

Plan Change 85A: Rural Production Environment

Section 32 Evaluation Report

Prior to Notification Part 3

This forms **Part 3** of the section 32 (s32) evaluation reports for the Rural Plan Changes. This part should be read in conjunction with the other **Parts 1 – 9**. The general introduction, statutory assessment and analysis of higher order policy documents are contained within **Part 1**. Rural Area (RA) objectives, policies and performance standards are evaluated in terms of s32 within **Part 2**.

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Appendix 1: Whangarei District Plan Extract – Chapter 5 Amenity Values

1. Introduction

1.1 Overview and background

1. This forms **Part 3** of the section 32 (s32) evaluation reports for the Rural Plan Changes. This part should be read in conjunction with the other **Parts 1 – 9**. The general introduction, statutory assessment and analysis of higher order policy documents are contained within **Part 1**. Rural Area (RA) objectives, policies and performance standards are evaluated in terms of s32 within **Part 2**.

1.2 The proposed plan change

2. Plan Change 85A (PC85A) – Rural Production Environment (RPE) seeks to introduce a new Environment (zone) into the Whangarei District Plan (WDP). The RPE proposes to replace the existing Coastal Countryside Environment (CCE) and Countryside Environment (CE) and includes:
 - New RPE chapter with objectives, policies and rules for the Environment, including land use and subdivision provisions.
 - Changes to the WDP Environment maps to denote the RPE.
 - Consequential changes to the WDP will be required including the deletion of Chapters 38 Countryside and Coastal Countryside Environments Rules and 73 Subdivision Rules – Countryside and Coastal Countryside Environments.
3. PC85A includes a description of the proposed RPE to identify the environmental expectations and outcomes sought in the Environment through the proposed objectives and policies.

2. Summary of the resource management issues for RPE

4. The following provides a summary of the key resource management issues identified in the Rural Development Strategy 2013 (RDS).

2.1 Sustainable management of the rural land resource

5. The long-term use of the district's finite rural land resource for primary production activities is subject to a number of competing demands: its role as a physical resource to meet the city's urban growth needs and limited demand for rural residential living, its role in terms of providing ecosystem services, and the maintenance of rural character and amenity.
6. The sustainable management of the rural land resource for primary production is dependent upon rural land continuing to be used and available, in appropriately sized parcels to ensure that productive use can be made of the land, and it is not being taken-up by other non-agricultural activities (e.g. rural residential uses). Rural land is a valuable resource for primary production and contributes to the wider economy of Whangarei district. Sustainable management of this resource

requires special consideration in planning for future urban growth and the control of rural residential subdivision.

7. Background research undertaken for the RDS and community feedback from pre-notification consultation on draft PC85A confirms that fragmentation of rural land is a key issue for the district. Fragmentation of rural land is a significant concern as, left unchecked, it risks adversely impacting on the sustainable management of the resource and the rural economy.
8. Another concern relates to the finding that over the last decade subdivision activity for the district's high quality rural land is occurring at a similar rate to subdivision activity within the district's Living Environments.

Summary

9. The WDP approach must have particular regard to the finite nature of the resource (s7(g)) and the efficient use and development of natural and physical resources (s7(b)) in order to manage this resource in accordance with Council's duties under the RMA. An explicit planning response is required given that unproductive fragmentation of the rural resource is occurring. Maintaining the present provisions has the effect of diminishing the potentially productive use of the district's rural land resource.

2.2 Fragmentation of the rural land resource

10. Land use change resulting from subdivision and consequent development, particularly rural residential development or other non-rural activities, can adversely impact on existing and future primary production activities and limit opportunities for a finite resource. The establishment of non-rural activities in the rural environment can fragment the effective utilisation of rural resources through reverse sensitivity conflicts and, over time, can reduce primary production activities. In some areas, the increase in non-rural activities could constrain property owners' legitimate rights to undertake farming activities.
11. Non-rural activities can also have an adverse effect on the sustainability of existing established Business Environments where investment has been made to support such activities.
12. In a peri-urban context, land fragmentation and the proliferation of non-rural land uses can be perpetuated by district plan rules which enable subdivision of land parcels into small titles as has been the WDP situation (for example, 4ha minimum lot size in the Countryside Environment). Lot sizes below 4 ha can reduce the range of options for production activities that can be carried out on sites and can have flow-on effects in terms of inflating the value of rural land, making it almost inevitable that land will convert to rural residential.
13. The analysis in the Consents and Complaints Monitoring Report 2014/15 confirmed that subdivision consent applications undertaken in the CE resulted in a strong pattern of small lot subdivision. The report confirms that the average lot size decreased from 2002 to 2007 and it began to increase between 2007 and 2012. The average lot size for the CE in 2014/15 was 14.2ha.

14. Through the establishment of the WDP, subdivision provisions changed from a very structured Town and Country Planning regime to a changing controlled activity minimum lot size:
 - Proposed District Plan (PDP) with a minimum lot size of 1ha (notified on 19 September 1998).
 - Variation 5 to the PDP introduced a 4000m² minimum and 4ha average lot size (notified on 16 December 2002).
 - Council Decision on the Variation resulted in a 4ha minimum lot size (notified 20 April 2004).
 - Appeals to the Environment Court resulted in a 20ha minimum lot size (made operative on 7 May 2007).
15. The Regional Policy Statement (RPS), to which the WDP must give effect, directs Council to address the reduction of the potential for soil-based primary production on land with highly versatile soils (Highly versatile soils are Land Use Capability Classes 1c1, 2e1, 2w1, 2w2, 2s1, 3e1, 3e5, 3s1,3s2, 3s4). This specific direction is set in RPS policy 5.1.1. This issue is directly related to the sustainable management of natural and physical resources, in this case the district's rural land resource. The Council must also have regard to the efficient use and development of natural and physical resources (s7(b) RMA).

Summary

16. In order to manage the rural land resource in accordance with Council's duties under the RMA, the WDP needs to have particular regard to the efficient use and development of natural and physical resources (s7(b)), the finite nature of the resource (s7 (g)) and give effect to the RPS policy directive for highly versatile soils.

2.3 Maintenance and enhancement of rural character and amenity

17. Intensification and land use change resulting from subdivision and consequent development can adversely impact on rural character, the landscape and amenity of the rural environment. Under the RMA, the Council must have regard to the maintenance and enhancement of amenity values (s7 (c)), the maintenance and enhancement of the quality of the environment (s7 (f)), and provide for the protection of ecosystems (s7 (d)).
18. The rural environment contributes to the quality and amenity of the district. As the rural environment is primarily a working productive environment it is acknowledged that amenity values in the rural environment do not come from design led elements but from the expansive and changing landscapes and physical landforms, the varying vegetation, the prevalence of animals, farm buildings and structures. Rural land provides essential ecosystem services i.e. natural drainage, water and soil systems. The changeable nature of the landscape of the environment also provides a rural backdrop which helps to reinforce the city's provincial identity. Importantly it

also creates a visual separation and green belt between the city's built environment and the village communities in the wider rural hinterland.

