

# **Manawatū District Plan**

## **Proposed Plan Change 65: Outstanding Natural Features and Landscapes**

### **Section 32 Report**

**January 2020**



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## Part I – District Plan Review

### 1 Purpose of Proposed Plan Change 65

The purpose of this plan change is the protection of Manawatū's Outstanding Natural Features and Landscapes (ONFLs) and Significant Amenity Features (SAFs) from inappropriate subdivision, use, and development and to maintain or enhance the amenity values and environment within these areas.

This Plan Change recognises that the current provisions of the Operative District Plan are not clear, are not consistent with the direction of Horizons Regional Council's One Plan, and the areas are not spatially defined. Furthermore, many areas that are considered to be outstanding are not currently provided for. Without change, ONFLs and SAFs within the Manawatū District are at risk of modification and loss. Proposed Plan Change 65 – Outstanding Natural Features and Landscapes (PPC65) seeks to amend the District Plan to provide clearer direction for how ONFLs and SAFs are to be managed into the future, as well as spatially defining these areas. Without this Plan Change, the level of protection afforded to these areas as anticipated under Part 2 of the Act is not achieved.

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### 2 Description of the Proposed Plan Change

Proposed Plan Change 65 – Outstanding Natural Features and Landscapes (PPC65) seeks to spatially define fifteen (15) Outstanding Natural Features and Landscapes (ONFLs) along with three (3) Significant Amenity Features (SAFs). A new Outstanding Natural Features and Landscapes Chapter is proposed to be included in the District Plan with specific objectives, policies and rules. Amendments to Chapter 3A Network Utilities and Chapter 3D Earthworks are also proposed.

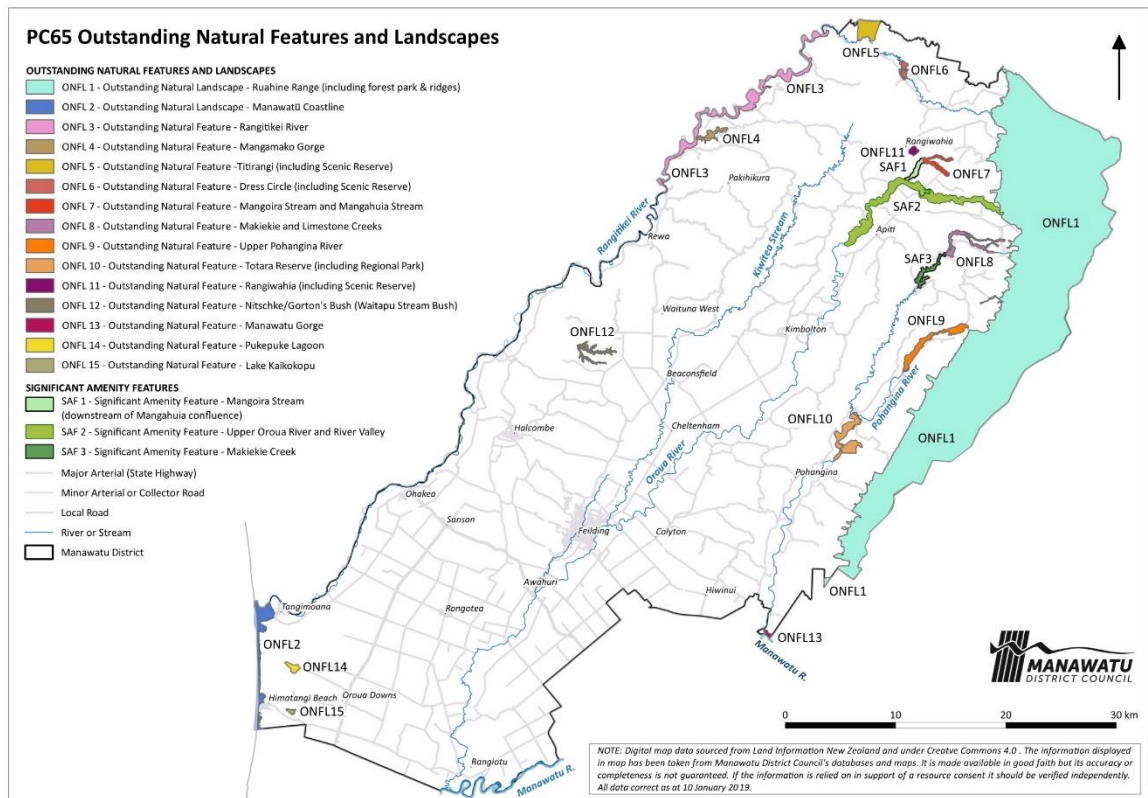
New location specific provisions will provide certainty to plan users and ensure the values and characteristics associated with ONFLs are protected and enhanced through the control of inappropriate subdivision, use, and development.

This Plan Change is part of the wider Manawatū District Plan Sectional Review. The new Natural Features and Landscapes Chapter has been prepared consistent with the new structure introduced through the National Planning Standards in April 2019.

Amendments to Chapter 3A Network Utilities and Chapter 3D Earthworks have been made under the current District Plan structure for ease of reference following the changes, and to ultimately achieve a standalone Network Utilities chapter in the future. Chapter 3 will be transitioned into the new structure following the completion of this Plan Change.

The spatial identification includes over 315km<sup>2</sup> of land. The extent of the areas identified as Outstanding Natural Features and Landscapes, and Significant Amenity Areas covered by PPC65 is shown in Map 1. The changes are consistent with the direction of Horizons One Plan, particularly Policies 6-6, 6-7, and Table 6-1.

**Map 1 – Outstanding Natural Features and Landscapes, and Significant Amenity Features in the Manawatu District.**



### 3 Proposed amendments to the District Plan

PPC65 involves the following amendments to the Manawātū District Plan:

1. A new Natural Features and Landscapes Chapter, including appendices outlining the spatial extent and values and characteristics of each area (refer Appendix 1).
2. Amended Chapter 3A Network Utilities and Chapter 3D Earthworks (refer Appendix 2).
3. New definitions to existing Chapter 2 as follows:

Insert new definition for functional need as follows:

“means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.”

Insert new definition for operational need as follows:

“means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints.”

4. Amendments to the District Planning Maps to show the Outstanding Natural Features and Landscapes and Significant Amenity Areas (see Appendix 3).

5. Consequential changes as required, including the deletion of Appendix 1C and those areas in Appendix 1A and 1B that have been incorporated into the identified Outstanding Natural Features and Landscapes (refer Appendix 4).

These provisions will have legal effect once the Council publicly notifies decisions on submissions to Plan Change 65, in accordance with Clause 11, Schedule 1, as set out in Section 86B(1) of the Resource Management Act (1991).

## 4 Operative District Plan Review

The current District Plan became operative in December 2002. Section 79 of the Act requires Council to commence a review of its District Plan every 10 years. Recent amendments to the Act clarify that whole plans need not be reviewed. A Council may choose to review their District Plan in part or in sections.

The Council has decided to undertake the review of the District Plan in sections (i.e. a sectional district plan review). The reason for this approach is to lessen the administrative burden of reviewing the entire District Plan within the statutory timeframes. This approach also enables the public to make comment on a topic-specific basis. Council is very conscious of the need to maintain a holistic view of the future to ensure that research and consultation for related components of the Plan still achieve a high level of integration. A key focus for the review process is to allow for local context, a high degree of alignment of regulatory provisions and ensuring that the context and scale of any rules are appropriate to manage the issues raised.

The sectional district plan review also enables Council to deliver an operative plan consistent with the new National Planning Standards without significant additional expenditure.

## Part II – Assessment Report

### 1 Introduction

The Manawatū District Council (the Council) has prepared Proposed Plan Change 65 – Outstanding Natural Features and Landscapes (PPC65) to the Operative Manawatū District Plan for notification under the provisions of the Resource Management Act 1991 (the Act).

This report has been prepared in accordance with section 32 of the Act and represents a summary of the evaluation of alternatives, costs and benefits undertaken by the Council in respect to the proposed District Plan provisions that apply to the ONFLs and SAFs in the Manawatū District.

In summary, the Council must make an assessment that the proposed changes are the most appropriate means available to achieve the Act.

### 2 Background to Proposed Plan Change 65

The protection of ONFLs from inappropriate subdivision, use, and development is set out as a matter of national importance under section 6 of the Act. Horizons Regional Council's One Plan contains provisions and directions relating to ONFLs. The One Plan identifies a number of regionally significant ONFLs and defines how ONFLs are to be identified through specific criteria.

Section 7 of the Act provides for the maintenance and enhancement of the environment and amenity values. SAFs have been identified as part of this Plan Change, to provide for those areas which have values that are greater than the general rural environment.

Council originally signalled a review of ONFLs as part of the Rural Zone package (under Plan Change 53). The Rural Zone review included chapters for ONFLs, the Rural Environment, Coastal Environment and Natural Hazards. Council engaged Hudson Associates to complete a Manawatū District Landscape Assessment to inform the review of the ONFLs within the District Plan. The initial draft of this Report is referred to as the Hudson Report. In early 2016 the Council consulted on proposed directions for the Rural Zone package, including ONFLs. Consultation with landowners and stakeholders was undertaken on the areas identified as ONFLs and amenity landscapes in the Hudson Report.

In preparing this Plan Change Mr Hudson updated his previous report and finalised the Manawatū District Landscape Assessment. This final Report is contained in Appendix 5.

At the same time as preparing PPC53, Council was preparing a District Wide Rules Chapter (Plan Change 55) which included provisions relating to ONFLs in terms of Network Utilities and Earthworks. The intention was for these provisions to complement the future ONFL chapter.

As a result of submissions and subsequent appeals on the decision under Plan Change 55 relating to the relationship of network utilities and ONFLs the decision was made to prioritise Plan Change 65 to enable all matters relating to ONFLs to be considered together. A number of appeals arising from the decision of PC55 are on hold pending consideration of PPC65 through the statutory process. The new provisions relating to ONFLs has now been unbundled from the Rural Zone review package.

Provisions relating to Network Utilities within ONFLs have been moved to Chapter 3A, to ensure consistency with the National Planning Standards. The changes are shown in Appendix 2. These changes are proposed in order to address those matters raised under appeal to PC55 and will result in a standalone Network Utilities chapter. Consultation has been (and continues to be) ongoing with the parties still involved with the appeals under Plan Change 55.

### 3 Statutory and Legislative Framework for the Review

#### 3.1 Resource Management Act 1991

Section 74 of the Resource Management Act (the Act) requires the Council to change the District Plan in accordance with its functions under section 31, the purpose of the Act in section 5 and the other matters under sections 6, 7 and 8.

##### Section 32 of the RMA –

- (1) *“An evaluation report required under this Act must -*
- (a) *examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
  - (b) *examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by -*
    - (i) *identifying other reasonably practicable options for achieving the objectives; and*
    - (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
    - (iii) *summarising the reasons for deciding on the provisions; and*
  - (c) *contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*
- (2) *An assessment under subsection (1)(b)(ii) must -*
- (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for -*
    - (i) *economic growth that are anticipated to be provided or reduced; and*
    - (ii) *employment that are anticipated to be provided or reduced; and*
  - (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*
  - (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*
- ...
- (5) *The person who must have particular regard to the evaluation report must make the report available for public inspection -*



- (a) *as soon as practicable after the proposal is made (in the case of a standard or regulation); or*
  - (b) *at the same time as the proposal is notified.*
- (6) *In this section, –*
- objectives** means, –
- (a) *for a proposal that contains or states objectives, those objectives:*
  - (b) *for all other proposals, the purpose of the proposal*
- proposal** means *a proposed standard, statement, national planning standard, regulation, plan, or change for which an evaluation report must be prepared under this Act*
- provisions** means, –
- (a) *for a proposed plan or change, the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change;*
  - (b) *for all other proposals, the policies or provisions of the proposal that implement, or give effect to, the objectives of the proposal.”*

Section 32 stipulates the content and evaluation necessary prior to notification. The evaluation report focuses only on those parts of the District Plan where changes are being proposed. In this instance, the plan change introduces a whole new chapter for Natural Features and Landscapes, amendments to the existing Network Utilities and Earthwork chapters, with consequential changes throughout the District Plan. On that basis a full assessment is included in this report relating to the proposed changes for the new chapter and the amended changes proposed to Chapter 3.

Section 32AA requires Council to undertake a further evaluation if any further changes are proposed prior to making a decision on a plan change, for example, in response to submissions received. This further evaluation must be cited at any subsequent hearing.

**Functions of District Councils** – the Council has statutory functions under section 31 of the Act, which include the establishment, implementation and review of objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.

**Purpose of District Plans** – the purpose of a district plan under section 72 of the Act is to assist territorial authorities to carry out their functions in order to achieve the purpose of the Act.

**Preparation of District Plans** – Section 73 states that there must be at all times one district plan for each district prepared by the Council in a manner set out in the First Schedule of the Act.

**Matters to be Considered by Territorial Authorities** – the matters to be considered by a district council when preparing or changing its district plan are set out in section 74 of the Act. This requires councils to act in accordance with its functions under section 31, the provisions of Part 2, and its duty under section 32. Section 74(2) also sets out a number of other matters Council shall have regard to including plans and strategies prepared under other acts. Importantly, section 74(3) states that when preparing a change to a district plan a territorial authority must not have regard to trade competition.

## 4 Regulatory and Policy Context

### 4.1 Regulatory context

The Resource Management Act, Horizons Regional Council’s One Plan, and various National Policy Statements and National Environmental Standards all provide a regulatory framework relating to the identification and protection of Outstanding Natural Features and Landscapes, and Significant Amenity Features.

Specifically section 6(b) and 7(c) of the Act provide the statutory basis for the identification, protection, maintenance and enhancement of ONFLs and SAFs. Together these sections work to protect ONFLs from inappropriate use and development; or enable the maintenance and enhancement of the wider environment; or amenity values where the areas do not meet the criteria for outstanding (which for the purposes of this plan change are the identified SAFs).

The One Plan requires the spatial definition of ONFLs (through chapter 6), which is done by mapping their extent. It also requires their relevant values to be considered when assessing the effects of activities on them. These values are identified by applying specific assessment criteria. For ease of use for plan users the SAFs have also been spatially defined.

National Policy Statements and National Environmental Standards provide further guidance for managing ONFLs and SAFs.

Collectively these higher order documents have informed the development of this Plan Change. Specific reference is made to these documents throughout this Report.

### 4.2 Operative District Plan Structure and Planning Framework

The Operative District Plan uses zones to manage land uses across the District. Activities are grouped into similar categories under various headings including Rural, Residential, Industrial, Recreation or Business Zones. Under the Operative Plan, all resource management issues are grouped together, as are the objectives and policies. The rules are then divided by zone. This structure is changing as a result of the sectional district plan review which will see objectives, policies and rules being contained in a single chapter. This new structure is stipulated by the National Planning Standards.

#### Resource Management Issues

The existing Resource Management Issues section identifies the following issue that is directly applicable to this Plan Change:

- 1) Certain parts of the District have been recognised as regionally-significant landscapes requiring special management.

#### Objectives relating to Outstanding Natural Features and Landscapes

The current District Plan collates all objectives and policies within sections 4 – 10. Objective LU9 under section 4.3 identifies the ‘District’s outstanding natural landscapes’ and seeks to protect and where appropriate enhance the quality of them. The outstanding natural landscapes are listed under this objective are Pohangina River and river valley, Oroua River and river valley upstream of the Mangoira Stream confluence, Rangitikei River and river

valley upstream of Putorino, the ridgeline of the Ruahine ranges, the Ruahine State Forest Park, Pukepuke Lagoon, the coastline of the District, including the dune areas immediately adjacent to the sea, the vistas from Stormy Point lookout and the Mt Stewart Memorial. Policies relate to managing development within identified landscapes to achieve objective LU9.

Plan Change 55, as noted in section 2 of this report, introduced a new Chapter 3 of the District Plan setting out district wide rules. Section 3A includes provisions for Network Utilities. Objective 3 and associated Policies in Chapter 3A seeks to protect the values that are important to significant heritage and landscape areas from inappropriate development of Network Utilities. There are two policies that provide further guidance as follows:

- 3.1 *Subject to Policy 3.2, to protect the characteristics and values that cause an Outstanding Natural Feature and Landscape to be scheduled in Appendix 1C (Outstanding Natural Features) or a **site** of historic heritage scheduled in Appendix 1E (Buildings and Objects with Heritage Value) and 1F (Sites with Heritage Value).*
- 3.2 *To restrict the development of network utilities, except within an existing **road** corridor, within areas scheduled in Appendix 1A (Wetlands, Lakes, River and their Margins), 1B (Significant Areas of **Indigenous Forest/ Vegetation** (excluding Reserves)), 1C (Outstanding Natural Features), 1D (Trees with Heritage Value), 1E (Buildings and Objects with Heritage Value) unless:
 
  - a. *there is no practicable alternative location; and*
  - b. *the infrastructure is of national or regional importance; and*
  - c. *the development substantially protects the values of the scheduled resource.**

Objective 3, its associated policies, and the corresponding rules were appealed to the Environment Court. As a result, the provisions have legal effect but have not yet been made operative. PPC65 seeks to amend these provisions by changing those provisions to be more consistent with the direction of the new NFL chapter.

