenarios, with only the distribution of that activity varying.</li> </ul>
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<p>conflict with primary production activities. This is implemented through rules that:</p> <ul style="list-style-type: none"> <li>• Provide for subdivision of new allotments to minimum size of 0.5ha in the Rural Lifestyle Zone as a controlled activity through SUB-R2.</li> <li>• Provide for subdivision of new allotments to minimum size of 0.5ha on properties in Carterton and South Wairarapa less than 4ha where conditions are met as a controlled activity under SUB-R4.</li> <li>• Provide for subdivision of new allotments to minimum size of 0.5ha on properties in Carterton and South Wairarapa less than 4ha where conditions <u>are not</u> met as a discretionary activity under SUB-R4</li> </ul>	<p>productive land – if land that is fragmented is excluded, this will increase the potential yield of the 4ha rule.</p> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect costs have been identified.</li> </ul>	<ul style="list-style-type: none"> <li>• It is anticipated that subdivision consenting will reduce with the proposed provisions which will reduce resourcing costs for the Councils.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• The provisions provide for reasonable subdivision, including rural lifestyle and primary production. The provisions also reflect directives provided through non-regulatory strategic direction/spatial frameworks that have been informed by the public's aspirations. These strategic direction/spatial frameworks include: the Wellington Regional Growth Framework, the Carterton Growth Framework and the South Wairarapa Spatial Plan.</li> <li>• The provisions will provide for social benefit to society through protecting rural production in the Wairarapa which supports the vibrancy of the Districts and the Region.</li> <li>• The provision will assist in managing potential conflict between rural and sensitive activities.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect benefits have been identified.</li> </ul>
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<p><u>Avoid inappropriate subdivision</u></p> <p>GRUZ-P4 and SUB-P5 seek to avoid inappropriate subdivision within the General Rural Zone. GRUZ-P9 and SUB-P8 seek to avoid subdivision over highly productive land, except where provided by the NPS-HPL. This is achieved through:</p> <ul style="list-style-type: none"> <li>• Minimum allotment sizes that avoid potentially inappropriate subdivision through SUB-S1.</li> <li>• Requiring consent as a non-complying status for any subdivision that does not meet minimum allotment size requirements and an exemption is not met under the NPS-HPL.</li> </ul>		
<p><b>Effectiveness and efficiency</b></p>	<p>The proposed provisions are the most effective method of meeting the objectives given they will provide increased environmental, economic and social benefits as outlined above. The provisions effectively achieve the objectives by providing more discretion to Councils in considering potentially inappropriate subdivision by only enabling controlled activity subdivision in certain circumstances.</p> <p>There may be some perceived inefficiencies in the approach through additional (more onerous) consenting required for some appropriate subdivision where it does not comply with the minimum allotment size. However, overall, the approach is</p>	

	considered more efficient in that it will more effectively avoid potential inappropriate subdivision from being applied for, which is most of the subdivision currently experienced.	
<b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b>	It is considered that there is certain and sufficient information on which to base the proposed policies and methods as these objectives have been extensively canvassed through community engagement, and there is a high degree of confidence that they reflect desired community outcomes.	
<b>Overall evaluation</b>	<p>This option is the most appropriate way to achieve the proposed objectives as:</p> <ul style="list-style-type: none"> <li>• The proposed provisions provide for an overall increase in environmental, economic and social benefit compared with the Operative District Plan.</li> <li>• The proposed provisions give effect to national direction, namely the NPS-HPL and the National Planning Standards.</li> <li>• The proposed provisions are informed by non-regulatory strategic and spatial frameworks including: <ul style="list-style-type: none"> <li>○ The Wellington Regional Growth Framework promotes compact, and transit orientated development. This strategic framework seeks to direct future growth to largely intensification within the towns located along the rail corridor.</li> <li>○ The Carterton Urban Growth Strategy identifies and promotes growth to occur in Carterton.</li> <li>○ The South Wairarapa Spatial Plan spatially identifies future growth in the district and seeks to direct growth to the residential growth areas in Featherston, Greytown and Martinborough.</li> </ul> </li> <li>• The proposed provisions form part of a wider housing supply strategy. This strategy seeks to direct future growth to the existing urban areas through the proposed zoning and the particular activities that are enabled in those zones. The rural subdivision provisions form part of this strategy in that they largely deter further subdivision for housing within the rural environment and constrain it to spatially bound locations.</li> </ul>	
<b>Status quo package summary</b>	<b>Costs</b>	<b>Benefits</b>
<b>Option 2: Status Quo</b> <u>Limit intensity of subdivision in the rural zones</u> Policy 18.3.2(f), Policy 18.3.2(g) and Policy 18.3.2(i) seek to limit the intensity of subdivision in the rural zones and maintain rural character.	<b>Environmental</b> <ul style="list-style-type: none"> <li>• As identified in <b>Section 3.2.1.3</b> and by AgFirst, the current provisions have resulted in the fragmentation and loss of productive land in the Wairarapa through its permissive approach. This has also resulted in a loss of rural character and amenity through the loss of its open spaces and density of buildings.</li> </ul>	<b>Environmental</b> <ul style="list-style-type: none"> <li>• The current provisions provide for some level of restriction to subdivision over parts of 'highly productive land' through the Rural (Special) zoning which does not enable subdivision below 4ha over LUC 1 and 2 land. However, this is a modest</li> </ul>

<p>This is provided through the subdivision rules:</p> <ul style="list-style-type: none"> <li>• Apply a default minimum allotment size of 4ha,</li> <li>• Allow subdivision as a controlled activity of a surplus dwelling in the Rural (Production) Zone where the Certificate of Title was issued before 26 August 2006 and a balance of 4ha is maintained (Rule 20.1.2(b)),</li> <li>• Allow for subdivision as a controlled activity of up two allotments down to 1ha in the Rural (Production) Zone where Certificate of Title was issued, or a subdivision consent was granted before 29 March 2008, there is a minimum lot frontage of 100m, and there is an average allotment size of 2ha (Rule 20.1.2(b)),</li> <li>• Only allow subdivision as a controlled activity for subdivision more than</li> </ul>	<ul style="list-style-type: none"> <li>• The currently approach does not effectively management reverse sensitivity to primary production and continues to result in new residential activities occurring within the rural environment.</li> <li>• The current provisions generally enable new subdivision despite having direct access onto the State Highways. This has resulted in increased pressure on the State Highways and increased the safety risk and decreased efficiency as identified by Waka Kotahi in their feedback.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Formative have assessed the economic costs and benefits of the status quo. While each individual landholder may benefit from being able to subdivide as they wish, the community would be worse off from the continuation of the existing enabling approach to rural subdivision in the Operative District Plan. Examples of costs to the wider community include: reduced local employment opportunities both on- and off-farm; reduced support for social infrastructure in rural settlements as a result of less spatially concentrated growth; reduced local food supply; and intangible costs such as reduced rural amenity arising from increased numbers of buildings in the rural zones.</li> <li>• The status quo has resulted in loss to productive land through cumulative subdivision. This has impacted the rural character and amenity of the Wairarapa's rural environment and has resulted in loss of rural employment opportunities. This negatively impacts the wider community. This is in part highlighted by Formative who describes the current framework as effective as a free market that in the absence of a more restrictive policy framework is likely to result in</li> </ul>	<p>environmental benefit as there has been found to be loss of productive land despite this.</p> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• As identified by Formative, the current provisions do provide for the economic wellbeing of individuals through an ability to subdivide.</li> <li>• There may be savings in terms of time and cost as the Council and community are familiar with the provisions.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• The status quo is familiar to the public and provides a greater level of certainty to landowners in their ability to subdivide.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect benefits have been identified.</li> </ul>
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<p>4ha and where there is a minimum lot frontage of 100m (Rule 20.1.2(b)),</p> <ul style="list-style-type: none"> <li>• Allow boundary adjustments as a controlled activity (Rule 20.1.2(n)),</li> <li>• Where the controlled activity status cannot be met, require consent as restricted discretionary, discretionary or non-complying depending on the nature of the non-compliance with the controlled activity threshold.</li> </ul>	<p>a “market failure”. Broadly, the market is likely to choose a subdivision pattern (and quantum) which would result in a sub-optimal outcome for the community, and the effects of that failure would be enduring, given the permanent and irreversible effect of rural subdivision on rural production.</p> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• The current provisions have enabled large allotment rural lifestyle (4ha) which is suboptimal for the desired rural lifestyle. As identified through feedback received from stakeholders and local community, properties greater than 4ha are too large for effective lifestyle. This has resulted in high turnover of rural properties – this negatively impacts of cohesion in rural communities.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect costs have been identified.</li> </ul>	
<p><b>Effectiveness and efficiency</b></p>	<p>The status quo provisions are not the most effective method of meeting the objectives given they have resulted in environmental, economic, and social impacts as outlined above. Most notably, the Operative District Plan provisions do not achieve the objectives due to the limited control provided through most consent processes.</p> <p>The status quo provisions are not the most efficient method of achieving the objectives given the costs identified above. In particular, the default minimum allotment size does not sufficiently discourage and avoid inappropriate subdivision.</p>	
<p><b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b></p>	<p>It is considered that there is certain and sufficient information on which to base the proposed policies and methods as these objectives have been extensively canvassed through community engagement, and there is a high degree of confidence that they reflect desired community outcomes.</p>	
<p><b>Overall evaluation</b></p>	<p>This option is not the most appropriate way to achieve the preferred objectives as:</p> <ul style="list-style-type: none"> <li>• They enable inappropriate subdivision that is contrary to the outcomes sought,</li> <li>• They are inconsistent with national direction, in particular the NPS-HPL,</li> </ul>	

	<ul style="list-style-type: none"><li>• They do not provide for the desired rural lifestyle,</li><li>• They are ineffective in providing sufficient discretion through consent processes to consider objectives, and</li><li>• They do not sufficiently provide for the environmental, economic and social wellbeing of society.</li></ul>
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## 8.0 Further Evaluation

Throughout the evolution of policy options as outlined in the above section, there was specific consideration given to aspects of both the proposed option and alternative options as outlined below.

### 8.1 Rural Lifestyle Zoning

As an initial task, an evaluation was undertaken for identifying appropriate areas in the Wairarapa for rural lifestyle. In identifying appropriate locations for rural lifestyle zoning, the following factors were considered:

- Proximity to urban centres – more intensive rural lifestyle nearer to urban areas.
- Land use patterns – e.g. pasture, horticulture, lifestyle, avoiding near established large rural and rural industry activities. Consolidating existing areas of rural lifestyle.
- A contiguous area of land that will be suitable for lifestyle – the area must be adjoining land and all appropriate for lifestyle purposes.
- Rural character and qualities – e.g. openness, enclosure.
- Areas of significance, for instance cultural, landscape, biodiversity.
- Areas of natural hazards – e.g. flooding, erosion, slope instability
- Transport infrastructure – transport infrastructure can support rural lifestyle development and an increase in users.
- Conflict with urban growth areas to avoid fragmentation of future urban development areas.
- Framing the urban boundary – rural lifestyle as a tool for forming an urban boundary as a tool to contain urban development and avoid continual urban creep.
- Sensitivity of other surrounding zones and reverse sensitivity.
- Level of servicing required.

Following this evaluation, it was identified that an area in the Masterton District is suitable for rural lifestyle based on the above factors. Initially a larger area was identified surrounding the Masterton township. This area was reduced to the extent proposed for the following reasons:

- Residential or future urban zoning was more appropriate,
- The land was constrained by natural hazards to establish building platforms, and
- The land contained productive value for primary production.