19. Non-rural development can potentially impact on rural character and the amenity qualities of the rural environment. While primary production is the predominant activity in the rural environment, other activities can be established which create adverse impacts on rural character and environmental amenity. Examples of such activities are rural industry and some rural service activities, such as veterinary clinics and community support activities, and education facilities and early childhood centres, which can generate noise, nuisance and traffic effects, and/or damage the road network, etc.

Summary

20. In order to manage the rural environment in accordance with Council's duties under the RMA, the WDP policy needs to have particular regard to the maintenance and enhancement of amenity values (s7(c)), provide for the protection of ecosystems (s7(d)) and the maintenance and enhancement of the quality of the environment (s7(f)).

2.4 Reverse sensitivity/land use conflicts

21. Non-rural activities establishing in the rural environment, such as rural residential development, can be sensitive to primary production activities and practices, e.g. noise from farm machinery, harvesting activities, extended operating hours, odour, and spray applications. Complaints from new residents about rural production practices can put pressure on rural producers to constrain legitimate rural production activities and, over time, can undermine the productive capability of rural land and the earnings potential of the rural production land.
22. Reverse sensitivity conflicts can also arise in terms of new residential or rural residential development being established adjacent to or in proximity to regionally strategic infrastructure such as the airport, road and rail transport corridors.
23. To allow the rural land resource to be used effectively and efficiently and to enable those involved in primary production to provide for their economic and social well-being, specific controls and protections may be necessary to manage the potential for new sensitive receiving environments to be created in the rural environment. However, balance is required as residents should not be expected to accept nuisances or health hazards arising from poor land management practices.

Summary

24. In order to manage the rural land resource in accordance with Council's duties under the RMA, the WDP needs to have particular regard to the maintenance and enhancement of amenity values, and the quality of the environment. Management of conflicting land uses and potential reverse sensitivity effects is a key method of maintaining amenity values and the quality of the environment.

3. WDP – Countryside Environment

25. The CE within the WDP applies to all rural land outside of the urban areas of Whangarei city, Ruakaka/Marsden Town Centre and the district’s growth nodes and villages. The CCE applies to the coastal environment. The WDP provides some direction as to the expectations of the CE and the CCE (Appendix 1).
26. The efficiency and effectiveness of the CE has been evaluated under the RDS, which concluded that the policy direction and provisions for CE are too generic. As a result of historical development, land use patterns and character no longer reflect the amenity outcomes expected for the CE and the Environment Court has referred to instances of “dishonest zoning”. In response to these concerns the RDS recommended a suite of new more targeted rural Environments to provide for specific subdivision and development options while achieving direct objectives.
27. The RDS concluded that the title “Countryside Environment” no longer reflected the majority of the primary rural land uses throughout the district. “Countryside” invokes an image of open pastures and rolling hillsides. Council has made a decision to highlight the productive opportunities of the rural environment’s natural and physical resources. Naming the new zone “Rural Production Environment” is considered to be a more appropriate fit.
28. The RDS also concluded that it would be appropriate to combine the CE and CCE into one Environment. It was considered that land use activities (particularly from a production perspective) do not necessarily change when the land resource is closer to the coast. The RDS recommends the inclusion of a coastal overlay consistent with the RPS “coastal environment” (refer to Part 7) which will address particular matters of consideration for coastal land.

4. Proposed Rural Production Environment

29. Consistent with direction set in the Whangarei District Growth Strategy, Sustainable Futures 30/50 (30/50) and the RDS, PC85A seeks to provide a greater level of purpose and direction for the rural environment. The proposed RPE aims to

“provide primarily for the productive use and development of rural land and resources. Residential, commercial and industrial land use and development is expected to be secondary to productive uses”.
30. District Wide performance standards such as NTW Network Utilities and NAV Noise and Vibration will apply in addition to the RPE provisions. Resource Areas also apply (where appropriate) over the RPE for particular matters such as Outstanding Landscape Areas, Flooding Hazards and Historic Heritage. Applications made under the RPE will be required to (as appropriate) consider all overarching District Wide policy and rules.

31. The main objective of the proposed RPE is to sustain, protect and promote rural production in the district. The Environment is intended to be an active, productive area rather than a passive area where little change occurs over time.
32. To achieve the outcomes of the RPE, the following criteria have been used to identify locations suitable to be rezoned as proposed RPE:
- There is a predominance of existing productive land uses.
 - Larger land parcels are prevalent and the area is not compromised by significant clusters of rural living built development.
 - There is a scattered presence of built development.
 - An area is not:
 - Located on the fringe of Whangarei city between the urban and rural environments.
 - Suitable to provide for the future reticulated expansion of the Whangarei city Living Environments.
 - The criteria for the RUEE and the RLE are not met.
33. On the WDP Environment Maps, the proposed RPE is displayed as white (consistent with the existing CE). The RPE relies upon the entire rural plan change package through which locations have been identified that are more suited to be rezoned for a specific purpose such as Strategic Rural Industry (SRIE), Rural (Urban Expansion) Environment (RUEE) or Rural Living Environments (RLE).
34. All other Environments proposed in the Rural Plan Changes use criteria to determine appropriate locations for rezoning (refer to respective parts of the s32 evaluation report). If at any time it has been determined that a location is not suitable for the proposed rezoning (RUEE, RLE, SRIE, RVE, Living 1 or Living 3 Environments) then it is accepted that location should become proposed RPE. Alternative options with regard to zoning are considered further within section 5 of this report.

5. Section 32 analysis

35. It is considered that the level of analysis undertaken in this report is appropriate to the scale of the proposal. It was not considered practicable to quantify the costs and benefits of the proposal.
36. S32(1)(a) requires Council to examine the extent to which the proposed objectives are the most appropriate way to achieve the purpose of the RMA. PC85A has been prepared in direct response to the need to introduce an additional layer of description and outcomes for the rural environment. There is no status quo in the WDP, therefore proposed objectives are appropriate to respond to resource management issues. PC85A proposes the following objectives:

TABLE 1: REASON FOR PROPOSED RURAL PRODUCTION ENVIRONMENT OBJECTIVES	
Proposed RPE Objective	Reason/Issue
RPE.1.2.1 Identify and protect rural land resources for a diverse range of productive rural land use activities.	The productive potential of rural land is currently being compromised by the on going use of rural land for non-rural activities and subdivision. The RDS sets a clear directive to protect productive land for productive uses. The economic benefits of productive rural land use are seen as important to the wellbeing of the District. Sustaining the environment takes a direct link from s5 of the RMA.
RPE.1.2.2 Recognise, maintain and where appropriate protect the rural character of the RPE, acknowledging that character is formed through a combination of values such as ecology values, openness, topography and heritage.	The proposed RPE is varied in rural character. Proposed objective RPE.1.2.2 recognizes the importance of rural character consistent with s7(c) of the RMA and requires the maintenance and protection of the rural character of the proposed RPE.
RPE.1.2.3 Avoid adverse effects from rural living land use and development in the RPE.	30/50 and the Consent and Monitoring Report (2015) confirms that there is a demand for choice in living and provision of rural living options is an important choice. The RPS provides strong direction within policies 5.1.5 and 5.1.3 regarding the compromise of high class soils and the avoidance of adverse effects of subdivision, use and development on primary production activities. To give effect to this policy direction proposed objective RPE.1.2.3 seeks to consolidate rural living development.
RPE.1.2.4 Support the range of amenity values associated with the RPE.	The proposed RPE has a range of amenity values. Proposed objective RPE.1.2.4 recognizes the importance of rural amenity consistent with s7(c) of the RMA.
RPE.1.2.5 Reduce fragmentation of rural land and promote allotment sizes that facilitate productive rural land use.	30/50 and the Consent and Monitoring Report (2015) confirms that there is an on going trend of subdivision in the CE and CCE for rural living purposes. The RDS recognizes that productive land use is being compromised by the fragmentation of rural land and recommends an increase in minimum allotment sizes. The RPS provides strong direction within policies 5.1.5 and 5.1.3 regarding the compromise of high class soils and the avoidance adverse effects of subdivision, use and development on primary production activities. To give effect to this policy direction proposed objective RPE.1.2.5 seeks to reduce fragmentation of rural land.
RPE.1.2.6 Enable a wide range of productive rural land use activities to establish and operate to contribute to the District's economy.	The RDS has concluded that the use of productive land for rural production activities is important for the district's economy. Proposed objective RPE.1.2.6 seeks to enable rural productive activities.
RPE.1.2.7 Provide for rural production activities that are compatible with the Coastal Area.	The RPS provides clear policy direction for the coastal environment. The RDS recommends that the coastal environment be dealt with as a Resource Area/overlay on top of the RPE. It is important that production activities within the RPE remain consistent with the NZCPS and the RPS.

5.1 Appropriateness in terms of purpose of the RMA

37. Part 2 of the Act outlines the purpose and principles of the RMA. The following table demonstrates that the proposed RPE objectives achieve the purpose of the RMA. Many sections within Part 2 of the RMA are not relevant to PC85A or are specifically addressed by the Resource Area provisions within the WDP. Additionally, with regard to s8, consultation with Tangata Whenua has been undertaken as part of the plan change process and no matters have been identified that would indicate that PC85A is inconsistent with s8.

TABLE 2: EVALUATION OF PROPOSED RPE OBJECTIVES AGAINST PART 2 OF THE RMA

		Proposed Rural Production Environment Objectives						
		RPE.1.2.1	RPE.1.2.2	RPE.1.2.3	RPE.1.2.4	RPE.1.2.5	RPE.1.2.6	RPE.1.2.7
Resource Management Act Part 2 Sections	s5(2)(a)	√		√		√	√	√
	s5(2)(b)	√		√		√		
	s5(2)(c)	√	√	√	√	√	√	√
	s6(a)							√
	s7(b)	√		√		√	√	
	s7(c)		√	√	√			
	s7(d)		√					
	s7(f)	√	√	√	√	√	√	√
	s7(g)	√		√		√	√	√

38. Having assessed the proposed objectives against Part 2 of the RMA it is considered that the objectives achieve the purpose of the RMA and promote the sustainable management of natural and physical resources.

5.2 Appropriateness in relation to higher order documents

39. The provisions of higher order documents were considered in the formulation of the objectives and policies in PC85A. Of particular relevance to PC85A are the New Zealand Coastal Policy Statement (NZCPS), RPS, Long Term Plan 2015 – 2025 (LTP), 30/50, Coastal Management Strategy (CMS), Rural Development Strategy (RDS) and the Urban Growth Strategy (UGS). Part 1 of this report provides a comprehensive evaluation of the consistency of PC85A in relation to relevant higher order documents. The following table provides an overview of the proposed RPE objectives and their links to the more relevant higher order documents.

TABLE 3: EVALUATION OF PROPOSED RPE OBJECTIVES AGAINST RELEVANT HIGHER ORDER DOCUMENTS

		Proposed Rural Production Environment Objectives						
		RPE.1.2.1	RPE.1.2.2	RPE.1.2.3	RPE.1.2.4	RPE.1.2.5	RPE.1.2.6	RPE.1.2.7
Relevant Higher Order Document	NZCPS							√
	RPS	√		√		√	√	√
	LTP		√		√			
	30/50	√	√	√	√	√	√	√
	CMS							√
	RDS	√	√	√	√	√	√	√
	UGS	√	√	√				

5.3 Appropriateness in relation to the WDP

40. The proposed RPE objectives are subservient to the higher order District Wide objectives set out in Part C of the WDP. The proposed objectives do not alter or diverge from the outcomes sought by the higher order objectives, which being settled are considered to achieve the purpose of the RMA. Instead, the proposed objectives supplement and provide further specific details in relation to the outcomes sought in *this particular* Environment as envisaged by the regulatory methods set out in the district wide chapters.

41. Using the rationale set out on the Long Bay decision¹ the proposed objectives set out in PC85A need to be examined as to whether they are the most appropriate way to achieve the purpose of the settled higher order objectives. Having considered this principle, the proposed RPE objective are considered to directly relate to, and are therefore considered to be the most appropriate way of achieving the following Anticipated Environmental Results identified in the WDP²:

¹ Long Bay-Okura Great Park Society Inc v North Shore City Council (A078/08)

² Refer Amenity Chapter 5, Built Form and Development Chapter 6 and Subdivision & Development Chapter 8

TABLE 4: ACHIEVEMENT OF WDP ANTICIPATED ENVIRONMENTAL RESULTS

Relevant Anticipated Environmental Results in the WDP	Proposed RPE Objectives
Land use and development is consistent with the preservation and/or enhancement of amenity values appropriate to each particular Environment	RPE.1.2.2, and RPE.1.2.4
Conflict between incompatible activities in regard to amenity values (particularly on Environment boundaries) is avoided, remedied or mitigated	RPE.1.2.1 and RPE.1.2.3
Rural amenity values in the Countryside and Coastal Countryside Environments are maintained and/or enhanced and the conflicts between rural residential and primary production are minimised. (<i>note consequential changes required</i>)	RPE.1.2.1, RPE.1.2.3, RPE.1.2.4 and RPE.1.2.2
Sporadic, sprawling or ribbon development patterns of coastal development are avoided.	RPE.1.2.3, RPE.1.2.5 and RPE.1.2.7
Avoidance of reverse sensitivity effects and appropriate separation of incompatible land uses.	RPE.1.2.1, RPE.1.2.3 and RPE.1.2.6
Avoidance of loss of productive farmland.	RPE.1.2.1, RPE.1.2.2, RPE.1.2.3; RPE.1.2.4, RPE.1.2.5, and RPE.1.2.6
A pattern of land use and development complementary to the character of the locality, whilst at the same time avoiding conflicts between incompatible land use activities	RPE.1.2.1, RPE.1.2.2, RPE.1.2.5 and RPE.1.2.7
A pattern of consolidated land use and development that allows for the efficient use and development of natural and physical resources, avoids sporadic subdivision and ribbon development, particularly along the coast, and ensures a density of development appropriate to the location	RPE.1.2.1, RPE.1.2.3, RPE.1.2.4, RPE.1.2.5, RPE.1.2.6 and RPE.1.2.7
The protection of the District's versatile soils, water quality, natural features, landscapes, open spaces, significant ecological areas, biodiversity, public access to coast, lakes and rivers, heritage, cultural and amenity values from inappropriate subdivision and development	RPE.1.2.1; RPE.1.2.2, RPE.1.2.3; RPE.1.2.4, RPE.1.2.5, RPE.1.2.6 and RPE.1.2.7