Plan Change 55 also introduced Policy 1.3 in the Chapter 3D Earthworks as follows:

*To restrict earthworks in Outstanding Natural Features or Landscapes as scheduled in Appendix 1C, except where earthworks are necessary to manage risk to human health and safety.*

It is noted that the provisions in Chapter 3D were not appealed. As a result, these provisions are operative.

### Rules relating to Outstanding Natural Features and Landscapes

There are few rules relating to ONFLs in the Operative District Plan. Rule A1 1.3.4 includes assessment criteria for Discretionary Activities as follows:

- xv) *whether the proposal would have any adverse impact upon any of the outstanding landscapes identified by this Plan (Refer: Part 4.3.3, Page 19)*

Rule 3A.4.2 in Chapter 3 sets out standards for permitted activities. Standard i) states:

*Works associated with any network utility, except within an existing road carriageway, must not result in adverse effects on the values or characteristics for any significant historic built or natural heritage specified in Appendix 1A (Wetlands, Lakes, Rivers and their Margins), 1B (Significant Areas of Indigenous Forest/Vegetation (excluding Reserves), 1C (Outstanding Natural Features), 1D (Trees with Heritage Value) and 1F (Sites with Heritage Value) of this Plan.<sup>1</sup>*

Rule 3A.4.3 in Chapter 3 states that works associated with any network utility that cannot meet the standards under Rule 3A 4.2 are a Restricted Discretionary Activity with respect to:

- *Scale of built form and location on site, including height*
- *Screening, storage and landscaping*
- *Traffic generation, site access and parking*
- *Noise and vibration*
- *Signage*
- *Lighting*
- *Effects on heritage*
- *Known effects on the health and safety of nearby residents*

Rule 3A.4.5 in Chapter 3 states:

*Any network utility located within an Outstanding Natural Feature or Landscape in Appendix 1C is a Non-Complying Activity.*

Rule 3D.4.5 in Chapter 3 states:

*Any earthworks within an Outstanding Natural Feature or Landscape identified in Appendix 1C, except within an existing road carriageway, is a Non-Complying Activity.*

Appendix 1A identifies wetlands, lake, rivers and their margins that are of importance for the District. Appendix 1B identifies significant areas of indigenous forest/vegetation (excluding reserves) in the District. Appendix 1C lists Outstanding Natural Features of which there are two; the Concretion Terrace, Peka Road and Glow Worm Caves, Limestone Road. Each of these appendices have been reviewed as part of PPC65 in terms of whether any areas would be consistent with the criteria for ONFLs. A full review of these appendices will occur as part of the future Sectional District Plan Review.

There are a number of cross references throughout the District Plan that refers to Objective LU9) or Appendix 1C. These are specified in the Consequential Changes report in Appendix 4.

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<sup>1</sup> Note the rules in Chapter 3A are subject to appeal under PC55. They are proposed to be amended under PPC65.

### 4.3 Proposed Changes

PPC65 involves the spatial identification of two Outstanding Natural Landscapes (ONL), thirteen Outstanding Natural Features (ONF) and three Significant Amenity Features (SAF). New objectives, policies and site-specific rules for these areas are proposed as part of a new Natural Features and Landscapes Chapter of the District Plan. Changes to the provisions in Chapter 3A Network Utilities and Chapter 3D Earthworks are also proposed to address appeals raised under PC55 and to ensure consistency with the National Planning Standards.

The planning provisions and the language used has been simplified where possible and the structure of the chapter is drafted consistent with the new National Planning Standard requirements.

The areas identified along with their classification are set out in the table below.

**Table 1 The Natural Features and Landscapes identified in the Manawatū District**

| Area   | Classification                |
|--|-------------------------------|
| Ruahine Range (Including forest park and ridges)     | Outstanding Natural Landscape |
| Manawatū Coastline                                   | Outstanding Natural Landscape |
| Rangitikei River                                     | Outstanding Natural Feature   |
| Mangamako Gorge                                      | Outstanding Natural Feature   |
| Titirangi (Including Scenic Reserve)                 | Outstanding Natural Feature   |
| Dress Circle (Including Scenic Reserve)              | Outstanding Natural Feature   |
| Mangoira Stream and Mangahaia Stream                 | Outstanding Natural Feature   |
| Makiekie and Limestone Creeks                        | Outstanding Natural Feature   |
| Upper Pohangina River                                | Outstanding Natural Feature   |
| Totara Reserve (Including Regional Park)             | Outstanding Natural Feature   |
| Rangiwahia (Including Scenic Reserve)                | Outstanding Natural Feature   |
| Nitschke/Gorton's Bush (Waitapu Stream Bush)         | Outstanding Natural Feature   |
| Manawatū Gorge                                       | Outstanding Natural Feature   |
| Pukepuke Lagoon                                      | Outstanding Natural Feature   |
| Lake Kaikokopu                                       | Outstanding Natural Feature   |
| Mangoira Stream (downstream of Mangahaia confluence) | Significant Amenity Feature   |
| Upper Oroua River and River Valley                   | Significant Amenity Feature   |
| Makiekie Creek                                       | Significant Amenity Feature   |

#### NFL – Natural Features and Landscapes

The new proposed NFL – Natural Features and Landscape chapter provides for protection of ONFLs and the management of SAFs within the Manawatū District. Specific objectives and policies for the areas are identified. Overall, these provisions seek to protect the values and characteristics associated with the features and landscapes from inappropriate use,

development and subdivision and ensure their characteristics and values are maintained and where possible enhanced.

Permitted rules are identified for those activities which are considered to have less than minor adverse effects on the ONFLs and SAFs. This includes enabling planting and restoration of areas, pest and weed control, fencing, indigenous vegetation clearance for specific purposes and maintaining existing lawfully established structures and walkways, buildings under 50m<sup>2</sup> at Totara Reserve, and the continuation of stock grazing within the Rangitikei River Outstanding Natural Feature (to recognise that the site is already grazed and is recognised in the assessment).

Development consistent with the Reserve Act or relevant Management Plan is a Restricted Discretionary Activity. This recognises that some areas, such as the Totara Reserve, have planned development that may be consistent with the value and use of the area.

Subdivision, buildings, stock grazing, horticulture and cropping in Outstanding Natural Features are a Discretionary Activity.

Subdivision, buildings, stock grazing, horticulture and cropping, new plantation forestry in Outstanding Natural Landscapes and activities not otherwise provided for are a Non-Complying Activity.

Appendix NFL- APP1 of the Chapter outlines the spatial extent and the specific values and characteristics that relate to each of the ONFLs.

Appendix NFL-APP2 of the Chapter outlines the spatial extent and specific values and characteristics for those areas identified as SAFs.

A copy of the full chapter of the District Plan with all proposed changes is included in Appendix 1.

### **Amended Chapter 3A Network Utilities and Chapter 3D Earthworks**

Amendments are proposed to Chapter 3A Network Utilities and Chapter 3D Earthworks, to address the matters under appeal (PC55) and the direction from the new National Planning Standards.

Objective 3 and its associated policies have been amended to provide greater clarity for plan users on how network utilities within an ONFL are to be managed. Specific policy is included to provide for the National Grid within these areas.

The original rule for all network utilities within an ONFL to be a non-complying activity has been amended to relate to only the two outstanding natural landscapes in the District, being the Ruahine Ranges and the Manawatū Coastline. Network utility activities within an Outstanding Natural Feature are proposed be a Discretionary Activity. This is consistent with the overall approach in this Plan Change that recognises the characteristics and values of the Outstanding Natural Landscapes are different to the Outstanding Natural Features, as outlined in the Manawatū District Landscape Assessment. A similar rule cascade is proposed in relation to earthworks in ONFLs. Previously all earthworks within an ONFL were a Non-Complying Activity.

### **Consequential Changes**

A number of consequential changes are also required as outlined in Appendix 4.

## 4.4 Chronology

The following outlines the key milestones in preparing the Proposed Plan Change to date:

| Date      | Activity   |
|-----------|--|
| 2013-2016 | <ul style="list-style-type: none"> <li>• Development of a Landscape Assessment Report by Hudson Associates Landscape Architects (the Hudson Report).</li> <li>• Consultation undertaken for issues and options for topics covered in Draft Plan Change 53 which included ONFLs as a subject matter.</li> </ul>   |
| 2016      | <ul style="list-style-type: none"> <li>• Plan Change 53 Clause 3 Consultation undertaken. This included the draft Chapter 5 Outstanding Natural Features and Landscapes and the Coastal Environment. Submissions closed 8 April.</li> <li>• Council Hearing of Proposed Plan Change 55 – December.</li> </ul>  |
| 2017      | <ul style="list-style-type: none"> <li>• Plan Change 55 appeals received.</li> </ul>   |
| 2018      | <ul style="list-style-type: none"> <li>• Plan Change 55 appeals resolved in part. Agreement by Council to unbundle Outstanding Natural Features and Landscapes from the Rural Zone review.</li> <li>• The Hudson Report is reviewed and updated following community and landowner feedback and further assessment.</li> <li>• Ongoing engagement with tangata whenua.</li> <li>• Discussions with appeal parties on the areas identified, existing assets and overall drafting approach to the new Chapter.</li> <li>• Preparation of draft Proposed Plan Change 65: Outstanding Natural Features and Landscapes and corresponding section 32 report.</li> </ul> |
| 2019      | <ul style="list-style-type: none"> <li>• Ongoing engagement with tangata whenua.</li> <li>• Discussions with appeal parties on the areas identified, existing assets and overall drafting approach to the new Chapter.</li> <li>• Preparation of draft Proposed Plan Change 65: Outstanding Natural Features and Landscapes and corresponding section 32 report.</li> <li>• Clause 3 consultation undertaken, including specific consultation with appeal parties relating to revised provisions in Chapter 3A.</li> <li>• Finalising the Manawatū District Landscape Assessment prepared by Hudson Associates Landscape Architects.</li> </ul>                  |
| 2020      | <ul style="list-style-type: none"> <li>• Finalising Proposed Plan Change 65: Outstanding Natural Features and Landscapes and corresponding section 32 report.</li> <li>• Notification of PPC65.</li> </ul>   |

## 4.5 Consultation

Clause 3 of the First Schedule of the RMA specifies the people who must be consulted in the preparation of a plan, including plan changes. The provisions relevant to this PPC65 are:

3. *Consultation*

- (1) *During the preparation of a proposed policy statement or plan, the local authority concerned shall consult—*
- (a) *the Minister for the Environment; and*
  - (b) *those other Ministers of the Crown who may be affected by the policy statement or plan; and*
  - (c) *local authorities who may be so affected; and*
  - (d) *the tangata whenua of the area who may be so affected, through iwi authorities; and*
  - (e) *any customary marine title group in the area.*

- (2) *A local authority may consult anyone else during the preparation of a proposed policy statement or plan.*

...

- (4) *In consulting persons for the purposes of subclause (2), a local authority must undertake the consultation in accordance with section 82 of the Local Government Act 2002.*

**4A Further pre-notification requirements concerning iwi authorities**

- (1) *Before notifying a proposed policy statement or plan, a local authority must—*
- (a) *provide a copy of the relevant draft proposed policy statement or plan to the iwi authorities consulted under clause 3(1)(d); and*
  - (b) *have particular regard to any advice received on a draft proposed policy statement or plan from those iwi authorities.*
- (2) *When a local authority provides a copy of the relevant draft proposed policy statement or plan in accordance with subclause (1), it must allow adequate time and opportunity for the iwi authorities to consider the draft and provide advice on it.*

In order to achieve the requirements of the Act, a range of consultation and information sharing initiatives have been carried out since the commencement of the District Plan review. There have been two rounds of Clause 3 consultation completed on the topic of ONFLs – one in 2016 and one in 2019. Further detail is provided below and in Appendix 6.



## Stakeholder Consultation

A number of meetings have been held specifically about this Plan Change with the following key stakeholders at different times:

- Directly affected landowners
- Powerco
- Transpower
- Forest and Bird
- Department of Conservation
- Horizons Regional Council
- Rangitāne o Manawatū
- Ngāti Ruakawa
- Muaūpoko
- Ngāti Kauwhata
- Other infrastructure agencies.

In summary, general themes of the feedback from parties during in the development of the Plan Change has indicated:

- a) Amendments to the extent of the ONFLs identified by various parties
- b) General support for the approach taken and the intention of the plan change
- c) Changes to the policies to simplify provisions
- d) Do not support encouragement or enablement of public access on private land
- e) Specific feedback from tangata whenua on values they hold for ONFLs and SAFs
- f) Clear provisions for network utilities which do not restrict their ability to develop new network utilities in the future.

## Consultation with tangata whenua

There are a number of iwi authorities within the Manawatū District. These groups include Ngāti Apa, Rangitāne o Manawatū, Raukawa kī te Tonga, Ngāti Hauti, Muaūpoko, Ngāti Tūwharetoa, Ngāti Kauwhata and Ngāti Toa.

Council has shared the content of PPC65 with these entities and met directly with those who have expressed an interest to do so. The purpose was to seek feedback on the Manawatū District Landscape Assessment so that associational values for tangata whenua were

accurately represented in the report and by extension the objectives, policies and rules in the proposed chapter.

Feedback received from tangata whenua has been used in developing the provisions in the PPC65 and specific wording has been included in the NFL-APP1 and NFL-APP2.

A report outlining the engagement and consultation with tangata whenua is contained in Appendix 7.

## 4.6 Supporting Technical Evidence

In considering and preparing PPC65, the Council has either completed reports, or commissioned technical reports and supporting documents. The primary report has been the development of the Manawatū District Landscape Assessment.

Other supporting reports and studies informing the development of PPC65 include:

- Draft provisions of Proposed Plan Change 53 – Rural Review, including consultation feedback
- Plan Change 55 – District Wide Rules Hearing Report 2016, Manawatū District Council
- Internal staff review
- Feedback from consultation in 2016 and 2019
- Discussions with appellant parties on PC55.

### Manawatū District Landscape Assessment, Hudson Associates, 2019

The Council commissioned Hudson Associates to identify the outstanding natural landscapes and features in the District. The resulting report, titled the Manawatū District Landscape Assessment November 2019, identifies and spatially defines fifteen ONFLs covering over 300km<sup>2</sup> of the District and three SAFs covering nearly 15km<sup>2</sup>.

The method used in the Manawatū District Landscape Assessment combined the Pigeon Bay Criteria, which is a common method for assessing the significance of a landscape and established and refined through case law; and utilises the assessment factors set out in the Regional Policy Statement (Chapter 6 of Horizons Regional Council's One Plan).

The Manawatū District Landscape Assessment Report outlines how the assessment criteria used are consistent with the factors identified in Table 6-1 of the One Plan. Refer to section 7 of the Manawatū District Landscape Assessment contained in Appendix 5.

To assess whether landscapes and features are significant enough to warrant identification as Outstanding or Amenity three categories and eleven related factors are considered in the Manawatū District Landscape Assessment. They are:

|                 |                             |
|-----------------|-----------------------------|
| Natural Science | Geological/Geomorphological |
|                 | Biological/Ecological       |
|                 | Hydrological                |
| Perceptual      | Memorability                |
|                 | Legibility/Expressiveness   |
|                 | Transient                   |
|                 | Aesthetic                   |
|                 | Naturalness                 |
| Associational   | Historical                  |
|                 | Tangata whenua              |
|                 | Shared/Recognised           |

Information relating to the categories and related factors were obtained and results used to determine what values are represented in the feature or landscape being considered. For example, high values may occur for geomorphology, ecology, hydrology, memorability, expressiveness, aesthetic and naturalness, which reinforces the landscape significance of each area. A value judgement is then made as to whether the feature or landscape is amenity or outstanding. Informing this judgement is whether the area is modified and how high the values are.

Using the above criteria, the Manawatū District Landscape Assessment identified and spatially defined two outstanding natural landscapes, thirteen outstanding natural features and three significant amenity features within the Manawatū District. The identified areas, classification and summary of key characteristics are listed in the table below. Full details are in Appendix 5.

The characteristics and values discussed in the Manawatū District Landscape Assessment have been used to generate the NFL-APP1 and NFL-APP2 of the proposed new chapter.