While various locations within South Wairarapa and Carterton Districts were considered, it was determined that there are significant constraints to identifying areas suitable to apply the Rural Lifestyle Zone. This conclusion was on the basis that there is not contiguous land suitable for rural lifestyle without fragmenting productive land or resulting

in significant reverse sensitivity effects. Following this, alternative options were considered for South Wairarapa and Carterton Districts, including the 4ha rule.

## 8.2 Highly productive land

The NPS-HPL was introduced following the completion of the Draft District Plan<sup>17</sup>. Following the consultation period, consideration was given to the ways and extent to which the Proposed District Plan was to give effect to the NPS-HPL. The following options were considered:

- Option 1: No changes to the Draft District Plan. This would mean not giving effect to the NPS-HPL and rather retaining the existing direction. The NPS-HPL would be given effect to in a future plan change, such as following the mapping of highly productive land in the Regional Policy Statement.
- Option 2: Give partial effect to the NPS-HPL. Under this option, there would be some weight given to the NPS-HPL through adopting high level policy but full effect would await the mapping of highly productive land in the Regional Policy Statement.
- Option 3: Give full effect to the NPS-HPL. Under this option, full weight would be given to the NPS-HPL direction including the interim mapping of highly productive land.

After considering these options it was determined that Option 3 (full effect) is preferred. This was on the basis that the loss of highly productive land is a significant resource management issue in the Wairarapa and that it will be more effective and efficient to give full effect now rather than defer to a future plan change. The provisions were amended to implement Option 3 as follows:

- Introduce new policy direction from the NPS-HPL into the Strategic Direction Objectives (RE-O2 and RE-O3) the General Rural Zone (GRUZ-O7 and GRUZ-P9).
- Minor amendments to the Rural Lifestyle Zone but retain the majority of the zone on the basis that it meets the exemption under Clause 3.10 of the NPS-HPL.
- Define Highly Productive Land and identify the interim extent of Highly Productive Land as a web map layer based on the definition in the NPS-HPL.
- Limit the number of residential dwellings that are enabled over highly productive land.
- Limit small allotment subdivision over highly productive land, including properties less than 4ha in line with the policy direction to avoid subdivision.

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<sup>17</sup> 12 September 2022

### 8.3 Minimum allotment size

Throughout the identification of the preferred option, several minimum allotment sizes were identified for the rural subdivision provision. The preferred allotment sizes were determined as 40ha for rural production subdivision and 0.5ha for rural lifestyle subdivision. Discussion of how each of these allotment sizes were reached is provided below.

#### *Primary production minimum*

Consideration was first given to minimum allotment size applied throughout the Wellington Region and other districts with similarities to the Wairarapa rural environment. A summary of the minimum allotment sizes is shown in the table below.

District	Minimum lot size intended for primary production
Porirua District	40ha
Wellington City	30ha
Hutt City	15ha
Upper Hutt City	4 and 20ha <sup>18</sup>
Kapiti Coast District	6 and 20ha <sup>19</sup>
Central Hawkes Bay District	12ha
Waimakariri District	20ha
Marlborough District	8 and 20ha <sup>20</sup>
Queenstown Lakes District	80ha <sup>21</sup>

Based on the initial feedback provided by the primary production sector in reviewing the Operative District Plan and evaluating options, the provisions must provide for productive potential and generally this means retaining larger allotments. On this basis, the Draft District Plan applied a minimum allotment size of 40ha. This size was a reduction from previous minimum allotment sizes considered that would align with a minimum pastoral farm size (upwards of 100ha).

<sup>18</sup> 4ha applies to the Rural Production and 20ha to the General Rural

<sup>19</sup> 6ha applies to the Rural Plains Precinct of the Rural Production Zone and 20ha applies to the Rural Hills Precinct of the Rural Production Zone

<sup>20</sup> 8ha applies to the and in the Wairau Plain Area or in the Omaka Valley Area and 20ha applies to the remainder of the Rural Environment

<sup>21</sup> Based on the Wakatipu Basin Rural Amenity Zone

Consideration was given to reducing the minimum allotment size following feedback received on the Draft District Plan. Feedback had suggested a variety of minimum allotment sizes that ranged from 8 – 20ha. A minimum less than 20ha was considered to create too great a risk of enabling inappropriate subdivision and further fragmentation, namely through large allotment rural lifestyle. While 20ha is often used as a default minimum in other District Plans<sup>22</sup> that have similar primary production activities, the Councils do not consider that there is high demand for this size of allotment. As identified by AgFirst and shown in Table 1, only horticulture or viticulture can be economically viable on properties less than 40ha which would align with a 20ha minimum. Due to constraints to reliable access to water, whether that be physical constraints or regulatory constraints<sup>23</sup>, new horticulture or viticulture is anticipated to be of low demand. The Councils also observed that demand for new allotments is generally either for ‘small lots’ or subdivision of larger allotments greater than 40ha with a farm being split. This demand is reflected in Table 3 which shows the number of allotments created by size between January 2020 – July 2023. This data reflects a high demand for allotments less than 8ha, which aligns with the current controlled activity minimum lot sizes in the Operative District Plan, followed by a steady reduction with the higher allotment sizes before increasing again for lots greater than 40ha. To reflect this general demand, while continuing to provide for the anticipated low demand of primary production allotments smaller than 40ha, the approach taken to the minimum allotment size in the General Rural Zone is to:

- Retain the default 40ha minimum allotment size as a conservative measure to avoid inappropriate subdivision while enabling reasonably anticipated subdivision for primary production purposes, and
- Introduce a new discretionary activity pathway for subdivision that does not comply with the 40ha minimum but meets the relevant exemptions under the NPS-HPL<sup>24</sup>. Where the subdivision is directly associated with primary production, it would be anticipated that the exemptions will be met.

#### *Rural Lifestyle Zone minimum allotment size*

The 0.5ha minimum allotment size for the Rural Lifestyle Zone was identified as appropriate based on feedback from local surveyors. This size reflects the actual demanded lifestyle block – effectively a ‘large residential allotment’ in a rural context. This size also provides for sufficient area for on-site wastewater treatment.

<sup>22</sup> For instance Central Hawkes Bay Proposed District Plan, Marlborough Proposed District Plan and New Plymouth Proposed District Plan

<sup>23</sup> The Wellington Regional Natural Resources Plan limits water allocation within the Ruamāhanga Whaitua

<sup>24</sup> Clause 3.8 or 3.10 of the NPS-HPL

## 8.4 4ha rule

The identification of the 4ha rule came as an alternative to identifying a Rural Lifestyle Zone in the Carterton and South Wairarapa Districts. The provision was one of many options considered for providing for some level of rural lifestyle subdivision and development in the General Rural Zone. Other options included:

- Enable on less productive land: Provide for small lots to be created on less productive land. For example, small lots could be created on land LUC 4 or greater, subject to a large balance area remaining, whereas no small lots can be created on LUC 1-3.
- Small lot with large balance: Limit on the number of small lots created proportionate to the size of the property. For example, one additional small lot created per 40ha of property subject to a large balance area remaining.
- Enable an allowance per property: Limit each property to the number of small allotments that can be created subject to 'grandparent' clause. For example, all properties at the time the plan is notified may subdivide up to one small allotment.

Through evaluation of these options and through engagement with key stakeholders, it was determined that the above options were not appropriate for the following reasons:

- The options do not protect both the productive capacity of land and the productive potential of land,
- The options would not sufficiently discourage inappropriate subdivision, and
- The options would result in uncoordinated rural lifestyle development throughout the General Rural Zone.

As a result, a property threshold-based option became the preferred approach. This threshold representing land which is already 'compromised' ensures that there is no conflict with primary production. Evaluation was given to several different thresholds for property size and the number of allowable additional units. The proposed threshold and associated balance requirements were identified because:

- Properties less than 4ha reflect land that is already compromised and contains little productive capacity. This was supported by AgFirst in their assessment.
- The threshold of 4ha limits the number of properties where the rule can apply and avoids the potential of encouraging additional subdivision that is enabled under the Operative District Plan ahead of the rules taking effect to ensure they can meet the future threshold.
- The land parcels that are less than 4ha are clustered and are largely located within 15 minutes driving time of a settlement that provide all necessary services.
- The balance requirements appropriately limit the density of residential dwellings in the rural environment.

Consideration was given to removing the Rural Lifestyle Zone in the Masterton District and applying the similar rule to the Masterton District. While this option would ensure a consistent approach across all three districts, it was determined that this was not

appropriate in the Masterton District – notably, the spatial distribution of properties was more disperse and not close to necessary services.

## 8.5 Quarrying activities

Consideration was given to quarrying activities and how they are managed in the rural environment. The following options were considered for quarrying activities:

- Proposed provisions for quarrying activities: Seek to provide for quarrying activities where they have an operational need and can appropriately manage adverse effects (Policy GRUZ-P5 and rules GRUZ-12 and RLZ-R14). This is provided through enabling farm quarries as a permitted activity and requiring consent as either a restricted discretionary or discretionary activity for all other quarrying activities.
- Retain the status quo: Excavation component of quarrying activities are permitted (no resource consent required). Require consent where there is screening and processing on site of excavated material (discretionary activity).
- Strategically direct where quarrying activities should occur: Apply an overlay that limits any quarrying activities (as a non-complying activity). This overlay would largely apply near urban areas and major transport routes.

The status quo does provide for a higher level of certainty and less consenting costs to the quarrying industry. In most cases, the status quo has also required resource consent for larger scale quarrying activities which do have screening and processing on site. However, as identified in the implementation issues detailed above, the status quo does not capture quarrying activities that do not have screening and processing on site. The status quo has also not been effective in capturing instances where effects need to be managed.

Strategically identifying locations where quarrying activities should or should not occur was considered. This option came about following concerns over the appropriateness of quarrying activities near sensitive activities and the impact this causes to the vibrancy and vitality of an area. It was determined that given quarrying activities generally need to occur to where the resource is located, applying this sort of approach would not be efficient or effective.

The preferred approach became the proposed provisions which allow small scale quarrying activities (farm quarries) as a permitted activity and require consent for all other quarrying activities. The activity status for quarrying activities generally begins at restricted discretionary which recognises that the activity is compatible with the rural environment, subject to certain controls. The activity status for processing and screening remains the same (discretionary).

## 8.6 Waterway setback

Consideration was given to building setbacks from surface waterbodies and specifically whether setbacks should apply to artificial waterbodies, namely water races. Under the Operative District Plan, artificial waterbodies are not excluded from building setbacks and a 5 m setback applies in all zones. This approach was intended to apply setbacks to water races. There are currently four water races that are serviced by Carterton District Council and South Wairarapa District Council<sup>25</sup>:

- the Moroa Race;
- the Longwood Race;
- the Taratahi Water Race; and
- the Carrington Water Race.

The Councils must undertake regular repair and maintenance of the water races to ensure the races can effectively operate. This maintenance is generally undertaken with small scale machinery but could require an excavator with sufficient access along at least one side of the water race. Outside the district plan, there are three current bylaws that relate to each water race:

- Featherston Longwood Water Race Bylaw 1936;
- Moroa Water Race Bylaw 2007; and
- Wairarapa South County Water Race Bylaw 1987.