42. RPE.1.2 sets out only those objectives that are specific to the proposed RPE. However, there are a number of higher level district wide objectives and policies that are equally relevant to this Environment. The policies and methods set out within the proposed RPE chapter seek to achieve the objectives of both the RPE and many of the district wide objectives.
43. The overarching Rural Area objectives and policies and their links to the proposed RPE objectives, policies and methods are shown in the table below. This table illustrates that the objectives of the RPE are effectively linked to the overall objectives and policies of the RA, which is considered to be consistent with the existing objectives and policies of the WDP (refer to Part 2 of the s32).

TABLE 5: LINKING BETWEEN RA AND RPE PROVISIONS

Proposed Rural Area Objective	Proposed Rural Area Policy	Proposed RPE Objective
RA.1.2.1 Protect productive functions	RA.1.3.2, 1.3.3, 1.3.10 and 1.3.11	RPE.1.2.1, RPE.1.2.3, RPE.1.2.5 and RPE.1.2.6
RA.1.2.2 Avoid, remedy, mitigate reverse sensitivity	RA.1.3.4, 1.3.9, 1.3.10 and 1.3.11	RPE.1.2.1, RPE.1.2.3 and RPE.1.2.6
RA.1.2.3 Avoid cumulative impacts/unplanned development	RA.1.3.2, 1.3.3, 1.3.5, 1.3.6 1.3.8 and 1.3.10	RPE.1.2.3 and RPE.1.2.5
RA.1.2.5 Recognise amenity values and character	RA.1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6,1.3.9 and 1.3.10	RPE.1.2.2 and RPE.1.2.4
RA.1.2.6 Consolidate rural living	RA.1.3.3, 1.3.5 and 1.3.6	RPE.1.2.1, RPE.1.2.3 and RPE.1.2.5
RA.1.2.7 Rural residential on city fringe	RA.1.3.6	RPE.1.2.1, RPE.1.2.3 and RPE.1.2.5
RA.1.2.8 Provide range of land uses	RA.1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6, 1.3.9, 1.3.10 and 1.3.11	RPE.1.2.1 and RPE.1.2.6
RA.1.2.9 Managed growth of RV	RA.1.3.5, 1.3.8, 1.3.10 and 1.3.12	RPE.1.2.5

5.4 Effectiveness and efficiency of proposed policies and methods

44. S32 assessment must determine whether the proposed provisions are the most appropriate way to achieve the proposed objectives. This includes the identification of alternatives, and cost benefit analysis of the economic, social, environmental and cultural effects of the provisions including, whether opportunities for economic growth and employment are reduced or increased. The risk of acting or not acting where uncertain or insufficient information exists must also be considered.

Evaluation of the mapping of the RPE options

45. Alternative ways of addressing the resource management issues for the rural environment were considered in the RDS. Creating the proposed RPE with targeted objectives was considered in the RDS to be the most appropriate way to achieve the purpose of the RMA.
46. Spatial mapping is one method of achieving the objectives of the RPE. Spatial mapping identifies where provisions do and don't apply. In accordance with s32, options must be considered to determine the most appropriate way to achieve the RPE objectives including the identification of other reasonably practicable options.
47. Reasonably practicable options for identifying the spatial location of the RPE are:
- Option 1:** Status Quo – Retain the current mix of zoning and the spatial extent of CE and CCE
- Option 2:** Map the proposed RPE using the criteria identified in paragraph 32. (Plan change option)
- Option 3:** Map the proposed RPE based upon the suitability of land for the purpose of primary production activities.
48. Evaluation of these alternative options have been summarised in the table below:

TABLE 6: SUMMARY OF EVALUATION OF THE MAPPING OF THE RPE OPTIONS

	Costs	Benefits
<p>Option 1: Status Quo: Retain the current mix of zoning and the spatial extent of CE and CCE.</p>	<p><u>Environmental</u> Fragmentation of rural environment. Council will not fulfil its duties under the RMA to achieve the integrated management of the effects of the use and development of the land and resources. Does not give effect to the RDS. Does not give effect to the coastal environment mapping of the RPS. Does not give effect to the consolidation direction of 30/50.</p> <p><u>Economic</u> On-going consenting costs associated with additional assessment, hearing and court hearing as a result of uncertain and dishonest zoning.</p> <p><u>Social</u> None known.</p> <p><u>Cultural</u> None known.</p>	<p><u>Environmental</u> Current level of amenity, effects to the environment and density of built development remains consistent.</p> <p><u>Economic</u> Costs associated with compliance or for non-compliance gaining resource consent will continue as per status quo.</p> <p><u>Social</u> None known.</p> <p><u>Cultural</u> Provides a level of familiarity for Plan users and certainty about consenting practice and decisions. No cultural shift required to implement.</p>
<p>Option 2: Map the RPE using the criteria identified in para 32. (Plan change option)</p>	<p><u>Environmental</u> Lack of detailed mapping at a close scale may result in a level of implementation difficulty.</p> <p><u>Economic</u> Costs associated with preparing plan change and mapping.</p> <p><u>Social</u> None known.</p> <p><u>Cultural</u> None known.</p>	<p><u>Environmental</u> Achieves the outcomes of the RDS. Implements the coastal environment of the RPS. Implements the consolidated growth pattern of 30/50. Recognises the changing nature of the rural environment and the subdivision and development of the rural environment that has occurred since the WDP became operative. Reduces the potential for incompatible land use conflicts. Provides for new development opportunities on rural land provided they are compatible with the sustainable management of the rural land resource for current and future generations. Residential, rural residential and rural living development is controlled and clustered in RVE, RLE and RUEE.</p> <p><u>Economic</u> Avoids the necessity to undertake expensive testing to support complicated mapping exercises. Reduces legal costs of hearings regarding “dishonest” zoning (of option 1).</p> <p><u>Social</u> None known.</p> <p><u>Cultural</u> None known.</p>
<p>Option 3: Map the RPE based upon the suitability of land for the purpose of primary production activities.</p>	<p><u>Environmental</u> Does not give effect to the consolidation direction of 30/50. Does not achieve the outcomes of the RDS. Goes beyond the RPS policy direction.</p> <p><u>Economic</u> Significant costs associated with identifying and mapping the spatial extent. In the absence of technical information costs may</p>	<p><u>Environmental</u> Implements the coastal environment of the RPS. Recognises the changing nature of the rural environment and the subdivision and development of the rural environment that has occurred since the WDP became operative. Reduces the potential for incompatible land use conflicts. Detailed mapping at a close scale will avoid</p>