**Table 2 Summary of the key characteristics associated with each ONFL and SAF identified**

| Area   | Classification                | Summary of Key Characteristics and Values   |
|--|-------------------------------|---|
| Ruahine Range (including forest park and ridges) | Outstanding Natural Landscape | <i>Very high degree of naturalness due to the extensive covering of indigenous vegetation, dominance of large scale landforms, feeling of isolation, wilderness, and lack of human modification. Lack of built development which contributes to the perceived naturalness of the ranges as a defining backdrop to the District. Important recreational area. Highly memorable mountain range landform which contributes to the identity and sense of place of the District and Rangitāne o Manawatū. An existing large transmission tower at Wharite Peak lies outside Manawatū District but is located on one of the highest ridges, affecting the perceived naturalness of the Ranges as seen from Manawatū District.</i> |
| Manawatū Coastline                               | Outstanding Natural Landscape | <i>Vital contribution to healthy functioning of coastal processes and erosion control with high perceived naturalness of the coastal landforms. High aesthetic values of expressiveness and naturalness resulting from extensive unbuilt coastal strip. Very high cultural associational values of spiritual well-being and kaitiakitanga for Māori. Some protection is also afforded under the NZCPS and the Statutory Authority</i>   |

|   |                             |  |
|---|-----------------------------|--|
| Rangitikei River                        | Outstanding Natural Feature | <i>High degree of perceived naturalness derived from the expressiveness of the formative processes of the Rangitikei River course which contrasts with the surrounding terrace landform. The dynamic qualities demonstrated by the legibility of the scallop features (formerly river bed), the dramatic appearance of the enclosing curved escarpments, the dominance of the river corridor, the prominence, visibility and beauty of the white, sheer, papa (mudstone) cliffs, and the unbuilt simplicity of the cliff edges and escarpment tops result in a highly memorable landscape feature. Areas of indigenous riparian vegetation contribute to the ecological and water quality values. Existing areas of grazing and productive land uses allow for visibility of the landform. A Trans Power high voltage transmission line Powerco pole lines cross this ONF.</i> |
| Mangamako Gorge                         | Outstanding Natural Feature | <i>High degree of perceived naturalness derived from the expressiveness of the formative processes of the Mangamako Stream incised landform, which contrasts with the surrounding agricultural land use, and the limited built modification. Areas of indigenous riparian vegetation contribute to the ecological and water quality values and overall perceptions of naturalness. An existing Powerco pole line crosses a southern arm of the feature.</i>  |
| Titirangi (Including Scenic Reserve)    | Outstanding Natural Feature | <i>High degree of perceived naturalness derived from the expanse of unmodified indigenous forest which contrasts with the surrounding agricultural land use. Outstanding values supported by ridgeline to stream ecosystem and associational values. This area is regarded as being one of the best examples of lowland forest in the North Island. The two parallel high voltage power lines run past the reserve 1km to the east.</i>  |
| Dress Circle (Including Scenic Reserve) | Outstanding Natural Feature | <i>High degree of perceived naturalness derived from the expressiveness of the formative processes of the Mangawharariki River incised landform, which contrasts with the surrounding agricultural land use. Areas of indigenous riparian vegetation contribute to the ecological and aesthetic values. An existing high voltage transmission line passes across the Mangawharariki River 250m west of the Dress Circle ONF</i>  |
| Mangoira Stream and Mangahuia Stream    | Outstanding Natural Feature | <i>High degree of perceived naturalness derived from the expressiveness of the formative processes and extent of indigenous vegetation which contrasts with the surrounding terrace landform and agricultural land use. Areas of indigenous riparian vegetation contribute to the ecological and water quality values.</i>   |
| Makiekie and Limestone Creeks           | Outstanding Natural Feature | <i>High degree of perceived naturalness derived from the expressiveness of the formative processes and extent of indigenous vegetation which contrasts with the surrounding terrace landform and agricultural land use. Areas of indigenous riparian vegetation contribute to the ecological and water quality values.</i>   |
| Upper Pohangina River                   | Outstanding Natural Feature | <i>Landform with an extensive indigenous forest from the valley floor to the top of the river terrace. Composition of the vegetated escarpments adjacent to the watercourse hold high levels of perceived naturalness, which contrasts with the surrounding productive</i>   |

|  |                             |   |
|--|-----------------------------|---|
|  |                             | <i>farmland. Pohangina Valley East Road passes through the area, as does have a pole transmission line.</i>   |
| Tōtara Reserve (Including Regional Park)     | Outstanding Natural Feature | <i>Coherence of indigenous vegetation cover of the landform from the valley floor to the top of the river terrace. High level of perceived naturalness due to the composition of the vegetated escarpments adjacent to the watercourse which contrast with the surrounding productive farmland. Popular camping and visitor area. A natural feature that is easily accessible by the public thereby enhancing public appreciation of natural features. Maintenance of tracks and public facilities should be facilitated and not discouraged through the planning process.</i>  |
| Rangiwahia (Including Scenic Reserve)        | Outstanding Natural Feature | <i>High degree of perceived naturalness derived from extent of indigenous vegetation which contrasts with the surrounding agricultural land use. The indigenous vegetation contributes to the ecological and water quality values.</i>  |
| Nitschke/Gorton’s Bush (Waitapu Stream Bush) | Outstanding Natural Feature | <i>High degree of perceived naturalness derived from the combination of vegetation and expressiveness of the landform’s formative erosion processes. This feature stands out due to the contrast with the flatness of the surrounding agricultural land use. Areas of indigenous riparian vegetation within the gully systems contribute to the botanical, ecological and aesthetic values.</i>   |
| Manawatū Gorge                               | Outstanding Natural Feature | <i>High natural character derived from the expressiveness of the formative processes of the Manawatū River watercourse. The dynamic qualities demonstrated by the legibility of the steep incision rising from the watercourse are a highly memorable landscape feature. The majority of the Manawatū Gorge is located outside of the Manawatū District, however protection of the western gorge entrance landform and native vegetation will ensure that the overall values will be maintained. The extent of existing development (road and rail) throughout the gorge is acknowledged, however the openness and simplicity of the gorge entrance landform is an important characteristic</i> |
| Pukepuke Lagoon                              | Outstanding Natural Feature | <i>Pukepuke Lagoon has a range of scientific attributes (landforms, flora and fauna), along with significant historical, cultural and recreational values. High degree of natural character derived from the ecological health of the lagoon, including the presence of many bird species (some rare), healthy native vegetation, and good water quality. This feature stands out due to the modified surrounding agricultural and plantation forestry land use. Areas of riparian vegetation within the area and the open water of the lake contribute to the botanical, ecological and aesthetic values. High cultural associational values are recognised as part of the ONF values</i>      |
| Lake Kaikokopu                               | Outstanding Natural Feature | <i>Moderate degree of perceived naturalness derived from the presence of indigenous vegetation combined with the expressiveness of the lake which contrasts with the surrounding agricultural and plantation forestry land use. The rarity of this habitat type, its rare fauna species and high cultural associations, its remnant hydrological connectivity with Lake Pukepuke and other dune lakes along the coastal edge all elevate this remnant dune</i>  |

|   |                             |  |
|---|-----------------------------|--|
|   |                             | <i>lake and wetland to be considered an Outstanding Natural Feature</i>  |
| Mangoira Stream (downstream of Mangahua confluence) | Significant Amenity Feature | <i>More modified than an ONF in terms of vegetation cover and presence of pasture. Moderate degree of perceived naturalness derived from the existing native vegetation combined with the expressiveness of the formative processes of the stream corridor landform which contrasts with the surrounding agricultural land use and flatter landform</i>  |
| Upper Ōroua River and River Valley                  | Significant Amenity Feature | <i>More modified than an ONF in terms of vegetation cover and presence of pasture. Moderate degree of perceived naturalness derived from the expressiveness of the formative processes of the river corridor landform which contrasts with the surrounding agricultural landform. Areas of indigenous riparian vegetation contribute to the perceived naturalness and ecological and water quality values. A pole transmission line crosses the river valley at Apiti Reserve linking Ōroua Valley Road and Main South Road and does not adversely affect the key characteristics of the Amenity Area.</i> |
| Makiekie Creek                                      | Significant Amenity Feature | <i>Moderate degree of perceived naturalness derived from the presence of indigenous vegetation combined with the expressiveness of the formative erosion processes which contrasts with the surrounding agricultural land use and terraced form.</i>   |

For all identified features and landscapes the Manawatū District Landscape Assessment identifies potential issues or threats. The potential issues are outlined in Table 3 below.

**Table 3 Potential issues associated with the areas identified as ONFLs and SAFs**

| Area   | Potential Issues   |
|--|--|
| Ruahine Range (Including forest park and ridges) | <ul style="list-style-type: none"> <li>• Clearance of indigenous vegetation for alternative land use</li> <li>• Earthworks such as mining, roading or quarrying</li> <li>• Large scale damming of rivers</li> <li>• Large network utilities</li> <li>• Pests and weeds</li> <li>• Establishment of exotic vegetation</li> <li>• Built development</li> <li>• Effects on cultural values</li> </ul>   |
| Manawatū Coastline                               | <ul style="list-style-type: none"> <li>• Loss of native vegetation</li> <li>• Built development</li> <li>• Earthworks</li> <li>• Effects on cultural values</li> </ul>   |
| Rangitikei River                                 | <ul style="list-style-type: none"> <li>• Earthworks and/or quarrying affecting the integrity of the mudstone cliffs and scallops (including roading across the escarpments)</li> <li>• Degradation of indigenous riparian vegetation leading to sedimentation of river and destruction of wildlife habitat</li> <li>• Activities, including pine plantations on the escarpments or terraces which may screen the geological features</li> <li>• Loss of indigenous vegetation</li> <li>• Establishment of exotic vegetation</li> </ul> |

|  |  |
|--|--|
|  | <ul style="list-style-type: none"> <li>• Earthworks</li> <li>• Effects on cultural values</li> <li>• Built development</li> </ul>  |
| Mangamako Gorge                          | <ul style="list-style-type: none"> <li>• Loss of indigenous vegetation</li> <li>• Establishment of exotic vegetation</li> <li>• Effects on cultural values</li> <li>• Earthworks</li> <li>• Built development</li> </ul> |
| Titirangi (Including Scenic Reserve)     | <ul style="list-style-type: none"> <li>• Loss of indigenous vegetation</li> <li>• Establishment of exotic vegetation</li> <li>• Effects on cultural values</li> <li>• Earthworks</li> <li>• Built development</li> </ul> |
| Dress Circle (Including Scenic Reserve)  | <ul style="list-style-type: none"> <li>• Loss of indigenous vegetation</li> <li>• Establishment of exotic vegetation</li> <li>• Effects on cultural values</li> <li>• Earthworks</li> <li>• Built development</li> </ul> |
| Mangoira Stream and Mangahuia Stream     | <ul style="list-style-type: none"> <li>• Loss of indigenous vegetation</li> <li>• Establishment of exotic vegetation</li> <li>• Effects on cultural values</li> <li>• Earthworks</li> <li>• Built development</li> </ul> |
| Makiekie and Limestone Creeks            | <ul style="list-style-type: none"> <li>• Loss of indigenous vegetation</li> <li>• Establishment of exotic vegetation</li> <li>• Effects on cultural values</li> <li>• Earthworks</li> <li>• Built development</li> </ul> |
| Upper Pohangina River                    | <ul style="list-style-type: none"> <li>• Loss of indigenous vegetation</li> <li>• Establishment of exotic vegetation</li> <li>• Effects on cultural values</li> <li>• Earthworks</li> <li>• Built development</li> </ul> |
| Totara Reserve (Including Regional Park) | <ul style="list-style-type: none"> <li>• Loss of indigenous vegetation</li> <li>• Establishment of exotic vegetation</li> <li>• Effects on cultural values</li> <li>• Earthworks</li> <li>• Built development</li> </ul> |
| Rangiwahia (Including Scenic Reserve)    | <ul style="list-style-type: none"> <li>• Loss of indigenous vegetation</li> <li>• Establishment of exotic vegetation</li> <li>• Effects on cultural values</li> <li>• Earthworks</li> <li>• Built development</li> </ul> |

|  |  |
|--|--|
| Nitschke/Gorton’s Bush (Waitapu Stream Bush)         | <ul style="list-style-type: none"> <li>• Loss of indigenous vegetation</li> <li>• Establishment of exotic vegetation</li> <li>• Effects on cultural values</li> <li>• Earthworks</li> <li>• Built development</li> </ul> |
| Manawatū Gorge                                       | <ul style="list-style-type: none"> <li>• Loss of indigenous vegetation</li> <li>• Establishment of exotic vegetation</li> <li>• Effects on cultural values</li> <li>• Earthworks</li> <li>• Built development</li> </ul> |
| Pukepuke Lagoon                                      | <ul style="list-style-type: none"> <li>• Loss of indigenous vegetation</li> <li>• Establishment of exotic vegetation</li> <li>• Effects on cultural values</li> <li>• Earthworks</li> <li>• Built development</li> </ul> |
| Lake Kaikokopu                                       | <ul style="list-style-type: none"> <li>• Effects on cultural values</li> <li>• Loss of indigenous vegetation</li> <li>• Establishment of exotic vegetation</li> <li>• Earthworks</li> <li>• Built development</li> </ul> |
| Mangoira Stream (downstream of Mangahuia confluence) | <ul style="list-style-type: none"> <li>• Effects on cultural values</li> <li>• Loss of indigenous vegetation</li> <li>• Establishment of exotic vegetation</li> <li>• Earthworks</li> <li>• Built development</li> </ul> |
| Upper Oroua River and River Valley                   | <ul style="list-style-type: none"> <li>• Effects on cultural values</li> <li>• Loss of indigenous vegetation</li> <li>• Establishment of exotic vegetation</li> <li>• Earthworks</li> <li>• Built development</li> </ul> |
| Makiekie Creek                                       | <ul style="list-style-type: none"> <li>• Effects on cultural values</li> <li>• Loss of indigenous vegetation</li> <li>• Establishment of exotic vegetation</li> <li>• Earthworks</li> <li>• Built development</li> </ul> |

The Manawatū District Landscape Assessment concluded that the ONFLs identified should be afforded protection under s6(b) of the Act, and that those identified as SAFs should be considered for protection under s7(c) of the Act as they are of greater significance in terms of indigenous vegetation and topography than the rural environment that surrounds them.

In completing the Manawatū District Landscape Assessment each area identified in Appendices 1A, 1B, and 1C of the Operative District Plan were reviewed against the ONFL



criteria. Those areas identified in Appendix 1A, 1B and 1C that are captured within an identified ONFL or SAF are shown in the following table.

**Table 4 Areas identified in Appendix 1A, 1B, and 1C that are incorporated into an ONFL or SAF**

| Appendix                       | Reference | Name                                    | ONFL/SAF area within   |
|--------------------------------|-----------|---|--|
| Appendix 1A                    | W1        | Lake Kaikokopu and the Kaikokopu Stream | Partially incorporated within Lake Kaikokopu (ONF)           |
|                                | W3        | Tangimoana Dump Dunes and Fernbird Area | Incorporated within Manawatū Coastline (ONL)                 |
|                                | W11       | Foxtangi Dunes                          | Partially incorporated within Manawatū Coastline (ONL)       |
| Appendix 1A Supplementary List | 18)       | East Pukepuke Lagoon                    | Pukepuke Lagoon (ONF)  |
| Appendix 1B                    | SA10      | Mangoira/Oroua Confluence Bush          | Incorporated within Mangoira Stream (SAF)                    |
|                                | SA37      | Hopkins Property                        | Incorporated within Upper Oroua River and River Valley (SAF) |
|                                | SA40      | Nitschke's Bush                         | Nitschke/Gorton's Bush (Waitapu Stream Bush) (ONF)           |
|                                | SA41      | Mangamako Gorge                         | Mangamako Gorge (ONF)  |
| Appendix 1C                    | OF1       | Concretion Terrace                      | Incorporated within Rangitikei River (ONF)                   |
|                                | OF2       | Glow Worm Caves                         | Makiekie and Limestone Creeks (ONF)                          |

## 4.7 Evaluation of Alternatives and Preferred Option

Section 32 directs the requirements for preparing and publishing evaluation reports. The following sections provide an assessment of the Plan Change consistent with Section 32.

PPC65 includes a new chapter for Natural Features and Landscapes (with new Objectives) and amendments to existing chapter 3A and 3D. To ensure a robust analysis Council has completed three stages of evaluation, including additional initial evaluation stage:

1. Evaluation of the Plan Change vs the status quo.
2. Assessment of Proposed Objectives and Policies
3. Assessment of Proposed Rules

This section of the document considers alternatives to the proposed option of introducing new objectives, policies and rules relating to ONFLs. The following options evaluated are:

- Option One – Retain the status quo
- Option Two – New Natural Features and Landscapes Chapter and amendments to Chapter 3.

Each of these options are considered below.