These bylaws identify several regulations for the use of water from the water race, any activity associated with the use of water from the races and any activities within the margins of water races. Among other things, the bylaws restrict the placement of buildings within 10 m from the Longwood Water Race or 5 m from any of the other three races without written approval of the relevant District Council. The Operative District Plan has also played a role in ensuring the District Councils can continue to maintain the races by regulating activities in close proximity to the water races that may obstruct (in particular structures) maintenance works.

In evaluating the effectiveness of the Operative District Plan, the Water Race Committees of South Wairarapa and Carterton District Council provided input. The Committees advised that there is a need to continue to manage setbacks from water races through the District Plan. Having regulatory provisions in the District Plan provides an added level of protection for the efficient and effective operation of the water races. The Committees raised concern that the current setback may not provide for a sufficient corridor for necessary machinery to undertake routine maintenance and to minimise potential contaminant release into water races. Setback increases of between 10 – 25 m were sought.

The Councils considered the following options for applying building setbacks to waterbodies, including water races:

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<sup>25</sup> Water races in Masterton District have been disestablished.

- Option 1: Only apply building setbacks to natural water bodies and exclude water races.
- Option 2: Retain status quo and apply a 5 m building setback from all waterbodies, including water races.
- Option 3: Continue to apply building setbacks from all waterbodies, including water races, and increase setbacks to provide for effective maintenance and management of water races.

The Councils first considered whether it is appropriate to continue to apply building setbacks from artificial waterbodies (e.g. water races) through the District Plan, noting that there is also a level of protection provided through the current Bylaws. Based on feedback from the Water Race Committees, in that it has been important to have water races included in relevant building setbacks in the District Plan as it provides added protection and is a more effective regulatory method than the Bylaws. The Councils have also not identified any particular implementation issues with the definition including water races. On this basis, the Councils do not consider Option 1 is preferred.

In relation to Options 2 and 3, consideration was given to whether an increased setback is necessary. One of the main issues raised by the Water Race Committees was that an increased setbacks would account for the potential release of contaminants associated with development close to the margins of a water race. While this may be a relevant concern, this issue is managed under the jurisdiction of Greater Wellington Regional Council. Further, a building setback may not be an appropriate mechanism for managing this risk. The Natural Resources Plan restricts activities that will or have the potential to release contaminants to a waterbody (including a water race). In terms of providing for effective maintenance and operation, based on the feedback from the Water Race Committees a larger setback is necessary for the relevant machinery. This setback must also be balanced with providing for reasonable use of land, particularly on smaller residential properties. A larger setback may be appropriate for rural properties where there are more practical options available to landowners for the position of buildings and structures. On this basis, the Councils consider that the building setback in the General Rural Zone, which accounts for most of the land that the water races are located, is increased to 10 m. Whereas the 5 m setback is retained in all other zones.

## 9.0 Conclusion

This evaluation has been undertaken in accordance with section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as it:

- Gives effect to higher order documents, including the national planning standards and NPS-HPL,
- Appropriately responds to the resource management issues identified for the rural environment, and
- Is the most effective and efficient way to achieve the purpose of the Act and the Proposed District Plan's strategic objectives.

## Appendix 1: Feedback on Draft District Plan

## Appendix 1: Summary of feedback on Draft District Plan for the Rural topic

General Rural Zone			
Section/Topic	Submitter	Feedback	Analysis
General	Individuals	General feedback that the Rural Zone that it should recognise smaller allotments in the rural zone. Suggestion that the General Rural Zone is split into further subzones that account for a 'small lot zone' (less than 10 ha) and a 'larger lot zone'.	The General Rural Zone seeks to anticipate all appropriate activities, including existing small allotments and provision for some additional. There could be an option to include additional land as Rural Lifestyle which as been considered in the evaluation of options.
Definitions	National interest groups and industry groups	Several national interest groups sought amendments, additions or deletions to definitions relevant to the General Rural Zone, including: <ul style="list-style-type: none"> <li>• Amendments to 'reverse sensitivity',</li> <li>• Addition of 'ancillary rural earthworks',</li> <li>• Addition of further quarrying related definitions from the NZ Planning Standards such as 'cleanfill area', 'cleanfill material', 'landfill', 'mining activities' and 'notional boundary',</li> <li>• Amendments to 'building',</li> <li>• Amendments to 'earthworks',</li> <li>• Replacement of 'intensive farming' with three new definitions for 'intensive primary production', 'intensive indoor primary production' and 'intensive outdoor primary production',</li> <li>• New definition of 'seasonal worker accommodation',</li> <li>• New definitions that relate to agricultural aviation, such as 'helicopter', 'helicopter</li> </ul>	As a result of the feedback received, the definition of 'reverse sensitivity' has been deleted as it is evident that it can apply to very different contexts (primary production, networks utilities ect), and a definition may conflict with the ability to effectively implement associated rules and policy. <p>No additional quarrying related definitions have been included given there is no reference to those definitions in the proposed objectives, policies and rules.</p> <p>No amendment has been made to 'building' and 'earthworks' as this is a definition directly from the NZ Planning Standards.</p> <p>Replacement of 'intensive farming' with the three suggested definitions for 'intensive primary production', 'intensive indoor primary production' and 'intensive outdoor primary</p>

		landing areas' and 'agricultural aviation'	<p>production' has been accepted.</p> <p>A new definition for 'seasonal worker accommodation' has been introduced in line with the suggestions provided.</p> <p>New definitions for 'helicopter landing areas' and 'agricultural aviation' have been introduced in line with suggestions provided. No addition of 'helicopter' is included as this is not considered necessary or referred to in objectives, policies and rules.</p>
<b>Rezoning</b>	Individual	An individual requested that a parcel of land that is currently zoned residential is rezoned General Rural. The main reasons provided was the amenity effects and reverse sensitivity caused by potential residential development on neighbouring rural land.	The zoning has been retained as residential. The parcel of land is appropriate for residential and has been strategically identified for residential development. The associated reverse sensitivity effects have been considered and will be appropriately managed.
<b>Martinborough Soils Overlay</b>	Individuals	Four individuals requested that specific properties are excluded from the Martinborough Soils Overlay. One submitter referenced the NPS-HPL and the requirement to recognise and protect LUC 1-3 land.	Consideration has been given to the properties and whether they are excluded. Currently no changes to the extent.
<b>Objectives</b>	Individuals and industry groups	Several submitters supported GRUZ-O1, GRUZ-O3, GRUZ-O4, GRUZ-O5, GRUZ-O6 and GRUZ-O7 as drafted and sought that this is retained for the proposed plan.	Support is noted.
	Industry groups	Submitters sought amendments to GRUZ-O2 to recognise certain activities and to clarify what rural character means.	<p>Amendments have been made to GRUZ-O2 to:</p> <ul style="list-style-type: none"> <li>• Reference seasonal worker accommodation, ancillary activities and the national grid, and</li> <li>• To clarify the anticipated buildings.</li> </ul>
	Industry group	Submitter sought that direct reference is made to 'highly productive land' from the NPS-HPL in GRUZ-O3.	No amendment is made to GRUZ-O3. While the NPS-HPL is relevant, this objective relates to productive land generally and the provision for primary production, rather than

			specifically the highly productive areas.
	Industry group	Submitter sought amendments to GRUZ-O4 to make it clear that primary production must be enabled over other activities.	Amendments are made to GRUZ-O4 generally in line with submitters suggestions. No amendments are made to account for 'consented residential activities' as they would be sufficiently provided for by the objective as drafted.
	Industry groups	Two primary production industry groups sought changes to GRUZ-O5 to require further 'avoidance' of sensitive activities near existing primary production activities.	No amendment is made to GRUZ-O5. The objective provides a clear outcome for managing reverse sensitivity and any further direction should come in the form of policy and rules.
	Industry group	Submitter generally supported GRUZ-O6. Wording changes were sought by to improve direction and flow.	The suggested changes are noted, but no amendment has been made as the current wording ensure a clear hierarchy.
<b>Policies</b>	Individuals, local interest group, and industry groups	Several submitters supported GRUZ-P1, GRUZ-P2, GRUZ-P3, GRUZ-P4, GRUZ-P6, GRUZ-P7 and GRUZ-P8 as drafted and sought that this is retained for the proposed plan.	Support is noted.
	Industry groups	Several discrete changes were sought to GRUZ-P1 to clarify that primary production is to be enabled over other activities and to reference 'highly productive land'.	Amendments have been made to GRUZ-P1 in line with submitters suggestions which clarifies that primary production is to be 'enabled', whereas other activities are to be 'provided for'. Changes to give effect to the NPS-HPL are provided elsewhere.
	Individuals and industry groups	Several submitters sought changes GRUZ-P3 to add activities or attributes that they considered better reflects rural character in the Wairarapa.	Discrete changes have been made to GRUZ-P3 to further clarify rural character in the Wairarapa.
	Industry groups	Changes were sought to GRUZ-P4 to reference 'highly productive land'.	No changes made to GRUZ-P4. Changes have been made to reference 'highly productive land' in other associated policies.
	Industry group	A quarrying industry submitted in general support to GRUZ-P5 with some suggested changes to alter 'farm quarries' to small scale quarries, remove the reference to managing reverse sensitivity effects, and to clarify the requirements for how effects are managed to only be	Changes have been made to GRUZ-P5 in line with some of the changes sought by the quarrying industry. No change has been made to the provision for farm quarries or the requirement to consider reverse sensitivity effects.

		where they extend beyond the boundary.	
	Industry group	Avoiding establishment of new sensitive activities is the most appropriate mechanism for avoiding reverse sensitivity effects. References to 'intensive farming' should be to 'intensive indoor primary production'. The NPSHPL has specific provision for reverse sensitivity that needs to be incorporated into GRUZ-P6.	Some amendments have been made to GRUZ-P6 in line with submitters suggestions. Changes to give effect to the NPS-HPL have also been made elsewhere.
	National Interest Group	Submitter sought changes to the policy to reference network utility infrastructure in GRUZ-P6.	Changes have been made to GRUZ-P6 in line with the submitter's suggestions.
	Industry group	Submitter has sought an additional policy is included that manages rural lifestyle, including avoiding rural lifestyle on highly productive land.	An additional policy has been included that aligns with the NPS-HPL. The other existing policies provide appropriate direction for rural lifestyle.
	National interest group	Submitter seeks the inclusion of a new policy that ensures all land use activities in the General Rural Zone are adequately serviced, particularly in relation to a reticulated water supply, or appropriate alternative supply, for firefighting purposes. This will better give effect to GRUZ-OX and provides a framework for the standard sought in this zone relating to the requirement to provide a water supply for land use activities.	While noted, this is direction is already provided through the Subdivision chapter.
<b>Rules</b>	National interest group	Submitter seeks changes to GRUZ-R3 to ensure that buildings relocated under the rule are provided with firefighting water supply.	This is not required in the General Rural Zone, as it will be covered in the subdivision chapter.
	National interest group	Submitter sought amendments to GRUZ-R4, GRUZ-R6 and GRUZ-12 to include GRUZ-S7 within the permitted activity standards	The listed rules have been amended to include GRUZ-S7 as a permitted activity standard.
	Industry groups	Clarification was sought around GRUZ-R4, specifically whether it permitted permanent or seasonal worker accommodation, the number of units permitted under the rule, as well as an amendment to the permitted total GFA.	Changes have been made to GRUZ-4 to specifically reference seasonal worker accommodation and remove the GFA stated in the rule.
	National interest groups, industry groups, individuals, local interest group	Submitters generally supported GRUZ-R5, but suggested minor changes to reference 'indoor primary production' rather than 'intensive farming', and exclude quarrying activities.	Minor change was made to GRUZ-R5 to exclude quarrying activities.
	National interest groups, local interest group	Submitters were generally supportive of GRUZ-R7, suggested that the rule have a limitation for highly productive land as it does for the Marlborough Soils Overlay	A change to GRUZ-R7 was made in line with the submitter's suggestion to have a limitation for highly productive land.