	<p>be transferred to applicants resulting in additional consenting requirements and costs.</p> <p>Significant costs associated with preparing plan change and mapping.</p> <p><u>Social</u></p> <p>None known.</p> <p><u>Cultural</u></p> <p>None known.</p>	<p>inconsistencies and implementation issues.</p> <p><u>Economic</u></p> <p>None known.</p> <p><u>Social</u></p> <p>None known.</p> <p><u>Cultural</u></p> <p>None known.</p>
	Efficiency	Effectiveness
Option 1:	<p>Option 1 is not efficient and effective for numerous reasons. The spatial extent of CE and CCE does not reflect recent policy changes such as the NZCPS, RPS, 30/50 and RDS. The CE has been identified as “dishonest zoning” where it does not reflect the existing land use and environment. The spatial extent of CE and CCE does not recognise and provide for locations for rural living and rural residential development to reduce the risk of land use conflicts and potential for reverse sensitivity. Option 1 does not implement the RDS, 30/50, RPS and NZCPS.</p>	
Option 2:	<p>Option 2 is efficient and effective. The spatial extent of the RPE and the proposed Coastal Area implement policy changes such as the NZCPS, RPS, 30/50 and RDS. Areas of significant land use change to non-rural activities have been identified as RLE, RUEE. Option 2 implements the RDS and 30/50.</p>	
Option 3:	<p>Option 3 is efficient and effective. The spatial extent of Option 3 would implement policy direction of the NZCPS and beyond that of the RPS. Option 3 does not however provide the opportunity to consolidate non-rural activities as sought by 30/50 and the RDS. Option 3 will be a significant cost.</p>	
Economic Growth and Employment Opportunities		
Option 1:	<p>This option has a moderate impact in terms of economic growth and employment.</p> <p>Spatial mapping and locations for the zone control what provisions apply. If the spatial extent of zoning is unclear or incorrect then inappropriate rules will apply. Zoning has the potential to result in considerable consenting cost to landowners and developers.</p> <p>Option 1 maintaining status quo does not give effect to the proposed RPE objectives and will not sufficiently support future economic growth and employment opportunities of the rural environment.</p>	
Option 2:	<p>This option has a moderate impact in terms of economic growth and employment.</p> <p>Option 2 will give effect to the proposed RPE objectives and in doing so support future economic growth and employment opportunities in the rural environment and the proposed RPE.</p>	
Option 3:	<p>This option has a moderate impact in terms of economic growth and employment.</p> <p>Option 3 will go some way to give effect to the proposed RPE objectives. The costs involved with evaluating and identifying the rural productive land throughout Whangarei district is very high. The district has a varied rural environment with soil types, landform, stability and access to water sources being changeable.</p>	
Risk of acting and not acting if there is uncertain or insufficient information		
There is no risk due to uncertain information.		

49. Option 2 (Plan change option) is considered to be the most efficient and effective method to achieve the proposed RPE objectives.

Evaluation of provisions options

50. The following table demonstrates that the policies proposed for the RPE implement the proposed RPE objectives, and that the methods proposed for the RPE implement the proposed RPE policies.

TABLE 7: LINKING OF RPE PROVISIONS		
Proposed RPE Objective	Proposed RPE Policies	Proposed RPE Methods
RPE.1.2.1 Protect rural land resources for a diverse range of productive rural land use activities.	RPE.1.3.1, RPE.1.3.5, RPE.1.3.6, RPE.1.3.9 and RPE.1.3.10	RPE.2.1.1, RPE.2.1.3.1, RPE.2.3.2, RPE.2.3.8, RPE.2.3.9, RPE.3.1.1, RPE.3.3 and RPE.3.4
RPE.1.2.2 Recognise, maintain and where appropriate protect the rural character of the RPE, acknowledging that character is formed through a combination of values such as ecology values, openness, topography and heritage.	RPE.1.3.1, RPE.1.3.4, RPE.1.3.5, RPE.1.3.7 and RPE.1.3.12	RPE.2.1, RPE.2.3, RPE.3.1, RPE.3.3 and RPE.3.4
RPE.1.2.3 Avoid adverse effects from lifestyle land use and development in production areas.	RPE.1.3.5, RPE.1.3.7, RPE.1.3.10 and RPE.1.3.12	RPE.2.3.1, RPE.2.3.2, RPE.3.1, RPE.3.3 and RPE.3.4
RPE.1.2.4 Support the range of amenity values associated with the RPE.	RPE.1.3.1, RPE.1.3.4, RPE.1.3.5 and RPE.1.3.7	RPE.2.1, RPE.2.3, RPE.3.1, RPE.3.3 and RPE.3.4
RPE.1.2.5 Reduce fragmentation of rural land and promote allotment sizes that facilitate productive rural land use.	RPE.1.3.6, RPE.1.3.7, RPE.1.3.9, RPE.1.3.10, RPE.1.3.12	RPE.3.1, RPE.3.3 and RPE.3.4
RPE.1.2.6 Enable a wide range of productive rural land use activities to establish and operate to contribute to the District's economy.	RPE.1.3.8	RPE.2.1 and RPE.2.3
RPE.1.2.7 Provide for rural production activities that are compatible with the coastal environment.	RPE.1.3.13	

51. The proposed policies and methods in the RPE and their appropriateness in achieving the proposed objectives of the RPE are evaluated below. The methods proposed to implement the policies of the RPE are grouped into land use and subdivision. For ease of evaluation the provisions have been packaged by issue topic. Many topics were consistent across all Environments proposed in the Rural Plan Changes. Alternatives are addressed in Part 2 of the report.

Commercial and industrial activities

52. The proposed RPE seeks to protect rural land resources for a diverse range of productive rural land use activities. Commercial and industrial activities have been establishing throughout the rural environment. This sprawl of activities can result in a number of issues such as:

- Changes in rural amenity and character.
- Potential nuisance effects such as noise, odour, light spill.
- Increased traffic movements on rural roads.
- Pressure and demand on infrastructure services.
- Lack of consolidation of business activities.

53. The CE provisions provide for commercial and industrial activities as a permitted activity provided that they do not exceed 500m² in GFA and are not located within 100m of a residential unit on a separate site or the Open Space Environment. Given the definition of Bulk Format Retail, these provisions essentially allow for a large retail store to locate in the rural environment.

54. Whangarei city has large areas of land zoned specifically for commercial and industrial activities, and rural villages also provide pockets of land zoned in appropriate locations. Use of this land, revitalisation and consolidation of activities to these Business Environments are not occurring partly because it is too easy to operate in the rural environment. There are very few provisions restricting the sprawl of commercial and industrial activities throughout the current CE.
55. Pre-notification consultation feedback on the introduction of stricter management of commercial and industrial activities was positive. However there was a general consensus that ‘appropriate’ land use activities should occur if they were specifically associated with a primary rural activity.
56. Alternatives considered were:

Option 1: Status Quo: Maintain existing land use provisions controlling commercial and industrial activities as per the CE (rule 38.3.1).

Option 2: Limiting the ability for commercial and industrial activities to occur through stricter controls on existing CE effects rules such as traffic movements, hours of operation, site coverage, signage etc.

