



TAURANGA CITY COUNCIL

CITY PLAN SECTION 32 REPORT

Chapter 16 – Rural Zones



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1. INTRODUCTION

The Council is required under section 32 of the Resource Management Act 1991 (the RMA) to carry out an evaluation of alternatives, costs and benefits, and efficiency and effectiveness of the various components of the Proposed City Plan.

Section 32 of the Act requires that the evaluation must examine:

- (a) the extent to which each objective is the most appropriate way to achieve the purpose of the Act; and
- (b) whether, having regard to their efficiency and effectiveness, the policies, rules or other methods are the most appropriate for achieving the objectives.

An evaluation must also take into account:

- (a) the benefits and costs of policies, rules, or other methods; and
- (b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.

This report fulfils the obligations of the Council under s32 of the RMA. The following is a section 32 analysis in regard to Chapter 16 Rural Zones. It should be read together with the text of the Proposed City Plan itself.

2. PURPOSE OF THE CHAPTER

The objectives, policies and plan provisions relating to Chapter 16 Rural Zones fulfils Council's duties under the Resource Management Act 1991 (the Act).

Under section 31 of the Act Council is required to give effect to the Act through the establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the effects of the use and development or protection of land and associated natural and physical resources of the City.

This section 32 document relates to the review of the City's policy approach to the City's Rural Zones and how these provisions give effect to the Act, particularly its purpose and principles (Part II, sections 5, 6, 7 and 8).

The purpose of the RMA is to promote the sustainable management of natural and physical resources for current and future generations in a way that enables people and communities to provide for their social, economic and cultural wellbeing while supporting ecosystems and the air, water and soil systems of which they may be a part. In addition the effects of the use of resources and activities are to be managed (adverse effects of activities to be avoided, remedied or mitigated).

Chapter 16 Rural Zones promotes the sustainable management of natural and physical resources of the City in setting aside for primary production activities the City's rural productive areas, (a finite resource, section 7g),

This in turn provides for the social, economic and cultural wellbeing of the City's residents by providing opportunities for continuing primary production activity and ancillary residential activities in these areas of the City.

In carrying out its RMA duties, Council is also required to recognise and provide for:

- the natural character of the coastal environment, wetlands and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development. (section 6a),
- the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga (section 6e);

Chapter 16 includes provisions designed to protect the natural character of the Rural Zones and provides opportunities for papakainga on rurally zoned Multiple-Owned Maori Land.

The chapter also provides for the maintenance and enhancement of the rural environment (section 7f) and the amenity values (section 7c) of the Rural Zones through provisions designed to ensure that the character and amenity of the rural area is not adversely impacted by the use, subdivision and development of land in these Zones.

In preparing the proposed provisions regard has been had to the National Coastal Policy Statement, Bay of Plenty Regional Policy Statement, the relevant provisions of the Operative Regional Plans, consistency with the Operative and Proposed District Plan provisions of the Western Bay of Plenty District Council and relevant planning documents lodged with Council by iwi (section 74, RMA).

3. RECORD OF DEVELOPMENT OF PROVISIONS

3.1 Background Research

3.1.1 Mapping and Analysis of current extent and use of Rural zoned land in the City.

The current location and extent of rural zoned land within the City was mapped for reference/analysis purposes. The total number of hectares of rural zoning was calculated as well as the percentage of the land in the City in rural residential zoning. Analysis was also undertaken through examination of aerial photographs of the activity, including numbers of dwellings, occurring within rural zones on a property by property basis.

3.1.2 Review of Current Rural provisions

Council's records of issues arising in relation to the interpretation or implementation of the current Operative District Plan was reviewed.

The following resource management issues were identified:

- Current provision for 2 independent dwellings per site in the Rural Zone is setting a permitted baseline that is driving rural residential development and subdivision in the Rural Zone.
- Limited Discretionary status for subdivision not meeting density requirements does not provide for rigorous assessment of the impacts of fragmentation into smaller lots or ability to address this as part of a subdivision application.

A review of rural subdivision applications from 1997 to 2007 was undertaken to confirm that the resource management issue was a significant one. The review supported the concerns raised in that most subdivisions within that time period did create rural residential type lots around existing dwellings or through the ability to have two dwellings per title as a justification to grant consent for rural residential development on the grounds that the visual

effects of the development would be no more than could occur under the current rural provisions.

3.1.3 Review of potential cross boundary impacts

An analysis of both the operative and proposed rural provisions for the Western Bay of Plenty District Council was undertaken to identify any potential cross boundary impacts and to ensure a consistency of approach to rural zoning between SmartGrowth partners. The issues identified by both Councils are generally consistent as are the policy approach and supporting Plan provisions.

3.1.4 Plan Change 47 Greenbelt Zone Review

Plan Change 47 to the Operative Tauranga City District Plan was made operative on 8 December 2008. The Plan Change involved a complete review of the Objectives, Policies, provisions and extent of the Greenbelt Zone. The Plan Change clarified the functions of the Greenbelt Zone and strengthened the provisions in relation to subdivision to ensure that the Greenbelt Zone remained a rural zone in character, and did not continue to be fragmented as it has been under the previous planning provisions. Considering that a review of the Greenbelt Zone and provision had just been undertaken and was nearing completion that Council direction was that these provisions be adopted into the Proposed Plan in their final form.

3.1.5 Plan Change 48 Non Residential Activities in the Residential Zones

As part of the ongoing Plan monitoring process Council identified that there were significant resource management issues relating to the impacts of permitted non residential activities on the residential amenity and coherence of the city's Residential Zones and upon the sustainable and efficient and effective use of the City's Business Activity Zones. Plan Change 48 Non Residential Activities in the Residential Zones was notified in May 2008 and proposed substantial changes to the provisions for non-residential activities in the Residential Zone. Decisions on Plan Change 48 Non Residential Activities in the Residential Zones to the Operative District Plan were notified in November 2008.

In its annotated form Plan Change 48 provides for home-based business and small scale home based visitor accommodation where ancillary to the residential activity on site as permitted activity and limited community support activities such as schools, health centres as Discretionary Activities in view of the support role that they play in the community. All other activities which were more appropriate within Business Activity Zones are proposed to be non-complying.

Council has directed that the provisions of Plan Change 48 as annotated by decisions be adopted into the Proposed Plan and be extended to the Rural Zones where out of zone activities can also lead to adverse amenity and character impacts and contribute to the decline in the sustainability of the physical resource that is the City's commercial and industrial zoned land and the infrastructure which services it.

3.1.6 Tauranga City: Landscape Study June 2009

Under the RMA Part 2, section 6(b), the Council must recognise and provide for: "The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development."

In addition under Part 2, section 7 regard is also to be had to the maintenance and protection of amenity values and the quality of the environment.

As part of the preparation for the District Plan Review, a review of Council's 1995 Tauranga District Landscape Study was undertaken. The evaluation of outstanding natural features and landscape was undertaken by applying the criteria set out under the Bay of Plenty Regional Policy Statement. The findings of a broad scale character analysis undertaken through a SmartGrowth Study in 2002 (SmartGrowth Phase 2., Biophysical Constraints Research Brief: Landscapes and Natural Features, Boffa Miskell Ltd) were also utilised in this review process. The outcome of this review work was the production of the Tauranga City: Landscape Study June 2009 (the Landscape Study).

The study identified the following:

Rural Area	Amenity Characteristics	Threats to Amenity	Could be managed through:
Matapihi	Rural character, built structures and other development of small scale and appropriate to the landscape.	Residential development	Clustering of residential development, manage built form in keeping with rural character.
Mangatawa/Kairua Road	Open space character, undulating pastoral landscape, clustered rural housing character, vegetated gullies and harbour margins.	Continued fragmentation of rural open space through lifestyle block development. Ribbon development along roads/harbour edge.	Clustering of residential development, manage built form in keeping with rural character.
Welcome Bay	Mix of horticulture, grazing and lifestyle lots, vegetated gullies.	Continued fragmentation of rural open space through lifestyle block development. Ribbon development along roads/harbour edge.	Clustering of residential development, manage built form in keeping with rural character.
Oropi/Ohauti	Open pastoral, vegetated gullies.	Rural residential sprawl.	Manage built form in keeping with rural character. Protect vegetated gullies and open space in the Greenbelt Zone.
Waimapu lowlands	Rural and pastoral landscape in some places.		

Rural Area	Amenity Characteristics	Threats to Amenity	Could be managed through:
Pyes Pa/Tauriko	Vegetated gullies.	Rural residential sprawl.	Manage built form in keeping with rural character. Retain Greenbelt
Wairoa Lowlands	Identified as part of maintaining the Wairoa River Valley – significant amenity landscape. High rural amenity associated with pastoral landscape, plains landscape.	Built form dominating landscape.	Protect lowland plains from built form.

In preparing the Proposed Plan provisions regard must be had to the issues raised through the Study.

3.2 Consultation Outcomes

3.2.1 Stakeholder meetings

Tauranga City staff attended rural stakeholder meetings (April 2008) held by the Western Bay of Plenty District Council (WBOPDC) as part of their WBOPDC District Plan review process. Present at these meetings were representatives of Small Farm Holders, Kiwifruit Growers and Horticulture representatives, Federated Farmers and the Department of Conservation.

Key concerns arising from these discussions were:

- Pressure on land prices for small holdings close to the city which had to compete with demands for urban expansion;
- Farmpark or rural cluster housing or rural residential opportunities were still wanted by some sectors of the community;
- Fragmentation of farms is making it difficult for young farmers to afford their own farm – land prices are distorted by rural residential prices;
- Reverse sensitivity conflicts and the need for rural activities to continue to be the predominant use;
- Protection of productive land.
- Second dwellings on farms being used for rentals not connected with rural activities;
- Packhouse and coolstore location and uses of those that had become redundant;
- Workers accommodation for kiwifruit industry;
- Productivity depends on more factors than size alone;
- Potential impacts on earthwork controls on cultivation methods;
- Subdivision controls – concerns around fragmentation as opposed to assisting the betterment of balance areas by subdividing off rough country;
- Rural amenity and landscape protection;

- Protection lots for native bush, significant ecological areas – pros and cons, potential incentives and restrictions and ensuring ongoing maintenance.

Meetings were held with the Papakainga Focus Group of the Combined Tangata Whenua Collective of SmartGrowth in relation to the potential development of papakainga on rurally zoned Multiple Owned Maori Land. Key issues for this group were:

- How to deal with groups wishing to develop Papakainga given that there may be differing levels of funding, resources and time frames for development;
- Should there be a generic district wide provision or tailored provisions for particular sites;
- Infrastructure;
- The role of hapu management plans as set out in SmartGrowth and their connection to Papakainga development;

Hui were also held for tangata whenua on the overall District Plan Review Process. The desire to establish papakainga on Multiple Owned Maori Land was highlighted as a significant issue by those attending these hui.

In August of 2008 general consultation of issues the Rural Issues and Options was undertaken. The key issues canvassed with the public were:

- Reduction in the numbers of houses permitted as of right on a rural site – 2 down to 1.
- Making visual impact a matter to be addressed as part of any rural subdivision.
- Potential impacts of proposed changes to rural site sizes in WBOPDC Plan on the site sizes permitted under the Tauranga City Plan. Potential to rezone rural land for rural residential activity.
- Policy approach to reverse sensitivity conflicts – use of Rural Residential Zone as a buffer, recognising use of voluntary industry standards.
- Provision for papakainga on rural zoned Multiple Owned Maori Land.
- Policy approach to adopt to rural areas identified for future urban growth - before 2021, after 2021.

The following key concerns were raised:

- The pressure on farmers and market gardeners to relocate their operations due to urban expansion;
- Reverse sensitivity – new residential uses to “give way” to farm rural activities;
- Support for continuation of use of voluntary industry codes in relation to spray use;
- Protection of productive rural land and soils;
- Consideration of the barriers to use of Multiple Owned Maori Land through rural rules and the need to avoid setting it aside for productive use because it may be currently undeveloped;
- Concerns in relation to Papakainga development;
- Support and opposition to changes to the number of houses (2) currently provided for on rural lots;
- Support for interim controls on land which has been identified for future urban expansion;
- Support for Tauranga City Council to work with Western Bay of Plenty District Council on developing joint rural zone provisions.

In April of 2009 a community feedback exercise was undertaken on draft content for the City Plan. The key issues canvassed were:

- Possible rezoning of land in Northwest Bethlehem, Pyes Pa, Hastings Road, Kennedy Road and Wairakei for urban uses.
- Maintenance of rural zoning on lands identified for future urban growth post 2021.
- Developing provisions to support the direction set in Matapihi Land Use Study.
- Providing for one dwelling and a small secondary dwelling, as of right in the Rural Zones.
- Developing provisions for papakainga development on Multiple Owned Maori Land in the Rural Zone through a single comprehensive resource consent.
- The addition of recreational and community facilities to Rural Marae Community Zone activities listing.
- Provisions to provide for maintenance of the storm water network in the Greenbelt Zone as a permitted activity.

The following feedback was received:

- Comments in opposition to the interim approach to post 2021 Urban Growth Areas;
- Support and opposition to the proposed approach to numbers of dwellings on rural zoned land;
- Request re land use zoning in Matapihi;
- Requests for adjustment of Greenbelt Zone boundary;
- Request for rezoning of the Waiorohi River Valley;
- Support for the Papakainga Provisions;
- Opposition to rural zoned Multiple Owned Maori Land having any different provisions for housing than general rural zone land;
- Concerns regarding the potential impacts of Papakainga housing on strategic roads and the operation and function of the roading hierarchy and network;
- Support and opposition to the Matapihi Papakainga Zones;
- Requests for clarification of Structure Plan requirements for Multiple Owned Maori Land;
- Requests for assistance in preparing Structure Plans for Multiple Owned Maori Land.
-

During this community exercise meetings in relation to issues concerning Maori Land and papakainga development were held with the Ngati Ranginui Runanga and with the Maori Land Court.

Meetings were also attended in relation to the feedback of Ngai Tukairangi and Ngati Tapu in relation to the planning provisions for Matapihi.

3.3 Council Meetings

Elected Members discussed the development of the Rural Chapter on the following dates. The outcomes of each discussion are also listed.

Meeting: Strategy and Policy Committee – 28 May 2008

Issues Discussed:

- Issues and Options Paper for Initial Consultation discussed and approved for release.
- Issues identified – Loss of potential productive use of versatile soils through fragmentation through subdivision and rural residential development; Loss of rural

landscape through subdivision and rural residential development; Suitability of current subdivision minimums and range of subdivisions provided for; Reverse sensitivity issues; Encroachment of residential development into the Greenbelt Zone; Uses in Rural Marae Community Zones; Provision for Papakainga on Multiple Owned Maori Land in the Rural Zone; Interim policy approach to rural lands within the Urban Limit Lines identified by the Bay of Plenty Regional Policy Statement (RPS).

Meeting Outcomes:

- Direction received to review the provision for two houses as of right on rural titles.
- Direction to further refine subdivision criteria in relation to visual impacts.
- To liaise with Western Bay of Plenty District Council in relation to their review of their rural zones.
- A preliminary land use survey of rural zoned land in City and potential costs/benefits of rezoning for rural residential opportunities to be undertaken.
- Continue current approach to reverse sensitivity issues – use of section 16 and 17 RMA and industry codes.
- Continue the approach to the Greenbelt confirmed through Plan Change 47 Review of Greenbelt Zone.
- Undertake structure planning for rural land required for urban purposes before 2021.
- Land required for urban purposes after 2021 left in rural zoning with a clear policy statement that rural activities are expected to continue and that no residential type development is anticipated in the interim.
- Land within Urban Limits but not suitable for urban uses be retained in rural zoning.

Meeting: Strategy and Policy Committee –24 November 2008

Issues Discussed:

- The outcomes of the initial community and stakeholder consultation on the initial Issues and Options

Meeting Outcomes:

- Rezoning of land in Northwest Bethlehem, Pyes Pa, Hastings Road and Wairakei for urban uses as part of the District Plan Review confirmed.
- Retention of rural zoning for land identified for urban development under the RPS in the post 2021 with specific objectives and policies to support this approach.
- Retention of rural zoning for rural land outside of the Urban Limits set in the RPS.
- Removal of the provision for 2 dwellings as of right on a rural site. Any additional dwelling to be subject to a Discretionary Activity consent relating to versatile soils and rural landscape and character.
- Subdivision consents not meeting the subdivision standards to be a Discretionary Activity with assessment criteria including consideration of impacts on versatile soils and rural landscape and character.
- Continue the current approach of the Operative District Plan to reverse sensitivity impacts (physical separation requirements, industry codes supported).
- Retention of the Operative District Plan provisions for Rural Marae Community Zones.
- Provide for Papakainga as a specified use, to be tested on a case by case basis via a resource consent.

Meeting: Strategy and Policy Committee – 3 March 2009

Issues Discussed:

- Draft Rural Chapter and key changes proposed as part of the review.

Key Changes

- The permitted activity status for 2 houses as of right on a rural lot removed. Provision made for a small secondary dwelling unit for workers accommodation or dependent family. All other 2nd dwellings to be discretionary activities with assessment criteria relating to the need for additional housing in relation to the rural production uses on the site, potential impacts on productive use of the rest of the site and surrounding sites and potential impacts on the low density rural amenity and character.
- Subdivision not meeting the Controlled Activity standards to be a Discretionary Activity.
- Home based businesses not meeting the permitted activity standards to become Non-complying Activities and education activities and health centres to become Discretionary Activities in line with the direction set through PC 48.
- Rural Marae Community Zones: adjustments to be made to provide for up to 30 houses as a Controlled Activity (previously Limited Discretionary Activity). The zone relating to Ngati Hangarau to be adjusted to provide for up to 50 houses as a Controlled Activity. Provisions at Hungahungatoroa Marae and Waikari Marae in Matapihi be amended to 50 houses as a Controlled Activity reflecting the outcomes of the Matapihi Land Use Study. Update the extent of these zones to reflect the Matapihi Land Use Study.