	Industry groups, local interest groups	Several submitters supported GRUZ-R8, GRUZ R9, GRUZ-R10 and GRUZ-R14	Support is noted.
	Industry group, local interest group, individual	Three submitters opposed GRUZ-R15 and suggested and it be deleted in its entirety.	This has not been accepted and GRUZ-R15 will be retained.
<b>Standards</b>	National interest groups	Submitters sought change to maximum height in GRUZ-S1 and maximum height in relation to boundary in GRUZ-S2	Change has been made to include a maximum height of 15 metres for frost protection fans.
	Industry group	Submitter suggested that the matters of discretion under GRUZ-S3 should include reverse sensitivity effects	Change was made to GRUZ-S3 to include methods to avoid or mitigate reverse sensitivity effects as a matter of discretion.
	National interest groups and individual	Amendments to GRUZ-S4 sought, to clarify what the standard provides for; one submitter sought for the standard to provide for additional dwellings, while an individual requested that the standard be amended to restrict the number of dwellings per site.	The rule was clarified to include that it does not apply to buildings used for seasonal worker accommodation. Neither of the suggested amendments to the provision of additional/fewer dwellings were adopted.
	National interest group	The submitter sought amendment to GRUZ-S7 to ensure provision for an alternative method of water supply in the absence of a connection to reticulated network is included in the standard. The reasoning for this is to minimise the risk of loss of life, property damage and effects on the wider environment from fire.	The change has been accepted to require access to water supply must be provided where a connection to Council's reticulated system is not available.
<b>Rural Lifestyle Zone</b>			
<b>Section/Topic</b>	<b>Submitter</b>	<b>Feedback</b>	<b>Analysis</b>
<b>General</b>	Individual	<p>One individual submitter requested that the RLZ is removed. The submitter provided multiple reasons for the suggested amendment including:</p> <ul style="list-style-type: none"> <li>• needing to be fair to rural landowners not in the RLZ but located the same distance to amenities</li> <li>• no logic in restricting land zoned RLZ to one contiguous area.</li> <li>• some land in the GRUZ is better suited to subdivision than land in the RLZ, that is near to the existing urban boundary, is not making use of the LUC Class 3 land, not identified as being needed for future development.</li> </ul>	

	Individual	An individual submitter requested that their property is rezoned to RLZ to provide for comprehensive developments.	
<b>Definitions</b>			
<b>Objectives</b>	Industry group, national interest group	Industry group submitter supported RLZ-O1, RLZ-O2 and RLZ-O3, while national interest group sought amendment to RLZ-O3 to include additional activities.	Support noted, no change was made to RLZ-O3.
<b>Policies</b>	Industry group, national interest group	Industry group supported RLZ-P1, RLZ-P2 and RLZ-P3, while the national interest group sought changes to RLZ-P1 and RLZ-P3 to include additional activities.	Support noted, no change has been made to RLZ-P1 or RLZ-P3.
<b>Rules</b>	Industry groups, national interest groups	Several submitters supported RLZ-R4 to RLZ-R11 to be retained as notified.	Support is noted.
	National interest groups	Changes were sought to RLZ-R3 to include an additional matter of control and RLZ-R7 to require permitted activities to comply with RLZ-S5 and concern regarding rural produce retail being permitted.	No change has been made to RLZ-R3 or RLZ-R7. The requested change to RLZ-R3 will be covered in an appropriate zone chapter.
<b>Standards</b>	National interest group	Submitter sought change to RLZ-S1 and RLZ-S2 to provide an exemption to the maximum height rule. The same submitter sought an amendment to RLZ-S5 to include an additional provision.	No change has been made to RLZ-S1 or RLZ-S2. The suggested amendment to RLZ-S5 has been accepted in part to amend clause 5.
<b>Rural Subdivision</b>			
<b>Section/Topic</b>	<b>Submitter</b>	<b>Feedback</b>	<b>Analysis</b>
<b>General</b>	Individuals, industry groups, local interest groups.	Several submitters considered 40 hectares to be too large as the minimum lot size as they are too restrictive. Individuals suggested amendments to reduce the minimum lot size to ensure the zone provided for smaller rural blocks.	
	Individuals, regional council	Several individuals supported the rural subdivision provisions and the minimum lot size of 40 hectares.	
	Individuals, industry groups and local interest group	Changes to District Plan should ensure small vineyards and boutique wineries and small lots for retirement of farmers are provided for.	
<b>Definitions</b>			
<b>Objectives</b>			
<b>Policies</b>			
<b>Rules</b>	Individual	Several individuals suggested that SUB-R4 should include Masterton and a number recommended amending the rule to enable small lot subdivision and reduce balance requirements.	

	Local interest group, individuals	Changes were sought to SUB-R4 to include the Martinborough Soils Overlay as an exclusion to the rule.	
	Individuals	Two submitter requested that SUB-R4 apply to their property to enable small lot subdivision, or that further subdivision should be allowed on a case by case basis as their property is close to town.	
	Industry group	Suggest that a new matter of discretion is added to enable a proposal that might conflict with primary production to be declined	





WAIRARAPA  
COMBINED  
DISTRICT PLAN  
**REVIEW**

*Te Mahere  
Rautaki  
a-rohe o  
Wairarapa*

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# Proposed Wairarapa Combined District Plan

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## Section 32 Evaluation Topic Report Hazardous Substances

OCTOBER 2023



Te Kaunihera-ā-Rohe o Taratahi  
**CARTERTON**  
DISTRICT COUNCIL



**SOUTH WAIRARAPA**  
DISTRICT COUNCIL  
*Kia Reretahi Tātau*

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Appendix 1: Feedback on Draft District Plan

## Executive summary

This Section 32 Evaluation Topic Report is focussed on hazardous substances in all zones and parts of the Wairarapa.

Hazardous substances, which include a range of toxic substances such as chemicals, medical wastes, petroleum products, and gases, are used throughout the Wairarapa for many purposes. The manufacture, use, storage, and disposal of hazardous substances is an integral and essential part of many commercial, industrial, and rural activities. However, if not appropriately managed, hazardous substances can present potential risks to people and the environment.

The use of hazardous substances in New Zealand is primarily managed by the Hazardous Substances and New Organisms Act 1996 (HSNO Act), the Health and Safety at Work Act 2015 (HSW Act) and relevant regulations. The Regional Council manages discharges to land, air, and water.

When the Operative Wairarapa Combined District Plan (Operative District Plan) was drafted there was an explicit requirement in the Resource Management Act (RMA) for councils to control the adverse effects of the storage, use, transportation and disposal of hazardous substances. However, the Resource Legislation Amendment Act 2017 removed this explicit function to ensure RMA controls do not duplicate controls in the HSNO Act and HSW Act (which were developed after the RMA was first enacted). Councils do retain a broad power under the RMA to manage hazardous substances through their plans and policy statements to achieve the purpose of the RMA and to carry out the function of integrated management of natural and physical resources in their district.

The Operative District Plan contains provisions that overlap with controls under the HSNO and HSW Acts and their associated regulations. The review of the hazardous substances provisions in the Operative District Plan concluded that this overlap is no longer appropriate and results in unnecessary duplication and conflict in regulations. The review has considered alternative approaches for managing the risk of adverse effects from land use activities that use, manufacture, store or dispose of hazardous substances after compliance with other legislation and regulations.

The key resource management issues for hazardous substances are:

- Risks to human health, property and the environment when new significant hazardous facilities are established and when existing significant hazardous facilities are expanded or changed.

- Risks to human health and property from incompatible land use when new sensitive activities locate in proximity to existing significant hazardous facilities.

The Proposed Wairarapa Combined District Plan (Proposed District Plan) contains a Hazardous Substances Chapter which sets out objectives, policies and rules. The current approach in the Operative District Plan, based on the quantity and hazard classification of hazardous substances on a site, is proposed to be fully replaced by an approach based on listing specific activities which use, manufacture, store or dispose of hazardous substances (called and defined as 'significant hazardous facilities'). The proposed rules require a resource consent for any new significant hazardous facility, or addition to an existing significant hazardous facility. In addition, setbacks are proposed for sensitive activities (e.g. residential activities) from existing significant hazardous facilities to manage potential risk and incompatibility between these types of activities.

The proposed hazardous substances provisions will reduce the current complexities of the Operative District Plan, are consistent with best practice in other recently reviewed District Plans, and will minimise overlap with other legislation and regulations.

## 1.0 Introduction

This Section 32 Evaluation Topic Report contains a section 32 evaluation of the objectives, policies, and methods relating to hazardous substances in the Proposed District Plan.

The purpose of the hazardous substances provisions is to ensure that activities that use, store and dispose of hazardous substances are located, designed, constructed and operated so that the risk to people, property, and environment is managed. In addition, the provisions seek to ensure established activities that use, store, and dispose of hazardous substances are not compromised by new sensitive activities locating nearby.

Hazardous substances, which include a range of toxic substances such as chemicals, medical wastes, petroleum products, and gases, are used throughout the Wairarapa for many purposes. The manufacture, use, storage, and disposal of hazardous substances is an integral and essential part of many commercial, industrial, and rural activities. However, if not appropriately managed, hazardous substances can present potential risks to people and the environment.

The use of hazardous substances in New Zealand is primarily managed by the Hazardous Substances and New Organisms Act 1996 (HSNO Act), the Health and Safety at Work Act 2015 (HSW Act) and relevant regulations. The Regional Council manages discharges to land, air and water.

When the Operative Wairarapa Combined District Plan (Operative District Plan) was drafted there was an explicit requirement in the RMA for councils to control the adverse effects of the storage, use, transportation and disposal of hazardous substances. However, the Resource Legislation Amendment Act 2017 removed this explicit function to ensure RMA controls do not duplicate controls in the HSNO and HSW Acts (which were developed after the RMA was first enacted). Councils do retain a broad power under the RMA to manage hazardous substances through their plans and policy statements to achieve the purpose of the RMA and to carry out the function of integrated management of natural and physical resources in their district.

This report sets out the statutory and policy context for hazardous substances, identifies key resource management issues, consultation, and the evaluation of this topic to decide on the proposed provisions.

This report should be read in conjunction with the Section 32 Evaluation Overview and Strategic Directions Report and the section 32 evaluation topic reports for all zones. All of the Zone chapters are relevant to this evaluation report, as the compatibility of hazardous facilities and sensitive activities, such as residential activities, have been considered in the Zones.

## 2.0 Statutory and policy context

### 2.1 Resource Management Act

As set out in the Section 32 Evaluation Overview and Strategic Directions Report, an evaluation is required of how the proposal achieves the purpose and principles in Part 2 of the RMA. This requires consideration of sections 5 to 8 of the RMA.

Section 5 sets out the purpose of the RMA which is to promote sustainable management of natural and physical resources. This section is set out in more detail in the Section 32 Evaluation Overview and Strategic Directions Report.