**Option One: Retain the status quo**

| Retain Status Quo  |  |
|--|--|
| <p>Retain the existing regulatory framework of objectives, policies and methods contained in the operative District Plan for the Outstanding Landscapes (listed in Objective LU9) and Features (listed in Appendix 1C).</p>  |  |
| Benefits   | Costs  |
| <ul style="list-style-type: none"> <li>• Provides a continuation of the existing District Plan approach which has a level of familiarity for Plan users.</li> <li>• Avoids the costs associated with preparing and implementing new District Plan provisions.</li> </ul> | <ul style="list-style-type: none"> <li>• Council has current information (including spatial definition of landscapes and the characteristics and values that are under threat) to make changes to the District Plan.</li> <li>• This option ignores the information within the Manawatū District Landscape Assessment. Some ONFLs listed in the Operative District Plan do not qualify as outstanding, and some areas that are outstanding are not listed in the Plan.</li> <li>• Fails to recognise Council’s statutory obligations under sections 6 and 31 of the Act. Nor is this option consistent with the New Zealand Coastal Policy Statement.</li> <li>• Without spatially defining the District’s outstanding landscapes and features the Act (section 75(3)) and the One Plan (Policy 6-6 and 6-7) are not given effect to.</li> <li>• Uncertainty for plan users and resource consent applicants as landscape areas and features remain undefined spatially.</li> <li>• The ONFLs identified by the Manawatū District Landscape Assessment warrant protection from land uses that could compromise their characteristics and associated values. This protection is not clearly provided for under the Operative District Plan.</li> <li>• The list of Outstanding Natural Features in LU9) is not directly linked to rules, meaning their applicability is unclear for plan users.</li> </ul> |

|   |   |
|---|---|
|   | <ul style="list-style-type: none"> <li>• The Operative District Plan does not specifically afford protection of the ONFLs, it is merely a matter to consider when assessing discretionary activity consents. Nor does the Operative District Plan recognise SAFs.</li> <li>• Is inconsistent with the requirements of the National Planning Standards.</li> </ul> |
| <p><b>Efficiency:</b></p> <p>The costs associated with this option significantly outweigh the benefits and therefore the status quo is not considered to be an efficient alternative. Development, use and subdivision within ONFLs are not well controlled or managed by the existing provisions. There is no clarity over the spatial extent of the areas identified in LU9), nor the characteristics and values that make the area significant understood. The costs associated with this option center on not meeting best practice approaches to planning for ONFLs leading to inefficiencies, and are inconsistent with the direction in the One Plan, National Planning Standards. The existing approach provides little certainty for plan users when activities are proposed to occur in an ONFL.</p>  |   |
| <p><b>Effectiveness:</b></p> <p>This option is not effective in the protection of ONFLs from inappropriate subdivision, use, and development. When assessing the District’s landscapes in a manner consistent with the direction and criteria in the One Plan, there are many other areas which should be recognised and provided for. Retaining the status quo does not take into account changes in the national and regional policy framework, and relies heavily on out of date assessment and a lack of spatial mapping information. Existing provisions do not provide protection as some ONFLs are not identified in the Plan and there are no rules specific to protecting, maintaining and enhancing ONFLs.</p> <p>There is uncertainty and potential inconsistencies between the objectives and policies, corresponding rules and the appendices. This is not effective for those implementing the District Plan.</p> |   |
| <p><b>Opportunities for Economic Growth and Employment:</b></p> <p>This option has a neutral impact in terms of economic growth and employment.</p>   |   |
| <p><b>Risk of acting or not acting if there is uncertain or insufficient information:</b></p> <p>The completed Manawatū District Landscape Assessment provides certain and sufficient information to act. There is direction within the higher order planning documents, particularly the One Plan and the NZCPS, that the District Plan must give effect to. This option does not achieve that direction. The ONFLs could be subdivided, used and developed in an inappropriate manner and the characteristics and values associated with them significantly adversely affected. This would likely result in the destruction of the characteristics and values that currently exist for each of the ONFLs.</p>   |   |

**Appropriateness:**

This option is no longer appropriate in terms of achieving the purpose of the Act nor fulfilling Council’s statutory obligation to ensure the District Plan sustainably manages the natural and physical resources of the District. This option is also no longer consistent with the One Plan, and is out of date in terms of assessment and mapping ONFLs.

**Option Two: New Natural Features and Landscapes Chapter and amendments to Chapter 3**

**New site-specific provisions**

Create a new Natural Features and Landscape chapter with specific provisions relating to their identification, protection and use based on new information and policy direction. This includes an appendix identifying the characteristics and values of the Outstanding Natural Features and Landscapes. Inclusion of specific provisions relating to Significant Amenity Features (including detailed appendix of the characteristics and values of those areas). Amendments to Chapter 3A and 3D where these relate to ONFLs. Consequential changes as required to remove existing provisions relating to ONFLs in the operative District Plan.

**Benefits**

- Recognises Council’s statutory objectives under Sections 6, 7 and 31 of the Act.
- Council meets its function under section 75(3)(c) by giving effect to Horizons Regional Council’s Regional Policy Statement, which requires District Councils to spatially define ONFLs.
- Current best practice in relation to ONFLs is reflected in Plan.
- Protects ONFLs from inappropriate subdivision, use and development and maintains and enables the enhancement of the values and characteristics associated with ONFLs and SAFs.
- Provides certainty to plan users.
- The changes proposed account for the most up to date information/ assessment/ mapping available to Council, including new information of the threats to each site.
- Provides for the protection of ONFLs and SAFs from the fragmentation of ownership arising from subdivision.
- Enables consistency with the National Planning Standards.

**Costs**

- The costs of formulating and implementing new provisions for the identified areas.
- The costs of preparing a plan change.
- Costs associated with meeting the requirements (consents) for activities occurring in the ONFLs areas.

- Assists in making Chapter 3A standalone for Network Utilities.

**Efficiency:**

The benefits associated with this option outweigh the costs and therefore the plan change, as proposed, is a more efficient response to the protection and management of ONFLs and SAFs. The changes identified would ensure Council is giving effect to the provisions of the One Plan, Sections 6 and 7 of the Act, the NZCPS and the direction of the National Planning Standards. Including the spatial extent through mapping, and identifying the characteristics and values of each ONFL and SAF provides greater certainty to plan users and is an efficient mechanism to manage these areas. The introduction of specific provisions create efficiencies for plan users by clearly setting out where subdivision and development are not appropriate. The policies provide clear direction on where subdivision and development is appropriate. Including specific provisions for Network Utilities in Chapter 3 also provides greater efficiencies for those plan users. PPC65 is considered to be an appropriate amendment to protect ONFLs in the District from inappropriate subdivision, use and development while providing greater certainty to plan users and meeting various obligations under the Act.

**Effectiveness:**

The provisions of PPC65 are considered to be effective in enabling the protection, maintenance and where appropriate enhancement of ONFLs in the District consistent with the higher order planning documents of the One Plan and the Act. Specific threats of each area are recognised and site-specific objectives, policies and rules reflect the significant characteristics and values associated with each ONFL and how these are to be taken into account in consent applications is provided.

Clear distinction has been made to avoid development in the two Landscapes and to restrict development in the Features. This variation reflects the different importance of these two types of areas as identified in the Manawatū District Landscape Assessment. Development within Outstanding Natural Landscapes is to be avoided. There are only two landscapes identified in the Manawatū District – the Ruahine Ranges and the Manawatū Coastline. Both Landscapes are largely unmodified and have a large physical scale within the District. Development within the Outstanding Natural Landscapes is likely to have a significant adverse effect on the characteristics and values of them. The nature of the Outstanding Natural Features means that they may be able to tolerate more readily careful development when assessed against their characteristics and values.

Enhancement of the Significant Amenity Features (which in most cases about a proposed ONFL) is an effective response to managing these areas. This recognizes that SAFs are partially degraded from existing land uses and enhancement is appropriate rather than protection. This is an effective way to provide for the characteristics and values identified for these areas in the Manawatū District Landscape Assessment.

Changes to Chapters 3A seek to ensure that the chapter will be standalone for Network Utilities (an outcome agreed through PC55). This also aligns with the direction of the National Planning Standards.

Overall PPC65 is considered to be the most effective way to manage ONFLs and SAFs in the District Plan for the future.

**Opportunities for Economic Growth and Employment:**

This option has a neutral or negative impact in terms of economic growth and employment. There are costs associated with managing activities within ONFL. However, there is considered to be a relatively low risk of development happening in these areas, given the overall lack of development in most areas to date.

**Risk of acting or not acting if there is uncertain or insufficient information:**

The risk of not acting is that statutory requirements of the Act would not be met. There is direction within the higher order planning documents, particularly the One Plan and the NZCPS, that the District Plan must give effect to. Without the proposed change the ONFLs could be subdivided, used and developed in an inappropriate manner and the characteristics and values associated with them significantly adversely affected. This would likely result in the destruction of the characteristics and values that currently exist for each of the ONFLs.

Council has information in the form of a comprehensive Manawatū District Landscape Assessment, that spatially defines and identifies the characteristics and values of the ONFLs in the District. There is direction within the higher order planning documents, particularly the One Plan and the NZCPS, that the District Plan must give effect to. This option achieves that direction. The ONFLs could be subdivided, used and developed in an inappropriate manner and the characteristics and values associated with them significantly adversely affected. This would likely result in the destruction of the characteristics and values that currently exist for each of the ONFLs.

Overall it is considered that there is sufficient information to support this change.

**Appropriateness:**

The identification of the ONFLs and corresponding provisions for ONFLs and SAFs are considered to be the most appropriate way to achieve the purpose of the Act and to fulfil Council's statutory obligation to ensure that a District Plan sustainably manages the natural and physical resources of the District. The development of the proposed provisions is also consistent with the direction contained in the One Plan, Section 6 and 7, and other national policy statements, which Council must give effect to.

## 4.8 Implementation of the Preferred Option: Objectives, Policies and Rules

### Introduction

Section 32(1)(a) of the RMA requires an assessment of the extent to which each objective is the most appropriate to achieve the purpose of the Act. The RMA has an overarching purpose of sustainable management. The intention of this Plan Change is to ensure the District Plan is consistent with the purpose of the Act.

Under Section 32(1)(b) of the RMA the Council must examine whether, having regard to their efficiency and effectiveness, the policies, rules or other methods are the most appropriate to achieve the objectives of the plan change.

The level of detailed analysis undertaken for the evaluation of the proposed objectives and provisions has been determined by an assessment of the scale and significance of the proposed changes. In making this assessment regard has been had to the following:

- Whether the provisions are a significant variance from the existing baseline.
- Effects on matters of national importance.
- Adverse effects on those in the District with specific interest.
- Effects that have been considered implicitly or explicitly by higher order documents.
- Increased costs or restrictions on individuals, communities or businesses.

## 4.9 Assessment of Proposed Objectives and Policies

### 4.9.1 Assessment of Proposed Objectives and Policies – Natural Features and Landscapes Chapter

PPC65 seeks to introduce a new chapter for Natural Features and Landscapes in the District Plan. The structure of this Chapter is determined by the National Planning Standards. New objectives and policies have been proposed as follows:

**NFL-O1:** Outstanding Natural Features and Landscapes and Significant Amenity Features are identified within the Manawatū District.

**NFL-O2:** The characteristics and values of the Outstanding Natural Features and Landscapes identified in NFL-APP1 are protected from inappropriate use and development.

**NFL-O3:** The characteristics and values of Outstanding Natural Features and Landscapes and Significant Amenity Features are protected from the fragmentation of ownership arising from subdivision.

**NFL-O4:** The characteristics and values of Outstanding Natural Features and Landscapes, and Significant Amenity Features are maintained or enhanced.

PPC65 proposes four new objectives to specifically address Outstanding Natural Features and Landscapes and Significant Amenity Features within the Manawatū District.

The identification and spatial definition of ONFLs is required to ensure protection of areas as only once they are identified can they be afforded protection. This approach also gives effect to the One Plan, and ensure future consistency with how these areas are assessed and identified in the future.

The characteristics and values of the ONFLs must be managed to ensure the areas are protected as required by Section 6(a) of the Act. Key threats to those values are activities and subdivision, hence the introduction of specific objectives.

As outlined in the Options Assessment above, a clear distinction has been made to avoid development in the two Landscapes and to restrict development in the Features. This

reflects the importance of the areas identified in the Manawatū District Landscape Assessment. Development within Outstanding Natural Landscapes is to be avoided. There are only two landscapes identified in the Manawatū District – the Ruahine Ranges and the Manawatū Coastline. Both Landscapes are largely unmodified and have a large physical scale within the District. Development within the Outstanding Natural Landscapes is likely to have a significant adverse effect on the characteristics and values of them. The nature of the Outstanding Natural Features means that they may be able to tolerate more readily careful development when assessed against their characteristics and values. The provisions of the NZCPS are another reason why greater protection has been afforded the Outstanding Natural Landscapes.

Maintaining and enhancing these areas is also important, particularly for SAFs where land use activities have seen the removal of vegetation altering the landscape values. These areas have values that are greater than the general rural environment in the District and should be maintained and enhanced.

Collectively these objectives are the most appropriate way to achieve the purpose of the Act. They provide an effective and efficient platform for protection, maintenance and enhancement of ONFLs and SAFs. They contribute to achieving sections 6 and 7 of the Act and the overall purpose of the Act being sustainable management of the outstanding and significant natural features and landscapes in the Manawatū District. The objectives also respond to the directions contained in the One Plan.

**NFL-O1: Outstanding Natural Features and Landscapes and Significant Amenity Features are identified within the Manawatū District.**

**NFL-P1:** To identify the characteristics and values, and spatially define Outstanding Natural Features and Landscapes consistent with the following criteria:

- a. Natural science factors
- b. Aesthetic values
- c. Expressiveness (Legibility)
- d. Transient values
- e. Shared and recognised values
- f. Cultural and spiritual values for tangata whenua
- g. Historic heritage values.

**NFL-P2:** To identify and spatially define Significant Amenity Features.

**Evaluation of Efficiency and Effectiveness Taking Account of Benefits, Costs and Risk**

**Efficiency and Effectiveness**

The above policies all seek to achieve proposed NFL-O1. Collectively they are considered to be efficient and effective to achieve NFL-O1 as they ensure that areas of outstanding natural features and landscapes and significant amenity features are classified, as well as spatially defined. The specific areas and their corresponding characteristics and values



are clearly stated in the Appendices to the Natural Features Chapter to provide clarity and certainty for plan users.

These policies also give effect to the directions in the One Plan and the provisions of section 6 and 7 of the Act. Understanding the characteristics and values of each area will ensure they are protected and appropriately managed in the future.

No reasonably practicable options exist to achieve the objective, while giving effect to the directions contained in the One Plan.

### **Benefits & Costs**

The proposed policies are necessary to achieve NFL-O1 and ensure ONFLs and SAFs are classified and are spatially identified. The proposed policies are more directive than those existing in the District Plan.

The benefits of these policies are that they establish a framework for identifying the areas that require protection, maintenance and enhancement under the Act. This framework is consistent with best practice and the One Plan. By identifying the areas into ONFLs and SAFs provides the basis for decision makers to consider the appropriateness of activities that can have adverse effects on the characteristics and values of the ONFL or SAF. The key benefit of this approach is that it ensures Council has given effect to the Regional Policy Statement of the One Plan in a transparent manner, with the provision of key information to inform the future management of activities in these areas.

The costs associated with these policies have largely already been incurred with Council's investment in the Manawatū District Landscape Assessment. As a result of the Manawatū District Landscape Assessment more areas are identified compared with the Operative District Plan. This means additional costs should development occur in these areas. However this is considered appropriate given the direction to protect ONFLs under the Act and the One Plan.

Should additional areas be identified in the future, then the criteria provide clear guidance for what is required to be assessed thereby providing transparency and certainty in the application of the District Plan. Costs would be incurred by having a suitably qualified landscape expert to complete the assessment. However the need to identify new areas is considered low at this time.

Overall, the balance between benefits and costs is appropriate given Council has an obligation to identify and protect them under the One Plan and the Act. The costs with identifying the ONFLs and SAFs have already been incurred.

### **Risk of acting or not acting**

The commissioning of the Manawatū District Landscape Assessment and involvement of landowners and stakeholders through the process confirms that sufficient information exists to make the proposed changes. If Council did not pursue this Plan Change it would not be giving effect to the One Plan, which is a key driver for spatially defining and specific identifying the values and characteristics of each ONFL and SAF in the District. The details on ONFLs and SAFs within the District Plan also ensure the protection and management of these areas as anticipated by the Act is achieved.

### **Alignment with NFL-O1**

The proposed policies are closely aligned with the intent to spatially identify and confirm the characteristics and values of outstanding natural features and landscapes and significant amenity features within the District. The implementation of these policies will ultimately achieve NFL-O1.

**NFL-O2: The characteristics and values of the Outstanding Natural Features and Landscapes identified in NFL-APP1 are protected from inappropriate use and development.**

**NFL-P3:** To avoid inappropriate use and development within Outstanding Natural Landscapes identified in NFL-APP1 which adversely affects the identified values and characteristics of the areas, including:

- a. The extensive unbuilt coastal strip along the Manawatū Coastline Outstanding Natural Landscape.
- b. The unmodified and continuous indigenous vegetation values and the ridges and hilltops of the Ruahine Ranges Outstanding Natural Landscape.

**NFL-P4:** To restrict the use and development within Outstanding Natural Features identified in NFL-APP1 except where it is demonstrated that the identified characteristics and values of the area are protected and maintained.

**NFL-P5:** To recognise the Rangitikei River Outstanding Natural Feature includes existing farming activities and provide for the continuation of these existing activities where they do not adversely affect the characteristics and values identified in NFL-APP1.

**NFL-P6:** To avoid significant adverse cumulative effects from use and development on the characteristics and values of Outstanding Natural Features and Landscapes identified in NFL-APP1.

**NFL-P7:** Except as required by NFL-P6, avoid adverse effects on Outstanding Natural Features and Landscapes as far as reasonably practicable and where avoidance is not reasonably practicable, remedy or mitigate adverse effects on the characteristics and values identified in NFL-APP1.

**NFL-P8:** To enable passive recreation, conservation and customary activities within Outstanding Natural Features and Landscapes identified in NFL-APP1 where this does not adversely affect the characteristics and values of those areas.

**NFL-P9:** To avoid the development of new buildings or structures within Outstanding Natural Landscapes identified in NFL-APP1.

**NFL-P10:** To restrict the development of new buildings or structures within an Outstanding Natural Feature where these are visible from a public space and create a visual intrusion or has an adverse effect on characteristics and values of the feature identified in NFL-APP1.

**NFL-P11:** To restrict the removal of indigenous vegetation from Outstanding Natural Features and Landscapes and identified in NFL-APP1.

**NFL-P12:** To restrict the introduction of exotic vegetation species, including forestry, within Outstanding Natural Features and Landscapes and identified in NFL-APP1.

**Evaluation of Efficiency and Effectiveness Taking Account of Benefits, Costs and Risk**

**Efficiency and Effectiveness**

The above policies all seek to achieve proposed NFL-O2. Collectively they are considered to be efficient and effective to meet NFL-O2 as they ensure that inappropriate use and development is identified, recognised and either avoided or restricted. This is necessary in order to provide guidance on how Outstanding Natural Features and Outstanding Natural Landscapes are treated differently with the Plan.