Summary of other changes/new content/ and purpose of these changes

- Incorporation of the Greenbelt Zone provisions as confirmed through Plan Change 47 into the Draft Plan.
- Existing objectives and policies amended or amalgamated where possible whilst maintaining and clarifying their intent.
- New objectives and policies introduced to reflect new rules, new direction or address existing weak points e.g. New Objectives and Policies relating to the management of rural lands identified for urban growth post 2021 and non residential activities in the Rural and Greenbelt Zone
- New Assessment criteria introduced to guide decision making in relation to activities not meeting Permitted Activity conditions and Discretionary Activities.
- Addition of recreational and community facilities to the Rural Marae Community Zone Activities listing.
- Provisions to provide for maintenance of the stormwater network in the Greenbelt Zone as a Permitted Activity.

Meeting Outcomes:

- Draft Chapter to be released for public comment.

Meeting: Strategy and Policy Committee – 7 July 2009

Issues Discussed:

- Public Feedback to Draft Chapter.
(Feedback in relation to the draft papakainga provisions was discussed at meeting of the 5 August 2009, see below).

Meeting Outcomes:

- Amend Draft Plan to provide for 50 independent dwelling units as a Permitted Activity in the Rural Marae Community Zones at Hungahungatoroa Marae and Waikari Marae, Matapihi
- Amend Plan to clarify that only one education facility/school of up to 50 students is a Permitted Activity in the Rural Marae Community Zone, with subsequent or oversized facilities being a Discretionary Activity

Meeting: Strategy and Policy Committee – 5 August 2009

Issues Discussed:

- Public Feedback to draft papakainga provisions and proposed responses.

Key Changes

- Retention of two independent dwelling units on a Multiple Owned Maori Land parcel as a Permitted Activity, notwithstanding the removal of this opportunity for general rural land.
- Provision for 3-10 independent dwelling units and one community facility building as a Controlled Activity (currently up to 4 as a Limited Discretionary Activity, 5 or more being a Discretionary Activity).
- Provision for up to 30 independent dwelling units and non residential activities associated with a papakainga development as a Restricted Discretionary Activity (currently 5 or more being a Discretionary Activity).
- Provision for 31 plus being a Non-Complying Activity (currently a Discretionary Activity).
- An Outline Development Plan covering all aspects of the development including location of buildings, servicing, and other uses on the property required as part of all papakainga consents.
- Conditions may be imposed to address impacts on rural productive activities on and off the site.
- Conditions may be imposed to address impacts on the rural character and amenity of surrounding properties.
- Non residential activities ancillary to the overall development provided for on a limited basis for Controlled Activities (home based businesses and a communal residential facility), and on a Restricted Discretionary basis for larger developments.
- Amendment of the title for a “Papakainga Site Plan” to “Outline Development Plan”.
- Requirement for a 2,000m² average site area per independent dwelling unit in a papakainga development.
- Provision for 2 independent dwelling units per Multiple Owned Maori Land parcel as a permitted activity in the Matapihi Peninsula.
- Undertake traffic modelling work in relation to the potential adverse traffic impacts of the proposed provisions.

- Develop an Appendix for insertion into the Draft Plan documenting the interaction between the Maori Land Court and Council processes in the development of papakainga.

Meeting Outcomes:

- Amended Papakainga provisions endorsed for inclusion in the Proposed City Plan.

3.4 Relevant Legislation, Strategies and Policy

3.4.1 Resource Management Act 1991 (RMA)

The purpose of the RMA is to promote the sustainable management of natural and physical resources for current and future generations in a way that enables people and communities to provide for their social, economic and cultural wellbeing while supporting ecosystems and the air, water and soil systems of which they may be a part. In addition the effects of the use of resources are also to be managed (adverse effects of activities to be avoided, remedied or mitigated).

In carrying out its RMA duties, including the review of a District Plan, Council is required to recognise and provide for:

- the natural character of the coastal environment, wetlands and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development. (section 6a),
- the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga (section 6e);

and have particular regard to:

- Kaitiakitanga (section 7(a))
- The efficient use and development of natural and physical resources (section 7(b))
- The maintenance and enhancement of amenity values(section 7(c))
- Intrinsic values of ecosystems(section 7(d))
- Maintenance and enhancement of the quality of the environment(section 7(f))
- Any finite characteristics of natural and physical resources (section 7(g))

In addition in achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi. (Sec 8 Treaty of Waitangi).

Within the City's Rural Zones are found some of the Bay of Plenty's most versatile/productive soils which form part of a valuable resource for primary production and the wider economy of the Bay of Plenty. The management of this resource is in accordance with the Council's duties under the RMA in relation to the overall purpose of the Act being

the promotion of sustainable management of natural and physical resources in a way that enables social and economic wellbeing within the community. As part of this policy approach particular regard also needs to be had to the finite nature of the resource (section 7(g)).

The Rural Zones also provide an open, rural backdrop to the City and this landscape has been recognised as being important to the City's overall amenity. Maintenance of this resource is in accordance with the Council's duties, in carrying out its policy making function, to have regard to the maintenance and enhancement of amenity values (section 7(c)) and the maintenance and enhancement of the quality of the environment (section 7(f)).

The Greenbelt Zone also plays a role in stormwater management in the City in a way that seeks to support ecosystems and water and soil systems. The zone also provides for the protection of ecosystems (section 7(d)) and ecological features.

A large portion of the City's rural land is held in multiple ownership under the Te Ture Whenua Act 1993. There is a desire by tangata whenua to utilise this land to provide more housing opportunities for their people through papakainga. Under the RMA Council is required to recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga (section 6e) and have regard particular regard to kaitiakitanga (section 7(a)).

3.4.2 New Zealand Coastal Policy Statement

The New Zealand Coastal Policy Statement (NZCPS) is the only mandatory National Policy Statement under the RMA. The NZCPS's purpose is to state policies to achieve the purpose of the RMA - to promote the sustainable management of natural and physical resources – in relation to the coastal environment of New Zealand. Local authorities must give effect to the NZCPS through their plans and policy statements. Some of the City's rural lands adjoin the coast. The NZCPS requires that Council consider what form of subdivision, use and development would be appropriate in the coastal environment. The Proposed New Zealand Coastal Policy Statement 2008, (which has no legal weight in the consideration, nor development of the Proposed Plan) continues this requirement.

Within this Proposed Plan these matters are addressed within the Natural Features and Landscapes Chapter which applies additional provisions to some parts of the City covered by the Rural Zone. (Refer to Section 32 – Chapter 6 Natural Features and Landscapes).

3.4.3 Regional Policy Statement

Under the RMA a District Plan must give effect to a Regional Policy Statement or changes to a Regional Policy Statement.

The Bay of Plenty Regional Policy Statement (RPS) promotes the sustainable management of the Bay of Plenty Region's natural and physical resources and identifies the resource management issues facing the region and the objectives, policies and methods to achieve the integrated management of these resources across the Bay of Plenty. The contents of the RPS are therefore very broad in scope and contain a number of provisions that are broadly relevant to the Council's policy approach to the Rural Zone.

Chapter 6 Land of the RPS is concerned with the land resource of the Region and identifies resource management issues related to this resource. The issues of relevance to the Rural Zones are as follows:

- “The conflict between the productive use of land and its possible adverse effects.
- Land use and management practices can adversely affect natural character and indigenous ecosystems.
- High quality land may be adversely affected by urban expansion and subdivisions.
- The need to enable the productive use and safe guard the life-supporting capacity of the region’s soils.
- The natural values of riparian areas are threatened by inappropriate land uses and development.
- Inappropriate riparian management adversely affects water quality, intrinsic and heritage values and natural character.
- Inappropriate land management practices and development can easily destroy or impair the values and functioning of the few remaining wetlands.”

The RPS seeks to address these issues through management of the land resources to meet the requirements of section 5 of the RMA and in particular through encouraging the inclusion of provisions within District Plans to protect and maintain the productive land resource and its use for production and for provisions around the protection of wetlands and riparian margins. In addition the RPS seeks the integrated management of natural and physical resources across council boundaries and a consistency of approach to significant resource management issue. As documented in section 3.1 of this report the provisions of the Proposed Plan have been developed to ensure general consistency with the provisions of the Western Bay of Plenty in relation to their Rural Zones.

Chapter 7 Air identifies the discharge of agrichemicals as a resource management issue to be addressed and identifies working with the codes of the various industries to address the potential adverse effects of such activities. The Proposed Plan gives effect to the RPS by incorporating such an approach into its rural and rural residential provisions.

Chapter 8 Water identifies the potential adverse impacts of land use activities on water quality and seeks to encourage District Councils to provide in their District Plans for the protection of riparian margins etc. The Proposed Plan gives effect to the RPS by incorporating provisions in relation to the protection of such margins and wetlands through the Natural Character Chapter and through rules in each of the Plan’s zones in relation to development in such areas.

Chapter 13 Physical Resources/Built Environment identifies the potential adverse impacts urban expansion can have in terms of competition for the use of land.

This issue is further addressed through Plan Change No 2 Growth Management to the RPS. Plan Change No 2 has 3 main aims:

- to clearly identify areas for urban growth
- to protect versatile soils outside these limits and promote their productive use
- to assist the development of Multiple Owned Maori Land

The most relevant policies and objectives of this Plan Change to the development approach to the City's rural land resource are as follows:

“Objectives and Policies

17A.3.1 Growth Sequencing and Integration

17A.3.1(a) Objective

Subdivision, use and development are sequenced in a way that integrates with the long-term planning and funding mechanisms of local authorities, central government agencies, and network utility providers and operators.

17A.3.1(b) Policies

17A.3.1(b)(i) Except as provided for in 17A.3.1(b)(ii) and 17A.3.2(b)(iii), Urban Activities shall not be developed, or be permitted to be developed, outside the Urban Limits shown on maps 13–222.

17A.3.1(b)(ii) Outside the Urban Limits shown on maps 13–22, Papakainga including marae based housing shall be provided for as long as development is in accordance with a Structure Plan approved by the relevant territorial authority.

17A.3.2 Rural Development

17A.3.2(a) Objective

The potential of Versatile Soils in the rural environment is sustained for future generations.

17A.3.2(b) Policies

17A.3.2(b)(i) Subdivision, use and development shall not result in Versatile Soils outside Urban Limits being used for Non-productive Purposes ...

17A.3.2(b)(iv) Local authorities shall promote the sustainable management of Versatile Soils for Rural Production Activities.

17A.3.2(b)(v) In providing for Rural Lifestyle Activities outside the Urban Limits local authorities shall ensure that the potential of Versatile Soils is not compromised.

17A.3.2(b)(vi) Territorial authorities shall ensure that subdivision, use and development does not compromise or result in reverse sensitivity effects on Rural Production Activities and the operation of infrastructure located beyond the Urban Limits.

17A.3.3 The Development of Multiple-owned Maori Land

17A.3.3(a) Objective

Multiple-owned Maori land [land in multiple ownership under Te Ture Wheuna Maori Land Act 1993] is developed and used in a manner that enables Maori to provide for their social, economic and cultural well-being and their health and safety, while maintaining and enhancing the quality of the environment and safeguarding its mauri.

17A.3.3(b) Policies

17A.3.3(b)(i) Local authorities shall recognise and provide for the sustainable development of Maori land.

17A.3.3(b)(ii) Local authorities shall enable Maori to develop Marae and associated communities or housing and, where necessary, shall actively protect these and associated customary activities from the adverse effects of subdivision, use and development, in the vicinity of a marae.

The major mechanism the RPS change uses to achieve these aims is the setting of urban limit lines for urban development. Outside of these limits urban activities are not to be developed and productive uses become the dominant land use.

The Council is required to give effect to the RPS and will need to develop its policy approach in accordance with this direction,

On relation to the development of Multiple Owned Maori Land the RPS clearly directs that papakainga are to be provided for (subject to a structure plan to be approved by Council) and marae development is to be enabled.

As part of the Proposed Plan development consideration has been given how this policy direction will be given effect to.

3.4.4 Bay of Plenty Regional Water and Land Plan 2008, Regional Coastal Plan

Council is required to have regard to Regional Plans in preparing its Proposed Plan.

The Bay of Plenty Regional Water and Land Plan 2008 (Water and Land Plan) addresses issues relating to the management of the environmental effects of the use and development of land, water and geothermal resources within the Bay of Plenty Region.

The focus of the Water and Land Plan is on meeting the purposes and principles of the RMA in relation to regional council functions and responsibilities in relation to soil conservation, water quality and allocation and the use of geothermal resources. The rural provisions in the Proposed Plan are not inconsistent with this.

The Regional Coastal Plan identifies the need to consider the impacts on the subdivision, use and development in coastal environment in relation to its natural character. Within this Proposed Plan these matters are addressed within the Natural Features and Landscapes Chapter which applies additional provisions to some parts of the City covered by the Rural Zone. (Refer to Section 32 – Chapter 6 Natural Features and Landscapes).

3.4.5 SmartGrowth

SmartGrowth (2007) is the 50 year growth management Strategy and Implementation Plan for the Western Bay of Plenty Sub-Region to which the Tauranga City Council is a party along with the Western Bay of Plenty District Council and the Bay of Plenty Regional Council.

SmartGrowth identified the need to plan ahead to provide for growth in the subregion but also recognised that there were competing demands to be balanced such as the need to

ensure the versatile soils of the sub region were protected for production purposes and the ongoing economic and social wellbeing of the community.

A key action of the SmartGrowth Strategy was the development of a Sub-regional Settlement Pattern which included the consideration of the protection of natural resources e.g. versatile soils. This Settlement pattern is being implemented through Plan Change No 2 to the RPS as outlined above. Under SmartGrowth and Plan Change No 2 it is recognised that some rural lands will be required for future urban growth of the City but that this should be limited in extent and staged in development and that development which could hamper redevelopment be avoided in the interim. The resultant policy approach is the requirement for District Plans to maintain policy and rules for areas within the Urban Limit Line that are currently zoned Rural, to avoid subdivision and development that may hinder efficient development in the future (Action 7.2.2.1.8).

Another set of key actions in SmartGrowth relevant to consideration of the City's approach to the Rural Zones is in relation to the development of papakainga housing on Multiple Owned Maori Land.

Action 7.2.8.3 A study into the development of Maori Land for housing and a toolkit for hapu iwi to utilise in planning papakainga housing is underway under SmartGrowth

Action 7.2.8 .5 Develop appropriate policy and rules to enable the outcomes of action 7.2.8.3 (see above) to be implemented and thereby support the development of Multiple Owned Maori Land.

Action 7.2.13.2 Increase housing supply through ... (b) Supporting development of Maori Land.

SmartGrowth also recognises the amenity values of rural landscapes both through the development of a settlement pattern that takes into account the landscapes, natural features and marae sightlines in the sub-region and through the monitoring and review of District Plan policies and rules on the rural character of the countryside (Action 7.2.6.4).

3.4.6 Tauranga Tomorrow

Tauranga Tomorrow is the City's Community Outcomes documentation as required by the Local Government Act 2002. Actions in Tauranga Tomorrow relevant to the development of the Plan's Rural Zones are as follows:

B4 Develop more specific land use zones that match particular landscape settings, such as near the coast and harbour and along ridgelines.

In developing the Rural Zones provisions additional controls would need to be considered in relation to development in areas of landscape importance to address any potential adverse visual impacts of development.

3.4.7 Western Bay of Plenty District Operative and Proposed Plans

The Operative Western Bay of Plenty District Plan identifies the on going pressure on the finite rural land resource and its use for primary production purposes of rural residential lifestyle and other activities not based on primary production as well as the adverse impacts on rural character and amenity. The desire of Maori to live on their lands is also noted.

The Proposed Western Bay of Plenty District Plan identifies the importance of rural primary production to the economic wealth of the District and identifies the threat to the sustainability of finite rural land resource for productive uses through fragmentation of rural lands into smaller lots predominantly for lifestyle purposes. The gradual loss of rural character and amenity through this process is also identified as is the issue of reverse sensitivity conflicts at the interface between rural and non rural activities such as rural residential activity. Use of rural land for commercial or industrial operations and the adverse impacts of this on the finite rural land resource, reverse sensitivity effects and the sustainability of industrial and commercial zones is also noted as a resource management issue.

These resource management issues mirror the resource management issues facing the City in relation to its rural land resource. The Proposed Western Bay of Plenty District Plan seeks to address these issues through zoning of areas for primary production, restricting subdivision in areas that have high productive potential for primary production, the channelling of rural residential development to land of limited productive potential and restricting the establishment of non rural activities in rural zones.

The desire of Maori to live on their ancestral lands is recognised as a resource management issue to be addressed through provisions for the establishment of papakainga in Rural Zones.

Also identified is the need to manage rural land identified in the Bay of Plenty Regional Policy Statement as being required for future urban development in a manner which retains its potential to be used for a range of productive rural purposes and preserves all options relating to its efficient development for future urban purposes. This is proposed to be achieved through the staged release of land for urban purposes (subject to a structure plan development) and the retention of the land for rural purposes until urban development occurs.

The Rural Zones of the city mostly adjoin the Rural Zones of the District and a cross boundary consistency between the two Plans is desirable for effective and efficient resource management.

3.4.8 Iwi Authority Planning Documents

Three iwi planning documents have been lodged with Council, the Ngaterangi Iwi Resource Management Plan (Te Runanga O Ngaterangi, 1995), Ngati Ranginui Vision 2020 (Ngati Ranginui Iwi (mid 1990s), He matakite (Vision 2020, Ngati Pukenga, mid 1990s).