Section 6 requires all persons exercising functions and powers under the RMA to recognise and provide for specified matters of national importance. The section 6 matters relevant to hazardous substances are:

Section	Relevant matter and applicability
Section 6(a)	<i>the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development</i>

Section	Relevant matter and applicability
	Natural character in the coastal environment, wetlands, and lakes and rivers and their margins are sensitive environments that can be adversely effected by the use, storage and disposal of hazardous substances.
Section 6(b)	<i>the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development</i> Outstanding natural features and landscapes are sensitive environments that can be adversely affected by the use, storage and disposal of hazardous substances.
Section 6(c)	<i>the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna</i> Areas of significant indigenous vegetation and significant habitats of indigenous fauna are sensitive environments that can be adversely affected by the use, storage and disposal of hazardous substances.
Section 6(e)	<i>the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga</i> The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga are sensitive environments that can be adversely affected by the use, storage and disposal of hazardous substances.
Section 6(f)	<i>the protection of historic heritage from inappropriate subdivision, use, and development</i> Historic heritage are sensitive environments that can be adversely affected by the use, storage and disposal of hazardous substances.
Section 6(h)	<i>the management of significant risks from natural hazards</i> The use, storage and disposal of hazardous substances poses a greater risk in areas subject to significant risks from natural hazards .

Section 7 requires all persons exercising functions and powers under the RMA, in relation to managing the use, development, and protection of natural and physical resources, to have particular regard to a range of matters. The section 7 matters relevant to hazardous substances are:

Section	Relevant matter
Section 7(b)	<i>the efficient use and development of natural and physical resources</i> The use, storage, and disposal of hazardous substances supports the efficient use and development of natural and physical resources.
Section 7(d)	<i>intrinsic values of ecosystems</i> The use, storage, and disposal of hazardous substances has the potential to adversely affect ecosystems if not properly managed.
Section 7(f)	<i>maintenance and enhancement of the quality of the environment</i> The use, storage, and disposal of hazardous substances has the potential to adversely affect the quality of the environment if not properly managed.

Section 8 requires local authorities to take into account the principles of the Treaty of Waitangi. Tangata whenua, through iwi authorities have been consulted as part of the review process. This feedback has informed the section 32 evaluation, and the obligation to make informed decisions based on that consultation is noted.

Sections 30 and 31 of the RMA were amended by the Resource Legislation Amendment Act 2017 which removed the explicit function of councils to control hazardous substances. However, Councils retain a broad power under the RMA to manage hazardous substances through their plans and policy statements to achieve the purpose of the RMA and to carry out the function of integrated management of natural and physical resources in their district. Councils can use this function to impose controls where the potential environmental effects are not adequately addressed by other legislation.

## 2.2 National direction

### 2.2.1 National Policy Statements

There are no National Policy Statements of direct relevance to this topic.

### 2.2.2 National Environmental Standards

The National Environmental Standards relevant to this topic are:

NES	Relevant regulations
National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (2011) (NESCS)	<p>The NESCS provides a nationally consistent set of planning controls and soil contaminant values, providing a framework to identify and manage the use of contaminated soils.</p> <p>The NESCS does not control the use of hazardous substances, but manages the use of soils that have been, or may have been, contaminated by hazardous substances.</p>

### 2.2.3 National Planning Standards

The National Planning Standards require that where provisions relating to hazardous substances are addressed, they must be located in a chapter titled 'Hazardous substances' under the 'Hazards and risks' heading.

If the following matters are addressed, they must be located in a Hazardous substances chapter:

- any provision required to manage the land use aspects of hazardous substances
- provisions relating to the use, storage and disposal of hazardous substances on land that presents a specific risk to human or ecological health, safety and property
- provisions required to manage land use in close proximity to major hazard facilities to manage risk and reverse sensitivity issues.

The National Planning Standards provides a definition for 'hazardous substance' (which is the same as that provided in section 2 of the RMA).

## 2.2.4 National guidance documents

The following national guidance documents are relevant to this topic:

Document	Author/Owner	Summary
Quality Planning Website - Plan Topic on Hazardous Substances under the RMA 2019	Quality Planning/ Ministry for the Environment	This guidance provides an overview of the legislation for hazardous substances, areas where RMA controls may be necessary, and the methods for managing the effects of hazardous substances in RMA plans such as District Plans.

## 2.3 Regional direction

### 2.3.1 Regional Policy Statement for the Wellington Region

The table below identifies the relevant provisions and resource management topics for hazardous substances contained in the RPS.

Objective/Policy	Relevant matters
Policy 63	<p>Allocation of responsibilities for land use controls for hazardous substances.</p> <p>This policy identifies that responsibility for development of objectives, policies, rules and other methods for land use controls for hazardous substances lies with GWRC for land in the coastal marine area and the beds of lakes and rivers and district and city councils for other land.</p>

### 2.3.2 Natural Resources Plan

The table below identifies the relevant provisions for hazardous substances contained in the NRP.

Section	Relevant matters
Objective O41	<i>The environment is protected from the adverse effects of discharges of hazardous substances and the creation of contaminated land is avoided.</i>
Policy P100 Discharge of Hazardous Substances	<i>The adverse effects of the discharge of hazardous substances (excluding a discharge subject to Policy P89) to land, fresh water, including groundwater, coastal water or air shall be avoided, or mitigated or remedied where avoidance is not practicable.</i>
Rules R48, R51, R77, R78	Rules relating to stormwater discharges, or discharges from the manufacture and storage of silage or compost, storage of solid animal waste, or farm refuse dump ensure discharges do not contain hazardous substances as a permitted activity.  In summary, the NRP provides a regulatory approach for managing the discharge of hazardous substances to water, land and air.

## 2.4 Wairarapa policies, plans and strategies

### 2.4.1 Iwi Management Plans

There are currently no iwi management plans relevant to the Wairarapa.

### 2.4.2 Any other relevant local plans or strategies

The following plans or strategies are relevant to this topic:

Plan / Strategy	Organisation	Relevant Provisions
Wairarapa Consolidated Bylaw 2019	Masterton, Carterton and South Wairarapa District Councils	Part 9: Trade Waste regulates the discharge of trade waste to a sewerage system and includes procedures for applying for a trade waste permit.
Wairarapa Solid Waste Management and Minimisation Bylaw 2021	Masterton, Carterton and South Wairarapa District Councils	Provides controls in relation to solid waste management, collection and disposal, including restricting the disposal of certain materials.

## 2.5 Other legislation or regulations

The following additional legislative / regulatory requirements are also relevant to this topic:

Legislation / Regulation	Relevant Provisions
Hazardous Substances and New Organisms Act 1996	<p>The HSNO Act is the primary legislation designed to manage hazardous substances across their life cycle (import/manufacture, classification, packaging, transport, storage, use and disposal). The purpose of the HSNO Act as set out in section 4 is to 'protect the environment, and the health and safety of people and communities by preventing or managing the adverse effects of hazardous substances and new organisms'.</p> <p>The HSNO Act is administered by the Ministry for the Environment, and implemented and enforced by the Environmental Protection Authority, which regulates the introduction and use of any hazardous substances, and also enforces any hazardous substance controls.</p> <p>The controls under the HSNO Act are substance specific and are based on the particular hazardous properties of the substance.</p>
Health and Safety at Work Act 2015	<p>The HSW Act gives Worksafe New Zealand the responsibility for establishing workplace controls for hazardous substances.</p> <p>The main purpose of the HSW Act is to provide for a balanced framework to secure the health and safety of workers and workplaces. This legislation is supported by a range of other regulation and guidance.</p>
Health and Safety at Work Act (Hazardous Substances) Regulations	<p>The HSW HS Regulations apply to the 'downstream' manufacture, use, handling, and storage of hazardous substances in the workplace. WorkSafe's role also includes providing guidance, managing the compliance certification regime, and developing safe work instruments to set more detailed and technical rules for hazardous substances.</p>
Health and Safety at Work (Major Hazard Facilities) Regulations 2016	<p>The Health and Safety at Work (Major Hazard Facilities) Regulations which came into force on 4 April 2016, mandate specific duties relating to process safety for existing and potential Major Hazard Facilities (MHF).</p> <p>MHF are defined under regulation 19 and 20 of the MHF Regulations as "workplaces that have significant inherent hazards due to the storage and use of large quantities of specified hazardous substances."</p>
Land Transport Act 1998 and Land Transport Rule 45001: Dangerous Goods 2005	<p>Sets out the requirements for the safe transport of dangerous goods on land in New Zealand. The Rule covers the packaging, identification and documentation of dangerous goods; the segregation of incompatible goods; transport procedures and the training and responsibilities of those involved in the transport of dangerous goods. The Rule's requirements are applied according to the nature, quantity, and use of the goods.</p>
Building Act 2004	<p>Building Code regulations under the Building Act set out requirements for protection to people and other property in buildings where hazardous substances are stored, or where hazardous processes are undertaken.</p>
Health Act 1956	<p>The Health Act controls nuisances, offensive trades, and the handling and storage of noxious substances.</p>

## 3.0 Issues analysis

### 3.1 Background

The Operative District Plan currently includes controls on the storage and use of hazardous substances. Whether hazardous substances on a site are permitted, controlled or discretionary depends on the quantity, the zone, and whether standards are met relating to site design, site layout, site drainage, spill containment, waste management and radioactive materials.

The use of hazardous substances in New Zealand is primarily managed by the HSNO Act, the HSW Act and relevant regulations. The Regional Council manages discharges to land, air, and water. When the Operative District Plan was drafted there was an explicit requirement in the RMA for councils to control the adverse effects of the storage, use, transportation and disposal of hazardous substances. However, the Resource Legislation Amendment Act 2017 removed this explicit function to ensure RMA controls do not duplicate controls in the HSNO and HSW Acts (which were developed after the RMA was first enacted). Councils do retain a broad power under the RMA to manage hazardous substances through their plans and policy statements to achieve the purpose of the RMA and to carry out the function of integrated management of natural and physical resources in their district.

Where necessary and appropriate, managing the effects of activities that use, store, manufacture, and/or dispose of hazardous substances in relation to surrounding land uses may be achieved under the RMA by:

- Managing the establishment of hazardous substances/facilities adjacent to and within sensitive environments to ensure acceptable levels of risk of off-site adverse effects; and
- Preventing sensitive or incompatible activities establishing in areas where hazardous facilities/activities are located where these activities have the potential to constrain or curtail the operation of a lawfully established hazardous facility.

The use of zoning and the separation of activities this entails, for example limiting residential activities in the General Industrial Zone and avoiding industrial activities in the General Residential Zone, will provide separation of incompatible activities. However, it will not manage hazardous facilities in sensitive environments or ensure separation between significant hazardous facilities and sensitive activities at zone interfaces.

## 3.2 Evidence base

To assist with setting the plan framework the Councils have reviewed the Operative District Plan, considered the primary controls under other legislation and regulations including the HSNO and HSW Acts, and reviewed the approach being taken in other recently reviewed district plans. This work has been used to inform the identification and assessment of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions. The following sections outline this evidence.

### 3.2.1 Analysis of Operative District Plan provisions

#### 3.2.1.1 Overview of Operative District Plan provisions

The Operative District Plan identifies the following significant resource management issue in relation to hazardous substances:

- The use, disposal, storage and transport of hazardous substances can have adverse effects on the environment.

'Hazardous substances' is defined in the Operative District Plan and refers to the definition in the RMA and HSNO Act.

Chapter 15 Hazardous Substances sets out objectives and policies relating to hazardous substances.