Option 3: Limiting the ability for commercial and industrial activities to occur through the activity status and strong policy direction. (Plan change option).

TABLE 8: EVALUATION OF ALTERNATIVES – COMMERCIAL AND INDUSTRIAL ACTIVITIES

	Costs	Benefits
Option 1: Status Quo.	<p><u>Environmental</u> Council will not fulfil its duties under the RMA to achieve the integrated management of the effects of the use and development of the land and resources. Current provisions do not fully address identified issues concerning fragmentation and potential reduction of the productive capability, consolidation of activities and efficient use of business zoned land resources, potential adverse effects due to noise, odour, hazardous substances etc. Does not give effect to the consolidated growth pattern adopted by 30/50.</p> <p><u>Economic</u> Ongoing fragmentation of rural land for non-rural activities, such as commercial and industrial development, contributes to land price inflation, increased reverse sensitivity effects and impacts on the ability to utilise rural land for primary production activities and decisions to further invest in primary production. Reduction of viability and economic earning from Business environments. Ad hoc development of rural land for commercial and industrial activities at the city’s urban edge will adversely affect the efficient, effective and affordable development of future growth, particularly due to the cost of providing services and infrastructure.</p>	<p><u>Environmental</u> Maintains opportunities for people to maximise their land for potential industrial and commercial activities. No limitation to activities due to focus on effects.</p> <p><u>Economic</u> Commercial and Industrial activities are enabled subject to avoiding, remedying or mitigating a level of effects. Market led, which provides landowners an opportunity to try and undertake commercial and industrial activities which may improve their ability to earn an income.</p> <p><u>Social</u> Continued flexibility for landowners and investors in terms of land use and development options.</p> <p><u>Cultural</u> Provides a level of familiarity for WDP users and certainty about consenting practice and decisions. No cultural shift required to implement.</p>

	<p><u>Social</u></p> <p>Failure to actively manage rural resources would mean that non-rural activities, particularly commercial and industrial, may compromise the productivity of rural land and lead to a reduction in the ability of people and the community to provide for their social and economic well-being. Sprawling non-rural activities will impact on rural character and amenity.</p> <p><u>Cultural</u></p> <p>Sprawling commercial and industrial activities have the potential to impact on cultural resources and values particularly as a majority of Māori land and Sites of Significance to Māori are located in the rural environment.</p>	
<p>Option 2: Limiting the ability for commercial and industrial activities to occur through stricter controls.</p>	<p><u>Environmental</u></p> <p>Effects based control of activities will result in the ability for some commercial and industrial activities to occur, increasing the potential risk of adverse effects to the environment.</p> <p>Does not give effect to the consolidated growth pattern adopted by 30/50.</p> <p><u>Economic</u></p> <p>While increased control of commercial and industrial activities will reduce the risk of land fragmentation in comparison to Option 1, there will still be a risk of land price inflation, increased reverse sensitivity effects and impacts on the ability to utilise rural land for primary production. Increased consenting costs associated with control of effects.</p> <p>Reduction of viability and economic earning from Business Environments.</p> <p>As with Option 1 potential for ad hoc development of rural land for commercial and industrial activities at the city's urban edge is likely to adversely affect the efficient, effective and affordable development of future growth, particularly due to the cost of providing services and infrastructure.</p> <p><u>Social</u></p> <p>Rural communities have a strong tie to the environment and rural activities. Social aspects are often associated with seasonal rural activities. Changes in amenity and increases in commercial and industrial activities can lead to a reduction in the ability of people and the community to provide for their social and economic well-being.</p> <p><u>Cultural</u></p> <p>Sprawling commercial and industrial activities have the potential to impact on cultural resources and values particularly as a majority of Māori land and Sites of Significance to Māori are located in the rural area.</p>	<p><u>Environmental</u></p> <p>Increased opportunities for people to maximise their land for potential industrial and commercial activities.</p> <p>Reduced risk of adverse effects to the environment through the control of effects rather than control over activities.</p> <p><u>Economic</u></p> <p>Commercial and Industrial activities are enabled which provides landowners an opportunity to try and undertake commercial and industrial activities which may improve their ability to earn an income.</p> <p><u>Social</u></p> <p>Some continued flexibility for landowners and investors in terms of land use and development options.</p> <p><u>Cultural</u></p> <p>Provides a level of familiarity for WDP users and certainty about consenting practice and decisions.</p> <p>No cultural shift required to implement.</p>
<p>Option 3: Limiting the ability for commercial and industrial activities to occur</p>	<p><u>Environmental</u></p> <p>Reduces the opportunity for people to maximise their land for potential industrial and commercial activities.</p> <p>Non-complying test is relatively high making it difficult for applicants to gain approval to undertake activities.</p>	<p><u>Environmental</u></p> <p>Council fulfils its duties under s31(1)(a). Avoids the risk of adverse environmental effects associated with commercial and industrial activities.</p> <p>Sends a clear message that commercial and industrial activities should be consolidated into</p>

<p>through the activity status, e.g. non-complying. (Plan change option).</p>	<p>Being more activities focused rules rather than effect based creates a control based upon activity type.</p> <p><u>Economic</u> Limits people's choice to live and work from a location in the proposed RPE if trained in a commercial or industrial expertise. Significant costs associated with consenting should an applicant choose to seek approval to undertake a non-complying activity.</p> <p><u>Social</u> Often local businesses (including commercial and industrial) support local social events. The limitation of these activities can result a reduction in social support. Decrease in commercial and industrial activities may lead to a reduction in the ability of people and the community to provide for their social and economic well-being.</p> <p><u>Cultural</u> None known.</p>	<p>Business Environments, SRIE, RVIE and RVCE to avoid issues such as land use conflicts. Gives effect to the consolidated growth pattern adopted by 30/50.</p> <p><u>Economic</u> Increased consolidation of commercial and industrial activities to Business Environments improving economic viability of the city. Reduced fragmentation of rural land, reducing the risk of land price inflation.</p> <p><u>Social</u> Maintains the opportunity to undertake rural activities, supporting the tie that rural communities have to the environment, to rural activities and social aspects that are often associated with seasonal rural activities. Limits adverse changes in amenity.</p> <p><u>Cultural</u> Reduced risk of sprawling commercial and industrial activities, having the potential to impact on cultural resources and values particularly as a majority of Māori land and Sites of Significance to Māori are located in the rural area.</p>
	<p>Efficiency</p>	<p>Effectiveness</p>
<p>Option 1:</p>	<p>Provisions allow activities to occur based upon control of effects. Not all adverse effects are caught by the Status Quo provisions. Option 1 is inefficient.</p>	<p>Ineffective as commercial and industrial activities are sprawling across the district with little control. Lack of corresponding policy direction.</p>
<p>Option 2:</p>	<p>Provisions allow activities to occur based upon control of effects (stricter than status quo). Increased risk of consents being required. Option 2 is inefficient.</p>	<p>Ineffective as activities can still sprawl and increased cost of consenting requirements.</p>
<p>Option 3: (Plan change option).</p>	<p>Non-complying status provides a strong message that activities should not be occurring, resulting in an efficient method.</p>	<p>Effective method to control activities. Strong corresponding policy.</p>
<p>Economic Growth and Employment Opportunities</p>		
<p>Option 1:</p>	<p>This option has a moderate to high impact in terms of economic growth and employment. Allowing the continuation of sprawling commercial and industrial activities throughout the rural environment reduces the ability for economic growth of the appropriately zoned Business Environments. Loss of commercial and industrial activities from Whangarei city has the potential to reduce the opportunity of employment in the city. Maintaining the ability to undertake a range of activities in a rural location provides the ability for self and local employment and income.</p> <p>There are potential adverse effects from land fragmentation including elevated rural land prices, increased potential for sites to convert to non-rural uses and increased reverse sensitivity effects, making conventional farming unfeasible. A strong district plan response is required to support ongoing rural production activities. Continuation of the status quo runs the risk of industrial and commercial activities undermining the sustainability of rural production in the district.</p>	
<p>Option 2:</p>	<p>This option has a moderate to high impact in terms of economic growth and employment. Consistent with reasons listed for Option 1.</p>	
<p>Option 3: (Plan change option).</p>	<p>This option has a moderate to high impact in terms of economic growth and employment for the opposite reasons to those of Option 1. Stopping the sprawl of commercial and industrial activities increases the ability for economic growth of the appropriately zoned Business Environments, SRIE, RVIE and RVCE, leading to the potential to increase job opportunities in the city. Agglomeration of commercial and industrial activities within the Business Environments creates greater efficiencies of services and infrastructure. Loss of the ability to undertake commercial and industrial activities in a</p>	