All three iwi identify the pressures placed on their respective Maori Land holdings by urban growth demand for low density residential purposes and their concern to retain these lands in Maori ownership and a desire for a zoning of these lands under the District Plan that will avoid this pressure into the future.

Ngaterangi identify that they wish to utilise their lands for productive activities, low density housing and cottage industry and lands within their marae for traditional marae activities and medium /high density housing. Individual hapu Ngai Tukairangi, Ngati Tapu, Nga Potiki and Ngati He indicate that they believe that this could best be achieved through a special rural zoning for Maori Lands and for marae to allow for such development while avoiding pressures for urban development that a residential zoning would bring.

Ngati Ranginui Iwi also identify a desire for papakainga and marae based settlement.

3.4.9 Matapihi LandUse Plan

The Matapihi Landuse Plan is the result of a planning exercise carried out by Council and the Matapihi Community to identify the future land use desired for the Matapihi peninsula.

The two key messages that the Matapihi community gave Council through various hui and workshops through the development of the Matapihi Landuse Plan were:

- The rules that govern new housing options at Matapihi are too constraining;
- Matapihi must keep its rural character.

Through the development of this Landuse Plan concern was raised about the nature, scale and intensity of housing development driven by subdivision and hapu partitioning as well as associated population growth. Ad hoc housing development and population growth was widely seen by residents as threatening their quality of life by compromising the rural character of Matapihi, adversely affecting the environment and landscape.

The outcome of the Landuse Plan was that Council would initiate as part of this Plan Review the following changes to the current Plan provisions:

- Provide for the development of 50 houses as a permitted activity in the Rural Marae Community Zones at Hungahungatoroa and Waikari Marae.
- The rest of the peninsula to remain in Rural Zoning with provision made for three specific areas, identified as part of the development of the Landuse Plan, for papakainga development to occur.

4. ISSUES

4.1 Summary of Issues

- **Sustainable management of the Rural Land resource**

The use of the City's finite rural land resource is subject to competing demands to provide for primary production activity; to provide for the future urban growth of the city; as a development resource for tangata whenua; and as a way to ensure the protection and continuing functioning of ecosystems and the maintenance of the amenity and quality of the city's overall environment.

- **Management of rural lands identified within the Urban Limits in the RPS**

Establishment of ad hoc "residential type" allotments and land uses on land identified for the future urban growth of the City can adversely affect the efficient, effective and financially sustainable redevelopment of that land for urban use.

- **Fragmentation of Rural Land Resource**

Intensification of subdivision, use and development and in particular pressure for rural residential or residential use in the City's rural areas can adversely impact on current and future primary production activities and opportunities.

- **Maintenance and Enhancement of Rural Character and Amenity**

Intensification of subdivision, use and development and in particular pressure for rural residential or residential use in the City's rural area can adversely impact on rural landscape character and amenity.

- **Reverse sensitivity conflicts**

Non rural activities, such as rural residential activities, moving into or next to Rural Zones can lead to pressure from new residents to constrain legitimate rural production practices and place controls on rural activities e.g. noise from farm machinery, odour, spray applications etc.

- **Provision for housing on Multiple Owned Maori Land**

Provision for papakainga on rurally zoned Multiple Owned Maori Land will provide for the social, cultural and economic wellbeing of tangata whenua. The development of papakainga however could have potentially adverse effects on the use of the rural land resource for primary production, lead to reverse sensitivity conflicts and adverse impacts on rural character and amenity.

- **Maintenance and Enhancement of the Greenbelt Zone**

Land use and development within the Greenbelt Zone has the potential to adversely impact on the effective and efficient management of the City's stormwater network, maintenance of green corridor linkages within the City, natural character, ecological and or heritage values and visual separation between developed areas.

- **Provision for Rural Marae**

Rural marae provide for both marae activities and for associated housing. Development within the marae however could have potentially adverse effects on the use of rural land resource for primary production, lead to reverse sensitivity conflicts and adverse impacts on rural character and amenity.

4.2 Issue 1: Sustainable management of the Rural Land resource

The use of the City's finite rural land resource is subject to competing demands to provide for primary production activity; to provide for the future urban growth of the city; as a development resource for tangata whenua; and as a way to ensure the protection and continuing functioning of ecosystems and the maintenance of the amenity and quality of the city's overall environment.

Issue Statement

Within the City's Rural Zones are found some of the Bay of Plenty's most versatile/productive soils which form part of a valuable resource for primary production and the wider economy of the Bay of Plenty. The sustainable management of the rural land resource is dependent on these rural areas continuing to be available for primary production activities and in sufficient parcel sizes to ensure that productive use can be made of the land. The background research undertaken in relation to subdivision in the Rural Zones indicates that the fragmentation of rural land for non production purposes such as "rural

residential development” is occurring. The fragmentation of rural land parcels was also identified by stakeholders in the rural sector such as Federated Farmers.

Parts of the Rural Zone have been identified through the Bay of Plenty Regional Policy Statement as future urban growth areas. Ad hoc or premature development of these areas has the potential to adversely impact on the effective and efficient redevelopment of the land for urban purposes.

Much of the City’s rural land resource is Multiple Owned Maori Land and is not only an economic resource for tangata whenua but is also a physical resource for housing. There is the potential for these dual roles to adversely impact on the sustainable management of the resource.

The Rural Zones also contribute to the City’s amenity and the quality of the City’s environment. The Greenbelt Zone in particular contributes to the amenity of the City through its role in the City’s stormwater network which in part protects the natural drainage system and the functioning of related ecosystems and contributes to a green, open space network within the City. Suburban and urban style development would adversely impact on this role of the rural land resource.

The management of this resource is in accordance with the Council’s duties under the RMA in relation to the overall purpose of the Act being the promotion of sustainable management of natural and physical resources in a way that enables social and economic wellbeing within the community. As part of this policy approach particular regard also needs to be had to the finite nature of the resource (section 7(g)).

The Bay of Plenty Regional Policy statement (RPS), to which Council’s City Plan must give effect clearly identifies that urban activities shall not be developed or permitted outside of the Urban Limits identified within the RPS. Much of the City’s rural land is outside of these limits.

4.2.1 Objective

This table identifies the appropriateness of the listed objective in achieving the purpose of the RMA.

Objective Number	Objective	Appropriateness
16.2.1.1	<p>Objective – Sustainable Management of the Rural Land Resource</p> <p>The City’s rural land resource provides for predominately primary production activities, low density residential activity ancillary to those activities and papakainga development compatible with the maintenance and enhancement of an open, vegetated, rural character and amenity.</p>	<p>In relation to Part II of the RMA and in particular the purpose of the Act this objective is relevant in that it supports the key elements of sustainable management of natural and physical resources. The objective seeks to sustain the potential of the rural land resource to meet the foreseeable needs of future generations as well as safeguard the life supporting capacity of soils.</p> <p>The objective also ensures the efficient use and development of natural and physical resources</p>

Objective Number	Objective	Appropriateness
		<p>(section 7(b)), the maintenance and enhancement of amenity values (section 7(c)), the maintenance and enhancement of the quality of the environment (section 7(f)) and has regard to finite characteristics of natural and physical resources (section 7(g)).</p> <p>In the case of Multiple Owned Maori Land this is balanced with the need to provide for housing on Multiple Owned Maori Land within the City most of which is within the Rural Zone. This accords with the requirement under section 6 RMA for Council to recognise and provide for:</p> <p>(e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.</p> <p>And under section 7 RMA for Council to have particular regard to;</p> <p>(a) Kaitiakitanga</p> <p>And the requirement under section 8 RMA for persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, to take into account the principles of the Treaty of Waitangi.</p> <p>The objective is useful because it provides clarity over the long term use of the land resource by setting out the key roles of the rural land resource and is achievable over the long term as it sets these roles out clearly for decision makers and landowners/residents in the City's Rural Zones.</p> <p>The objective is reasonable as it provides development opportunities on the land provided that they are compatible with the sustainable management of the rural land resource.</p>

4.2.2 Policies, Methods and EREs

Objective 16.2.1.1 is addressed through Policy 16.2.1.1.1 Sustainable Management of the Rural Land Resource.

The policy sets out that the objective will be achieved by a distribution of rural zonings that are consistent with the growth management policies of the Bay of Plenty Regional Policy Statement; retains the potential for the rural land resource to be used predominantly for primary production activities; provide opportunities for papakainga development on rural Multiple Owned Maori Land; and avoid potential adverse development impacts on the open, vegetated rural character.

The policy is achieved through:

- the method of zoning areas Rural, Rural Marae Community, Future Urban and Greenbelt and providing for additional specific policy direction in relation to the use, development and subdivision within these Zones according to each Zone's specific characteristics and purposes.

Proposed Policies and Methods	Areas of the rural land resource are zoned Rural, Rural Marae Community, Future Urban or Greenbelt depending on the nature of the land and its anticipated use under the RPS. Each has additional specific policy direction in relation to the use, development and subdivision provided for according to each Zone's additional characteristics and purposes.
Costs	May potentially impact on some rural landowners individual land use plans.
Benefits	Aligns with the urban limits approach in the RPS. Continuation of productive use of the rural land resource. Opportunities for papakainga on Multiple Owned Maori Land – social, economic and cultural benefits for tangata whenua. Provides clarity for market and landowners about the types of development anticipated in the Rural Zones. Clear statement of the amenity and environmental role played by Rural Zones within the City and the anticipated continuance of that role.
Risk	The risk of not acting is that the rural land resource will continue to be fragmented and that pressure for “non-rural” uses on these lands will continue with adverse impacts on the continuing use of the land for primary production activities and on the rural character and amenity of the zones. This outcome would not give effect to the RPS. The risk of not acting is therefore high.
Efficiency	The costs of the policy approach are outweighed by the benefits. The policy is efficient.

Effectiveness	The policy will be implemented primarily through zoning and by rules designed to provide for productive use of rural lands as the predominant use in the zones. This approach will be effective in that it clearly defines the purpose and uses provided for in each of the Rural Zones for decisions makers, investors and residents.
Appropriateness	The policy is both effective and efficient and addresses a high risk issue. The policy is considered appropriate.

Alternative 1 – Retain existing Operative Plan Provisions	Retain current zones and extent of zones e.g. Rural, Greenbelt, Rural Marae Community and Future Urban (Wairakei only). General Objectives and Policy relating to Rural Amenity, Future Urban, Greenbelt and Marae Community Zones.
Costs	Does not align clearly with the urban limits approach in the RPS. Does not fully address ongoing productive use of the rural land resource. Limited opportunities for papakainga on Multiple Owned Maori Land and no specific policy statement that this is an expected use on Multiple Owned Maori Land. Provides limited policy direction in relation to the redevelopment of land for urban uses. Does not reflect the detailed approach required by the RPS.
Benefits	Does provide policy direction in relation to the amenity and environmental role played by Rural Zones within the City and the anticipated continuance of that role.
Risk	The current objectives and policies for the Rural Zone are not aligned with the RPS. Council's Plan has to give effective to the RPS; therefore the risk of not acting is high.
Efficiency	The benefits of the current provision are outweighed by the significant costs of not aligning with the RPS and this option is not efficient.
Effectiveness	The option is ineffective as it does not address the RPS.
Appropriateness	This alternative is not appropriate in terms of Council's duties under the RMA to give effective to the RPS.

For the proposed policies and methods, the following EREs are anticipated:

- Productive land outside the Urban Limits of the RPS retained for primary production.
- Productive land is retained in parcels of a size that supports primary production use.

- Decrease in “Rural Residential” type subdivision and development in the Rural Zones.
- The establishment of papakainga on Multiple Owned Maori Land.

4.2.3 Monitoring Proposed Plan Provisions

ERE	Indicator	Evaluation of Plan Effectiveness
Productive land outside the Urban Limits of the RPS retained for primary production.	SmartGrowth Development Trends, undertaken yearly.	Will evaluate how effective the Objective and Policies have been. Analysis of grant of, and reasons for grant of, consents in the Rural Zones for other activities will identify deficiencies in policy approach.
Productive land is retained in parcels of a size that supports primary production use.	SmartGrowth Development Trends, undertaken yearly.	Will evaluate how effective the Objective and Policies have been. Analysis of grant of, and reasons for grant of, consents in the Rural Zones for over dense development will identify deficiencies in policy approach.
Decrease in “Rural Residential” type subdivision and development in the Rural Zones.	Decrease in number of rural residential type development applied for in the Rural Zones - Numbers of resource consents applied for and granted for rural residential type development, in what zones and why.	Will evaluate how effective the Objective and Policies have been. Analysis of grant of, and reasons for grant of, consents in the Rural Zones will identify deficiencies in policy approach.
The establishment of papakainga on Multiple Owned Maori Land.	Numbers of resource consents applied for and granted for papakainga.	Will evaluate how effective proposed provisions for papakainga are in terms of numbers of papakainga established. Analysis of grant of, and reasons for grant of, consents will identify deficiencies in policy approach.

4.3 Issue 2: Rural Zoned lands within the Urban Limits line identified by the RPS.

Establishment of ad hoc “residential type” allotments and land uses on land identified for the future urban growth of the City can adversely affect the efficient, effective and financially sustainable redevelopment of that land for urban use.

Issue Statement

Some areas currently zoned Rural have been identified through Plan Change No 2 to the Regional Policy Statement as being areas within the future urban limits. As the City grows some of these areas will be needed for urban development. The extent of these areas and the staging of their development is prescribed by the Bay of Plenty Regional Policy Statement to which Council's District Plan must give effect. These areas will not be available for urban purposes until a comprehensive rezoning and structure plan process has been undertaken in accordance with the RPS. The management of these lands in the interim is crucial to facilitate more effective and efficient urban development.

Before such rezoning takes place there may be pressure to subdivide up into smaller "rural residential" or "residential type" allotments and land uses on the basis "that the land will be residential in the future anyway," and lead to pressure for urban development ahead of the planned staging and infrastructure development as set out in the RPS.

In addition when the date for redevelopment is reached previous ad hoc "rural residential" or "residential" development is highly likely to adversely impact on the redevelopment of land into urban residential areas due to the difficulty of ensuring efficient and effective urban redevelopment including the cost of providing urban services and infrastructure around existing development.

This issue is identified in SmartGrowth and the RPS as a significant resource management issue to address.

This issue is directly relevant to Council duties under the purpose of the RMA to provide for the sustainable management of the City's natural and physical resources and to give effect through the Plan to the RPS.

4.3.1 Objective

This table identifies the appropriateness of the listed objective in achieving the purpose of the RMA.

Objective Number	Objective	Appropriateness
16.2.1.1	<p>Objective – Interim use of Urban Growth Areas Managing rural land identified in the Bay of Plenty Regional Policy Statement as being required for a growth area in a manner which:</p> <p>(a) Retains its interim potential to be used for a range of primary production activities;</p> <p>(b) Preserves all options relating to its efficient and orderly development for urban purposes into the future.</p>	<p>In relation to Part II of the RMA and in particular the purpose of the Act this objective is relevant in that it supports the key elements of sustainable management of natural and physical resources. The objective seeks to sustain the potential of the land resource to meet the foreseeable needs of future generations as well as safeguard the life supporting capacity of soils.</p> <p>The objective also ensures the efficient use and development of natural and physical resources (section 7(b)), the maintenance and enhancement of amenity values (section 7(c)), the</p>

Objective Number	Objective	Appropriateness
		<p data-bbox="945 241 1377 401">maintenance and enhancement of the quality of the environment (section 7(f)) and has regard to finite characteristics of natural and physical resources (section 7(g)).</p> <p data-bbox="945 432 1377 743">The objective also gives effect to the Bay of Plenty Regional Policy Statement that identifies specific rural areas in the City for future potential urban development. This objective seeks to highlight the need to only allow development that will not compromise the ability of these areas to be urbanised and serviced in the future.</p> <p data-bbox="945 779 1377 1058">The objective is useful because it provides clarity over the long term use of the land resource by setting out the key roles of the rural land resource and is achievable over the long term as it sets these roles out clearly for decision makers and landowners/residents in the City's Rural Zones.</p> <p data-bbox="945 1094 1377 1312">The objective is reasonable as it provides development opportunities on the land provided that they are compatible with the sustainable management of the rural land resource for current and future generations.</p>

4.3.2 Policies, Methods and EREs

Objective 16.2.1.2 is addressed through Policy 16.2.1.2.1 Interim Management and Use of Identified Growth Areas, Policy 16.2.1.2.2 Interim Management and Use of Te Tumu Future Urban Zone and Policy 16.2.1.2.3 Interim Management and Use of the Wairakei Future Urban Zone.

Policy 16.2.1.2.1 Interim Management and Use of Identified Growth Areas relates to those urban growth areas are to be developed for urban growth in the long term (post 2021). The policy sets out that primary production activities will remain the predominant activities in these areas and interim land use and subdivision in these areas will be managed to ensure that activities not connected with rural production and that may constraint or compromise future urban development are established. The policy is also clear that rezoning will only occur after a comprehensive rezoning and structure plan process has been undertaken in accordance with the RPS.

This policy is achieved through:

- The retention of rural zoning on lands not required for urban growth till post 2021.
- Primary production and ancillary activities remaining the predominant use in these areas.
- Controls on other land uses and subdivision in this area to ensure that the land resource is not fragmented by subdivision or non-rural developments that may constrain or compromise future urban development options.
- Urban development only occurring after a comprehensive rezoning and structure plan process has been undertaken in accordance with the RPS.