Chapter 15 contains a single relevant objective:

- 15.3.1 To protect the natural and physical environment, including community safety and health, from the adverse effects of hazardous substances.

This objective is achieved through implementing three policies relating to:

- Establishing thresholds of acceptable risks
- Establishing controls on location and design of potentially hazardous facilities
- Promoting understanding of potential adverse effects of hazardous substances

In addition, a policy in Chapter 14 specifically relates to managing hazardous substances in areas subject to natural hazards.

The rules are set out separately in the District Wide Land Use Chapter 21. Whether hazardous substances on a site have permitted, controlled or discretionary activity status (resource consent is required) depends on the quantity, the zone, and whether standards are met relating to site design, site layout, site drainage, spill containment, waste management, and radioactive materials. Appendix 2.1 in the Operative District Plan contains threshold quantities for different substances in different zones which determine activity status.

### 3.2.1.2 State of the environment monitoring

A review of the National Monitoring Data from 2014/15 – 2020/2021 from the Ministry for the Environment, identified only one application in the three districts for the storage of a hazardous substance.

There are a wide range of hazardous substances that are used, stored, disposed of and transported within the Wairarapa. Common land use activities in the Wairarapa that use, store, and dispose of hazardous substances include industrial activities (e.g. timber treatment plants and bulk fertiliser storage), petrol stations, and farms (e.g. agri-chemicals and fertilisers). The greatest potential for adverse effects on the environment, and particularly the health and safety of people, is in those localities where the greatest concentrations of hazardous substances are present. Within the Wairarapa these tend to be in industrial areas, such as Waingawa..

Under the Health and Safety at Work (Major Hazard Facilities) Regulations there are specific requirements for 'major hazard facilities'. The Worksafe website<sup>1</sup> does not identify any existing major hazard facilities in the Wairarapa.

### 3.2.1.3 Effectiveness of the Operative District Plan approach

The following issues have been identified with the effectiveness of the Operative District Plan:

Issue	Comment
Issue 1: Duplication and conflict with other regulations managing hazardous substances.	<ul style="list-style-type: none"> <li>The Operative District Plan contains rules and standards which duplicate requirements in regulations under the HSNO Act and HSW Act. This duplication results in inefficiencies and unnecessary compliance costs.</li> </ul>
Issue 2: New sensitive activities locating in proximity to existing significant hazardous facilities and potential for incompatibility.	<ul style="list-style-type: none"> <li>The Operative District Plan currently does not manage new sensitive activities locating near significant hazardous facilities, potentially resulting in incompatibility issues. This incompatibility may cause reverse sensitivity conflicts that may impact on the ability of such facilities to operate or increase capacity. Also, it may place new occupants at risk from a fire or explosion.</li> </ul>

### 3.2.2 Analysis of other District Plan provisions relevant to this topic

Current practice has been considered in respect of this topic, with a review undertaken of the following District Plans:

<sup>1</sup> <https://www.worksafe.govt.nz/topic-and-industry/major-hazard-facilities/mhf-public-information/>

Plan	Description of approach
Proposed Timaru District Plan	<p>Addresses potential adverse effects on:</p> <ul style="list-style-type: none"> <li>• Sensitive activities and sensitive environments</li> <li>• Reverse sensitivity effects caused by sensitive activities locating too close to hazardous facilities</li> <li>• The risks to hazardous facilities from natural hazards and consequential risks to the environment</li> <li>• Cumulative effects of major hazard facilities locating too close to each other</li> </ul> <p>New 'Major Hazard Facilities' and additions to Major Hazard Facilities are a discretionary activity.</p> <p>Sensitive activities within 250m of a Major Hazard Facility require a Quantitative Risk Assessment to demonstrate permitted activity status.</p> <p>Hazardous facilities in a 'sensitive environment' are a restricted discretionary activity.</p> <p>Hazardous facilities in a Flood Assessment Area Overlay must meet floor level requirements to be permitted.</p> <p>'Major Hazard Facility': "means a facility or activity that has been designated by Worksafe as a lower tier major hazard facility or an upper tier major hazard facility under the Health and Safety at Work (Major Hazard Facilities) Regulations 2016."</p>
Proposed Waikato District Plan	<p>'Significant Hazard Facilities' are a non-complying activity in specified (residential and rural) zones.</p> <p>Additional rules apply near National Grid Transmission Lines.</p> <p>'Significant Hazard Facility' definition is a list of activities and exclusions.</p>
Proposed Waimakariri District Plan	<p>Addresses risk not controlled by zone provisions, regional council, or other legislation. This includes:</p> <ul style="list-style-type: none"> <li>• The location of major hazard facilities using or storing hazardous substances</li> <li>• The location of sensitive activities and location in areas that are prone to flood hazard</li> </ul> <p>New major hazard facilities or additions to major hazard facilities are a restricted discretionary, discretionary, or non-complying activity, depending on the zone.</p> <p>Sensitive activities within a major hazard facility or within any Risk Management Contour shown on the planning map are non-complying activities.</p> <p>'Major Hazard Facility' means a facility or activity that has been designated by Worksafe as a lower tier major hazard facility or an upper tier major hazard facility under the Health and Safety at Work (Major Hazard Facilities) Regulations 2016.</p>

Proposed New Plymouth District Plan	<p>New significant hazardous facilities are discretionary or non-complying, depending on the zone and location in relation to sensitive environments.</p> <p>Distinguishes between new facilities and repair or upgrading of existing.</p> <p>Uses Risk Management Contours and 250m setback to restrict location of sensitive activities in relation to significant hazardous facilities.</p> <p>"Significant Hazardous Facilities" definition is a list of activities along similar lines to the Waikato District Plan.</p>
Proposed Porirua District Plan	<p>Hazardous Substances chapter includes objectives and policies relating to managing residual risk of hazardous substances but does not contain rules. The objectives and policies would be triggered for discretionary and non-complying activities in the zones and overlays.</p>

These plans were selected because:

- They have been subject to a recent plan review that addressed similar issues relating to this topic and are in the National Planning Standards format; and/or
- The councils are of a similar scale to the Wairarapa districts and are facing similar issues relating to this topic

A summary of the key findings follows:

- None of the plans have general rules for the management of hazardous substances such as quantity thresholds and location requirements.
- Most of the plans require resource consent for major hazard facilities or significant hazardous facilities, generally as a discretionary or non-complying activity, depending on the zone.
- There is no consistent use of terms or definitions for 'major hazard facility', 'significant hazardous facilities' etc.
- Several of the plans restrict the location of sensitive activities in proximity to significant/major hazardous facilities, either through risk management contours or a setback (250m is used).
- Several of the plans have controls for hazardous substances and/or major/significant hazardous facilities in sensitive environments such as natural hazard overlays, waterbody setbacks etc.

### 3.2.3 Advice received from Iwi

Section 32(4A) of the RMA requires evaluation reports prepared in relation to a proposed plan to include a summary of:

- All advice received from iwi authorities concerning the proposal; and
- The response to that advice, including any proposed provisions intended to give effect to the advice.

Under Clause 4A of Schedule 1 of the RMA local authorities are also required to:

- Provide a copy of any draft policy statement or plan to any iwi authority previously consulted under clause 3 of Schedule 1 prior to notification;
- Allow adequate time and opportunity for those iwi authorities to consider the draft and to supply advice; and
- Have particular regard to any advice received before notifying the plan.

No specific advice has been received from Rangitāne o Wairarapa or Ngāti Kahungunu ki Wairarapa regarding this topic and the proposed provisions evaluated within this report.

### 3.2.4 Consultation

Public consultation was undertaken on the Draft District Plan in October to December 2022.

The Draft District Plan contained a Hazardous Substances chapter with objectives, policies and rules specific to hazardous substances. The Draft District Plan provisions were a significant change from the Operative District Plan. The current approach in the Operative District Plan, based on the quantity and hazard classification of hazardous substances on a site, was fully replaced by an approach based on listing specific activities which use, manufacture, store, or dispose of hazardous substances (called and defined as 'significant hazardous facilities'). The draft rules required a resource consent for any new significant hazardous facility or addition to an existing significant hazardous facility. In addition, setbacks were proposed for sensitive activities (e.g. residential activities) from existing significant hazardous facilities to manage potential risk and incompatibility between these types of activities. Also, the draft rules proposed to control the use and storage of hazardous substances in flood hazard areas.

A summary of specific feedback on this topic received during consultation on the Draft Plan is contained in Appendix 1, including how it has been responded to in the Proposed District Plan. A summary of this feedback is below:

- General approach
  - Support or neutral position on the overall approach in the Hazardous Substances chapter.
- Specific provisions relating to hazardous substances
  - General support for the objectives, policies and rules in the Hazardous Substances Chapter.
  - Concerns expressed about solar farm developments and sought large scale renewable electricity generation activities be classified as a “significant hazardous activity”.

- Request to delete “(q) asphalt/bitumen manufacture or storage” from the definition of “significant hazardous activity” as bitumen is not classified as a hazardous substance under the Globally Harmonised System (GHS 7) hazard classification system in New Zealand and it is not classified as a health or environmental hazard in the safety data sheets.
- Request to amend definition of “significant hazardous activity” by deleting reference to “land-based” from the exclusion in (c) which reads “The incidental storage and use of agrichemicals, fertilisers, and fuel for land based primary production activities”. It was noted there was no definition for “land based primary production activities” and it was contended the exclusion should apply to all primary production activities.
- Request to amend definition of “significant hazardous activity” by amending part (d) and (e) so it only applies to aboveground storage of petrol and diesel, not underground. Also sought to change the volume of diesel storage from 50,000L to 100,000L. In addition, also suggested ensuring the definition includes Major Hazard Facilities as defined in the Major Hazard Facilities Regulations. Clause 4 of the Regulations defines “major hazard facility” as a facility that WorkSafe has designated as a lower tier major hazard facility or an upper tier major hazard facility under regulation 19 or 20.
- Request to amend Policy HAZ-P2 relating to residual risk to people and communities to “avoided, or mitigated to an acceptable level” vs ‘avoid’ residual risks to an acceptable level.
- Request to amend Rule HAZ-R2 to refer only to “aboveground” storage of hazardous substances and replace “hazardous facility” with “significant hazardous facility”.

In response to the feedback amendments were made to:

- Remove 'Asphalt/bitumen manufacturing or storage' from the definition of 'significant hazardous facility' as asphalt and bitumen are not classified as a hazardous substance.
- Amend the definition of 'significant hazardous facility' to clarify the parameters for purpose built bulk storage facilities for petrol and diesel.
- Amend the policies to clarify and use consistent terminology relating to risk.

In reviewing the feedback received on the draft chapter, the provisions relating to storage of hazardous substances in flood hazard areas was reviewed. The storage of hazardous substances in flood hazard areas can pose a risk to the environment. The general approach taken in the draft chapter was that hazardous substances are managed by the District Plan only when not adequately managed by other controls. The Health and Safety at Work (Hazardous Substances) Regulations 2017 contain controls on the storage of hazardous substances and in the situation of storage of hazardous substances in a flood hazard area, these controls mean the risk is already

managed and there is less need for additional controls. As significant hazardous facilities, including within flood hazard areas, are controlled by Rule HAZ-R1, it was concluded that Rule HAZ-R2 relating to any storage of hazardous substances was superfluous and deleted. For the same reason Objective HAZ-O1 was amended and Policy HAZ-P1 deleted from the draft chapter.

### 3.3 Summary of issues

The statutory and policy context and available evidence outlined above identified the hazardous substance provisions needed to be fully reviewed.