	rural location reduces the ability for self and local employment and income. This option reduces the potential adverse effects of land fragmentation include elevated rural land prices, increased potential for sites to convert to non-rural uses and increased reverse sensitivity effects, better protecting farming.
Risk of acting and not acting if there is uncertain or insufficient information	
Option 1:	There is no risk. Effects of status quo are known.
Option 2:	There is no risk due to insufficient information.
Option 3: (Plan change option).	There is no risk due to insufficient information. The objectives and policies of the WDP have to give effect to the RPS, so the risk of not acting is high. Failure to actively manage rural resources would mean that non-rural activities, particularly commercial and industrial, may compromise the productivity of rural land and reduce the ability of people and the community to provide for their social and economic well-being.

57. Option 3 (the plan change option) is considered to be the most efficient and effective method. When assessing alternatives a range of options was considered including maintaining the status quo. It was considered that the status quo was not strong enough to stop the fragmentation of rural land and the sprawl of commercial and industrial activities. Consideration was given to tightening of provisions as described in Option 2. While this option may achieve sustainable management where effects could be avoided, mitigated or remedied this did not achieve the consolidation of commercial and industrial activities to Business Environments. Option 3 is considered to be the most appropriate alternative to achieve the expectations for the RPE and the proposed RPE objectives.

Bulk and location provisions

58. The proposed RPE objectives seek to recognise, maintain and protect rural character, and to enable a wide range of productive activities to occur. To achieve these objectives the bulk and location provisions should be appropriately necessary and flexible to achieve both outcomes.
59. The CE in the WDP has a set of existing bulk and location rules (rules 38.4.3 – 38.4.10). These rules are designed to control built development within a site to avoid adverse amenity effects, land use conflicts and risk of exposure to hazards. The 5 year efficiency and effectiveness review of the WDP (2012) did not identify any concerns with the way the bulk and location rules manage built development.
60. Pre-notification consultation feedback identified several issues associated with bulk and location, including, control over and ambiguity regarding “structures” versus “buildings”, the control of crop protection and support structures, and the limitation of building coverage for buildings directly associated with rural production activities.
61. Alternatives considered were:
- Option 1:** Retain Status Quo as per the CE provisions (rule 38.4.3 – 38.4.10).
- Option 2:** No bulk and location provisions.
- Option 3:** Establish bulk and location provisions based primarily upon the CE provisions with amendments to address structures and building coverage. (Plan change option).

TABLE 9: ALTERNATIVES EVALUATION – BULK AND LOCATION PROVISIONS

	Costs	Benefits
Option 1: Status Quo.	<p><u>Environmental</u> Council may not fulfil its duties RMA to achieve the integrated management of the effects of the use and development of the land and resources. Current provisions do not fully address identified issues, land use conflicts and appropriate management of effects. The generic policy approach and assessment criteria do not support consent processing where a complex resource consent application is lodged.</p> <p><u>Economic</u> Costs associated with compliance or for non-compliance gaining resource consent will continue as per status quo.</p> <p><u>Social</u> Social costs remain consistent, proximity to neighbours, maintenance of privacy, maintenance of rural outlook and health remains the same.</p> <p><u>Cultural</u> None known.</p>	<p><u>Environmental</u> Current level of amenity, effects to the environment and density of built development remains consistent.</p> <p><u>Economic</u> Costs associated with compliance or for non-compliance gaining resource consent will continue as per status quo.</p> <p><u>Social</u> No change to the current provisions for landowners, investors and residents.</p> <p><u>Cultural</u> No cultural shift required to implement.</p>
Option 2: No bulk and location provisions.	<p><u>Environmental</u> Ad hoc built development resulting in adverse effects to amenity, health and safety, loss of sunlight, loss of privacy and increased risk of land use conflicts.</p> <p><u>Economic</u> In the absence of rules, built development can occur ad hoc resulting in potential for serious land use conflicts leading to limitations on production activities and the reduction of economic viability.</p> <p><u>Social</u> In the absence of rules, built development can occur ad hoc resulting in potential adverse social effects due to loss of amenity, land use conflicts and health risks.</p> <p><u>Cultural</u> In the absence of rules, built development can occur ad hoc having the potential to impact on cultural resources and values particularly as a majority of Māori land and Sites of Significance to Māori are located in the rural area.</p>	<p><u>Environmental</u> None known.</p> <p><u>Economic</u> No costs associated with compliance, or for non-compliance, gaining resource consent.</p> <p><u>Social</u> Flexibility for landowners to develop land as they choose.</p> <p><u>Cultural</u> None known.</p>
Option 3: Establish bulk and location provisions based primarily upon the existing CE with amendments. (Plan change option).	<p><u>Environmental</u> None known.</p> <p><u>Economic</u> Costs associated with compliance or for non-compliance gaining resource consent will continue.</p> <p><u>Social</u> Social costs remain consistent, proximity to neighbours, maintenance of privacy, maintenance of rural outlook and health remains the same.</p> <p><u>Cultural</u> None known.</p>	<p><u>Environmental</u> Council fulfils its duties under s31(1)(a). Environmental effects are avoided, remedied or mitigated as a result of the amendments to the existing provisions addressing issues raised. Gives effect to the consolidated growth pattern adopted by 30/50. Maintains a similar level of amenity as the status quo.</p> <p><u>Economic</u> Costs associated with compliance or for non-compliance gaining resource consent will be</p>