Proposed Policies and Methods	<p>Rural zoning retained with clear policy statement that land will not be rezoned for urban uses till after the completion of structure planning process.</p> <p>Primary production remains the predominant activity.</p> <p>Land use and subdivision controls for all other landuses.</p>
Costs	<p>Longer time frame for recouping investment based on future zoning of the land.</p> <p>Some potential for reduction in investments in primary production activities on the land in the interim.</p> <p>May still be pressure for premature development with implications for infrastructure development and funding.</p>
Benefits	<p>Continuation of rural uses.</p> <p>Provides clarity for market and landowners about the timeframes and process to be completed before redevelopment.</p> <p>Relatively less pressure for premature development.</p> <p>Aligns with the urban limits approach in the RPS.</p> <p>Provides a clear time frame for Council in relation to structure planning and funding of infrastructure in the area.</p>
Risk	<p>The policy is based on the timeframe set out in the RPS. There is no risk due to insufficient information.</p>
Efficiency	<p>The benefits of a clear policy approach to the interim use of future urban growth areas of the City outweigh the costs which given that these are long term urban growth areas (post 2021) and there is an ability to continue with existing permitted activities in the interim are low.</p>
Effectiveness	<p>The policy will be implemented primarily through zoning and by rules designed to provide for productive use of rural lands as the predominant use in these areas. This approach will be effective in that it clearly identifies the interim management and use of these long term growth areas for decisions makers, investors and residents and is directly relevant to the achievement of the objective to which it relates.</p>

Appropriateness	The proposed approach is efficient and effective and is the most appropriate in terms of Councils RMA duties.
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Alternative 1 – Status Quo retain the current Operative Plan provisions.	Retain Rural zoning, Objective, Policies and Rules
Costs	<p>Does not explicitly address the RPS growth management objectives and policies.</p> <p>Does not provide clarity and certainty for market and landowners about the timeframes or process for redevelopment. Potential pressure for development ahead of the timeframes set out in the RPS with implications for infrastructure staging, development and funding.</p> <p>Longer time frame for recouping investment based on future zoning of the land.</p> <p>Some potential for reduction in investments in primary production activities on the land in the interim despite the lag time (post 2021) for urban redevelopment – loss of potential economic and social benefits.</p>
Benefits	<p>Relatively simple.</p> <p>Continuation of rural uses.</p> <p>Potentially less pressure for premature development.</p> <p>Partially aligns with the urban limits approach in the RPS.</p>
Risk	The timeframe for redevelopment of these areas is clearly set in the RPS. Failure to explicitly set out the interim approach and long term timeframe for these areas is a high risk for successful implementation of urban redevelopment in the staged manner set out in the RPS.
Efficiency	The costs of not setting explicit policy in relation to these long term urban growth areas outweighs the benefits of a status quo approach.
Effectiveness	This policy approach is unlikely to be effective in supporting a managed staged approach to long term urban growth areas as it does not identify that the short term and medium term urban growth areas are to be developed first and pressure for redevelopment ahead of the RPS timeframe is highly likely.
Appropriateness	The approach is not an efficient or effective way to achieve the objective in terms of the overall strategic approach to the City's urban growth areas.

Policy 16.2.1.2.2 Interim Management and Use of Te Tumu Future Urban Zone relates to the interim use and management of land which is required for urban growth in the medium term (before 2021) as set out in the RPS. The policy is achieved through:

- Primary production and ancillary activities remaining the interim predominant use in this Future Urban Zone.
- Controls on other land uses and subdivision in this area to ensure that the land resource is not fragmented by subdivision or non-rural developments that may constrain or compromise future urban development options.
- Urban development only occurring after a comprehensive rezoning and structure plan process has been undertaken in accordance with the RPS.

Proposed Policies and Methods	<p>Rezone the land Future Urban with clear policy statement that land will not be rezoned for urban uses till after the completion of structure planning process.</p> <p>Primary production remains the predominant activity.</p> <p>Land use and subdivision controls for all other land uses.</p>
Costs	<p>Reduction in investments in primary production activities on the land in the interim.</p> <p>More immediate pressure for development ahead of staging with implications for infrastructure development and funding.</p>
Benefits	<p>Provides greater certainty for market and landowners about the future use of the land and the medium term time frame for rezoning.</p> <p>Continuation of rural uses in the interim.</p> <p>Aligns with the urban limits approach in the RPS.</p>
Risk	<p>The policy is based on the timeframe set out in the RPS. There is no risk due to insufficient information.</p>
Efficiency	<p>Low risk – the proposed Future Urban zoning and the proposed land use and subdivision controls will ensure that efficient and effective urban redevelopment is not hampered by ad hoc development in the interim.</p>
Effectiveness	<p>Given the medium term timeframe for the redevelopment of this area under the RPS the benefits of the greater certainty and security for landowners/investor out weigh the costs which will be of a relatively short duration.</p>
Appropriateness	<p>Appropriate – is in line with RPS and staging and time frames in this document. The benefits outweigh the costs of this policy approach.</p>

Alternative 1 – Status Quo retain the current Operative Plan provisions.	Retain Rural zoning, Objective, Policies and Rules
Costs	Does not provide the certainty and security for market and landowners about the timeframes or process for redevelopment. Does not reflect the medium term time frame assigned for this urban growth area under the RPS.
Benefits	Relatively simple. Continuation of rural uses. Potential less pressure for premature development. Aligns with the urban limits approach in the RPS.
Risk	Low, the policy is based on the timeframe set out in the RPS. There is no risk due to insufficient information.
Efficiency	Given the medium term time frame for the redevelopment of this urban growth areas the costs to landowners and investors etc in terms of certainty and security outweigh the benefits of this alternative approach.
Effectiveness	Not effective – low level of certainty and clarity of time frames.
Appropriateness	The approach is not an efficient or effective way to achieve the objective in terms of the overall strategic approach to the City’s urban growth.

Policy 16.2.1.2.3 Interim Management and Use of Wairakei Future Urban Zone relates to the interim use and management of land which is required for urban growth in the short term, (and is currently the subject of a Plan Change to rezone the area for urban purposes), as set out in the RPS. The policy sets out:

- Strict controls on other land uses and subdivision in this area to ensure that the land resource is not fragmented by subdivision or non-rural developments that may constrain or compromise future urban development options.
- The land will only be released for urban development when the Plan Change (44) for the urbanisation of the area which is currently under appeal is resolved.

<p>Alternative 1 – Status retain the current Operative Plan provisions.</p>	<p>Retain current Future Urban and Rural Zoning.</p> <p>Primary production remains the predominant activity.</p> <p>Strict land use and subdivision controls for all other land uses.</p>
<p>Costs</p>	<p>More immediate pressure for development ahead of staging with implication for infrastructure development and funding.</p> <p>Rural uses may be discontinued in the interim due to future urban zoning.</p>
<p>Benefits</p>	<p>Provides greater certainty and security for market and landowners about the future use of the land.</p> <p>Retains rural zoning over area of land that is not proposed to be rezoned for urban purposes.</p> <p>Does not lead to conflict with the rezoning process under Plan Change 44 (PC 44).</p>
<p>Risk</p>	<p>Low risk – reflects the current operative zoning and the strict land use and subdivision controls for land use and subdivision of the Future Urban Zone to ensure that efficient and effective redevelopment is not hampered by ad hoc development in the interim.</p>
<p>Efficiency</p>	<p>Given the very short term timeframe for the redevelopment of this area under the RPS the benefits of the greater certainty and security for landowners/investor out weigh the costs which will be of a relatively short duration</p>
<p>Effectiveness</p>	<p>Effective – is in line with RPS and staging and time frames in this document.</p>
<p>Appropriateness</p>	<p>Is appropriate in the context of the existing Plan change process underway, maintains the current status quo position while the Plan Change process is completed.</p>

<p>Alternative 1 – Rezone the land in accordance with the proposed zoning pattern and proposed planning provisions of Plan Change 44.</p>	<p>Rezone the land in accordance with the proposed zoning pattern and planning provisions of Plan Change 44.</p>
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Costs	Plan Change 44 is under appeal. Further changes through the appeals process would necessitate a variation to the proposed plan in the near future, creating a duplicate process with the associated costs to landowners and Council. This approach could also lead to further litigation of the final decision on PC 44 as part of this duplicate process. Further costs would be associated with ascertaining the status of activities for developments and potential resource consents in the area under three different sets of planning provisions (current Operative Plan, the final outcome of Plan Change 44 and the Proposed Plan provisions).
Benefits	Would reflect that rezoning is already underway and the zonings proposed under PC 44.
Risk	High risk – The final zoning pattern and provisions of PC 44 may be different to that first notified under PC 44 and this would lead to further cost and unnecessary duplication of a variation to Proposed Plan for Council and landowners.
Efficiency	Not efficient – the costs of a duplication of processes and complication of processing resource consents in the interim are likely to be high.
Effectiveness	Not effective, potentially would not reflect the final outcomes of PC 44. Would lead to an unnecessary and costly duplication of process.
Appropriateness	Not appropriate - given the high risk and potential complications of pursuing this approach. The approach is not an efficient or effective way to achieve the Objective in terms of the overall strategic approach to the City's urban growth.

For the proposed policies and methods, the following EREs are anticipated:

- Primary production remains the predominant land use in those of the City's Urban Growth Areas that are not required for urban purposes till after 2021.
- Primary production remains the predominant land use in the Te Tumu Future Urban Zone in the medium term.
- Urban development does not commence in the Wairakei Future Urban Zone until PC 44 is resolved and the final Plan provisions for this area are incorporated into the Proposed Plan.

4.3.3 Monitoring Proposed Plan Provisions

ERE	Indicator	Evaluation of Plan Effectiveness
Primary production remains the predominant land use in those of the City's Urban Growth Areas that	Area of productive land zoned for any use- SmartGrowth Development Trends, undertaken yearly.	Will evaluate how effective the Objective and Policies have been. Analysis of grant of, and reasons for grant of, consents in the Rural

ERE	Indicator	Evaluation of Plan Effectiveness
are not required for urban purposes till after 2021.	Non rural subdivision and landuse not established in these Growth Areas - Numbers of resource consents applied for and granted for non rural type development, in what zones and why.	Zones for non-rural activities will identify deficiencies in policy approach.
Primary production remains the predominant land use in the Te Tumu Future Urban Zone in the medium term.	Non rural subdivision and landuse not established in this Growth Area - Numbers of resource consents applied for and granted for non rural type development, in what zones and why.	Will evaluate how effective the Objective and Policies have been. Analysis of grant of, and reasons for grant of, consents in the Future Urban Zone for non-rural activities will identify deficiencies in policy approach.
Urban development does not commence in the Wairakei Future Urban Zone until PC 44 is resolved and the final Plan provisions for this area are incorporated into the Proposed Plan.	Non rural subdivision and landuse not established in this Growth Area - Numbers of resource consents applied for and granted for non rural type development, in what zones and why.	Will evaluate how effective the Objective and Policies have been. Analysis of grant of, and reasons for grant of, consents in the Future Urban Zone for non-rural activities will identify deficiencies in policy approach.

4.4 Issue 3: Fragmentation of Rural Land Resource

Intensification of subdivision, use and development and in particular pressure for rural residential or residential use in the City's rural areas can adversely impact on current and future primary production activities and opportunities.

Issue Statement

Rural residential and other non rural uses on the rural land resource can remove the ability to utilise the productive soils in these areas for primary production. This can be further exacerbated by the fragmentation of land parcels through subdivision into smaller titles which reduces the range of production activities that could be carried out on sites. The fragmentation of rural land and its use for rural residential style development can also lead to restrictions on the productive use of adjoining properties due to the potential increase in reverse sensitivity conflicts.

Fragmentation of the rural land resource was identified by primary producers associations such as Federated Farmers as being of a concern for ongoing primary production. The analysis of subdivision applications undertaken within the Rural Zones as part of the background identified a pattern of subdivision that was fragmenting rural land parcels.

This resource management issue is directly related to the sustainable management of natural and physical resource that is the City's rural land resource. In addition Council also has to, under the RMA, have regard to the efficient use and development of natural and physical resources (section 7(b)), the maintenance and enhancement of amenity values (section 7(c)), the maintenance and enhancement of the quality of the environment (section 7(f)) and to finite characteristics of natural and physical resources (section 7(g)).

This is particularly so given that it has been identified through the background research that this fragmentation is being achieved through the current rural zone provisions. These provisions provide for two dwellings on a rural site as a permitted activity. The purpose of this provision was to provide for the owner and a famer worker to reside on site and it is recognised that workers accommodation can be a legitimate use within the Rural Zone. In addition the social need for housing for dependent family members is also recognised as a legitimate concern.

The provision for two houses on rural sites has however had some unintended consequences.

The existence of two houses has lead to pressure for subdivision around the houses. This is borne out by an examination of the planning assessment of rural subdivisions where such subdivisions have been granted due to there being no difference in visual effects between two houses on one lot and two houses on two lots after a subdivision around those houses.

This has had the effect of fragmenting the rural land resource and diminishing the potential productive use of that resource.

A further cumulative effect of the current provision is that a second house can then be built on each of the new titles leading to a further round of re subdivision and rural residential style development. The reality that this can occur is reflected in the condition of consents of many of these initial subdivisions of the imposition of a consent notice on the new titles that no further dwelling could be built on the lot.

The background research also identified a further type of fragmentation occurring through the subdivision out of rural blocks of existing houses which was designed for farmers to be able to manage their retirement and estate planning. In some case this has been followed by the re subdivision of the lot or the balance area again on the grounds that there can be two houses on a title and that there was no different visual effect if they were then subdivided onto their own lots.

The development of this type of fragmentation for "rural residential" purposes can not only decrease the use of the balance of the land in that particular lot but can also adversely impact on the productive use of adjoining land parcel through reverse sensitivity conflicts. (This issue is discussed in 4.6 below).

Primary production is provided for as the predominant use in the Rural Zones, however some activities such as pig farming, factory farming, mining and harvesting of forestry, plant nurseries and garden centres have a higher potential to have adverse effects on rural character and amenity through reverse sensitivity effects, traffic impacts, damage to the City's roading network, noise, greater number of visitors to the site etc. In addition some primary production activities have greater potential impacts within the Greenbelt Zone due to its special characteristics as discussed in 4.8 below and due to the fact that the Greenbelt Zone in some areas of the City is bordered on both sides by residential activity and there is a greater potential for reverse sensitivity impacts.

The establishment of non rural activities can also fragment the rural land resource or decrease its potential for primary production activities and through reverse sensitivity conflicts adversely impact on the productive use of surrounding rural lands. The establishment of such activities can also have an adverse effect on the sustainability of the City's Commercial or Industrial Zones where infrastructure investment has been made to support such activities. Such uses can also adversely impact on rural character and amenity through denser on-site built development, traffic movement, numbers of people on and visiting the site, hours of operation, signage etc. Some non rural activities, which still have potential adverse effects on rural character and amenity, such as small home based businesses and homestays provide for an additional source of income for rural residents and other non rural activities such as schools, health centres and churches can play a community support role for rural communities.

This resource management issue is directly related to the sustainable management of natural and physical resource that is the City's rural land resource. In addition Council also has to under the RMA have regard to the efficient use and development of natural and physical resources (section 7(b)), the maintenance and enhancement of amenity values (section 7(c)), the maintenance and enhancement of the quality of the environment (section 7(f)) and to finite characteristics of natural and physical resources (section 7(g)).

Maori Multiple Owned Land makes up a large proportion of the City's rural zoned land. While this land is utilised for primary production there is also a growing need and demand within the City for housing opportunities for tangata whenua. Tangata whenua have indicated through their iwi planning documents and through their participation in SmartGrowth that one of the ways that they wish to meet this need is through the development of papakainga on Multiple Owned Maori Land as this is the major land asset available to them. This approach is reflected in the settlement strategy of SmartGrowth and the Regional Policy Statement (RPS). Papakainga development on Multiple Owned Maori Land however has potential adverse impacts on the use of the rural land resource for primary production activities and on the rural landscape, character and amenity.

This is a significant resource management to be addressed in the Plan given the provisions of the RMA in relation to the requirement for Council to recognise and provide for:

The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga (section 6e, RMA) and have particular regard to kaitiakitanga (section 7a, RMA) and to take into account the principles of the Treaty of Waitangi.

(This issue is addressed in further detail below in 4.7).

4.4.1 Objectives

This table identifies the appropriateness of the listed objectives in achieving the purpose of the RMA.