Specific policy guidance is provided relating to the Outstanding Significant Landscapes and the characteristics and values of the two areas in the District. Development within Outstanding Natural Landscapes is to be avoided. There are only two landscapes identified in the Manawatū District – the Ruahine Ranges and the Manawatū Coastline. Both Landscapes are largely unmodified and have a large physical scale within the District. Both landscapes can be seen from most areas within the District and are a key visual reference for the District’s community. Development within the Outstanding Natural Landscapes is likely to have a significant adverse effect on the characteristics and values of them. In both instances, development within these areas are afforded a level of protection that is consistent with this rule. In addition, the Ruahine Ranges are already protected by the Department of Conservation as part of the State Forest Park. Development within the Manawatū Coastline would also be subject to the New Zealand Coastal Policy Statement. This value is recognised in NPL-P3, while NPL-P9 seeks to avoid development in the two identified landscapes.

In order to protect the overall characteristics and values of Outstanding Natural Features development should be restricted unless it does not affect the specific characteristics and values of the area. The driver is to protect those areas identified as ONFLs and their characteristics and values to ensure they are not diminished or adversely affected by inappropriate development and use. Policy guidance is also provided to acknowledge where existing land use is part of the Outstanding Natural Feature, such as the continued grazing along the Rangitikei River and enabling passive recreation. This approach provides certainty for those who already use these areas for economic, farming, or recreational purposes.

NFL-P6 and NFL-P7 are included to specifically give effect to Horizons One Plan. The One Plan is clear that use and development within ONFLs must avoid significant adverse cumulative effects. Development must also avoid adverse effects, and where this is not possible, remedy or mitigate effects. This policy structure is necessary to provide clear guidance for those wishing to develop within an ONFL and to give effect to the effects hierarchy specified in the One Plan.

NFL-P10 restricts development in Outstanding Natural Features where these would create visual intrusion or bulk on the naturalness, characteristics and values of the areas. This is consistent with the fact that most Outstanding Natural Features are unmodified.

NFL-P11 and NFL-P12 provide guidance on retaining indigenous vegetation and restricting exotic vegetation species. This is linked to the amenity values these areas

provide in the District. This policy direction is considered to complement the provisions of the One Plan (and the role of the Regional Council to manage indigenous vegetation clearance). These policies are also considered consistent with s7 of the Act, in relation to amenity values.

The policy suite is appropriately targeted to managing inappropriate use and development. The policies are directive in nature and this will ensure an effective and efficient approach.

One reasonably practicable alternative would be to have the same policy approach for both ONFs and ONLs. This option is neither considered more effective or efficient than the proposed approach as it does not recognise the differences between these areas.

### **Benefits & Costs**

The benefit of these policies is that they establish a policy framework for managing use and development in ONFLs where there has not been a clear framework before. There is an additional benefit in that these areas will be protected and remain attractive, unique and quality areas for the benefit of the community in the future. These policies will ensure the protection, maintenance and enhancement of outstanding natural features and landscapes into the future through recognition of inappropriate use and development within them.

Clear distinction has been made to avoid development in the two Landscapes and to restrict development in the Features. This reflects the importance of the areas identified in the Manawatū District Landscape Assessment, as discussed above. The nature of the Outstanding Natural Features means that they may be able to tolerate more readily careful development when assessed against their characteristics and values.

The costs associated with these policies relate to reducing landowners and other users' ability to use and develop within the ONFLs as a right. Other than activities with less than minor adverse effects, resource consent would be required and therefore assessed under these policies. For those wishing to use or develop an outstanding natural feature, they will need to demonstrate their proposal will not adversely affect the characteristics and values of the area. This will inevitably reduce the amount of use and development able to occur within a feature but is considered appropriate given the finite nature of the features and their significance to the Manawatū District.

It is noted that most areas are already protected and managed by landowners for the same characteristics and values as identified in the Manawatū District Landscape Assessment. The costs of consenting are outweighed by the environmental, cultural and social value of protecting and managing these areas as proposed.

### **Risk of acting or not acting**

There is a risk of not acting given that the Operative District Plan does not protect and manage ONFLs as directed by the One Plan. This Plan Change is necessary to give effect to the One Plan, and the New Zealand Coastal Policy Statement (relating to the Manawatū Coastline Outstanding Natural Landscape). The policy direction contained above is also consistent with the Act. Sufficient information exists to make the proposed changes and ensure that appropriate policy guidance is included to manage the use and development within the District's ONFLs. The themes contained in these policies reflect the Manawatū District Landscape Assessment identification of the threats to the specific

ONFLs identified. Overall it is considered that Council has sufficient information to propose these changes.

**Alignment with NFL-O2**

The proposed policies are consistent with achieving NFL-O2.

**NFL-O3: The characteristics and values of Outstanding Natural Features and Landscapes and Significant Amenity Features are protected from the fragmentation of ownership arising from subdivision.**

**Policies**

**NFL-P13:** To avoid subdivision within Outstanding Natural Landscapes except where the fragmentation of land does not significantly affect the characteristics and values of the Landscape identified in NFL-APP1.

**NFL-P14:** To manage subdivision within Outstanding Natural Features and Significant Amenity Features to ensure the characteristics and values identified in NFL-APP1 are not adversely affected by fragmentation of ownership arising from subdivision.

**Evaluation of Efficiency and Effectiveness Taking Account of Benefits, Costs and Risk**

**Efficiency and Effectiveness**

The above policies seek to achieve proposed NFL-O3. Land fragmentation of ownership which results through subdivision can have a significant adverse effect on ONFLs and SAFs. Subdivision of land implies a future ability to develop that land. In this case, the characteristics and values of the ONFLs and SAFs could be significantly affected by land subdivision.

The policies recognise that fragmentation or subdivision can affect those characteristics and values, which are integral to the areas being identified in the District Plan. These policies ensure that effects on the characteristics and values should be either avoided or managed according to the classification of the feature or landscape that the proposal relates to. The policies provide a different approach for the two landscapes and the features, recognising the characteristics and values of these areas. For instance, the landscapes have a large expansive scale and fragmentation of them should be avoided. Particularly as fragmentation implies future development is expected.

Collectively these policies are considered to be efficient and effective means to achieve NFL-O3.

One reasonably practicable alternative would be to have the same policy approach for both subdivision in ONFs and ONLs. This option is neither considered more effective or efficient than the proposed approach as it does not recognise the differences between these areas.

**Benefits & Costs**

The benefit of these policies is that they establish a policy framework for managing subdivision of ONFLs and SAFs. This is not clearly provided for in the Operative District Plan.

The costs of the policies relates to the requirements for consent applications and the information required to support a subdivision. This is considered appropriate given the Act requirements to protect these areas. The costs of consenting are outweighed by the environmental, cultural and social value of protecting and managing these areas as proposed. Given the specific areas identified and their significance to the Manawatū District the overall benefits are considered to outweigh the costs.

**Risk of acting or not acting**

The Manawatū District Landscape Assessment prepared for this Plan Change identifies potential threats, use and development to be managed. One threat is the fragmentation of land. These policies are necessary to ensure these are appropriately managed to protect, maintain and enhance the outstanding natural features. Council has sufficient information to introduce the proposed policies.

**Alignment with Objective NFL-O3**

The proposed policies are necessary to give effect to NFL-O3.

|   |
|---|
| <p><b>NFL-O4: The characteristics and values of Outstanding Natural Features and Landscapes, and Significant Amenity Features are maintained or enhanced.</b></p>   |
| <p><b>Policies</b></p> <p><b>NFL-P15:</b> To protect existing indigenous vegetation.</p> <p><b>NFL-P16:</b> To encourage restoration and planting with locally sourced indigenous species of Outstanding Natural Features and Landscapes and Significant Amenity Features.</p> <p><b>NFL-P17:</b> To enable the continuation of existing stock grazing within Significant Amenity Features where this does not compromise the characteristics and values identified in NFL-APP2.</p> <p><b>NFL-P18:</b> To control use and development within Significant Amenity Features to those activities which do not adversely affect the characteristics and values identified in NFL-APP2.</p> <p><b>NFL-P19:</b> To restrict the introduction of exotic vegetation species, including forestry, within Significant Amenity Features identified in NFL-APP2.</p> |
| <p><b>Evaluation of Efficiency and Effectiveness Taking Account of Benefits, Costs and Risk</b></p>   |
| <p><b>Efficiency and Effectiveness</b></p> <p>The above policies all seek to achieve proposed NFL-O4, and section 7 of the Act. Collectively they are efficient and effective in protecting indigenous vegetation for amenity reasons, and encouraging restoration and enhancement of ONFLs and SAFs.</p>   |

The One Plan is clear in Policy 6-1 regarding the responsibilities for maintaining indigenous biological diversity. It is the role of the Regional Council to maintain and protect biological diversity. Whereas the District Council is to focus on the amenity values of areas, not the protection of significant indigenous vegetation and significant habitats of indigenous fauna. These policies are consistent with this direction whereby the focus is on amenity values these areas have.

NFL-P17 and NFL-P18 specifically acknowledge the existing use of SAFs and does not seek to compromise the property rights of those landowners. In most cases enhancement of these areas would increase their landscape value, while development, such as buildings will further degrade their value. SAF represent areas that have values greater than the general rural environment. It is therefore an efficient and effective approach to achieving NFL-O3.

Reasonably practicable alternatives exist in relation to restorative policy NFL-P16. On one hand this could be made stronger by removing the 'encourage' direction. Alternatively the entire policy could be deleted. Both options are inferior to proposed NFL-P16. NFL-P16 recognises the limitations of an *identify and protect* approach, without any recognition of the effectiveness of actual restoration. Use of an enabling policy is appropriate as there are limited opportunities to require restoration through the RMA consenting framework.

NFL-P19 seeks to restrict plantation forestry from locating in the SAFs. The introduction of this activity would likely affect the characteristics and values of the areas, and undermines the potential for these areas to be maintained and enhanced.

#### **Benefits & Costs**

The benefit of these policies is they establish a policy framework for managing enhancement of ONFLs and the management of SAFs. The costs relate to potential consents for buildings and subdivision within these areas. These costs are considered to be appropriate in achieving section 7 of the Act.

#### **Risk of acting or not acting**

Council has a duty to give effect to section 7 of the Act, particularly the maintenance and enhancement of the environment. Sufficient information exists to make the proposed changes and ensure that appropriate policy guidance is included to manage the District's ONFLs and SAFs. Overall it is considered that Council has sufficient information to propose these changes.

#### **Alignment with NFL-O4**

The proposed policies are necessary to give effect to NFL-O4.

## 4.9.2 Assessment of Proposed Rules –Natural Features and Landscapes Chapter

| Key Provisions                  | Rule Provisions  |
|---------------------------------|--|
| <b>Permitted Activity Rules</b> | <p><b>NFL-R1</b> The use and maintenance of existing tracks and walkways for passive recreation, conservation, and customary activities within public areas.</p>   |
|                                 | <p><b>NFL-R2</b> Planting and restoration of indigenous vegetation within Outstanding Natural Features and Landscapes and Significant Amenity Features using indigenous species.</p>   |
|                                 | <p><b>NFL-R3</b> Removal and control of weeds and pests, including wildling pines.</p>   |
|                                 | <p><b>NFL-R4</b> Fencing off of areas.</p>   |
|                                 | <p><b>NFL-R5</b> Indigenous vegetation clearance only for the purpose of:</p> <ol style="list-style-type: none"> <li>1) Clearance of up to 1m from a fence designed for the exclusions of stock and or pests</li> <li>2) The gathering of plants in accordance with Māori customs and traditions</li> <li>3) Removal of vegetation that endangers human life, existing structures or network utilities</li> <li>4) Maintaining existing roads, tracks or fences and the clearance is within 1m either side of that road, track or fence.</li> </ol> <p><b>Guidance Note:</b> Trimming of vegetation near electricity transmission lines shall comply with the Electricity (Hazards from Trees) Regulations 2003.</p> |
|                                 | <p><b>NFL-R6</b> Maintenance of existing lawfully established structures as at 7 February 2020.</p>  |
|                                 | <p><b>NFL-R7</b> Construction and use of buildings and structures within the Totara Reserve Regional Park no greater than 50m<sup>2</sup> in area.</p>   |
|                                 | <p><b>NFL-R8</b> Continuation of existing stock grazing within the Rangitikei River Outstanding Natural Feature and within Significant Amenity Features as at 7 February 2020.</p>   |
|                                 | <p><b>NFL-R9</b> Earthworks associated with a permitted activity listed above and consistent with Rule 3D.4.2.</p> <p><b>Guidance Notes:</b></p> <ol style="list-style-type: none"> <li>1. Except as provided for in NFL-R9, earthworks within Outstanding Natural Features and Landscapes are specifically provided for in Chapter 3D Earthworks.</li> </ol>  |



2. Earthworks are also regulated by the Manawatū-Whanganui Regional Council and a resource consent may be required under the rules of the One Plan.

### Alignment with Objectives

**Purpose:** The permitted activity rules identified above enable those activities that are considered to have a less than minor effect on the characteristics and values of the ONFLs and SAFs identified in PPC65. This approach provides certainty to plan users on those activities that can occur as of right within ONFLs and SAFs. Particularly the continuation of grazing in some areas which already provides for landowners economic wellbeing.

In some areas infrastructure such as tracks and network utilities are already present. These need to be maintained in the future. The ONFLs have been identified recognising the existing infrastructure. These rules do not enable public access over private land. No ownership changes are proposed. People wishing to access these areas would need to seek permission of the landowner, as currently occurs.

The majority of the permitted activities listed above seek to enhance or improve the characteristics and values of the areas. For instance, pest control, enabling the fencing off of areas from future stock damage or planting indigenous plant species to further enhance the amenity of the ONFLs. Enhancement will also have a consequential effect of improving their biodiversity which is a Regional Council responsibility (although this is not the focus of the proposed rules.

The Totara Reserve ONFL has a number of existing buildings that need to be maintained. The Asset Management Plan identifies new small buildings in the future. The permitted activity rule is designed to enable small buildings, such as a new toilet block, to be constructed.

Enabling the existing scale and intensity of grazing within certain ONFLs and SAFs reflects the current use. This enables landowners to continue to economically manage their farms. This existing use has been recognised in the Manawatū District Landscape Assessment.

**Benefits and Costs:**

The introduction of permitted activity rules for those activities with less than minor effect is considered to be appropriate and means that landowners are not required to obtain resource consent. Council seeks to encourage the planting and protection of ONFLs and SAFs. These rules enable that to happen without additional consenting consents.

The benefits are considered to outweigh the costs.

**Risks:** There is a risk of not acting given that the Operative District Plan does not protect and manage ONFLs as directed by the One Plan. This Plan Change is necessary to give effect to the One Plan, the New Zealand Coastal Policy Statement (relating to the Manawatū Coastline Outstanding Natural Landscape), and the Act. The proposed rules enable those activities that are considered to have less than minor effect on the characteristics and values. The changes proposed recognise the site-specific

characteristics of the identified ONFLs and SAFs. There is sufficient information to make the proposed changes.

**Efficiency and Effectiveness:** The proposed changes are considered to be relatively minor, reflect current practice in the management of ONFLs and SAFs, and will enable the efficient management of these areas in the Manawatū District. Enabling the maintenance of existing infrastructure is appropriate as is this necessary for the wellbeing of the Manawatū community.

**Reasonably Practicable Alternatives:** The main alternative options considered include:

- Requiring resource consent for all activities in ONFLs and SAFs. This does not reflect the scale of these minor activities and the potential effects on the characteristics and values of the areas identified through the District Plan.

**Alignment with Objectives:** The purpose of NFL-O2 to protect ONFLs from inappropriate use and development. The purpose of NFL-O4 is to maintain and enhance the characteristics and values of ONFLs and SAFs. These permitted activity rules are considered to align with the above objectives.

| Key Provisions  | Rule Provisions  |
|---|--|
| <b>Restricted Discretionary Activity</b>  | <p><b>NFL-R10</b> Development consistent with the Reserve Act status or relevant Management Plan for the specific Outstanding Natural Feature or Landscape.</p> <p>For these activities, the Council has restricted its discretion to considering the following matters:</p> <p>MD1 Effects, including cumulative effects, on the characteristics and values of the specific Outstanding Natural Feature or Landscape identified in NFL-APP1.</p> <p>MD2 Bulk and location of any buildings</p> <p>MD3 Sighting and visibility of buildings from public viewing locations.</p> |
| <b>Alignment with Objectives</b>  |  |
| <p><b>Purpose:</b> Development in ONFLs consistent with the Reserve Act status or a management plan is enabled under this rule. This specific rule was developed recognising the Ruahine Range Landscape and the Totara Reserve Feature as two areas where development (such as huts and toilet blocks) are planned as part of the management of these areas. Both have Reserve Act status and considered management plans. The management plans recognise the importance of the characteristics and values that have been considered through the Manawatū District Landscape Assessment.</p> |  |

The Totara Reserve ONFL has an Asset Management Plan which identifies some future development, consistent with the importance of the area. This rule seeks to enable that clearly defined development.

**Benefits and Costs:**

The introduction of restricted discretionary activity classification for minor planned development consistent with the Reserve Act status and management plan is appropriate to manage potential effects. The Totara Reserve already has built development and is not pristine. Provided future development is consistent with management plans and the characteristics and values are not affected then there are benefits to the community. Buildings bigger than 50m<sup>2</sup> would need consent. This is considered appropriate to ensure the characteristics and values are managed.