Based on the research, analysis, and consultation outlined above the following issues have been identified with respect to the effectiveness of the Operative District Plan:

- Issue 1: Duplication and conflict with other regulations managing hazardous substances.
- Issue 2: New sensitive activities locating in proximity to existing significant hazardous facilities and potential for incompatibility.

The review has confirmed that the resource management issues apply to more specific circumstances than identified in the Operative District Plan. The significance of the issues is largely unchanged, although there are other regulations that now apply for managing hazardous substances.

The following resource management issues have been identified:

Issue	Comment
Issue 1: Risks to human health, property and the environment when new significant hazardous substances are established and when existing significant hazardous facilities are expanded or changed.	<ul style="list-style-type: none"> <li>• There is potential for a range of adverse effects to arise, even after compliance with HSNO and Health and Safety at Work regulations, and regional plans.</li> </ul>
Issue 2: Risks to human health and property from incompatible land use when new sensitive activities locate in proximity to existing significant hazardous facilities.	<ul style="list-style-type: none"> <li>• The Operative District Plan does not manage new sensitive activities locating near significant hazardous facilities, potentially resulting in incompatibility issues. This incompatibility may cause reverse sensitivity conflicts that may impact on the ability of such facilities to operate, as well as expose occupants to unacceptable risks from fire or explosion.</li> </ul>

## 4.0 Scale and significance

### 4.1 Evaluation of scale and significance

Under section 32(1)(c) of the RMA, this evaluation report needs to contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

This section assesses the scale and significance of the hazardous substances provisions to determine the level of analysis required.

	Low	Medium	High
<b>Degree of change from the Operative District Plan</b>		✓	
<b>Effects on matters of national importance</b>	✓		
<b>Scale of effects - geographically</b>		✓	
<b>Scale of effects on people e.g. landowners, neighbourhoods, future generations</b>	✓		
<b>Scale of effects on those with specific interests e.g. tangata whenua</b>	✓		
<b>Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?</b>		✓	
<b>Likelihood of increased costs or restrictions on individuals, communities or businesses</b>	✓		

In summary:

- The degree of change from the Operative District Plan is medium. The provisions reflect current District Plan practice, minimise duplication with other legislation and regulations, and are simpler than the current provisions.
- The proposal has some applicability to s6 matters of national importance if a significant hazardous facility is located near or within an area relating to one of these matters.
- The provisions apply district-wide and affect those who use, store or dispose of large quantities of hazardous substances or specific types of industrial or processing activities.
- There is no specific, directly relevant, regional or national direction.
- Costs and restrictions on landowners, businesses and the community are likely to be less than the Operative District Plan.

Overall, it is considered that the scale and significance of the proposal is low to medium.

## 4.2 Quantification of benefits and costs

Section 32(2)(b) of the RMA requires that, where practicable, the benefits and costs of a proposal are to be quantified.

Specific quantification of all benefits and costs associated with the Proposed District Plan is considered neither practicable nor readily available. In general, a qualitative assessment of costs and benefits associated with the Proposed District Plan is considered sufficient, and this is provided for in the assessment of policies, rules and other methods contained in section 7.0 of this report. However, where practicable and considered appropriate to supporting the evaluation, some of the benefits or costs associated with the Proposed District Plan have been quantified. The identification of costs and benefits has been informed by the body of evidence outlined in section 3.0 of this report.

## 5.0 Proposed provisions

### 5.1 Overview of proposed provisions

The proposed provisions relevant to this topic are set out in detail in the Proposed District Plan and should be referenced in conjunction with this evaluation report.

The provisions of the proposed Hazardous Substances chapter are designed to manage the effects of use, storage, or disposal of hazardous substances, only to the extent that those effects are not within the ambit of existing legislation and regulations applying to hazardous substances. The provisions apply a targeted approach to address the residual risk once controls in other relevant legislation for hazardous substances are applied, focusing on significant hazardous facilities, sensitive uses, and sensitive environments.

In summary, the proposed provisions include:

- Definitions for 'hazardous substance', 'sensitive activities', and 'significant hazardous facility'.
- Two objectives that address:
  - Locating, designing, constructing and operating activities that use, store and dispose of hazardous substances;
  - Protecting significant hazardous facilities from sensitive activities.
- Two policies that:
  - Manage significant hazardous facilities to minimise risk to people, property and the environment;

- Avoid locating new sensitive activities in proximity to significant hazardous facilities.
- A rule framework that:
  - Manages risk to people, property and the environment from any significant hazardous facility by requiring a discretionary activity resource consent in the General Industrial Zone or General Rural Zone. In other zones a significant hazardous facility would be a non-complying activity;
  - Requires a resource consent for a non-complying activity for a significant hazardous facility in Significant Natural Areas, moderate or high hazard areas, within 10m of a waterbody or 25m of a significant waterbody, or within 250m of a sensitive activity.
  - Applies a non-complying activity status to sensitive activities located within 250m of a significant hazardous facility.

## 5.2 Other relevant objectives

There are several other objectives in the Proposed District Plan relevant to hazardous substances. In particular the objectives for each zone relating to compatibility/ incompatibility between land use activities. The hazardous substances provisions focus on managing the risks from hazardous substances, while the zone provisions relate to the overall compatibility between land use activities. Similarly, if a significant hazardous facility is located in a sensitive environment (e.g. natural hazard overlay, significant natural area), the objectives for these environments would also be relevant. When considering a resource consent for a significant hazardous facility that does not comply with the applicable rules or standards for the zone or sensitive environment, it will be relevant to consider the relevant zone chapter and overlay chapter objectives, such as those listed below:

- GRZ-O3 Non-residential activities in the Residential Zone
- SETZ-O1 Purpose of the Settlement Zone
- GRUZ-O4 Enabled activities
- RLZ-O3 Enable compatible activities
- NCZ-O1 Purpose of the Neighbourhood Centre Zone
- MUZ-O2 Purpose of the Mixed Use Zone
- TCZ-O1 Purpose of the Town Centre Zone
- GIZ-O1 and GIZ-O3 Purpose of the General Industrial Zone and Protection of the General Industrial Zone
- NOSZ-O1 Purpose of the Natural Open Space Zone
- OSZ-O1 Purpose of the Open Space Zone
- SARZ-O1 Purpose of the Sport and Active Recreation Zone
- FUZ-O1 Purpose of the Future Urban Zone
- MPZ-O1 Purpose of the Māori Purpose Zone

### 5.3 Other methods

Other methods of key relevance to hazardous substances are:

- Various regulations and requirements under the HSNO Act and HSW Act, including but not limited to the following:
  - Hazardous Substances (Minimum Degrees of Hazard) Notice 2017
  - Hazardous Substances (Classification) Notice 2017
  - Hazardous Substances (Labelling) Notice 2017
  - Hazardous Substances (Packaging) Notice 2017
  - Hazardous Substances (Safety Data Sheet) Notice 2017
  - Hazardous Substances (Disposal) Notice 2017
  - Hazardous Substances (Hazardous Property Controls) Notice 2017
  - Hazardous Substances (Forms and Information) Notice 2017
  - Hazardous Substances (Importers and Manufacturers) Notice 2015 and Amendment Notices 2017 and 2018
  - Hazardous Substances (Enforcement Officer Qualifications) Notice 2015
  - Health and Safety at Work (Hazardous Substances) Regulations 2017
  - Health and Safety at Work (Major Hazard Facilities) Regulations 2016
- Land Transport Rule 45001: Dangerous Goods 2005 (made under the Land Transport Act 1998).

## 6.0 Evaluation of the proposed objectives

Section 32(1)(a) of the RMA requires an evaluation to examine the extent to which the objectives proposed are the most appropriate way to achieve the purpose of the RMA. The level of detail must correspond to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.

This section of the report evaluates the objectives proposed for hazardous substances.

An examination of the proposed objectives along with reasonable alternatives is included below, with the relative extent of their appropriateness based on an assessment against the following criteria:

1. Relevance (i.e. Is the objective related to addressing resource management issues and will it achieve one or more aspects of the purpose and principles of the RMA?)

2. Usefulness (i.e. Will the objective guide decision-making? Does it meet sound principles for writing objectives (i.e. does it clearly state the anticipated outcome?))
3. Reasonableness (i.e. What is the extent of the regulatory impact imposed on individuals, businesses or the wider community? Is it consistent with identified tangata whenua and community outcomes?)
4. Achievability (i.e. Can the objective be achieved with tools and resources available, or likely to be available, to the Councils?)

While not specifically required under section 32 of the RMA, in some instances alternative objectives are also considered to ensure that the proposed objective(s) are the most appropriate to achieve the purpose of the RMA.

<b>Proposed Objectives</b>	
<p><b>HAZ-O1 Hazardous substance use, storage and disposal</b></p> <p>Hazardous substance use, storage, and disposal activities are located, designed, constructed, and operated, so that:</p> <p>(a) risk to people, property, and the environment from any significant hazardous facility is minimised and unacceptable risk to sensitive activities is avoided;</p> <p>(b) risk to the natural environment is minimised; and</p> <p>(c) risk associated with moderate and high hazard areas is avoided.</p> <p><b>HAZS-O2 Sensitive activities</b></p> <p>Established significant hazardous facilities are not compromised by sensitive activities.</p>	
<b>Alternatives considered</b>	
<p>Status quo:</p> <p>Objective 15.3.1 To protect the natural and physical environment, including community safety and health, from the adverse effects of hazardous substances.</p>	
<b>Appropriateness to achieve the purpose of the RMA</b>	
<p>Appropriateness of Proposed Objective (relevance, usefulness, reasonableness, achievability)</p>	<ul style="list-style-type: none"> <li>• The proposed objectives directly address the identified resource management issues. They address the risk to people, property and the environment from the use, storage and disposal of hazardous substances in both circumstances (from significant hazardous facilities to the environment, and sensitive activities near significant hazardous facilities).</li> <li>• The proposed objectives more clearly articulate the outcomes sought.</li> <li>• The outcomes will achieve the purpose of the RMA to enable people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety.</li> <li>• The proposed objectives do not create unjustifiably high costs on the community, although do have costs for a small part of the community where land uses in certain locations will be restricted, i.e. the compatibility of sensitive activities and significant hazardous facilities.</li> </ul>

<p>Appropriateness of Status Quo (relevance, usefulness, reasonableness, achievability)</p>	<ul style="list-style-type: none"> <li>• The existing objective addresses the first resource management issue of the adverse effects from the use, storage and disposal of hazardous substances. However, this objective does not address the second resource management issue.</li> <li>• The existing objective provides a more general outcome statement on what is sought to be achieved, and is not as useful.</li> <li>• The outcomes will achieve the purpose of the RMA to enable people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety.</li> <li>• The existing objective does not create unjustifiably high costs on the community, although does have costs for a small part of the community – primarily hazardous substance facility operators/owners in terms of costs associated with duplication of consenting.</li> </ul>
<p><b>Preferred option and reasons</b></p>	
<p>The proposed objectives are the most appropriate means of achieving the purpose of the RMA by enabling social, economic, and cultural well-being while avoiding, remedying and mitigating adverse effects on the environment. The proposed objectives also ensure the use, storage, and handling of hazardous substances is appropriately recognised and managed within the District and that unnecessary duplication of related requirements in the HSNO and HSW legislation is avoided. Additionally, they provide increased certainty regarding the anticipated outcomes sought under the District Plan in relation to hazardous substances management, including incompatibility issues.</p>	

## 7.0 Evaluation of proposed provisions

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

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

### 7.1 Evaluation

For each potential approach an evaluation has been undertaken relating to the costs, benefits and the certainty and sufficiency of information (as informed by section 4.0 of

this report) in order to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objective(s).