Objective Number	Objective	Appropriateness
16.2.1.4	<p>Objective – Activities in the Rural Zones</p> <p>Primary production remains the predominant activity in the Rural Zones while providing flexibility for the operation of home-based businesses and a limited range of community support services subject to their compatibility with the amenity and character of the Rural Zones, which is defined by specific provisions.</p>	<p>In relation to Part II of the RMA and in particular the purpose of the Act this general objective for all Rural Zones is relevant in that it supports the key elements of sustainable management of natural and physical resources. The objective seeks to sustain the potential of the rural land resource to meet the foreseeable needs of future generations as well as safeguard the life supporting capacity of soils.</p> <p>The objective also ensures the efficient use and development of natural and physical resources (section 7(b)), the maintenance and enhancement of amenity values (section 7(c)), the maintenance and enhancement of the quality of the environment (section 7(f)) and has regard to finite characteristics of natural and physical resources (section 7(g)).</p> <p>The objective is useful because it provides clarity over the long term use of the land resource by setting out the key roles of the rural land resource and is achievable as it clearly communicates the types of activity are anticipated within the Rural Zone for decision makers and landowners/residents in the City's Rural Zones.</p> <p>The objective is reasonable as it provides development opportunities on the land provided that they are compatible with the sustainable management of the rural land resource and with rural character and amenity.</p>

Objective Number	Objective	Appropriateness
16.3.3.3	<p>Objective – Density of development in the Rural, Future Urban and Greenbelt Zones</p> <p>An open vegetated, rural landscape with a very low density of development of predominantly primary production activities on individual sites and across the zone generally.</p>	<p>The objective is relevant as it provides further direction in relation to two of the key elements of rural character and amenity identified in the general Objective (16.2.1.3) for all the Rural Zones – that of a low density of on- site development and the predominance of primary production activities within each of the specific zones.</p> <p>It also identifies the need to consider the cumulative impacts of over dense developments on the overall open character of the Zones.</p> <p>The objective is useful in that clearly communicates to decision makers the density and nature of development anticipated within these Zones and is achievable through land use controls and controls on subdivision in particular.</p> <p>The Objective is reasonable in that primary production activities and buildings will still be able to be established subject to permitted activity standards.</p>
16.2.1.6	<p>Objective – Mining</p> <p>Mining is undertaken in a manner that addresses potential adverse impacts on the maintenance of rural character and amenity, including the underlying land form, on primary production, sensitive uses such as residential activity and on the area's ecosystems.</p>	<p>The objective is relevant as it ensures the efficient use and development of natural and physical resources (section 7(b)), the maintenance and enhancement of amenity values (section 7(c)), the maintenance and enhancement of the quality of the environment (section 7(f)) and has regard to finite characteristics of natural and physical resources (section 7(g)).</p> <p>The objective is useful in that clearly communicates to decision makers the matters to be addressed in considering mining</p>

Objective Number	Objective	Appropriateness
		<p>operations and is achievable through land use controls and conditions on consents.</p> <p>The Objective is reasonable in that mining will still be able to be undertaken and potential adverse effects of the operation will be addressed.</p>
16.2.1.7	<p>Objective – Harvesting Of Forestry</p> <p>Harvesting or forestry in the Rural Zones does not adversely impact on the City's infrastructure.</p>	<p>The objective is relevant as it ensures the efficient use and development of natural and physical resources (section 7(b)) in particular the adverse effects of heavy vehicles and loads on the City's roading network.</p> <p>The objective is useful in that it clearly highlights that impacts on Council's infrastructure are to be addressed and achievable through a combination of permitted activity standards and land use consent conditions.</p> <p>The Objective is reasonable in that harvesting of forestry will still be able to be undertaken and potential adverse effects of this on the City's infrastructure will be addressed.</p>

4.4.2 Policies, Methods and EREs

Objective 16.2.1.4 is addressed through Policy 16.2.1.4.1 Activities in the Rural Zones.

The policy sets out the approach to be taken to activities in the Rural Zones in relation to primary production activities, small scale activities ancillary to residential use of sites, community support activities and activities not provided for in the Zones. This objective recognises that there are other activities which can take place in rural areas and that the key to providing for these activities is to ensure that they are compatible with the existing and anticipated rural character, amenity and environmental characteristics of the individual zones.

The policy is achieved through:

- Rule 16.4.1 Activities in the Rural, Future Urban, Greenbelt Zone which sets out the activity status of activities in each of the Zones.

- Rule 16.5.1 Development Density and Scale
- Rule 16.5.6 Homestay
- Rule 16.5.7 Home based Business
- Rule 16.5.8 Secondary Independent Dwelling Unit
- Rule 16.5.9 Produce stalls
- Rule 16.5.10 Food Premises associated with Garden Centres
- Rule 16.5.11 Pig Farming and Factory
- Rule 16.5.12 Forestry and Harvesting of Forestry

(Provision for papakainga on Multiple Owned Maori Land is addressed in detail in 4.7 below)

Primary production activities are a permitted use in the Zones with the exception in the Greenbelt Zones of activities that are likely to have greater potential effects on the special characteristics of the zone such as pig farming, plant nurseries and garden centres.

One dwelling is provided for as of right on a rural site, with a small secondary dwelling which is limited in size and location (within 20m of the main dwelling and sharing its driveway). This provides for workers or other persons to be accommodated on site while reducing the potential pressure for subdivision around this dwelling.

Home-Based Businesses and Homestays have permitted activity status. General Permitted Activity conditions relating to bulk, location, parking and signage apply to ensure that the activity is of a character compatible with surrounding rural activity.

Specific Permitted Activity Conditions relating to physical size limitations, staffing limitations, and limitations as to what can be sold from the property for home occupations apply. Similar controls apply for produce stalls and food premises associated with garden centres.

Specific Permitted Activity Conditions relating to physical size for homestays to ensure that these activities remain small scale and secondary in nature to the residential activity on the site apply.

A limited range of community support activities being health centres, schools, tertiary education premises and churches are provided for as Discretionary Activities to ensure that their establishment is compatible with the amenity of the Rural Zones.

A Non - Complying Activity status applies to activities not meeting the permitted activity conditions or activities not anticipated within the Zone so that matters of policy and environmental effects can be considered rigorously.

Objective 16.2.1.6 is addressed through Policy 16.2.1.6.1 Mining.

This policy sets out the factors to be considered ensure mining operations do not adversely impact on rural character and amenity being: scale, intensity and duration of the operation, effects on existing character and intrinsic values of the locality and amenity values; effects on land forms or landscapes; adverse effects on sensitive activities, site rehabilitation; process for emergency works.

Objective 16.2.1.7 is addressed through Policy 16.2.1.7.1 Harvesting of Forestry.

This policy sets out that the impacts of heavy traffic associated with the harvesting of forestry are to be mitigated. The rules relating to this policy exempt small scale forestry from being subject to such a requirement.

<p>Proposed Policies and Methods – Non Rural activities.</p>	<p>The policy sets out the approach to be taken to activities in the Rural Zones in relation to primary production activities, small scale activities ancillary to residential use of sites, community support activities and activities not provided for in the Zones.</p> <p>Primary production is provided for as the predominant activity in the Zones with some variation in the range of such activities depending on the characteristics of each zone.</p> <p>Provision for one dwelling on a rural site, and a small secondary dwelling which is limited in size and location (within 20m of the main dwelling and sharing its driveway).</p> <p>Small Scale home based businesses and homestays ancillary to the residential use on site provided for as Permitted Activities.</p> <p>Community support activities being health centres, schools, tertiary education premises and churches provided for as Discretionary Activities</p> <p>A Non - Complying Activity status applies to activities not meeting the permitted activity conditions or activities not anticipated within the zone.</p>
<p>Costs</p>	<p>Potential Perception that the policy approach deprives owners of development rights or opportunities.</p> <p>Workers or ancillary residential accommodation provisions may be perceived as inadequate.</p>
<p>Benefits</p>	<p>The policy and methods provides a clear management regime that can be consistently applied within the Rural Zones.</p> <p>Secondary independent dwelling units provide for workers or dependent family or others to live on site. Controls on site and location reduces pressure for subdivision and resulting rural fragmentation around such dwellings.</p> <p>Small-scale home-based businesses and homestays can continue to operate in the Rural Zones providing for the social and economic wellbeing of operators.</p> <p>Potential adverse effects on rural amenity and character of such permitted activities addressed through permitted activity conditions designed to address their scale and character and intensity.</p> <p>Allows potential adverse effects of mining and harvesting of forestry to be addressed.</p> <p>Enables the establishment of community support services to the local community provided they are compatible with rural character and amenity.</p> <p>Increased certainty for residents as to the level of such activities permitted in the zone and that activities beyond this level will be subject to the most rigorous resource management scrutiny.</p> <p>Increased certainty for residents as to activities not expected in the Zone and that these activities will be subject to the most rigorous resource management scrutiny.</p>

	Reduces potential impacts on the sustainability of the City's Commercial or Industrial Zones.
Risk	Low risk – Proposed controls are generally consistent with current controls – provides for continuance of existing rural character and amenity and ongoing certainty for land owners and residents. Provision is still made for some workers and ancillary residential accommodation. Risk is therefore considered to be low.
Efficiency	The policy is efficient with benefits outweighing costs.
Effectiveness	<p>The policies are effective in achieving the Objectives by setting out the outcome desired in implementation to achieve the Objectives.</p> <p>The rules are clear and efficient in setting out the permitted activity conditions which apply to non – rural activities and are based on key outcomes to ensure that they are of a secondary and incidental activity on the site and compatible with activity within the surrounding rural neighbourhood. The rules are equally clear and efficient in setting out the status of activities that do not meet the permitted activity status while identifying for decision makers the scale, character and intensity of the activity should be compatible with the rural character and amenity of the Rural Zones.</p> <p>The policy also provides for residents social and economic wellbeing in providing for extra income from sites from home based businesses etc and for workers or ancillary residential accommodation.</p>
Appropriateness	The policies/methods are considered the most appropriate to achieve the Objectives and are clear and enforceable.

Alternative 1 – Status Quo maintain the current Operative Provisions.	<p>Current Amenity Policies – Generic policy to “protect amenity values” – linked to indigenous vegetation and rivers and streams and coast, areas with historic significance and publicly conspicuous open space areas.</p> <p>Current Fragmentation Policies - Generic policy that subdivision, use and development of the rural land resource should avoid, remedy or mitigate adverse effects of fragmentation of resource and its life supporting capacity and on the character and amenity of the rural environment.</p> <p>Primary production is provided for as the predominant activity in the Zones with some variation in the range of such activities depending on the characteristics of each zone. Status of activities are currently the same that in the proposed policy approach above.</p> <p>Provision for two dwelling on a rural site.</p> <p>Small Scale home based businesses and visitors accommodation ancillary to the residential use on site provided for as Permitted Activities.</p> <p>Small scale education facilities have a Permitted Activity status.</p>
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	<p>A Limited Discretionary status applies to most permitted activities that cannot comply with the permitted activity standards.</p> <p>Other Activities have a Discretionary Status.</p>
Costs	<p>Objective and policies are generic. Do not address all key elements of the rural character and amenity on sites or across the zones identified in the background research.</p> <p>Does not provide clear direction for assessing activities which do not meet permitted activity conditions.</p> <p>Discretionary activity status for non rural activities – less certainty about activities not expected in the Zones. Combined with generic policy does not provide clear direction for decision makers, potential applicants and residents.</p> <p>Do not consider potential impacts on the sustainability of the City's Commercial or Industrial Zones of grant of non rural activities.</p>
Benefits	No change to current provisions for landowners and residents.
Risk	<p>Risk is related to policy approach and its generic nature when addressing resource consent issues where standards are not met. Medium risk providing most activities met permitted activity standards, risk increases to high in cases of applications for over dense or non rural activities.</p> <p>In relation to the fragmentation of the rural land resource through the provision for two dwellings per site as a permitted activity the risk is considered high given the analysis of subdivision patterns in the Rural Zones.</p>
Efficiency	Not efficient – costs outweigh benefits – given that the benefits relate to methods that will be continued as part of the proposed approach the benefits will still be realised through the proposed provisions.
Effectiveness	Partially effective where activities met permitted activity standards. High risk in cases of applications for over dense or non rural activities. Not effective in achieving the objective.
Appropriateness	Less appropriate than proposed policies and methods. Policy too generic to assist in relation to the fragmentation of the rural land resource and the maintenance of the key elements of rural character and amenity and in relation to non rural uses.

As part of the consideration of alternative methods a range of options for addressing the issue of the provision of workers and ancillary residential accommodation were considered.

The assessment of these alternatives was at follows:

<p>Alternative Methods considered in relation to provision for workers accommodation and ancillary residential accommodation.</p>	<p>1 dwelling as of right on a rural title – second or subsequent dwellings a discretionary activity.</p>	<p>Provision for 2 dwellings as of right on large rural blocks</p>
<p>Costs</p>	<p>Some potential for further fragmentation of rural sites. Potential for the loss of ability to utilise rural land resource for primary production activities. Some potential for cumulative loss of rural character/landscape. Economic cost to applicants of resource consent.</p>	<p>Some potential for further fragmentation of rural sites. Potential for the loss of ability to utilise rural land resource for primary production activities. Some potential for cumulative loss of rural character/landscape. Size of title only one factor in a range of factors that might lead to the need for worker accommodation. Could drive the fragmentation of larger titles in the Rural Zone.</p>
<p>Benefits</p>	<p>Some reduction in the potential for the loss of ability to utilise rural land resource for primary production activities and reduce fragmentation driven by current provisions. Provision of workers and ancillary accommodation.</p>	<p>Some reduction in the potential for the loss of ability to utilise rural land resource for primary production activities and reduce fragmentation driven by current provisions. Provision of workers and ancillary accommodation.</p>
<p>Risk</p>	<p>In relation to the fragmentation of the rural land resource through the provision for a second dwellings per site as Discretionary Activity the risk is considered medium. Still likely to be pressure to subdivide out if a large dwelling set at a distance from main dwelling is developed.</p>	<p>In relation to the fragmentation of the rural land resource through the provision for a second dwelling per large site the risk is considered high.</p>
<p>Efficiency</p>	<p>Not efficient – costs outweigh benefits</p>	<p>Not efficient – costs outweigh benefits</p>

Effectiveness	Effective but costs of resource consent for workers accommodation to be established may drive the recouping through subdivision of the cost of that accommodation when worker no longer requires it.	Effective in terms of smaller blocks but may drive subdivision of larger blocks as an unintended consequence.
Appropriateness	Less appropriate than proposed policies and methods.	Less appropriate than proposed policies and methods.

For the proposed policies and methods, the following EREs are anticipated:

- Primary production activity and ancillary residential activity is the predominant use in the Rural Zones.
- Activities not meeting the scale for ancillary rural uses or activities unrelated to rural activities are not established in the Rural Zones.

4.4.3 Monitoring Proposed Plan Provisions

ERE	Indicator	Evaluation of Plan Effectiveness
Primary production activities the predominant activity in the Rural Zones.	Analysis of resource consents - Numbers of resource consents applied for and granted for non rural development, in what zones and why.	Will evaluate how effective the Objective and Policies have been. Analysis of grant of, and reasons for grant of, consents in the Rural Zones will identify deficiencies in policy approach.
Activities not meeting the scale for ancillary rural uses or activities unrelated to rural activities are not established in the Rural Zone.	Analysis of resource consents - Numbers of resource consents applied for, the nature of the applications granted and for what, in what zones and why.	Will evaluate how effective the Objective and Policies have been. Analysis of grant of, and reasons for grant of, consents in the Rural Zones will identify deficiencies in policy approach.

4.5 Issue 4: Maintenance and Enhancement of Rural Character and Amenity

Intensification of subdivision, use and development, and in particular pressure for rural residential or residential use, in the City's rural area can adversely impact on rural landscape character and amenity.

Issue Statement

The City's rurally zoned land plays a valuable role in terms of providing considerable open space and a green rural backdrop to the City and as well as amenity for residents in the zone. Under the Resource Management Act the Council must have regard to the maintenance and enhancement of amenity values (section 7(c)) and to the maintenance and enhancement of the quality of the environment (section 7(f)).

The Landscape Study undertaken as part of the background research identified the common key elements of rural landscapes of the City as being: an open pastoral or horticultural nature, the presence of vegetation and in many areas vegetated gullies and a low density of development and small scale buildings.

Some rural landscape were also identified as being Outstanding Natural Features and Landscapes, Mangatawa, or Important Amenity Landscapes, Upuhue, Wairoa River Valley, Matapihi Headland Margin.

(Within this Proposed Plan the protection and maintenance of these landscapes are addressed in further detail within the Natural Features and Landscapes Chapter. Refer to Section 32 – Chapter 6 Natural Features and Landscapes).

The Study also identified that the maintenance of an open rural landscape with a low density of development is threatened by fragmentation through the intensification of subdivision, use and development in the Zones and in particular pressure for rural residential or residential use.

(Note the fragmentation of the rural land resource through over density development has been addressed in 4.4 above).

4.5.1 Objectives

This table identifies the appropriateness of the listed objectives in achieving the purpose of the RMA.