**Risks:** The changes proposed recognises the site-specific characteristics of the identified ONFLs and SAFs. There is sufficient information to make the proposed changes.

**Efficiency and Effectiveness:** Including this new rule in the District Plan seeks to enable planned and minor development, particularly within Totara Reserve Feature. The matters of discretion are limited to the impact on the characteristics and values of the Feature and how the buildings are sited in relation to bulk and location and visibility from public areas. This is an efficient and effective approach recognising that the Totara Reserve and Ruahine Range are managed for specific purposes, which generally align with their identification as ONFLs.

**Reasonably Practicable Alternatives:** The main alternative options considered include:

- Requiring discretionary activity resource consent for all activities in ONFLs and SAFs irrespective of their Reserve Act status or any management plan. These areas are already managed, and additional consenting requirements are considered unnecessary.
- Enabling activities that are included in a reserve management plan through permitted activity status. This option is not supported as the purpose of the Reserves Act differs from that of the Resource Management Act and effects of activities may still require assessment.

**Alignment with Objectives:** The purpose of NFL-O2 is to protect ONFLs from inappropriate use and development. This rule further identifies those areas where some small and controlled development is expected consistent with Reserves Act status and management plans.

| Key Provisions  | Rule Provisions   |
|---|---|
| <b>Discretionary Activities</b>   | <p><b>NFL-R11</b> Subdivision within an Outstanding Natural Feature or Significant Amenity Feature as identified in NFL-APP1 or NFL-APP2.</p> <p><b>NFL-R12</b> Construction, alteration or addition of buildings, or new passive recreation tracks within an Outstanding Natural Feature and Significant Amenity Feature as identified in NFL-APP1 or NFL-APP2.</p> <p><b>NFL-R13</b> Stock grazing, horticulture and cropping in Outstanding Natural Features and Significant Amenity Features, except for the existing stock grazing within the Rangitikei River Outstanding Natural Feature and Significant Amenity Features.</p> |
| Alignment with Objectives   |   |
| <p><b>Purpose:</b> Development within ONFLs is generally discouraged, other than activities with less than minor adverse effect which are permitted. This reflects the threats that have been identified in the Manawatū District Landscape Assessment. A distinction has been made between Outstanding Natural Features and Outstanding Natural Landscapes. The Features have a relatively small and confined area, with many within incised river valleys. The likely development within these areas is considered to be low. Those features with infrastructure already built or planned have been recognised in the Manawatū District Landscape Assessment. The rules reflect an appropriate balance between development and managing the effects of those activities on Outstanding Natural Features and SAFs.</p> <p>Unless otherwise provided for, stock grazing, horticulture and cropping are discouraged from within Outstanding Natural Features and SAFs. These activities can affect the values of the areas. Should those activities be introduced into a Feature then a consent is appropriate.</p> <p><b>Benefits and Costs:</b></p> <p>The introduction of a discretionary activity status for development within an Outstanding Natural Feature will ensure careful consideration is given to proposed development against the characteristics and values of the feature. Based on the Manawatū District Landscape Assessment, this is an appropriate response to protect these areas. The costs associated with obtaining consent are expected in light of the direction contained in section 6(b) of the Act.</p> <p><b>Risks:</b> The changes proposed recognise the site-specific characteristics of the identified ONFLs and SAFs and the analysis of the Manawatū District Landscape Assessment. This is consistent with the direction in the higher order documents of the Act and One Plan. There is sufficient information to make the proposed changes.</p> |   |

**Efficiency and Effectiveness:** This new rule is efficient in that it provides a clear development framework that protects the Outstanding Natural Features. This provides plan users with clear understanding for how use and development within features and SAFs, including subdivision are to be managed. This provides greater clarity than the operative District Plan.

**Reasonably Practicable Alternatives:** The main alternative option considered include:

- Requiring Non-Complying activity resource consent for all activities in ONFLs and SAFs to afford the level of protection that could be considered appropriate for these areas.

**Alignment with Objectives:** These Rules give effect to and align with NFL-O2 to protect ONFLs from inappropriate use and development, NFL-O3 to protect ONFLs and SAFs from subdivision, and NFL-O4 to maintain and enhance ONFLs and SAFs. These rules clearly outlines how activities are to be considered under the District Plan providing certainty to Plan users.

| Key Provisions                         | Rule Provisions   |
|--|---|
| <p><b>Non-Complying Activities</b></p> | <p><b>NFL-R14</b> Construction, alteration or addition of buildings within an Outstanding Natural Landscape as identified in NFL-APP1.</p> <p><b>NFL-R15</b> Subdivision within an Outstanding Natural Landscape as identified in NFL-APP1.</p> <p><b>NFL-R16</b> Stock grazing, horticulture and cropping within an Outstanding Natural Landscape as identified in NFL-APP1.</p> <p><b>NFL-R17</b> New Plantation Forestry within an Outstanding Natural Feature or Landscape and Significant Amenity Feature.</p> <p><b>NFL-R18</b> Any activity not otherwise provided for as a Permitted, Restricted Discretionary or Discretionary Activity.</p> <p><b>Guidance Note</b></p> <ol style="list-style-type: none"> <li>1. Except as provided for by Rule NFL-R9, earthworks within Outstanding Natural Features and Landscapes are provided for in Chapter 3D Earthworks.</li> <li>2. The National Environmental Standard for Plantation Forestry (2017) also applies to activities within Outstanding Natural Features and Landscapes and a resource consent may also be required under those provisions.</li> </ol> |

**Alignment with Objectives**

**Purpose:** Development within Outstanding Natural Landscapes is to be avoided. There are only two Landscapes identified in the Manawatū District – the Ruahine Ranges and the Manawatū Coastline. Both Landscapes have a dominant scale in the District. Development within these Landscapes is likely to have a significant adverse effect on the characteristics and values of them. Both landscapes are largely unmodified, and the intention is that they remain this way. It is therefore appropriate for development to have a less than minor effect and be consistent with the relevant objectives and policies in the Natural Features and Landscapes chapter.

Unless otherwise provided for, stock grazing, horticulture and cropping are discouraged from within the two Landscapes. New Plantation Forestry is also strongly discouraged as recommended by the Manawatū District Landscape Assessment.

**Benefits and Costs:**

This new rule clearly signals that development in the two Landscapes is not encouraged or expected. There is a higher threshold to meet under this rule to provide the necessary protection for these areas. The costs of obtaining consent are considered appropriate given the identified characteristics, values and threats in the Manawatū District Landscape Assessment. It is also noted that development within the Manawatū Coastline would also be subject to the New Zealand Coastal Policy Statement. Controlling activities that can affect the characteristics and values of the two Landscapes are deemed appropriate given the environmental, social and cultural values of these areas.

**Risks:** The changes proposed recognise that development in the two Landscapes, which are largely unmodified, can have adverse effects on the characteristics and values identified. There is a higher threshold to meet under this rule. This is considered to be appropriate to provide the level of protection required. Allowing development without this higher threshold would likely result in the loss of the characteristic and values identified in the Manawatū District Landscape Assessment.

**Efficiency and Effectiveness:** The proposed rules are efficient in that they enable a development framework that protects the characteristics and values of the two Landscapes. This framework is an efficient and effective approach to manage activities that can create significant adverse effects on the two Landscapes.

**Reasonably Practicable Alternatives:** The main alternative options considered include:

- Enabling activities within the Landscapes. This would be inconsistent with the Manawatū District Landscape Assessment and the requirement to protect the characteristics and values of the two identified Landscapes.
- Having activities within the two Landscapes as a Discretionary Activity. This is not considered appropriate given that both Landscapes have a dominant scale and a high degree of naturalness in the District. Development within these Landscapes is likely to have a higher sensitivity and therefore significant adverse effect on their characteristics and values. Both landscapes are largely unmodified, and the intention is that they remain this way.

**Alignment with Objectives:** These Rules give effect to and align with NFL-O2 to protect ONFLs from inappropriate use and development, NFL-O3 to protect ONFLs and SAFs from

subdivision, and NFL-04 to maintain and enhance ONFLs and SAFs. These rules provide the necessary assessment of activities within the two Landscapes to protect their characteristics and values from inappropriate use and development.

#### 4.9.3 Changes proposed to Chapter 3A

As a result of appeals to Plan Change 55, changes are also proposed under PPC65 to amend provisions in Chapter 3A Network Utilities. A minor change is proposed to Policy 1.5 to recognise SAFs, and amendments to Objective 3 and its policies for ONFLs have been proposed as outlined below.

As a result of PC55, there is an intention that Chapter 3A will be standalone at the completion of the Sectional District Plan Review. The changes outlined below are intended to be a step towards this, in relation to ONFLs and SAFs. A clear statement has been proposed in the introduction to the Natural Features and Landscapes chapter that for network utilities the more specific provisions in Chapter 3A apply, and that earthworks within ONFLs and SAFs are provided for in Chapter 3D.

In developing these provisions care has been taken to balance the need to accommodate network utilities within the District, while also recognising that the Act, One Plan, and NZCPS all provide a framework to protect ONFLs. As discussed earlier in this Report, a distinction has been made between Outstanding Natural Features and Outstanding Natural Landscapes based on the characteristics and values identified in the Manawatū District Landscape Assessment. The District has identified two Outstanding Natural Landscapes based on the fact that they are largely unmodified and of a large physical scale with the District. Development within these areas is likely to have significant adverse effect on the characteristics and values within them. The nature of the Outstanding Natural Features means that they may be able to tolerate more readily careful development when assessed against their characteristics and values. Notwithstanding this overall approach, a specific policy pathway has been provided for the National Grid.

#### Objective 1:

##### To ensure:

- a. Network utility infrastructure of national and regional importance, including the National Grid, is able to operate, upgrade and develop efficiently and effectively while managing any adverse effects in the environment having regard to the locational, technical and operational constraints of the infrastructure.
- b. All other network utilities are designed, located, constructed, operated, upgraded and maintained in a manner that ensures the efficient use of natural and physical resources while recognising the environment they are located in.

#### Policies

- 1.5 To ensure network utilities are constructed and located in a manner sensitive to the amenity and landscape values where they are located, including those areas identified as Significant Amenity Features in NFL-APP2.

**Evaluation of Efficiency and Effectiveness Taking Account of Benefits, Costs and Risk**

**Efficiency and Effectiveness**

The change in Policy 1.5 recognises the Significant Amenity Features introduced under PPC65. The characteristics and values of the three SAFs identified are not the same as for ONFLs and as such, the provisions of Objective 1 are considered appropriate. Proposed changes to Objective 3 and its policies are for ONFLs specifically.

The policy suite under Objectives 1 is appropriate for managing inappropriate use and development within SAFs. The additional recognises that SAFs are already modified environments in the District. That said, the development of Network Utilities in these areas need to be located in a manner sensitive to the characteristics and values identified in NFL-APP2.

**Benefits & Costs**

The benefit of this minor change to Policy 1.5 is that the policy framework for managing use and development in SAFs is clearly provided for. The characteristics and values are not the same as ONFLs and should not be considered under the same objective and policies. This potentially reduces the costs associated with development in these areas.

**Risk**

Sufficient information exists from the Manawatū District Landscape Assessment to make the proposed changes and ensure that the appropriate use and development of network utilities within the District’s SAFs occurs.

**Alignment with Objective 1**

The proposed change to Policy 1.5 is consistent with achieving Objective 1.

**Objective 3:** The characteristics and values of the Outstanding Natural Features and Landscapes identified in NFL-APP1 and historic heritage are protected from the inappropriate use and development of network utilities.

PPC65 proposes to amend Objective 3 to ensure consistency with the new Natural Features and Landscapes Chapter and with the new National Planning Standards. The overall intent of the Objective has not changed since it was introduced under PC55. The objective relates to the protection of the identified characteristics and values of the ONFLs. This is considered to provide plan users with greater certainty (an outcome of the appeal on PC55).

The change to Objective 3 does not materially the change the overall intent of the objectives in Chapter 3A.

The Objective contributes to achieving section 6 of the Act and the overall purpose of the Act being sustainable management of the outstanding and significant natural features and landscapes in the Manawatū District.



**Objective 3: The characteristics and values of the Outstanding Natural Features and Landscapes identified in NFL-APP1 and historic heritage are protected from the inappropriate use and development of network utilities.**

**Policies**

- 3.1 To protect the characteristics and values of Outstanding Natural Features and Landscapes scheduled in NFL-APP1 or a site of historic heritage scheduled in Appendix 1E (Buildings and Objects with Heritage Value) and 1F (Sites with Heritage Value) from the effects of network utilities.
- 3.2 To avoid significant adverse cumulative effects from new network utilities on the characteristics and values of Outstanding Natural Features and Landscapes,
- 3.3 Except as required by Policy 3.2, avoid adverse effects as far as reasonably practicable and where avoidance is not reasonably practicable, remedy or mitigate adverse effects on the characteristics and values identified in NFL-APP1.  
For the purpose of policy 3.3, reasonably practicable means where:
  - a. there is no reasonably practicable alternative location, recognising the functional and operational need of the network utility; and
  - b. the infrastructure is of national or regional importance; and
  - c. the development does not have a significant adverse effect on the characteristics and values identified in Appendix NFL-APP1, Appendix 1E (Buildings and Objects with Heritage Value) or 1F (Sites with Heritage Value).
- 3.4 To provide for the operation, maintenance, replacement or minor upgrading of existing network utilities located within or adjacent to Outstanding Natural Features and Landscapes.
- 3.5 To avoid inappropriate use and development within Outstanding Natural Landscapes which adversely affects the identified values and characteristics of the areas, including:
  - a. The extensive unbuilt coastal strip along the Manawatū Coastline Outstanding Natural Landscape.
  - b. The unmodified and continuous indigenous vegetation values and the ridges and hilltops of the Ruahine Ranges Outstanding Natural Landscape.
- 3.6 To recognise the major upgrade or development of new National Grid Electricity infrastructure in an Outstanding Natural Feature or Landscape by managing adverse effects on the characteristics and values of the feature or landscape by ensuring route, site and method selection demonstrates that, to the extent practicable having regard to the functional, operational and technical needs of the National Grid, in order of preference:
  - a. Infrastructure will be located outside of an Outstanding Natural Feature or Landscape.
  - b. Where a. cannot be achieved, infrastructure will be located in the more

compromised parts of the Outstanding Natural Feature or Landscape; and

- c. Techniques (such as structure selection) will be used to avoid adverse effects; and
- d. Adverse effects that cannot be avoided will be remedied or mitigated.

**Evaluation of Efficiency and Effectiveness Taking Account of Benefits, Costs and Risk**

**Efficiency and Effectiveness**

The above new policies all seek to achieve amended Objective 3. Collectively the Policies are considered to be efficient and effective as they ensure that the use and development of network utilities are provided for while recognising the specific characteristics and values of the Outstanding Natural Features or Landscapes. The policies replace those introduced under PC55 and provide a greater level of specificity and direction for plan users and recognise the role of infrastructure and some of the locational constraints that may apply.

Policies have been included around the avoidance of significant cumulative effects consistent with the directions outlined in the One Plan. This is necessary to give effect to the One Plan as required by the Act.

Policy 3.4 has been included to recognise that some network utility structures are already located within the spatially defined ONFLs. The ongoing maintenance and replacement of that infrastructure is important for the wellbeing of the community.

Policy 3.5 recognises the important values of the two Outstanding Landscapes that have been identified for the District. These areas have a large expansive scale and can be seen from many vantage points throughout the District. Any development within these areas would be visible for some distance and would likely affect the characteristics and values that make them outstanding.

Policy 3.6 has been added to specifically recognise the National Grid and the National Policy Statement for Electricity Transmission. The policy is intended to recognise that there are situations where locating within an ONFL cannot be avoided. It provides clear guidance for how to assess applications and ensure that effects are carefully managed. This approach is considered to be consistent with the National Policy Statement for Electricity Transmission, the One Plan, and the Act. The need to balance protection of ONFLs against national or regional development requirements is also acknowledged by the Policy.

The policy suite is appropriately targeted to managing inappropriate use and development. The policies are directive in nature and this will ensure an effective and efficient approach. While the existing policies could be retained, they are not considered specific enough for assessing network utilities within ONFLs.

**Benefits & Costs**

The benefit of these policies is that they establish a policy framework for managing use and development in outstanding natural features and landscapes. While some provisions were introduced under PC55, these were appealed on the basis that PPC65 had not yet been notified. The greater level of specificity proposed will provide plan users greater

clarity in the future. The provisions support the use of alternative locations where these are available.

Collectively these policies will ensure protection, maintenance and enhancement of outstanding natural features and landscapes into the future through recognising that the inappropriate use and development of the ONFLs may need to be restricted or avoided to protect the characteristics and values which make them outstanding. These characteristics and values are specifically identified (as well as the spatial extent of the ONFLs and SAFs) in NFL-APP1 and NFL-APP2. This approach provides greater certainty for plan users.

The costs associated with these policies relate to the ability to develop network utilities within outstanding natural features and landscapes. However the policies provide guidance on what is acceptable and how to assess proposals for network utilities in the future. They recognise that in some instances use and development is unavoidable and will be incompatible with the landscapes’ characteristics and values. Given the importance of these areas to the District these costs are considered to be appropriate.