## 7.1.1 Provisions to achieve objectives relating to hazardous substances

Under section 32(1)(b)(ii) of the RMA, reasonably practicable options to achieve the objective(s) associated with this proposal need to be identified and examined.

The other options considered reasonably practicable for achieving the objectives of the Proposed District Plan in relation to hazardous substances are:

- Option 1: The proposed provisions
- Option 2: Retaining the status quo – Operative District Plan policies and rules

<p><b>HAZ-O1 Hazardous substance use, storage and disposal</b>  Hazardous substance use, storage, and disposal activities are located, designed, constructed, and operated, so that:</p> <p>(a) risk to people, property, and the environment from any significant hazardous facility is minimised and unacceptable risk to sensitive activities is avoided;</p> <p>(b) risk to the natural environment is minimised; and</p> <p>(c) risk associated with moderate and high hazard areas is avoided.</p> <p><b>HAZS-O2 Sensitive activities</b>  Established significant hazardous facilities are not compromised by sensitive activities.</p>		
<p><b>Option 1: Proposed approach (recommended)</b></p>	<p><b>Costs</b></p>	<p><b>Benefits</b></p>
<p>Hazardous Substances chapter in the Proposed District Plan containing:</p> <ul style="list-style-type: none"> <li>• Two policies managing significant hazardous</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Relies on other legislation and regulations to manage risks to people, property and the environment for land use activities that are not significant hazardous facilities. Some adverse effects on people, property and the environment</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Adverse effects on people, property and the environment from significant hazardous facilities are managed, reducing the risk to human health and safety.</li> </ul>

<p>facilities and sensitive activities locating near significant hazardous facilities.</p> <ul style="list-style-type: none"> <li>• Discretionary activity rule for significant hazardous facilities in the General Industrial and General Rural Zones, and non-complying activity in all other zones and in sensitive environments.</li> <li>• Non-complying rule for sensitive activities within 250m of a significant hazardous facility.</li> </ul> <p>Other methods including hazardous substances regulations.</p>	<p>if these other legislation and regulations do not manage these effects.</p> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Potential increase in resource consent and compliance costs for operators of significant hazardous facilities associated with information requirements to demonstrate outcomes in objectives achieved.</li> <li>• Rules may potentially limit the establishment or expansion of existing significant hazardous facilities, particularly if they do not reflect current or future development aspirations or are proposed within sensitive areas. This could potentially restrict some opportunities for economic growth and associated employment opportunities.</li> <li>• Limits the location where sensitive activities can establish, restricting or reducing the efficient use of land.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect costs have been identified.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect costs have been identified.</li> </ul>	<ul style="list-style-type: none"> <li>• Ensures incompatible activities are not located near existing significant hazardous facilities, thereby reducing potential for incompatibility issues and exposure of people to unacceptable risk to human health.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Enables activities and facilities involving the manufacture, use, storage, or disposal of hazardous substances, including existing significant hazardous facilities to continue to operate efficiently and effectively.</li> <li>• Reduced resource consent costs, time, and uncertainty for applicants due to removal of duplication with existing legislation and regulations.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Ensures that people, communities, and identified areas are protected from unacceptable risk.</li> <li>• Provides certainty to owners/operators of facilities, businesses, neighbours, Council, and the wider community about the role of Council, and other legislation and regulations managing hazardous facilities.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• Provisions ensure risk to sites and areas of significance to Māori and their values are avoided, or where avoidance is not possible, unacceptable risk is adequately mitigated.</li> </ul>
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<b>Effectiveness and efficiency</b>	<p>The proposed provisions are considered to be the most effective method for meeting the objectives as they ensure people, communities, and identified areas are protected from unacceptable risk from significant hazardous facilities. They also protect significant hazardous facilities from incompatibility issues, and protect sensitive activities from exposure to unacceptable risk. In addition, the proposed provisions are clear and concise, without unnecessary duplication of existing legislative and regulatory controls.</p> <p>In addition, the proposed provisions are the most efficient at achieving the objectives, particularly as they only address matters necessary to control effects under the RMA that are not otherwise addressed by controls already imposed. This approach achieves the highest net benefit to the community as it avoids duplication and associated costs, while ensuring the potential impact of significant hazardous facilities that are not managed through other instruments, are considered through a resource consent process. The provisions provide a simpler and clearer regulatory framework than the status quo, and identify the role and function of non-RMA regulations and regional plans that complement the Proposed District Plan in managing incompatibility issues and unacceptable risk to people, communities, and identified areas.</p>	
<b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b>	It is considered that there is certain and sufficient information on which to base the proposed policies and methods based on the state of the environment monitoring, District Plan effectiveness review and knowledge of council staff.	
<b>Overall evaluation</b>	The proposed approach is the most appropriate approach to achieve the objectives as it provides clarity on Council's responsibility and recognises the role of existing legislation and regulations including HSNO, regulations, industry guidelines, and regional plans, while ensuring that unacceptable risk, incompatibility issues, and significant hazardous facilities are managed.	
<b>Option 2: Status Quo - Operative District Plan</b>	<b>Costs</b>	<b>Benefits</b>
<p>Three policies establishing thresholds and controls for hazardous substances.</p> <p>A suite of rules managing site layout,</p>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>Potential effects of the use, storage and disposal of hazardous substances in sensitive environments, such as significant natural areas, due to lack of recognition of these sensitivities in the provisions.</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>Some environmental benefits where resource consents are required and associated assessment of effects on the environment to determine these effects have been avoided, remedied or mitigated.</li> </ul> <p><b>Economic</b></p>

<p>spill management, and activity status table (Appendix 2.1) based on hazardous substance classification, quantity and zone.</p> <p>Other methods including hazardous substances regulations.</p>	<ul style="list-style-type: none"> <li>• Potential effects of sensitive or incompatible activities locating close to hazardous facilities, thereby increasing the risk to human health and safety.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Potential effects of sensitive or incompatible activities locating close to hazardous facilities, thereby increasing the risk to human health and safety. Could result in established hazardous facilities amending their operations or procedures or undertake additional requirements to protect health and safety of people; which adds costs to their operations.</li> <li>• Cost to applicants for resource consent which duplicates other requirements under other regulations.</li> <li>• Cost to Council in administering the provisions which duplicates other requirements under other regulations.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect costs have been identified.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect costs have been identified.</li> </ul>	<ul style="list-style-type: none"> <li>• Plan users are familiar with the current approach.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect benefits have been identified.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect benefits have been identified.</li> </ul>
<p><b>Effectiveness and efficiency</b></p>	<p>The provisions are not the most effective method of achieving the objectives as they fail to protect significant hazardous facilities from being compromised by sensitive activities. The provisions are not clear and concise, and instead duplicate existing legislative and regulatory controls. The provisions will achieve the objective HAZ-O1 at a higher cost to the community. They are the least efficient approach as they duplicate controls under other regulations such as HSNO Act, HSW Act, and regional plans, and are technically complex to interpret and implement.</p>	
<p><b>Risk of Acting / Not Acting if there is uncertain or insufficient</b></p>	<p>It is considered that there is certain and sufficient information on which to base the proposed policies and methods based on the state of the environment monitoring, District Plan effectiveness review and knowledge of council staff.</p>	

<b>information about the subject matter of the provisions</b>	
<b>Overall evaluation</b>	This approach is not appropriate because it duplicates existing legislative and regulatory controls, is inconsistent with Council's amended responsibilities following the Resource Legislation Amendment Act 2017, and relies on an outdated approach that is no longer considered to be best practice.

## 8.0 Conclusion

This evaluation has been undertaken in accordance with section 32 of the RMA in order to identify the need, benefits, and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as:

- The proposed objectives are specific to hazardous substances and more clearly articulate the outcomes sought, including avoiding unacceptable risk to sensitive activities and minimising risks to people, property, and the environment;
- The policies and rules only seek to manage matters not otherwise addressed by other legislation and regulation relating to hazardous substances;
- The topic-specific Hazardous Substances Chapter and simplification of provisions reduces the current complexities of the Operative District Plan;
- The proposed approach places importance on locating significant hazardous facilities in appropriate locations, away from sensitive activities and requires setbacks from important environmental features. It also seeks to ensure existing significant hazardous facilities are not compromised by new sensitive activities.



## Appendix 1: Feedback on Draft District Plan

Section/Topic	Submitter	Feedback	Response
General	Government/utility	Subject to the adverse effects of the use and storage of hazardous substances in the National Grid Yard being appropriately addressed in policies and managed in rules in the NU – Network Utilities chapter of the Proposed District Plan, neutral in respect of the draft hazardous substances provisions. No change requested.	No change required.  Note, Rule NU-R19(1)(c) requires any building or structure in the National Grid Yard must not be used for the handling or storage of hazardous substances with explosive or flammable intrinsic properties in greater than domestic scale quantities or it is a non-complying activity.
	National interest group	Supports the approach for Hazardous Substances chapter.	Noted
	Corporate	Supports the alignment with national frameworks.	Noted
Definitions	Local interest group and individual	Requests large-scale renewable electricity generation activities be categorised as 'significant hazardous facility' and notified publicly in all cases.	Renewable electricity generation activities are specifically addressed in the Energy chapter. Those provisions are considered sufficient for addressing the effects of renewable energy and it is not considered necessary to amend the definition of "significant hazardous facility" to capture them.
	Corporate	Requests that 'asphalt/bitumen manufacture or storage' is removed from the definition of 'significant hazardous facility'.	Asphalt and bitumen are not classified as hazardous substances, therefore 'asphalt/bitumen manufacture or storage' has been deleted from the definition of "significant hazardous facility".  Also, a bitumen tanker parked at a depot should not trigger definition of 'significant hazardous facility'. However, bulk storage of hazardous substances should be within the definition of 'significant hazardous facility'.

	National interest group	Amend definition of significant hazardous facility exclusion c) by deleting 'land-based' from primary production.	Deleted "land-based" as "land-based primary production" is not a defined term and is not used elsewhere in the plan. "Primary production" is a defined term.
	Corporate	Request various amendments to definition of 'significant hazardous facility' relating to storage of fuel.	The quantities for storage of petrol and diesel should be the same, at 100,000L.  Also, amendment to exclude below ground storage of diesel and petrol has been made, subject to these below ground storage facilities complying with the relevant Codes of Practice.
Objectives	Government	Support for the objective	Noted
Policies	Corporate	Request to amend Policy HAZ-P2 to read "avoided, or mitigated to an acceptable level".	In reviewing the suite of policies, residual risk can be incorporated into Policy HAZ-P3. The wording used in HAZ-P3 is consistent with the concepts and terminology used for health and safety purposes.
	Government	Support for policies HAZS-P2 and HAZ-P4.	Noted
Rules	Government	Support for rules HAZ-R1 and HAZ-R3.	Noted
	Corporate	Request amendment to HAZ-R2 to refer to 'aboveground' storage and within any 'significant' hazardous facility.	In reviewing the feedback received on the draft chapter, the provisions relating to storage of hazardous substances in flood hazard areas was reviewed, including rule HAZ-R2. It was concluded other regulations effectively manage this issue and rule HAZ-R2 was deleted.