Objective Number	Objective	Appropriateness
16.2.1.3	<p>Objective – Maintenance of Rural Character and Amenity</p> <p>A rural backdrop to the City's urban areas characterized by a low density of buildings and development; a predominance of primary production activities and open space and vegetative cover.</p>	<p>In relation to Part II of the RMA the objective is relevant in that it ensures for all the rural zones:</p> <p>the maintenance and enhancement of amenity values (section 7(c)); and</p> <p>the maintenance and enhancement of the quality of the environment (section 7(f)).</p>

Objective Number	Objective	Appropriateness
		<p>The objective is useful because it sets out the key elements of the City's rural landscape, as identified through the background research and is achievable over the long term as it identifies the key elements that need to be maintained and enhanced for decision makers, landowners, potential applicants and residents of the City's Rural Zones.</p> <p>The objective is reasonable as it provides for use, development and subdivision of the rural land resource provided this is compatible with the anticipated rural character and amenity.</p>
<p>16.3.3.1</p>	<p>Objective – Bulk and Scale of Buildings in the Rural, Future Urban and Greenbelt Zones</p> <p>Buildings that are of a bulk and scale compatible with the existing and anticipated rural character of low height of building, and separation of buildings.</p>	<p>In relation to Part II of the RMA the objective is relevant in that it ensures:</p> <p>the maintenance and enhancement of amenity values (section 7(c)); and</p> <p>the maintenance and enhancement of the quality of the environment (section 7(f)).</p> <p>The objective is relevant as it provides further direction in relation to one of the key elements of rural character and amenity identified in the general Objective (16.2.1.3) for all the Rural Zones – that of a pattern of low-rise buildings and potential for greater separation between buildings on site and between sites in relation to bulk and location of buildings within each of the specific Zones.</p> <p>The objective is useful and reasonable as it clearly communicates to decision makers</p>

Objective Number	Objective	Appropriateness
		the bulk and scale of buildings anticipated within these Zones and is achievable through controls on bulk and location of buildings.
	<p>Objective – Site Layout and Building Design in the Rural, Future Urban and Greenbelt Zones</p> <p>Development within the Rural Zones provides for rural character and amenity that is characterised by an open vegetated, landscape with very low density of development on individual sites and across the zone generally.</p>	<p>In relation to Part II of the RMA the objective is relevant in that it ensures:</p> <p>the maintenance and enhancement of amenity values (section 7(c)); and</p> <p>the maintenance and enhancement of the quality of the environment (section 7(f)).</p> <p>The objective is relevant as it provides further direction in relation to one of the key elements of rural character and amenity identified in the general Objective (16.2.1.3) for all the Rural Zones – that of an open vegetated landscape with a low density of on site development on individual sites within each of the specific Zones. It also identifies the need to consider the cumulative impacts of over density developments on the overall open character of the Zones.</p> <p>The objective is useful in that clearly communicates to decision makers the density of development and the nature of the landscape anticipated within these specific Zones and is achievable through controls on permitted land use and bulk and location of buildings.</p> <p>The Objective is reasonable in that buildings will still be able to be established subject to permitted activity standards.</p>

Objective Number	Objective	Appropriateness
16.3.3.3	<p>Objective – Density of Development in the Rural, Future Urban and Greenbelt Zones</p> <p>An open vegetated, rural landscape with a very low density of development of predominantly primary production activities on individual sites and across the zone generally.</p>	<p>The objective is relevant as it provides further direction in relation to two of the key elements of rural character and amenity identified in the general Objective (16.2.1.3) for all the Rural Zones – that of a low density of on- site development and the predominance of primary production activities within each of the specific Zones.</p> <p>It also identifies the need to consider the cumulative impacts of over dense developments on the overall open character of the Zones.</p> <p>The objective is useful in that clearly communicates to decision makers the density and nature of development anticipated within these Zones and is achievable through land use controls and controls on subdivision in particular.</p> <p>The Objective is reasonable in that primary production activities and buildings will still be able to be established subject to permitted activity standards.</p>

4.5.2 Policies, Methods and EREs

Objective 16.2.1.3 Maintenance of Rural Character is addressed through Policy 16.2.1.3.1 Maintenance of Rural Character and Amenity. This policy identifies the need to ensure a less intensive pattern of development than within the Rural Residential or Residential Zones; ensure that the scale and character of buildings and activities on site is compatible with specific rural character and amenity of the zones; and ensuring that potential adverse impacts on natural character, indigenous vegetation, ecological processes and landscape character, particularly in areas identified as Outstanding and Important Landscapes, are fully addressed.

This policy is achieved through:

- Identifying through zoning and subdivision provisions a less intensive development pattern than that in the Rural Residential and Residential Zones.

- Limitation on the numbers of dwellings provided for on rural sites, and provisions in relation to bulk and scale of buildings. This is further detailed for each specific rural zone through Zone Objectives and Policies e.g. Objective 16.3.3.1 and related policy as discussed below.
- Identification of Plan Areas with additional protective provisions for areas of natural character, landscape character indigenous vegetation, ecological processes.

Objective 16.3.3.1 is addressed through Policy 16.3.3.1.1 Bulk and Scale of Buildings in the Rural, Future Urban and Greenbelt Zones – Building Height and Overshadowing. The policy set out that bulk and scale of buildings will be achieved through setting a building envelope that provides for a range of buildings while addressing potential adverse impacts of the height of buildings and the shadows they cast.

The policy is achieved through

- Rule 16.5.2 Height – which sets a maximum height of 9m to reflect the low-rise development anticipated in the Zone.
- Rule 16.5.5 Overshadowing – which sets a building envelope that ensures that daylight and sunlight reaches all sites.

Objective 16.3.3.2 is addressed through Policy 16.3.3.2.1 Site Layout and Building Design in the Rural, Future Urban and Greenbelt Zones. The policy seeks to achieve the objective through ensuring separation between buildings, and between sensitive activities and intensive primary production activities such as factory farming, the retention of the majority of sites in primary production activities and the maintenance of the overall open nature of the zones.

This policy is achieved through:

Rule 15.5.3 Streetscape – which sets a setback from roads to ensure an open rural character along roads.

Rule 16.5.4 Setbacks which requires separation between buildings on adjoining sites and specific separation distance rules relating to pig farming, factory farming and forestry.

Objective 16.3.3.3 - is addressed through Policy 16.3.3.3.1 Density of Development in the Rural, Future Urban and Greenbelt Zone. The policy sets out that

The policy is achieved through:

- Subdivision controls in Chapter 12* of the Proposed Plan.
- Rule 16.5.1 Development Density and Scale which provide for a maximum density of 1 independent dwelling unit and Rule 16.5.8 which provides for one small secondary independent dwelling unit per site.

*(See Section 32 Chapter 12 Subdivision)

<p>Proposed Policies and Methods</p>	<p>Policies seek to ensure that development density, bulk and scale of buildings and site layout and building design within the Rural Zones reflects the existing and anticipated rural character and amenity of open space, low rise buildings with separation between buildings on adjoining sites and setbacks from roads.</p> <p>Method – land use and subdivision controls on density and intensity of buildings on site.</p>
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Costs	Potential perception that the policy approach deprives owners of development rights or opportunities.
Benefits	<p>Specific policies setting out the anticipated character and amenity of the Rural Zones.</p> <p>More certainty for decision makers, landowners, potential applicants and residents in relation to the anticipated character and amenity of the Zones.</p> <p>Provides clear direction for assessing activities which do not meet permitted activity conditions.</p> <p>Proposed bulk and location controls are consistent with current bulk and location controls – provides for continuance of existing rural character and amenity and ongoing certainty for land owners and residents.</p>
Risk	Proposed bulk and location controls are consistent with current bulk and location controls – provides for continuance of existing rural character and amenity and ongoing certainty for land owners and residents. Risk is therefore considered to be low.
Efficiency	Benefits clearly out weigh costs. Costs perception based – controls continue current approach.
Effectiveness	The policy is effective in achieving the objective by providing for rural development while identifying for decision makers the scale character and density of buildings and activities anticipated in the Rural Zones.
Appropriateness	Most appropriate – benefits outweigh costs. The setting of clear policy will provide more certainty for decision makers, landowners, potential applicants and residents.

Alternative 1 – Status Quo – Retain current Plan Provisions	<p>Current Policies – Generic policy to “protect amenity values” – linked to indigenous vegetation and rivers and streams and coast, areas with historic significance and publicly conspicuous open space areas.</p> <p>Method – land use and subdivision controls on density and intensity of buildings on site.</p>
Costs	<p>Objective and policies are generic. Do not address all key elements of the rural character and amenity on sites or across the Zones identified in the background research.</p> <p>Does not provide clear direction for assessing activities which do not meet permitted activity conditions.</p>
Benefits	No change to current provisions for landowners and residents.
Risk	Risk is related to policy approach and its generic nature when addressing resource consent issues where standards are not met. Medium risk providing most activities met permitted activity standards, risk increases to high in cases of applications for over dense or non rural activities.

Efficiency	Not efficient – costs outweigh benefits – given that the benefits relate to methods that will be continued as part of the proposed approach the benefits will still be realised through the proposed provisions.
Effectiveness	Partially effective where activities met permitted activity standards. High risk in cases of applications for over dense or non rural activities. Not effective in achieving the objective.
Appropriateness	Less appropriate than Proposed Policies and Methods. Policy too generic to assist the maintenance of the key elements of rural character and amenity.

For the proposed policies and methods, the following EREs are anticipated:

4.5.3 Monitoring Proposed Plan Provisions

For the proposed policies and methods, the following EREs are anticipated:

- Open space and vegetative cover predominating within the rural landscape.
- Buildings that are of a bulk and scale compatible with the existing and anticipated rural character of low height of building, and separation of buildings.
- Low density of development in the Rural Zones.
- Primary production activities the predominant activity in the Rural Zones.

ERE	Indicator	Evaluation of Plan Effectiveness
Open space and vegetative cover predominating within the rural landscape.	Analysis of resource consents - Numbers of resource consents applied for and granted for not meeting permitted activity standards in what Rural Zone and why.	Will evaluate how effective the Objective and Policies have been. Analysis of grant of, and reasons for grant of, consents in the Rural Zones will identify deficiencies in policy approach.
Buildings that are of a bulk and scale compatible with the existing and anticipated rural character of low height of building, and separation of buildings.	Analysis of resource consents - Numbers of resource consents applied for and granted for not meeting permitted bulk and location standards in what Rural Zone and why.	Will evaluate how effective the Objective and Policies have been. Analysis of grant of, and reasons for grant of, consents in the Rural Zones will identify deficiencies in policy approach.
Low density of development in the Rural Zones.	Analysis of resource consents - Numbers of resource consents applied for and granted for over	Will evaluate how effective the Objective and Policies have been.

ERE	Indicator	Evaluation of Plan Effectiveness
	density development, in what Rural Zone and why.	Analysis of grant of, and reasons for grant of, consents in the Rural Zones will identify deficiencies in policy approach.
Primary production activities the predominant activity in the Rural Zones.	Analysis of resource consents - Numbers of resource consents applied for and granted for non rural development, in what Rural Zone and why.	Will evaluate how effective the Objective and Policies have been. Analysis of grant of, and reasons for grant of, consents in the Rural Zones will identify deficiencies in policy approach.

4.6 Issue 5: Reverse Sensitivity Conflicts

Non rural activities, such as rural residential activities, moving into or next to rural zones can lead to pressure from new residents to constrain legitimate rural production practices and place controls on rural activities e.g. noise from farm machinery, odour, spray applications etc.

Issue Statement

To allow the rural land resource to be used effectively and efficiently to provide for the economic, social wellbeing of those involved in primary production there needs to be limited constraints placed on primary production activities from other activities that are located in the rural environment.

Non rural activities, such as rural residential activities in the Rural Zones can lead to pressure from these new residents for Council to curb effects associated with legitimate primary production practices and place controls on rural activities e.g. noise from farm machinery, odour, spray applications etc. However the wellbeing of those residents in the Rural Zones also needs to be considered and residents should not be expected to accept nuisances or health hazards which arise from poorly managed activities or unacceptable land management practices.

This is a resource management issue in that it impacts on the efficient use and development of natural and physical resources (section 7(b)), the maintenance and enhancement of amenity values (section 7(c)), the maintenance and enhancement of the quality of the environment (section 7(f)).

4.6.1 Objectives

This table identifies the appropriateness of the listed objectives in achieving the purpose of the RMA.

Objective Number	Objective	Appropriateness
16.2.1.5	<p>Objective – Management of Potential Reverse Sensitivity Conflicts</p> <p>To keep to a minimum potential reverse sensitivity conflicts between primary production activities and rural residential activity or residential activity in terms of adverse effects on amenities, public health or general nuisances.</p>	<p>The objective is relevant in terms of the RMA, in that it impacts on the efficient use and development of natural and physical resources (section 7(b)), the maintenance and enhancement of amenity values (section 7(c)), the maintenance and enhancement of the quality of the environment (section 7(f)).</p> <p>The objective is useful in that it that allows Council to address reverse sensitivity effects and is achievable through land use controls.</p> <p>The objective is reasonable in that primary production activities will still be able to be carried out but in a manner that reduces potential adverse impacts for the residents of the Rural Zone.</p>

4.6.2 Policies, Methods and EREs

Objective 16.2.1.5 is addressed through Policy 16.2.1.5.1 Management of Potential Reverse Sensitivity Conflicts.

The policy sets out that issues of reverse sensitivity will be addressed through the use of separation distances between activities likely to have reverse sensitivity impacts on each other, utilising industry codes in relation to the application of chemical sprays and use of section 16 and 17 of the RMA in relation to nuisances, such as offensive discharges, from rural activities and poor management practices.

The policy is achieved through:

- Rule 16.4.1 Activities in the Rural, Future Urban, Greenbelt Zone which sets out the activity status of activities in each of the Zones.

While primary production activities are provided for as the predominant use in the Rural Zones, it is recognised that the Rural Zones have different characteristics and sensitivities. It is recognised that within the Greenbelt Zone due to its special characteristics and the fact it is in some areas of the City bordered on both sides by residential activity has a greater potential for reverse sensitivity impacts to occur. In the Greenbelt Zone therefore intensive operations such as pig farming are not

provided for and the removal of vegetation is more strictly controlled than in other Rural Zones.

- Rule 16.5.11 Pig Farming and Factory Farming, Rule 16.5.12 Forestry and Harvesting of Forestry and Rule 16.5.4 Setbacks

Requires separation distance between these rural activities and sensitive activities such as dwellings. The activity that is established second is subject to the separation distance.

- Utilising section 16 and 17 of the RMA in relation to nuisances, such as offensive discharges, from rural activities and poor management practices and industry codes in relation to nuisance connected to chemical sprays.

4.6.3 Policies, Methods and EREs

Proposed Policies and Methods Reverse Sensitivity Conflicts	Issues of reverse sensitivity addressed through: separation distances on and between sites; limitations on primary production activities permitted in the Zones; use of section 16 and 17 of the RMA and industry codes in relation to nuisances and reverse sensitivity conflicts.
Costs	Based largely on a compliant driven monitoring process.
Benefits	<p>Allows for case by case assessment of odour and other effects that are difficult to address by rules.</p> <p>Utilisation of industry codes ensures that the approach to activities and how they are carried out (e.g. spraying of crops) is based on the most recent and update to date information and techniques available and is a less costly option that Council developing rules to address such issues.</p> <p>Use of section 16 and 17 allows for issues of poor management to be addressed without the necessity for over regulation of primary production activities in the Plan.</p> <p>Continuation of current approach - no new provisions for primary production activities to have to establish that they can comply with.</p>
Risk	Low risk – no uncertainty in relation to information policy is based on. Use of industry codes ensures approach is based on the most recent and up to date information and techniques available.
Efficiency	Efficient – benefits outweigh costs.
Effectiveness	Effective – allows for flexibility to address difficult to measure effects such as odour. Industry codes based on most up to date and information and techniques available.
Appropriateness	Most appropriate – utilises the flexibility provided for through the RMA in section 16 and 17, is enforceable through this mechanisms and is relevant to achieving the objective.

Alternative 1 – Develop specific District Plan Rules for reverse sensitivity effects.	Develop specific District Plan Rules for reverse sensitivity effects – such as dust, odour, and chemical spray application.
Costs	<p>Specialist input required - potentially complex and costly rules to develop and administer.</p> <p>Some adverse effects such as odour difficult to develop measurable controls for.</p> <p>May not match industry requirements and practice.</p> <p>Does not provide flexibility to match changes in production techniques without undertaking a Plan Change with inherent costs and time frames for Council and industries.</p>
Benefits	<p>Specific rules set out in Plan, rather than complaint based reaction or dependence on voluntary industry codes being applied by all industry members.</p> <p>Primary production activity activities meeting the standards could continue.</p> <p>Greater certainty for residents as the level of effects that were considered reasonable.</p>
Risk	<p>Medium to high risk – information available and practice may not match the level of knowledge of the industries themselves. In addition many existing activities may have existing use rights – difficult to establish the scale of these in enforcement situations.</p>
Efficiency	<p>Not efficient – costs outweigh benefits.</p>
Effectiveness	<p>Not effective, may be difficult to apply, enforce and update. May not match industry standards.</p>
Appropriateness	<p>Not the most appropriate policy and methods to address the objective.</p>

For the proposed policies and methods, the following EREs are anticipated:

- Potential conflict between rural resource-based activities and other District activities, in terms of adverse effects on amenities, public health or general nuisances, kept to a minimum.

4.6.4 Monitoring Proposed Plan Provisions

ERE	Indicator	Evaluation of Plan Effectiveness
Potential conflict between rural resource-based activities and other District activities, in terms of adverse effects on amenities, public health or general nuisances, kept to a minimum.	A decrease in numbers of justified complaints in relation to reverse sensitivity issues.	<p>Numbers of complaints and justified complaints received by Council's monitoring unit.</p> <p>Also will allow analysis of whether reliance on sections 16 and 17 and industry codes has enabled monitoring officers to resolve complaints arising and the effectiveness of that method in achieving the Objective.</p>

4.7 Issue 6: Provision for housing on Multiple Owned Maori Land

Provision for papakainga on rurally zoned Multiple Owned Maori Land will provide for the social, cultural and economic wellbeing of tangata whenua. The development of papakainga however could have potentially adverse effects on the use of rural land resource for primary production, lead to reverse sensitivity conflicts and adverse impacts on rural character and amenity.

Issue Statement

Maori Multiple Owned Land makes up a large proportion of the City's rural zoned land. While this land is utilised for primary production there is also a growing need and demand within the City for housing opportunities for tangata whenua.

Tangata whenua have indicated through their iwi planning documents and through their participation in SmartGrowth that one of the ways that they wish to meet this need is through the development of papakainga on Multiple Owned Maori Land as this is the major land asset available to them. Ngaiterangi also indicate that they wish such development to be of a rural nature and be accompanied by rural activities.

This approach is reflected in the settlement strategy of SmartGrowth and the Regional Policy Statement (RPS). The term papakainga, has different meanings to different people, but generally is envisaged as clustered residential dwellings which may be accompanied by shared communal buildings, educational activity, health services, open space for recreational activity and, in some cases, complementary business activities. The land still is subject to the provisions of the Te Ture Whenua Act 1993 in terms of how it is administered and operated.

A number of factors have been identified as part of the SmartGrowth process and ongoing discussions in relation to papakainga that make the establishment of papakainga difficult. These include the dual processes required under the Te Ture Whenua Act and the Resource Management Act with their different processes and requirements, funding and access to resources for preparation of development plans and the actual development process including providing services.

This is a significant resource management to be addressed in the Plan given the provisions of the RMA in relation to the requirement for Council to recognise and provide for:

The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga (section 6e, RMA) and have particular regard to kaitiakitanga (section 7a, RMA) and to take into account the principles of the Treaty of Waitangi.