**Risk**

While the risk of development with the ONFLs is low, it is important to protect those characteristics and values that make them outstanding. This ensures Council is meeting its obligations under the Act and the One Plan. Sufficient information exists from the Manawatū District Landscape Assessment to make the proposed changes and ensure that appropriate use and development within the District’s ONFLs occurs.

**Alignment with Objective 3**

The proposed policies are consistent with achieving Objective 3.

| Key Provisions  | Rule Provisions   |
|---|---|
| <p><b>Permitted Activity Standards Rule 3A.4.3.j</b></p>  | <p>Works that are undertaken outside of an existing <b>road</b> corridor carriageway, or that are not operation, maintenance, <b>replacement</b> or <b>minor upgrading</b> works must not be located within the areas scheduled in Appendix 1A (Wetlands, Lakes, Rivers and their Margins), 1B (Significant Areas of <b>Indigenous Forest/Vegetation</b> (excluding Reserves), <del>1C (Outstanding Natural Features)</del>, 1D (Trees with Heritage Value), 1E (Buildings and Objects with Heritage Value), <del>and</del> 1F (<b>Sites</b> with Heritage Value), <u>Outstanding Natural Features and Landscapes identified in NFL-APP1 or Significant Amenity Features identified in NFL-APP2 of this Plan.</u></p> |
| <p><b>Alignment with Objectives</b></p>   |   |
| <p><b>Purpose:</b> Minor changes are proposed to the Permitted Activity Rule to ensure the correct cross references to the Appendices are used. This will assist plan users navigate the new District Plan.</p> |   |

**Benefits and Costs:**

There are more ONFLs listed in NFL-APP1 than had those listed in Appendix 1C of the Operative District Plan. These areas have been identified following a comprehensive Manawatū District Landscape Assessment. This performance standard allows the operation, maintenance, replacement and minor upgrading to be undertaken in ONFLs without the need for consent. This is appropriate given the infrastructure is already within the ONFL.

**Risks:** The minor amendment to the performance condition is appropriate to ensure consistency between this chapter and the NFL chapter in the District Plan. The changes proposed recognise the site-specific characteristics of the identified ONFLs and SAFs and the analysis of the Manawatū District Landscape Assessment. There is sufficient information to make the proposed changes.

**Efficiency and Effectiveness:** The performance standard allowing the ongoing maintenance and use of network utility infrastructure within ONFLs is appropriate. The Manawatū District Landscape Assessment acknowledges that these exist and form part of the existing environment.

**Reasonably Practicable Alternatives:** The main alternative option considered include:

- Not include the correct references to the NFL chapter. This is not an efficient option for plan users. The changes are largely administrative and recognise the continuity of existing uses within specified areas.

**Alignment with Objectives:** The purpose of Objective 3 is that the characteristics and values of ONFLs are protected from inappropriate use and development. This performance standard acknowledges that minor activities relating to existing uses and infrastructure should be enabled where these do not affect the areas.

| Key Provisions   | Rule Provisions  |
|--|--|
| <b>Restricted Discretionary Activity Rule – Rule 3A.4.4 Assessment Criteria vi)</b>  | Whether the activity impacts on the scheduled heritage values in Appendix 1A (Wetlands, Lakes, Rivers and their Margins), 1B (Significant Areas of <b>Indigenous Forest/Vegetation</b> (excluding reserves)), <del>1C (Outstanding Natural Features)</del> , 1D (Trees with Heritage Value, 1E (Buildings and Objects with Heritage Value), <del>and</del> 1F ( <b>Sites</b> with Heritage Value), <u>Outstanding Natural Features and Landscapes identified in APP-NFL1 or Significant Amenity Features identified in NFL-APP2 of this Plan</u> and, if so, how such impacts are remedied or mitigated. |
| Alignment with Objectives  |  |
| <p><b>Purpose:</b> Minor changes are proposed to the assessment criteria for the Restricted Activity Rule to ensure the correct cross references to the Appendices are used. This will assist plan users navigate the new District Plan.</p> <p><b>Benefits and Costs:</b></p> |  |

There are more ONFLs listed in NFL-APP1 than had those listed in Appendix 1C. These areas have been identified following a comprehensive Manawatū District Landscape Assessment. This assessment criteria allows for the consideration of how the activity seeks to remedy or mitigate the effects on the characteristics and values of the ONFLs. This is a clearer framework for plan users than currently exists. While additional areas are identified and may require more resource consents, this is appropriate in order to protect the ONFLs as required by the Act, and Horizons One Plan.

**Risks:** The minor amendment to the assessment criteria is appropriate to ensure consistency between this chapter and the NFL chapter in the District Plan. The changes proposed recognise the site-specific characteristics of the identified ONFLs and SAFs and the analysis of the Manawatū District Landscape Assessment. The change is largely administrative to ensure correct sections of the Plan are referred to. There is sufficient information to make the proposed changes.

**Efficiency and Effectiveness:** The overall intent of the existing assessment criteria has not changed as a result of the amendment. The change is considered to be efficient and effective by providing consistency between this chapter and the NFL chapter in the District Plan.

**Reasonably Practicable Alternatives:** The main alternative options considered include:

- Not including the correct references to the NFL chapter. This is not an efficient option for plan users.

**Alignment with Objectives:** The purpose of Objective 3 is that the characteristics and values of ONFLs are protected from inappropriate use and development. This minor change does not change the overall intent of the provision as introduced in PC55.

| Key Provisions  | Rule Provisions  |
|---|--|
| <p><b>Discretionary Activity</b><br/><b>Rule 3A.4.5</b></p>   | <p>The following activities shall be a Discretionary Activity</p> <p>a. <u>Any new network utility, including windfarms and new transmission and distribution electricity lines within any Outstanding Natural Feature as identified in NFL-APP1 or Significant Amenity Feature identified in NFL-APP2.</u></p> <p>b. Any <b>network utility</b> not otherwise specified as Permitted, Restricted Discretionary or Non-Complying Activity, or is not specifically provided for in this Plan, <del>shall be a Discretionary Activity.</del></p> |
| <p><b>Alignment with Objectives</b></p>   |  |
| <p><b>Purpose:</b> Under PC55 all network utility activities within an ONFL were a Non-Complying Activity, other than maintenance of existing infrastructure. In developing PPC65 the management of Outstanding Natural Features has been included as a Discretionary Activity. This recognises the characteristics and values identified in the Manawatū District Landscape Assessment for these areas. It also recognises that many of the areas are within</p> |  |

incised river valleys whereby the effects of activities are likely to be different. The provisions enable network utilities within Outstanding Natural Features, but this needs to be balanced against the environmental, social and cultural values the areas have. A clear pathway has been provided for network utilities in the proposed new policies. This approach is consistent with the NFL chapter which has activities within Outstanding Natural Features as a Discretionary Activity.

**Benefits and Costs:**

The overall approach of this plan change has been to protect ONFLs as required by the Act and the One Plan, while balancing the needs of network utilities. This rule recognises the difference between Landscapes and Features as outlined in the Manawatū District Landscape Assessment and the provisions in the NFL chapter. This change compared with Rule 3A.4.6 of the PC55 decision (which has legal effect) reduces the level of assessment for new network utilities within Outstanding Natural Features. This will reduced the costs for the consenting requirements. It is noted that additional areas are proposed to be protected and managed under this Plan Change, however the environmental benefits of the protection are considered to outweigh the increase in compliance by having to seek consent.

**Risks:** The changes proposed recognise the site-specific characteristics of the identified ONFLs and SAFs and the analysis of the Manawatū District Landscape Assessment. There is sufficient information to make the proposed changes. This approach is also consistent with the approach taken in the NFL chapter and therefore provides for plan consistency and integrity.

**Efficiency and Effectiveness:** This rule is consistent with the provisions in the NFL chapter for Outstanding Natural Features. This provides an efficient and effective approach for all plan users.

**Reasonably Practicable Alternatives:** The main alternative options considered include:

- Retaining existing Rule 3A.4.6 requiring a Non-Complying Activity for all development in ONFLs. However this is considered inappropriate given the characteristics and values of the identified Outstanding Natural Features. As outlined earlier, these areas may be able to better tolerate development and use, compared to the largely unmodified Outstanding Natural Landscapes.

**Alignment with Objectives:** The purpose of Objective 3 is that the characteristics and values of ONFLs are protected from inappropriate use and development. The rule changes suggested here are consistent with the Manawatū District Landscape Assessment.

| Key Provisions                            | Rule Provisions   |
|---|---|
| <b>Non-Complying Activity Rule 3A.4.6</b> | Any new <b>network utility</b> , <u>including windfarms and new transmission and distribution electricity lines</u> located within an Outstanding Natural <del>Feature</del> or Landscape <u>identified in NFP-APP1 in Appendix 1C</u> <del>which is not otherwise provided for</del> is a Non-Complying Activity |

## Alignment with Objectives

**Purpose:** Under PC55 all network utility activities within ONFLs were a Non-Complying Activity. In developing the Natural Features and Landscapes Chapter, and the corresponding changes required to Chapter 3A (to enable it to be a standalone chapter in the future), the rule has been amended. Only new network utilities within Outstanding Natural Landscapes are proposed to be a Non-Complying Activity.

This recognises the scale and significance of the two Landscapes – the Ruahine Ranges and the Manawatū Coastline. Both are uninterrupted landscapes with little or no development. The Ruahine Ranges are recognised as the most iconic landscape in the District. The characteristics and values listed for these areas are appropriately protected by the Non-Complying Activity status. This is also considered to be consistent with the NZCPS.

Policy pathways have been included under Objective 3 to allow contemplation of approval for development within the Outstanding Natural Landscapes where there is no other alternative. The policy pathway provides guidance on outcomes to be achieved when determining the appropriateness of new utilities within the Outstanding Natural Landscapes and their specific characteristics and values. Collectively, while the provisions direct new development away from the Outstanding Natural Landscapes, there are certain circumstances where a new network utility could be developed in an Outstanding Natural Landscape. For instance, nationally and regionally significant infrastructure where there is no alternative location and effects can be avoided or mitigated. A specific policy framework has been provided relating to the National Grid and how development within an ONFL can seek to avoid adverse effects as outlined in the NPSET.

### Benefits and Costs:

This rule recognises the difference between Landscapes and Features as outlined in the Manawatū District Landscape Assessment. As outlined earlier, the two Outstanding Natural Landscapes have a dominant scale in the District and are largely unmodified. Development in these areas is likely to significantly affect the characteristics and values identified in NFL-APP1. The intention of this Plan Change is to retain these as unmodified environments.

This change compared with Rule 3A.4.6 of the PC55 decision reduces the level of assessment for new network utilities within Outstanding Natural Features. This has reduced the costs for the consenting requirements as under PC55 all development within any ONFL was a Non-Complying Activity. This Rule now only applies to two areas within the District. The Ruahine Ranges are already protected by the Department of Conservation as part of the State Forest Park. Development within the Manawatū Coastline would also be subject to the New Zealand Coastal Policy Statement. In both instances, development within these areas are afforded a level of protection that is consistent with this rule.

**Risks:** The Plan Change is necessary to ensure higher order planning documents are given effect to. Specifically, the direction for ONFLs in the One Plan and sections 6 and 7 of the Act. There is sufficient information to make this change as a result of the Manawatū District Landscape Assessment. This approach is also consistent with the approach taken in the NFL chapter and therefore provides for plan integrity.

**Efficiency and Effectiveness:** The proposed rules are efficient in that they establish a development framework that protects the characteristics and values of the two Outstanding Natural Landscapes. This framework is an efficient and effective approach to manage activities that can create significant adverse effects on the two Landscapes.

This rule is consistent with the provisions in the NFL chapter and provides an efficient and effective approach for all plan users. The changes also ensure District Plan integrity in that the ONFLs are managed consistently in the Plan.

**Reasonably Practicable Alternatives:** The main alternative options considered include:

- Requiring a Discretionary Activity for all development in an Outstanding Natural Landscapes. This is not consistent with the Manawatū District Landscape Assessment, nor protects the importance of these areas for the Manawatū community.

**Alignment with Objectives:** The purpose of Objective 3 is that the characteristics and values of ONFLs are protected from inappropriate use and development. The rule changes suggested here are consistent with the Manawatū District Landscape Assessment given the characteristics and values identified.

#### 4.9.4 Changes proposed to Chapter 3D

As a result of appeals to Plan Change 55, changes as also proposed under PPC65 to amend provisions in Chapter 3D Earthworks.

|  |  |
|--|--|
| <b>Objective 1: To ensure earthworks do not result in adverse effects on the visual amenity, landscape, or historic heritage values of the area.</b>   |  |
| <b>Policies</b>  |  |
| 1.3  | To restrict earthworks in Outstanding Natural Features and Landscapes as scheduled in <u>NFL-APP1 Appendix 1C</u> , except where earthworks are necessary to manage risk to human health and safety. |
| <b>Evaluation of Efficiency and Effectiveness Taking Account of Benefits, Costs and Risk</b>   |  |
| <b>Efficiency and Effectiveness</b>  |  |
| The minor amendment to Policy 1.3 is necessary to ensure consistency with the NFL chapter introduced as part of this Plan Change. There are more ONFLs listed in NFL-APP1 than had those listed in Appendix 1C. These areas have been identified following a comprehensive Manawatū District Landscape Assessment.   |  |
| <b>Benefits &amp; Costs</b>  |  |
| The minor change above ensures consistency with NFL Chapter and provides certainty for plan users. While more areas are identified in NFL-APP1 the rule structure provided in this chapter is also consistent with the NFL chapter. The costs associated with this policy are considered to be appropriate given the findings of the Manawatū District Landscape Assessment. |  |
| <b>Risk</b>  |  |



Sufficient information exists to make the proposed changes and ensure that appropriate use and development within the District’s outstanding natural landscapes occurs. These changes ensure consistency throughout the District Plan. The changes are largely administrative and recognise the overall approach to ONFLs proposed by this Plan Change.

**Alignment with Objectives**

The proposed amendment is consistent with achieving Objective 1.

| Key Provisions  | Rule Provisions   |
|---|---|
| <p><b>Discretionary Activities Rule 3D.4.4</b></p>  | <p>The following activities are a <u>Discretionary Activity</u>:</p> <ul style="list-style-type: none"> <li>a. Any <b>earthworks</b> that do not meet the Permitted Activity standards, or <del>is-are</del> not specifically provided for in this Plan, <del>shall be a Discretionary Activity.</del></li> <li>b. <u>Any earthworks within an Outstanding Natural Feature identified in NFL-APP1 or Significant Amenity Feature identified in NFL-APP2.</u></li> </ul> <p><b>Guidance Note:</b> The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (2011) also applies to <b>earthworks</b> and a consent may be required under those provisions.</p> |
| <p><b>Alignment with Objectives</b></p>   |   |
| <p><b>Purpose:</b> Under PC55 all earthworks within an ONFL were a Non-Complying Activity. In developing PPC65 the management of earthworks within Outstanding Natural Features and SAFs has been assessed as a Discretionary Activity. This recognises the characteristics and values identified in the Manawatū District Landscape Assessment for these areas. It also recognises that many of the areas are within incised river valleys whereby the effects of activities are likely to be different. This approach is consistent with the NFL chapter which has activities within Outstanding Natural Features as a Discretionary Activity.</p> <p><b>Benefits and Costs:</b></p> <p>The overall approach of this plan change has been to protect ONFLs as required by the Act and the One Plan, while balancing the needs of network utilities. This rule recognises the difference between Landscapes and Features as outlined in the Manawatū District Landscape Assessment and the provisions in the NFL chapter. This change compared with Rule 3A.4.6 of the PC55 decision (which has legal effect) reduces the level of assessment for earthworks within Outstanding Natural Features. This will reduce the costs for the consenting requirements. It is noted that additional areas are proposed to be protected and managed under this Plan Change, however the environmental benefits of the protection are considered to outweigh the increase in compliance by having to seek consent.</p> |   |

**Risks:** The Plan Change is necessary to ensure higher order planning documents are given effect to. Specifically, the direction for ONFLs in the One Plan and sections 6 and 7 of the Act. There is sufficient information to make this change as a result of the Manawatū District Landscape Assessment. This approach is also consistent with the approach taken in the NFL chapter and therefore provides for plan consistency and integrity.

**Efficiency and Effectiveness:** This rule is consistent with the provisions in the NFL chapter for Outstanding Natural Features. This provides an efficient and effective approach for all plan users as the same overall approach to Outstanding Natural Features and Outstanding Natural Landscapes is applied throughout the District Plan.

**Reasonably Practicable Alternatives:** The main alternative option considered include:

- Retain existing Rule 3D.4.5 requiring a Non-Complying Activity for all earthworks in ONFLs. However, this is considered inappropriate given the characteristics and values of the identified Outstanding Natural Features and the approach proposed by the new NFL chapter.