The Plan must also give effect to the RPS which directs that papakainga development (outside the urban limits line) shall be provided for as long as the development is in accordance with a Structure Plan.

The development of papakainga however could have potentially adverse effects on the use of rural land resource for primary production, lead to reverse sensitivity conflicts and adverse impacts on rural character and amenity which have been identified above as resource management issues to be addressed by the Plan.

4.7.1 Objectives

This table identifies the appropriateness of the listed objectives in achieving the purpose of the RMA.

Objective Number	Objective	Appropriateness
16.3.3.4	<p>Objective – Papakainga on Maori Multiple Owned Land in the Rural and Future Urban Zones.</p> <p>Papakainga developments within the Rural Zone and Future Urban Zones on Multiple Owned Maori land provide housing opportunities for tangata whenua, are designed and set out on the subject site so as to be compatible with the existing and anticipated rural character and amenity of the Zone, and allow for primary production activities to continue on the balance of the site and surrounding sites.</p>	<p>The objective is relative in relation to the requirement under Sec 6 RMA for Council to recognise and provide for:</p> <p>(e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.</p> <p>And under section 7 RMA for Council have particular regard to;</p> <p>(a) Kaitiakitanga</p> <p>and the requirement under section 8 RMA for persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, to take into account the principles of the Treaty of Waitangi.</p> <p>The objective also provides for the other issues that need to be</p>

Objective Number	Objective	Appropriateness
		<p>considered in relation to the sustainable management of natural and physical resources.</p> <p>The objective seeks to sustain the potential of the rural land resource to meet the foreseeable needs of future generations as well as safeguard the life supporting capacity of soils.</p> <p>The objective also ensures the efficient use and development of natural and physical resources (section 7(b)), the maintenance and enhancement of amenity values (section 7(c)), the maintenance and enhancement of the quality of the environment (section 7(f)) and has regard to finite characteristics of natural and physical resources (section 7(g)).</p> <p>The objective is useful as it sets out all the elements for decision makers or potential applicants to consider in relation to such developments.</p> <p>The objective is achievable through land uses controls and conditions on land use and is reasonable in that it provides for the development of papakainga and for this to be undertaken in a manner that considers other relevant resource management issues identified in relation to the Rural and Future Urban zones.</p>

4.7.2 Policies, Methods and EREs

Objective 16.3.3.4 is addressed through Policy 16.3.3.4.1 Papakainga on Maori Multiple Owned Land in the Rural Zone. The policy provides for the internal development to be directed by tangata whenua with the standard rural setbacks applying to the external boundaries of the site to address potential adverse impacts on the carrying out of primary production activities on the balance of the site and surrounding site. The policy also sets out that an Outline Development Plan will be required and that the development should be compatible with rural character and amenity when viewed from outside the site. The policy

also directs that the development must provide for its servicing needs in a way that will not impact on the environment.

This policy is achieved through:

- **Rule 16.5.1 Development Density and Scale**
 Provides for two houses on a multiple owned Maori land parcel in any rural location as a permitted activity. This maintains the current status quo and provides for some housing potential on smaller blocks which do not have a land area that provides for larger papakainga development.
- **Rule 16.5.13.1 Permitted Activities Within a Matapihi Papakainga Scheduled Site**
 Provides for papakainga activity on three identified sites in the Matapihi peninsula in accordance with the outcome of the Matapihi Land Use Plan. This Plan also identified that rural zoning be maintained for the remainder of the Peninsula to maintain the rural character and amenity of the area. In this area which is identified in the Proposed Plan any further papakainga development would be a Discretionary Activity.
- **Rule 16.6.1 Controlled Activities**
 Provides for 3 -10 dwellings and a communal building subject to minimum site sizes, compliance with an Outline Development Plan, provision of services on site.
- **Rule 16.6.7.1.1 Restricted Discretionary Activities**
 Provides for 10 -30 dwellings, communal building and other related activities such as schools or health centres subject to minimum site sizes. Compliance with an Outline Development Plan required, controls on size of non residential activities, provision of services on site.
- **Rule 16.6.8 Discretionary Activities**
 Discretionary Activity for more than 30 dwellings in a papakainga development.
- An Appendix setting out interactions between Maori Land Court process and Council process as part of a development process.
- A Cross reference to and support for the use of Te Keteparaha Mo Nga Papakainga (Maori Housing Toolkit).

Proposed Policies and Methods	Provide for papakainga on any multiple owned Maori Land (with the exception of the Matapihi peninsula) in the Rural and Future Urban Zones ensuring through planning controls that such developments does not adversely impact on rural character and amenity or potential primary production uses on the rest of the site or on adjoining sites.
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	<p>Two dwellings permitted as of right on a rural zone Multiple Owned Maori Land parcel.</p> <p>Controlled activity status for 3 -10 dwellings and a communal building subject to minimum site sizes, compliance with an Outline Development Plan, provision of services on site.</p> <p>Restricted Discretionary activity for 10 -30 dwellings, communal building and other related activities such as schools or health centres subject to minimum site sizes, compliance with an Outline Development Plan, controls on size of non residential activities, provision of services on site.</p> <p>Discretionary Activity for more than 30 dwellings in a papakainga development.</p> <p>Appendix setting out interactions between Maori Land Court process and Council process as part of a development process.</p> <p>Cross reference to and support for the use of Te Keteparaha Mo Nga Papakainga (Maori Housing Toolkit).</p> <p>On the Matapihi Peninsula provide for 3 specific sites identified for papakainga in accordance with the outcomes of the Matapihi Landuse Plan.</p>
<p>Costs</p>	<p>Potential adverse impacts on the ability to carry out primary production activities on the remainder of the site and adjoining sites.</p> <p>Potential adverse impacts on rural landscape, character and amenity.</p> <p>Potential adverse impacts on infrastructure such as the State Highway network.</p>
<p>Benefits</p>	<p>Provides for utilisation of Multiple Owned Maori land for papakainga.</p> <p>Reduces level of uncertainty for iwi, hapu, whanau looking to develop papakainga as to the process and probability of grant of resource consent.</p> <p>Provisions apply to ensure that adverse impacts on primary production activities on site or adjoining sites and potential adverse impacts on rural landscape, character and amenity are addressed as part of the development of the papakainga.</p> <p>Identification of sites for papakainga on the Matapihi Peninsula in accordance with the outcomes of the Matapihi Landuse Plan.</p> <p>Clearer understanding for parties as to the interactions between processes under the RMA, through Council, and the Te Ture Whenua Act, through the Maori Land Court.</p> <p>Greater awareness of the resource of, and information and guidance in, the Maori Housing Toolkit (Te Keteparaha Mo Nga Papakainga).</p>

Risk	<p>Low – concerns have been raised as to the scale of potential adverse impacts of the proposed approach around the cumulative impacts of numbers of papakainga clustering in an area.</p> <p>In discussions with groups involved in the area of papakainga development it is noted that costs, both monetary, time and resource, to develop plans for papakainga development to address the requirements of the RMA and Te Ture Whenua Act are such that it is considered that the numbers of papakainga likely to be developed are low.</p> <p>Estimates of likely papakainga development out to 2021 being considered in the City sourced through SmartGrowth also indicate a low level of developments are expected and are likely to be staged over a number of years. Research of Council records of numbers of building permits issued for dwellings on Maori Land within the City over the last decade also support the prediction that numbers of dwellings being developed as likely to be very low with the highest number of permits issued in any year of that period being 10 and in some years nil.</p>
Efficiency	<p>Efficient - the benefits to be gained in providing for tangata whenua to develop housing on their land resource and the low risk associated with the proposed approach outweigh the potential cost.</p>
Effectiveness	<p>Effective in addressing the relevant Resource Management Act considerations and giving effect to the RPS. The proposed approach provides for adverse impacts on rural character and primary production activities to be addressed as part of the development and the risk of cumulative adverse impacts of the proposal over a number of properties in the same rural area of the City is low.</p>
Appropriateness	<p>The approach is an appropriate way to balance the provisions for development of Maori Land with the resource management issue relating to loss of potential for primary production and rural character and amenity.</p>

Alternative 1 – Specific Areas zoned for papakainga development	<p>Specific Areas zoned for papakainga development</p>
Costs	<p>Residential opportunities would only be available for those having shares in the blocks selected.</p> <p>Selecting specific sites is unlikely to provide appropriate flexibility in terms of papakainga opportunities given the relative uncertainty of what/sites groups will be in a position to pursue these opportunities through the life of the Plan.</p> <p>Limits the potential for tangata whenua to be able to provide for housing on their own land assets.</p>

Benefits	Greater certainty as to where papakainga could develop for other parties.
Risk	<p>High risk of not giving effect to the RPS or to the actions of SmartGrowth. The exception to this would be on the Matapihi peninsula were the outcome of the Matapihi Landuse Plan was the identification by the community of three specific sites for papakainga development.</p> <p>In relation to the provision for papakainga outside of this area hapu indicated that they did not favour a selected site approach as that was inequitable between blocks and that the opportunities should be available for all multiple Maori landowners to consider in the context of their own landholdings and the wishes of their beneficiaries.</p>
Efficiency	Not efficient – does not equitably provide for papakainga opportunities.
Effectiveness	Not effective – would not give effect to the RPS or SmartGrowth.
Appropriateness	Not appropriate.

Alternative 2 – Status Quo Retain current (operative) Plan provisions	<p>No policy framework to support the development of papakainga on multiple owned Maori land</p> <p>Two dwellings permitted as of right on a rural zoned multiple owned Maori land parcel (on the basis of rural zoning rather than as an encouragement to papakainga).</p> <p>Activity status would have to be assessed for each proposed activity on a case by case basis, but would have at least Restricted Discretionary Activity status.</p>
Costs	<p>No objectives and policies to guide decision makers in relation to papakainga developments</p> <p>No provision for papakainga developments</p> <p>Uncertainty for iwi, hapu, whanau looking to develop papakainga as to process and probability of grant of resource consent.</p> <p>Potential adverse impacts on the ability to carry out primary production activities on the remainder of the site and adjoining sites.</p> <p>Potential adverse impacts on rural landscape, character and amenity.</p>
Benefits	Ability to address potential adverse impacts through resource consent conditions.
Risk	High risk – does not address the RPS or direction of SmartGrowth.
Efficiency	Not efficient – does not equitably provide for papakainga opportunities.
Effectiveness	Not effective – would not give effect to the RPS or SmartGrowth.
Appropriateness	Not appropriate.

For the proposed policies and methods, the following EREs are anticipated:

- Establishment of papakainga on multiple owned Maori land in the Rural and Future Urban Zone

4.7.3 Monitoring Proposed Plan Provisions

ERE	Indicator	Evaluation of Plan Effectiveness
Establishment of papakainga on Multiple Owned Maori Land in the Rural and Future Urban Zone	Number of consents received and granted for papakainga development per year.	<p>Will partially evaluate how effective the Objective and Policies and methods have been.</p> <p>A low level of papakainga development will not necessarily reflect the effectiveness of the policy approach. A low rate of establishment may reflect the time required for trusts to be established, requirements of the Te Ture Whenua Act to be met and the gathering of funding for such developments.</p>

4.8 Issue 7: Maintenance and Enhancement of the Greenbelt Zone

Land use and development within the Greenbelt Zone has the potential to adversely impact on the effective and efficient management of the City's stormwater network, maintenance of green corridor linkages within the City, natural character, ecological and or heritage values and visual separation between developed areas.

Issue Statement

The Greenbelt Zone is one of the main means of managing diffuse water discharge in areas comprising escarpments and valley floors which form natural drainage systems directing overland run-off towards Tauranga Harbour. Advantage is taken of these characteristics to form an integral part of the Stormwater Management Strategy in each urban growth area.

The Greenbelt Zone also provides for green corridor linkages, natural character, ecological and or heritage values and visual separation between developed areas.

The Greenbelt Zone remains largely in private ownership and land use and subdivision provisions have the potential to adversely impact on these values and the management of the stormwater network.

4.8.1 Objectives

This table identifies the appropriateness of the listed objectives in achieving the purpose of the RMA.

Objective Number	Objective	Appropriateness
16.3.4.1	<p>Objective – Management of Special Character within the Greenbelt Zone</p> <p>The Greenbelt Zone provides for additional protection for established stormwater management systems, areas identified for their natural character, ecological and heritage values and cumulatively contributes to a green rural backdrop to, and separation between, the City's urban and suburban areas.</p>	<p>The objective is relevant in that the Greenbelt Zone plays a role in stormwater management in the City in a way that seeks to support ecosystems and water and soil systems. The zone also provides for the protection of ecosystems (section 7(d)) and ecological features.</p> <p>The Greenbelt Zone also contributes to an open, rural backdrop to the City and to separation between urban and suburban areas. Maintenance of this resource is in accordance with the Council's duties, in carrying out its policy making function, to have regard to the maintenance and enhancement of amenity values(section 7(c)) and the Maintenance and enhancement of the quality of the environment (section 7(f)).</p> <p>The objective is useful as it indicates the additional matters to be considered by decision makers, potential applicants and residents in considering activities in the Greenbelt Zone.</p> <p>It is achievable through additional land use controls and conditions on consents and is reasonable as most primary production activities are still provided for within the Zone.</p>

4.8.2 Policies, Methods and EREs

Objective 16 3.4.1 is addressed through Policy 16.3.4.1.1 Application of Greenbelt Zoning and Policy 16.3.4.1.2 Activities in the Greenbelt Zone.

Policy 16.3.4.1.1 sets out the that the Greenbelt Zone will be applied to areas where additional protection for stormwater management systems, natural character, ecological, heritage values and the green rural backdrop of the City is required. The policy also sets out

that land in the Greenbelt Zone will only become a public asset where the land is required for public works.

Policy 16.3.4.1.2 provides for the use of the Greenbelt Zone for essentially primary production activities providing it is undertaken in a manner which has particular regard to:

- The ability of the Greenbelt Zone to effectively filter stormwater runoff and avoidance of disruption to stormwater systems.
- The retention and enhancement of the general elements of rural character and amenity.
- The maintenance or enhancement of natural character, ecological and heritage values.
- The maintenance of green corridors along the gully systems leading to the Tauranga Harbour and avoiding fragmentation of linkages and disruption to the existing green corridors.
- The maintenance of visual separation between developed areas.
- The potential for walkways and cycleway linkages within the Greenbelt Zone.

These policies are to be achieved through:

- Application of Greenbelt zoning to: natural drainage, man made drainage and stormwater management areas and natural resource areas and to open space areas for the protection of green corridor linkages, natural character, ecological and/or heritage values.
- Rule 16.4.1 Activity Status as it relates to the Greenbelt Zone
- Provision for primary production activities, ancillary residential and other rural use and development, including bulk and location provisions and subdivision as for the Rural Zone. Land will only be acquired by Council where it is needed for public works e.g. designated stormwater works.
- Additional controls on the clearance of indigenous and exotic vegetation, with an exemption for activities associated with the maintenance and construction of the stormwater network and minor public recreational facilities such as cycleways and walkways construction. Exemption also applies for these activities from the Natural Character” Coastal Environment, Natural Waterways and Wetlands provisions.

Proposed Policies and Methods	<p>Additional specific policies for the Greenbelt Zone in relation to its role in the City’s stormwater management systems, protection of ecological and heritage values and cumulative contribution to a green rural backdrop to, and separation between, the City’s urban and suburban areas.</p> <ul style="list-style-type: none"> • Provision for some primary production activities that are compatible with the roles of the Greenbelt Zone, ancillary residential activity. • Bulk and location provisions and subdivision controls as for the Rural Zone but with additional considerations in relation to stormwater management systems, protection of ecological and
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	<p>heritage values and landscape considerations.</p> <ul style="list-style-type: none"> • Additional controls on the clearance of indigenous and exotic vegetation, with an exemption for activities associated with the maintenance and construction of the stormwater network and minor public recreational facilities such as cycleways and walkways construction. Exemption also applies for these activities from the Natural Character Coastal Environment, Natural Waterways and Wetlands provisions.
Costs	<p>May limit potential landuse opportunities perceived by the land owner.</p> <p>General public may incorrectly perceive the land as land “locked” from any use and development and have incorrect expectations as to the use and future use of this land.</p>
Benefits	<p>Clear identification of the key attributes of the Greenbelt Zone and clear identification of additional controls and the extent of the additional controls, including in new Urban Growth Areas.</p> <p>Clarity as to when Council may seek to acquire land, including in new Urban Growth Areas.</p> <p>Land resource still able to be utilised for primary production and ancillary residential activities.</p> <p>Certainty over land use for landowners and clear definition of the nature of the Greenbelt Zone and its purpose for the general public.</p> <p>City’s stormwater system provides for the continuance of natural drainage systems and functioning of those ecosystems including in new Urban Growth Areas.</p> <p>Provides for the efficient and effective maintenance and construction of components of the City’s stormwater system as required without additional costs and timeframes for land use consent, including in new Urban Growth Areas.</p> <p>Provides for the continuance of rural character and for additional protection to specific landscape contribution to the City such as the protection of green linkage to the harbour and between developed urban and suburban areas.</p> <p>Potential Provision of cycleway and walkways as an open space recreational resource for the City’s residents including in new Urban Growth Areas.</p>
Risk	<p>Low – the purpose and extent of the Greenbelt Zone has been recently reviewed (2007) and has been through a full section 32 and plan change process. The proposed approach is based directly on this recent review work.</p>
Efficiency	<p>Clear statement of the purpose of the Greenbelt Zone and specific steps to be taken to manage the Zone.</p>
Effectiveness	<p>Clear statement of what the existing and future new Greenbelt Zones should achieve and methods to implement it.</p>
Appropriateness	<p>The approach is considered the most appropriate. The benefits of the approach outweigh the costs and the approach is based directly on</p>

	recent review work and its outcomes.
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<p>Alternative 1 – Remove provision of a greenbelt Zone in its entirety. Land in the zone would revert to the Proposed Objectives, Policies and methods for the Rural zone i.e. remove the Special Character Objectives, Policies and methods.</p>	<p>Objective and Policies and provisions for the rural land resource provides for predominately primary production activities, low density residential activity ancillary to those activities and papakainga development compatible with the maintenance and enhancement of an open, vegetated, rural character and amenity.</p> <p>Provision for primary production activities, ancillary residential and other rural use and development, including bulk and location provisions and subdivision as for the Rural Zone.</p>
<p>Costs</p>	<p>Difficulties in ensuring activities do not affect the ability to effectively filter stormwater runoff and avoidance of disruption to stormwater systems.</p> <p>Difficulties in ensuring that the City’s stormwater system provides for the continuance of natural drainage systems and functioning of those ecosystems, including in new Urban Growth Areas.</p> <p>Reduction in the efficient and effective construction of components of the City’s stormwater system - would require land use consent with additional costs and time frames.</p> <p>Removes additional protection to the Zone’s specific landscape contribution to the City such as the protection of green linkage to the harbour and between development urban and suburban areas including in new Urban Growth Areas.</p> <p>Removes potential provision of cycleway and walkways as an open space recreational resource for the City’s residents including in new Urban Growth Areas.</p>
<p>Benefits</p>	<p>Land resource still able to be utilised for primary production and ancillary residential activities.</p> <p>General rural provisions would ensure some protection for rural landscape.</p> <p>General rural provision would still provide for the maintenance of existing components of the City’s stormwater system as required without additional costs and timeframes for land use consent.</p>
<p>Risk</p>	<p>High – would remove the ability to effectively and efficiently manage the City’s stormwater system and protect natural drainage patterns and associated ecosystems and related landscape features.</p>

Efficiency	Not efficient – costs clearly outweigh benefits.
Effectiveness	Not effective - Would also reduce the ability of to protect an open, rural backdrop to the City and separation between urban and suburban areas in relation to having regard to the maintenance and enhancement of amenity values(section 7(c)) and the maintenance and enhancement of the quality of the environment (section 7(f)).
Appropriateness	<p>Not appropriate - would reduce the ability to undertake stormwater management in the City in a way that seeks to support ecosystems and water and soil systems or provide for the protection of ecosystems (section 7(d)) and ecological features.</p> <p>Would also reduce the ability of to protect an open, rural backdrop to the City and separation between urban and suburban areas in relation to having regard to the maintenance and enhancement of amenity values(section 7(c)) and the maintenance and enhancement of the quality of the environment (section 7(f)).</p>

For the proposed policies and methods, the following EREs are anticipated:

- Preservation of natural drainage and ecosystems adjacent to new residential development and to residential development in Urban Growth Areas.
- Protection of Greenbelt areas as open space corridors and as a means of stormwater management

4.8.3 Monitoring Proposed Plan Provisions

ERE	Indicator	Evaluation of Plan Effectiveness
Preservation of natural drainage and ecosystems adjacent to new residential development and to residential development in Urban Growth Areas.	<p>Analysis of resource consents - Numbers of resource consents applied for and granted for not meeting the Greenbelt permitted activity standards in and why.</p> <p>Application of Greenbelt Zoning in appropriate areas through the development process of Urban Growth Areas.</p>	<p>Will evaluate how effective the Objective and Policies have been.</p> <p>Analysis of grant of, and reasons for grant of, consents in the Greenbelt Zones will identify deficiencies in policy approach.</p>

ERE	Indicator	Evaluation of Plan Effectiveness
Protection of Greenbelt areas as open space corridors and as a means of stormwater management	<p>Analysis of resource consents - Numbers of resource consents applied for and granted for not meeting the Greenbelt permitted activity standards in and why.</p> <p>Application of Greenbelt Zoning in appropriate areas through the development process of Urban Growth Areas.</p>	<p>Will evaluate how effective the Objective and Policies have been.</p> <p>Analysis of grant of, and reasons for grant of, consents in the Greenbelt Zones will identify deficiencies in policy approach.</p>

4.9 Issue 8: Provision for Rural Marae

Rural marae provide for both marae activities and for associated housing. Development within the marae however could have potentially adverse effects on the use of rural land resource for primary production, lead to reverse sensitivity conflicts and adverse impacts on rural character and amenity.

Issue Statement

There are a number of established marae in the rural areas of the City. Marae activities may range from tangi and hui through to the provision of residential accommodation, health, education, recreation and social services. The mix, design and operation of these facilities can be considered unique to marae. There is a potential for this mix of activities to have potential adverse impacts on the use of surrounding rural land for primary production or to adversely impact on the maintenance of rural landscape, character and amenity.

4.9.1 Objectives

This table identifies the appropriateness of the listed objectives in achieving the purpose of the RMA.

Objective Number	Objective	Appropriateness
16.10.1.1	<p>Objective – Marae Community Development</p> <p>(a) To recognize and provide for the use and development of marae to meet the evolving needs of their iwi, hapu and whanau.</p> <p>(b) To allow tangata whenua</p>	<p>In relation to Part II of the RMA and in particular the purpose of the Act this objective is relevant as it accords with the requirement under Sec 6 RMA for Council to recognise and provide for:</p> <p>(e) The relationship of Maori and their culture and traditions with</p>

	<p>opportunities to exercise kaitiakitanga over marae resources in their respective hapu areas.</p>	<p>their ancestral lands, water, sites, waahi tapu, and other taonga.</p> <p>And under section 7 RMA for Council have particular regard to;</p> <p>(a) Kaitiakitanga</p> <p>and the requirement under section 8 RMA for persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, to take into account the principles of the Treaty of Waitangi.</p> <p>The objective is useful in that it recognises the evolving nature of marae and is achievable through land use controls and reasonable in that these controls apply to avoid impacts on other adjoining sites but provides for marae community to make decisions as to the internal layout of the marae zone.</p>
<p>16.10.1.2</p>	<p>Objective – Bulk and Scale of buildings in the Rural Marae Community Zone</p> <p>Buildings that are of a bulk and scale compatible with the existing and anticipated rural character of low height of building, and separation of buildings.</p>	<p>The objective is appropriate in terms of maintenance and enhancement of amenity values and the maintenance and enhancement of the quality of the environment (section 7).</p> <p>The character and amenity of the Rural Zones is due to the very low intensity of on site development of development, the pattern of low-rise buildings and potential for greater separation between buildings on site and between sites.</p> <p>The objective is useful and reasonable as it clearly communicates to decision makers the bulk and scale of development anticipated within the Rural Marae Community Zone and is achievable through controls on</p>

		permitted land use. It is reasonable in that the bulk and location controls are consistent with controls on all sites in the Rural Zones.
16.10.1.3	<p>Objective – Site Layout and Building Design in the Rural Marae Community Zone</p> <p>Development within the Rural Marae Community Zone provides for the cultural mix of activities within the marae, but is still compatible with the existing and anticipated rural character and amenity of the Zone and is set out on-site to address potential reverse sensitivity effects for primary production activities on surrounding sites.</p>	<p>The objective is appropriate in terms of maintenance and enhancement of amenity values and the maintenance and enhancement of the quality of the environment (section 7).</p> <p>The character and amenity of the Rural Zone is due to low intensity of on site development of development, the pattern of low-rise buildings and potential for greater separation between buildings on site and between sites.</p> <p>The objective is useful and reasonable as it clearly communicates to decision makers the bulk and scale of development anticipated within the Rural Marae Community Zone and is achievable through controls on permitted land use.</p>

4.9.2 Policies, Methods and EREs

Objective 16.10.1.1 is addressed through Policy 16.10.1.1.1 Rural Marae Community Zone. The policy sets out that the Rural Marae Community Zone recognises the various activities that take place on a marae, education, health, social services, housing etc and provides for these as permitted activities subject to meeting permitted activity standards. The policy also recognises that residential densities in a Rural Marae Community Zone will be higher than in other Rural Zones.

Objective 16.10.1.2 is addressed through Policy 16.10.2.1 Bulk and Scale of Buildings – Building Height and Overshadowing that seeks to ensure that buildings fall within a building envelope that is compatible with the existing and anticipated rural character.

Objective 16.10.1.3 is addressed through Policy 16.10.1.3.1 Site Layout and Building Design in the Rural Marae Community Zone which provides for tangata whenua to exercise control over site layout within the Marae Zone while applying setbacks to the external boundary of the zone to maintain the external rural character and amenity of the site from the surrounding rural area.

These policies are achieved through the following methods:

- Provision of a Rural Marae Community Zone around existing rural marae.
- Rule 16.10.3 Activities in the Rural Marae Community Zone

Provision within the Zone for marae-based activities, including wharenuī, wharekai; small scale health centres, offices, schools and tertiary education premises, and home based businesses subject to permitted activity standards designed to maintain the rural character and amenity of the site and surrounding sites.

Provision for primary production activities to occur within the Zone if desired by the marae community. Subject to the same controls as would apply in the Rural Zone.

- Rule 16.11.1 Development Density and Scale

Provision for a specified number of independent dwelling units in each Rural Marae Community Zone provided for by on-site services.

- Rule 16.11.2 Building Height, Rule 16.11.3 Streetscape, Rule 16.11.4 Setbacks, Rule 16.11.5 Overshadowing

- Height controls consistent with those for the Rural Zones in general, streetscape, setback and overshadowing controls consistent with those for the Rural Zones in general applied at the external boundaries of the zone.

<p>Proposed Policies and Methods</p>	<p>Apply a Rural Marae Community Zone to rural marae.</p> <p>Marae based activities, social services and residential activity etc provided for as permitted activities subject to meeting permitted activity standard designed to maintain rural character and amenity for the surrounding rural areas.</p> <p>Permitted activity standards applied to ensure that a rural character and amenity is maintained in relation to the surrounding rural area.</p>
<p>Costs</p>	<p>Limited reduction in some areas of the availability of the rural land resource for primary production activities.</p> <p>Potential adverse impacts on the rural character and amenity of the rural area in some rural areas.</p>
<p>Benefits</p>	<p>Recognises and provides for the mix of activities within a marae.</p> <p>Recognises the marae as the communal focus point for tangata whenua.</p> <p>Provides for tangata whenua to exercise control over the internal layout of the Marae Zone and to utilise land assets for housing and the provision of other social services which may reduce pressure to utilise other Maori Land currently in primary production.</p> <p>Provides for rural separation distances between the marae and activities on adjoining sites from the external boundaries of the Zone to limit impacts on rural production activities and ancillary residential activities</p>

Risk	Low – applies only to established marae, provides for the continuation in most cases of already established uses and facilities and extent of rural marae.
Efficiency	The benefits greatly outweigh the small costs of the approach.
Effectiveness	Approach is effective in meeting the Objective in that it provides for marae activity while considering its potential adverse impacts on adjoining properties/activities.
Appropriateness	<p>Accords with the requirement under Sec 6 RMA for Council to recognise and provide for:</p> <p>(e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.</p> <p>and under section 7 RMA for Council have particular regard to;</p> <p>(a) Kaitiakitanga</p> <p>and the requirement under section 8 RMA for persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, to take into account the principles of the Treaty of Waitangi.</p>

Alternative 1 – Rural Marae subject to the Rural Zone Objectives, Policies and Provisions.	<p>Objectives and policies applying to Rural Zone – concerned with the utilisation of primary productive land and maintenance of an open, low density rural character and amenity.</p> <p>Primary production and ancillary residential activity provided for as permitted activities with community support activities provided for as a discretionary activity.</p> <p>Bulk and location controls seek ensure a low density open rural character and amenity. Only 1 independent dwelling unit and one small secondary independent dwelling unit per site provided for.</p>
Costs	<p>Does not recognise or provides for the mix of activities within a marae.</p> <p>Does not provide for tangata whenua to exercise control over the internal layout of the Marae Zone and to utilise land assets for housing and the provision of other social services which may reduce pressure to utilise other Maori Land currently in primary production.</p> <p>Does not recognise the existing facilities and activities within the marae.</p> <p>Would require resource consent for extensions to most activities.</p>

	Costs and delays for tangata whenua.
Benefits	Limited increase in some areas of the availability of the rural land resource for primary production activities. Decrease in potential adverse impacts on the rural character and amenity of the rural area in some rural areas.
Risk	High risk – Rural Marae Community Zoning is a long standing method of providing for marae and their mix of activities. The Zone only applies to existing marae and provides for the continuation in most cases of already established uses and facilities.
Efficiency	Not efficient costs – outweigh benefits
Effectiveness	Not effective – high risk approach, does not recognise the very different built environment and activities that occur on a marae.
Appropriateness	Does not accord with the requirement under Sec 6 RMA for Council to recognise and provide for: (e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga. and under section 7 RMA for Council have particular regard to; (a) Kaitiakitanga and the requirement under section 8 RMA for persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, to take into account the principles of the Treaty of Waitangi.

For the proposed policies and methods, the following EREs are anticipated:

- Marae activities continue with the Zone with the majority of activities not requiring resource consent.
- Establishment of papakainga in the Rural Marae Community Zone.

4.9.3 Monitoring Proposed Plan Provisions

ERE	Indicator	Evaluation of Plan Effectiveness
Marae activities continue with the Zone with the majority of activities not requiring resource consent.	Consents received for activities in the Rural Marae Community Zone, for what, whether granted and why.	Will partially evaluate how effective the Objective and Policies and methods have been. A low level of papakainga development will not necessarily

ERE	Indicator	Evaluation of Plan Effectiveness
		reflect the effectiveness of the policy approach. A low rate of establishment may reflect the time required for trusts to be established, requirements of the Te Ture Whenua Act to be met and the gathering of funding for such developments.
Establishment of papakainga in the Rural Marae Community Zone.	Number of consents received and granted for papakainga development in the Rural Marae Community Zone.	<p>Will partially evaluate how effective the Objective and Policies and methods have been.</p> <p>A low level of papakainga development will not necessarily reflect the effectiveness of the policy approach. A low rate of establishment may reflect the time required for trusts to be established, requirements of the Te Ture Whenua Act to be met and the gathering of funding for such developments.</p>

5. RECOMMENDED OBJECTIVES, POLICIES AND METHODS

The resource management issues identified for the Rural Zones as outlined above are recommended to be addressed in accordance with Councils duties under the RMA including the development of a District Plan as follows:

- A distribution of rural zonings that are consistent with the growth management policies of the Bay of Plenty Regional Policy Statement; retain the potential for the rural land resource to be used predominantly for primary production activities;
- Specific Rural Zones: Rural, Rural Marae Community, Future Urban and Greenbelt Zone have additional specific policy direction in relation to the use, development and subdivision within these Zones according to each Zone's characteristics additional purposes.
- The retention of rural zoning on lands not required for urban growth till post 2021. Primary production and ancillary activities remaining the predominant use in these areas. Strict controls on other land uses and subdivision in these areas to ensure that the rural land resource is not fragmented by non-rural developments and subdivision at a higher density than currently provided for in the Rural Zone.
- Application of a Future Urban Zone to the Te Tumu Urban Growth Area which is required for urban growth in the medium term growth before 2021 as set out in the RPS. Primary production and ancillary activities remaining the predominant use in this Future Urban Zone. Strict controls on other land uses and subdivision in these areas in the interim to ensure that the land resource is not fragmented by non-rural

developments and subdivision at a higher density than currently provided for in the Rural Zone. Rezoning only occurring after a comprehensive rezoning and structure plan process has been undertaken in accordance with the RPS.

- Application of a Future Urban and Rural Zone to the Wairakei Future Urban Zone which is required for urban growth in the short term before 2021 as set out in the RPS. Strict controls on other land uses and subdivision in these areas in the interim to ensure that the land resource is not fragmented by non-rural developments and subdivision at a higher density than currently provided for in the Rural Zone. The land will only be released for urban development when the Plan Change (44) for the urbanisation of the area which is currently under appeal is resolved.
- Maintaining a rural character and amenity within Rural Zones through: zone provisions that identify through zoning and subdivision provisions a less intensive development pattern than in the Rural Residential and Residential Zones. Limitation on the numbers of dwellings provided for on rural sites, and provisions in relation to bulk and scale of buildings.
- Identification of Plan Areas with additional protective provisions for areas of natural character, landscape character indigenous vegetation, ecological processes.
- Ensuring that rural activity is the predominant activity in the zone and that reverse sensitivity conflicts are avoided or addressed through:

Provision for primary production activities as a permitted activity along with ancillary residential use and small scale home based businesses.

A limited range of community support activities being health centres, schools, tertiary education premises and churches are provided for as discretionary activities to ensure that their establishment is compatible with the amenity of the rural zone.

A Non - Complying activity status applies to activities not meeting the permitted activity conditions or activities not anticipated within the zone so that matters of policy and environmental effects can be considered rigorously.

- Provision for papakainga development on Multiple Owned Maori Land in the Rural Zone subject to controls to address the potential impacts on primary production activities and rural character and amenity.
- Additional specific policies and plan provisions for the Greenbelt Zone in relation to its role in the City's stormwater management systems, protection of ecological and heritage values and cumulative contribution to a green rural backdrop to, and separation between, the City's urban and suburban areas.
- Apply a Rural Marae Community Zone to rural marae. Marae based activities, social services and residential activity etc provided for as permitted activities subject to meeting permitted activity standard designed to maintain rural character and amenity for the surrounding rural areas. Permitted activity standards applied to ensure that a rural character and amenity is maintained in relation to the surrounding rural area.
- Issues of reverse sensitivity addressed through: separation distances on and between sites; limitations on primary production activities permitted in the Zones; use of section 16 and 17 of the RMA and industry codes in relation to nuisances and reverse sensitivity conflicts.