**Alignment with Objectives:** The purpose of Objective 1 is to ensure earthworks do not have adverse effects on the visual amenity, landscape or historic heritage values of the area. The rule changes suggested here are consistent with the Manawatū District Landscape Assessment, and the provisions within the NFL chapter.

| Key Provisions  | Rule Provisions  |
|---|--|
| <b>Non-Complying Activities Rule 3D.4.5</b>   | Any <b>earthworks</b> within an Outstanding Natural Feature <del>or</del> Landscape identified in <u>NFL-APP1 Appendix 1C</u> , except within an existing <b>road</b> corridor, or in the <b>National Grid Yard</b> that do not comply with 3D.4.2 f. v) or vi) is a Non-Complying Activity. |
| Alignment with Objectives   |  |
| <p><b>Purpose:</b> Under PC55 all earthworks within an ONFL were a Non-Complying Activity. In developing PPC65 the management of earthworks within Outstanding Natural Features has been assessed as a Discretionary Activity, while only earthworks within the two Outstanding Natural Landscapes are retained as a Non-Complying Activity. This recognises the characteristics and values identified in the Manawatū District Landscape Assessment for these areas. It is noted that the two Outstanding Natural Landscapes are largely unmodified and development has the potential to significant effect their characteristics and values. This approach is consistent with the NFL chapter which has activities within Outstanding Natural Landscapes as a Non-Complying Activity.</p> <p><b>Benefits and Costs:</b></p> <p>This rule recognises the difference between Landscapes and Features as outlined in the Manawatū District Landscape Assessment. As outlined earlier, the two Outstanding Natural Landscapes have a dominant scale in the District and are largely unmodified. Development, including earthworks, in these areas is likely to significantly affect the</p> |  |

characteristics and values identified in NFL-APP1. The intention of this Plan Change is to retain these as unmodified environments.

This change compared with Rule 3D.4.5 of the PC55 decision focuses only on earthworks within the two Outstanding Natural Landscapes. This has reduced the costs for the consenting requirements. The benefit of protecting the environmental, social and cultural values is considered to outweigh the economic costs.

**Risks:** There is sufficient information to make this change as a result of the Manawatū District Landscape Assessment. This approach is also consistent with the approach taken in the NFL chapter and therefore provides for plan consistency and integrity.

**Efficiency and Effectiveness:** This rule is consistent with the provisions in the NFL chapter for Outstanding Natural Features. This provides an efficient and effective approach for all plan users. As outlined earlier, there is a different approach to managing the ONFLs recognising that the Outstanding Natural Features may be able to absorb changes compared with the two Outstanding Natural Landscapes.

**Reasonably Practicable Alternatives:** The main alternative options considered include:

- Requiring a Discretionary Activity for all development in an Outstanding Natural Landscapes. This is not consistent with the Manawatū District Landscape Assessment, nor protects the importance of these areas for the Manawatū District.

**Alignment with Objectives:** The purpose of Objective 1 is to ensure earthworks do not have adverse effects on the visual amenity, landscape or historic heritage values of the area. The rule changes suggested here are consistent with the Manawatū District Landscape Assessment and Objective 1.

## 4.10 Statutory Evaluation

### Section 5: Purpose of the Act

The purpose of the Act (Section 5(1)) is to promote the sustainable management of natural and physical resources. Enabling people to make provision for their social, economic and cultural well-being and health and safety, is qualified by the goals described in paragraphs (a), (b) and (c) of Section 5(2), as follows:

*Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*

*Safeguarding the life supporting capacity of air, water, soil and ecosystems; and*

*Avoiding, remedying, mitigating any adverse effects of activities on the environment.*

Of note with respect to the duties contained in Part 2 however, is the fact that they are by no means confined solely to effects. The definition of “sustainable management” refers not only to “... avoiding, remedying, or mitigating any adverse effects ...” but also the conjunctive requirement of “sustaining the potential of natural and physical resources ... to meet the reasonably foreseeable needs of future generations.”

Meeting the reasonable foreseeable needs of future generations requires consideration of how resources, inclusive of ONFLs, are to be used and to what extent they are to be used.

The objectives and policies of PPC65 are established on a statutory obligation to manage the use and development of physical resources in a way that sustains the potential of physical resources to meet the reasonably foreseeable needs of future generations while managing environmental effects. The proposed changes to the Plan are necessary to reflect the intended protection of ONFLs from inappropriate subdivision, use and development.

On the evidence above, PPC65 is considered to be consistent with upholding the purpose of the Act.

### Section 6: Matters of National Importance

Section 6 of the Act identifies matters of national importance for consideration. Of relevance to PPC65 are the following matters:

- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- (f) the protection of historic heritage from inappropriate subdivision, use, and development:*

The purpose of PPC65 is to introduce objectives, policies and rules that will protect spatially defined ONFLs in the District from inappropriate subdivision, use and development. The Manawatū District Landscape Assessment has been prepared to identify those areas that meet the criteria for an ONFL. Fifteen areas within the District were identified in the Manawatū District Landscape Assessment as being an ONFL. Three areas have been identified as SAFs. Objectives, policies and rules have been drafted in the NFL chapter to protect these areas. It is considered that (b) has been recognised and provided for.

ONFLs and SAFs also have specific tangata whenua and historic heritage value in the Manawatū District, as outlined in the Manawatū District Landscape Assessment. Therefore, the provisions in the new NFL chapter also provide for, in part, sections 6(e) and 6(f).

Based on the discussion above it is considered that the matters of national importance identified above have been recognised and provided for under PPC65.

### Section 7: Other Matters

Section 7 raises a number of related matters, with respect to:

- (c) the maintenance and enhancement of amenity values;*
- (f) maintenance and enhancement of the quality of the environment;*
- (g) any finite characteristics of natural and physical resources;*

The provisions proposed in PPC65 enable the maintenance and enhancement of amenity values and the quality of the environment by introducing objectives, policies and rules in relation to ONFLs and SAFs in the District. This is a direct recognition that the characteristics of ONFLs and SAFs are finite, contribute to the amenity value and quality of the environment in the Manawatū District, and if not protected will be lost.

PPC65 is therefore considered to have particular regard to these matters, as required by Section 7 of the Act.

## Section 8: Treaty of Waitangi

There are a number of iwi authorities within the Manawatū District. These include Muaūpoko, Ngāti Apa, Ngāti Hauiti, Ngāti Raukawa kī te Tonga, and Rangitāne o Manawatū. In relation to the Oroua River, Ngāti Apa and Rangitāne o Manawatū have statutory acknowledgements.

A number of the identified ONFLs and SAFs are important to tangata whenua. The significance has been noted in the Manawatū District Landscape Assessment and the outcomes of iwi engagement in Appendix 7. Council acknowledges that there are additional sites of significance to tangata whenua in the District and the Operative District Plan beyond those identified as ONFLs or SAFs. These areas are not reviewed as part of PPC65, and will be part of the future Sectional District Plan Review.

Engagement with tangata whenua is ongoing. Appendix 7 outlines this engagement to date. Some Iwi have provided specific comments on the ONFLs and SAFs and these comments have been incorporated into the proposed provisions.

It is therefore considered that PPC65 has taken into account the principles of the Treaty of Waitangi, particularly partnership, as directed by Section 8 of the Act.

## Other Matters to be considered

The Act requires consideration to also be given to other statutory documents where these are relevant. Those documents relevant to this plan change are discussed in the following sections.

## National Policy Statements

National Policy Statements are instruments issued under section 52(2) of the Act. They state objectives and policies for matters of national significance. The following National Policy Statements have been issued by the Government:

- National Policy Statement on Urban Development Capacity 2016
- National Policy Statement for Freshwater Management 2014 (amended 2017)
- National Policy Statement for Renewable Electricity Generation 2011
- National Policy Statement on Electricity Transmission 2008
- New Zealand Coastal Policy Statement 2010.

For the purpose of this plan change the National Policy Statement on Electricity Transmission and the New Zealand Coastal Policy Statement are considered directly relevant and are discussed further below.

## National Policy Statement on Electricity Transmission

The National Policy Statement on Electricity Transmission (NPSET) took effect on the 10<sup>th</sup> of April 2008. It sets out objectives and policies to enable the management of the effects of the electricity transmission network under the Resource Management Act 1991. This National Policy Statement must be given effect to by regional and district councils. The Objective of the NPSET is:

*To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:*

- *Managing the adverse environmental effects of the network; and*
- *Managing the adverse effects of other activities on the network.*

The policies considered to be most relevant to PPC65 are identified below. It is considered that introduction of Chapter 3A under PC55 was the main change in giving effect to the NPSET.

Policy 2 is that:

*In achieving the purpose of the Act, decision-makers must recognise and provide for the effective operation, maintenance, upgrading and development of the transmission network.*

Policy 3 is that:

*When considering measures to avoid, remedy or mitigate adverse environmental effects of transmission activities, decision-makers must consider the constraints imposed on achieving those measure by the technical and operation requirements of the network.*

Policy 5 is that:

*When considering the environmental effects of transmission activities associated with transmission assets, decision-makers must enable the reasonable operational, maintenance and minor upgrade requirements of established electricity transmission assets.*

Policy 8 is that:

*In rural environments, planning and development of the transmission system should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities.*

Policy 10 is that:

*In achieving the purpose of the Act, decision-makers must to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.*

The changes proposed to Chapter 3A for Network Utilities are considered to give effect to the above Policies. Policy 3.6 has been introduced to specifically provide for Policy 3 and Policy 8 of the NPSET. Policy 3.6 provides a clear guidance on how the National Grid should be considered when assessing consent applications for new ONFLs, including specific reference to the functional and operational needs of the National Grid. Policy 10 is provided for by enabling existing infrastructure within ONFLs, including its ongoing maintenance and replacement.

The amended policies and rules provide for the maintenance of existing infrastructure. For the reasons outlined above PPC65 is considered to be giving effect to the NPSET.

### New Zealand Coastal Policy Statement

The NZCPS took effect on the 3<sup>rd</sup> of December 2010 revoking the NZCPS 1994. Objective 2 of the NZCPS is most relevant to ONFLs it is:

*To preserve the natural character of the coastal environment and protect natural features and landscape values through:*

- *recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;*
- *identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and*
- *encouraging restoration of the coastal environment*

Policy 15 of the NZCPS deals with the protection of ONFLs in the coastal environment and states:

*To protect the natural features and natural landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use, and development:*

- (a) *avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes in the coastal environment; and*
- (b) *avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment;*

*including by:*

- (c) *identifying and assessing the natural features and natural landscapes of the coastal environment of the region or district, at minimum by land typing, soil characterisation and landscape characterisation and having regard to:*
  - (i) *natural science factors, including geological, topographical, ecological and dynamic components;*
  - (ii) *the presence of water including in seas, lakes, rivers and streams;*
  - (iii) *legibility or expressiveness—how obviously the feature or landscape demonstrates its formative processes;*
  - (iv) *aesthetic values including memorability and naturalness;*
  - (v) *vegetation (native and exotic);*
  - (vi) *transient values, including presence of wildlife or other values at certain times of the day or year;*
  - (vii) *whether the values are shared and recognised;*

(viii) *cultural and spiritual values for tangata whenua, identified by working, as far as practicable, in accordance with tikanga Māori; including their expression as cultural landscapes and features;*

(ix) *historical and heritage associations; and*

(x) *wild or scenic values;*

(d) *ensuring that regional policy statements, and plans, map or otherwise identify areas where the protection of natural features and natural landscapes requires objectives, policies and rules; and*

(e) *including the objectives, policies and rules required by (d) in plans.*

PPC65 gives effect to the NZCPS through the provisions and recognition of the Manawatū Coastline Landscape and the corresponding objectives, policies and rules. The provisions of the NZCPS are another reason why greater protection has been afforded the Outstanding Natural Landscapes through a Non-Complying Activity status. The wider coastal environment will be provided for through the future sectional district plan review process.

### National Environmental Standards

For the purpose of this plan change the following National Environmental Standards are considered relevant.

#### National Environmental Standard for Plantation Forestry

The NESPT took effect on the 1<sup>st</sup> of May 2018. The NES has the primary purpose of:

- Maintaining or improving the environmental outcomes associated with plantation forestry activities nationally
- Increasing certainty and efficiency in the management of plantation forestry activities.
- Setting out technical standards, methods or requirements relating to matters under the RMA
- Providing consistent rules across the country by setting planning requirements for certain specified activities.

These objectives are achieved through a single set of regulations under the RMA that apply to forestry throughout New Zealand.

The NESPF recognises the need for flexibility to protect sensitive local environments. Regional and district plans can be more stringent to:

- Manage their unique and sensitive environments such as geothermal and drinking water supplies
- Protect significant natural areas and outstanding natural features and landscapes
- Give effects to other national RMA mechanisms like the:
  - o NPS-FM
  - o NZCPS

In this instance, the Council is proposing rules to protect the characteristics and values of the ONFLs and SAFs. Rules are proposed that are more restrictive than the NESPF relating to new plantation forestry within an ONFLs and SAFs. This is to recognise the threat



plantation forestry would have on the characteristics and values identified in these areas. This is consistent with the analysis within the Manawatū District Landscape Assessment.

### National Environmental Standard for Electricity Transmission Activities

The NESETA took effect on the 14<sup>th</sup> of January 2010. It has the primary purpose of:

- Minimising the cost to councils of implementing the National Policy Statement on Electricity Transmission
- Ensure planning requirements are nationally consistent and provide adequately for maintenance and upgrading of transmission lines to achieve the intention of the NPS.
- Minimise RMA processing costs and delays.

The NES provides a national framework for activities on existing electricity transmission lines. Activities include the operation, maintenance and upgrading of existing lines. They set out which transmission activities are permitted, subject to conditions to control the environmental effects.

The changes proposed under PPC65 are considered to be consistent with the NESETA. The provisions of Chapter 3A provide specifically for the NESETA as established under PC55. The changes to Chapter 3A proposed here further support the NESETA direction.

### National Planning Standards

The National Planning Standards were gazetted on 5 April 2019. The focus is on format and consistency of Plan provisions. The Council has until 2024 to implement the mandatory direction of the Standard.

PPC65 has been developed to be consistent with the National Planning Standards for District Plans.

Changes proposed to Chapter 3A have been done in the existing District Plan format. The intention is to convert this chapter to the new structure required under the Planning Standards following the decision of PPC65.

### Regional Policy Statement

Section 75(3)(c) of the Act requires that all District Plans give effect to any regional policy statement. The Regional Policy Statement is the main vehicle for interpreting and applying the sustainable management requirements of the Act in a local context, and in this regard, guides the development of lower tier plans, including the Manawatū District Plan.

Horizons Regional Council's Regional Policy Statement is incorporated into the One Plan. The One Plan contains specific policies that direct the District Plan Review in the review and creation of District Plan provisions.

#### **Objective 6-2: Outstanding natural features and landscapes, and natural character**

- a. *The characteristics and values of:*

  - i. *the Region's outstanding natural features and landscapes, including those identified in Schedule G, and*
  - ii. *the natural character of the coastal environment, wetlands, rivers and lakes and their margins are protected from inappropriate subdivision, use and development.*

- b. *Adverse effects, including cumulative adverse effects, on the natural character of the coastal environment, wetlands, rivers and lakes and their margins, are:*
  - i. *avoided in areas with outstanding natural character, and*
  - ii. *avoided where they would significantly diminish the attributes and qualities of areas that have high natural character, and*
  - iii. *avoided, remedied or mitigated in other areas.*
- c. *Promote the rehabilitation or restoration of the natural character of the coastal environment, wetlands, rivers and lakes and their margins.*

**Policy 6-6: Regionally outstanding natural features and landscapes**

*The natural features and landscapes listed in Schedule G Table G.1 must be recognised as regionally outstanding and must be spatially defined in the review and development of district plans. All subdivision, use and development directly affecting these areas must be managed in manner which:*

- a. *avoids significant adverse cumulative effects on the characteristics and values of those outstanding natural features and landscapes, and*
- b. *except as required under (a), avoids adverse effects as far as reasonably practicable and, where avoidance is not reasonably practicable, remedies or mitigates adverse effects on the characteristics and values of those outstanding natural features and landscapes*

**Policy 6-7: Assessing outstanding natural features and landscapes**

*The Regional Council and Territorial Authorities must take into account but not be limited to the criteria in Table 6.1 when:*

- a. *identifying outstanding natural features and landscapes, and consider whether the natural feature or landscape is conspicuous, eminent, remarkable or otherwise outstanding, and*
- b. *considering adding to, deleting from, or otherwise altering, redefining or modifying the list of outstanding natural features or landscapes listed in Table G.1 of Schedule G, or*
- c. *considering the inclusion of outstanding natural features or landscapes into any district plan, or*
- d. *establishing the relevant values to be considered when assessing effects of an activity on:*
  - i. *outstanding natural features and landscapes listed in Table G.1 of Schedule G, or*
  - ii. *any other outstanding natural feature of landscape*

The Manawatū District Landscape Assessment has been prepared in accordance with the overall direction of the One Plan. ONFLs have been spatially defined and their characteristics and values identified. Specific policy has been included in the new NFL chapter and Chapter 3A to manage cumulative effects on ONFLs are directed by the One Plan. The provisions proposed in both NFL chapter and the amendments to chapter 3A and 3D are required for consistency with the One Plan. Overall it is considered that PPC65 is consistent with the above objectives and policies in the One Plan.

### Regional Plan

There are no objectives or policies within the Regional Plan part of the One Plan considered relevant to this plan change.

### Iwi Management Plans

There are no Iwi Management Plans that are considered to be relevant to this plan change.

#### 4.10.1 Summary

On the basis of the above assessment, and with reference to other discussion and assessment in this Report, the proposed changes presented in PPC65 are consistent with Council’s statutory obligations under the Act.

This evaluation has been undertaken in accordance with Section 32 of the Act in order to identify the need, benefits and costs arising from PPC65 and the appropriateness of the proposed approach having regard to its effectiveness and efficiency relative to other means of achieving the purpose of the Act. The evaluation demonstrates that the proposed plan change meets the requirements of Section 32 of the Act.