		reduced from status quo as more clarity is provided. <u>Social</u> Social costs remain consistent, proximity to neighbours, maintenance of privacy, maintenance of rural outlook and health remain the same. <u>Cultural</u> None known
	Efficiency	Effectiveness
Option 1:	Consultation and research have confirmed that while the status quo option may have some merit, particular rules have been identified as not appropriate and are inefficient.	Several provisions in the status quo option have been identified as being ineffective and resulting in unnecessary consent considerations.
Option 2:	Option 2 would result in no bulk and location provisions which will not result in any kind of management of effects, being completely inefficient.	Option 2 would result in no bulk and location provisions which will not result in any kind of management of effects, being completely ineffective.
Option 3: (Plan change option).	Option 3 is considered to be an improvement of the status quo provisions providing a more efficient method of achieving the objectives of the proposed RPE.	Option 3 would result in the improvement of the status quo provisions increasing the effectiveness of the bulk and location provisions to meet the objectives of the proposed RPE.
Economic Growth and Employment Opportunities		
<p>There is a low impact in terms of economic growth and employment associated with all options.</p> <p>Bulk and location provisions have a direct relationship to the amenity and sense of place of an area. These controls have the ability to increase or decrease development costs associated with built development. Building costs do have an effect on overall economic growth. However it is considered that the options considered present reasonable mitigation with a low cost implication.</p>		
Risk of acting and not acting if there is uncertain or insufficient information		
<p>There is no risk due to insufficient information.</p> <p>The objectives and policies for the District Plan have to give effect to the PRPS, so the risk of not acting is high.</p>		

62. Option 3 (Plan change option) is considered to be the most efficient and effective method. Option 3 will achieve the expectations for the RPE and achieve the proposed RPE objectives.

Separation of conflicting land use activities

63. Conflicting land use resulting in reverse sensitivity effects has been raised as a major issue through the RDS and pre-notification consultation on the Rural Plan Changes draft provisions. The proposed RPE seeks to achieve a working environment for a mix of productive land uses. Objectives seek to minimise land use conflicts, acknowledging that the types of land use activities throughout the proposed RPE are so varied in nature and effects.
64. Several activities and services have buffers in the form of setback rules located in the district wide Resource Area provisions, such as the Mineral Extraction Area (MEA) provisions which apply a 500m buffer from MEA for habitable buildings, and Transmission lines and CELs which have various setback requirements for built development. The CE provisions provide for all types of activities and only control the separation of commercial and industrial activities within 100m of a residential unit on a separate site (rule 38.3.1 d and e) and the separation of plantation forestry from existing residential units being 30m (rule 38.3.1 f).

65. General policy support for separation of activities can be found in Chapters 6 and 8 of the WDP. Pre-notification consultation feedback on the need to strengthen provisions to separate activities to avoid land use conflicts has been positive, with several responders seeking additional separation considerations such as a 30m residential unit setback from production activities and specific setback provisions for network utilities (in particular Radio New Zealand site).

66. Alternatives considered were:

Option 1: Status Quo: Maintain existing CE provisions controlling the separation of activities (including the Resource Area provisions).

Option 2: No provisions relating to separation of activities and rely upon spatial mapping of zones and activity controls to direct the appropriate location of activities.

Option 3: Rules requiring separation buffers between known conflicting activities and supporting policies, those activities being:

- New sensitive activities from metal roads, MEA, SRIE, Business Environments, Intensive livestock farming, plantation forestry and activities ancillary to farming.
- New Intensive livestock farming activities and activities ancillary to farming from an existing sensitive activity on a neighbouring site.(Plan change option)

TABLE 10: ALTERNATIVES EVALUATION – SEPARATION OF CONFLICTING LAND USE ACTIVITIES

	Costs	Benefits
Option 1: Status Quo.	<p><u>Environmental</u> Council will not fulfil its duties under the RMA to achieve the integrated management of the effects of the use and development of the land and resources. Current provisions do not fully address identified issues concerning land use conflicts, potential reduction of productive capability, consolidation of activities and the efficient use of rural land resources. Risk of potential adverse effects due to noise, odour, hazardous substances etc. Does not give effect to the consolidated growth pattern adopted by 30/50.</p> <p><u>Economic</u> Lack of control over land use conflicts is resulting in increased reverse sensitivity effects which impacts on the ability to utilise rural land for primary production activities and decisions to further invest in primary production. Conflicts between activities (such as residential and farming) resulting in additional costs to production activities due to the inability to efficiently undertake activities resulting in noise, odour and spraying etc.</p> <p><u>Social</u> Failure to actively manage rural resources</p>	<p><u>Environmental</u> Maintains opportunities for people to maximise their land for a variety of activities. No limitation to activities due to focus on effects.</p> <p><u>Economic</u> Non-rural activities are enabled.</p> <p><u>Social</u> No change to the current provisions for landowners, investors and residents. Continued flexibility for landowners and investors in terms of land use and development options.</p> <p><u>Cultural</u> Provides a level of familiarity for plan users and certainty about consenting practice and decisions. No cultural shift required to implement.</p>

	<p>would mean that non-rural activities, particularly residential, may compromise the productivity of rural land and lead to a reduction in the ability of people and the community to provide for their social and economic well-being.</p> <p>Sprawling non-rural activities will impact on rural character and amenity.</p> <p>Health and well-being of some landowners compromised by risk of exposure to noise, odour etc.</p> <p>Discontent between neighbours is resulting in complaints to Council.</p> <p><u>Cultural</u></p> <p>Sprawling non-rural activities have the potential to impact on cultural resources and values particularly as a majority of Māori land and Sites of Significance to Māori are located in the rural environment.</p>	
<p>Option 2: No provisions relating to separation of activities and rely upon spatial mapping of zones and activity controls to direct the appropriate location of activities.</p>	<p><u>Environmental</u></p> <p>While spatial mapping of activity specific zoning will provide a level of protection, due to the varied nature of the rural environment and existing land use activities land use conflicts may still occur. Not specifying separation of activities will not address identified issues concerning land use conflicts, potential reduction of the productive capability, consolidation of activities and the efficient use of rural land resources.</p> <p>Risk of further potential adverse effects due to noise, odour, hazardous substances etc.</p> <p>Does not give effect to the consolidated growth pattern adopted by 30/50.</p> <p><u>Economic</u></p> <p>Lack of control over land use conflicts is resulting in increased reverse sensitivity effects and impacts on the ability to utilise rural land for primary production activities and decisions to further invest in primary production.</p> <p>Conflicts between activities (such as residential and farming) resulting in additional costs to production activities due to the inability to efficiently undertake activities resulting in noise, odour and spraying etc.</p> <p><u>Social</u></p> <p>Failure to actively manage rural resources would mean that non-rural activities, particularly residential, may further compromise the productivity of rural land and lead to a further reduction in the ability of people and the community to provide for their social and economic well-being.</p> <p>Health and well-being of some landowners compromised by risk of exposure to noise, odour etc.</p> <p>Discontent between neighbours is resulting in complaints to Council.</p> <p><u>Cultural</u></p> <p>Conflicts between land use activities have the potential to impact on cultural resources and values particularly as a majority of Māori land</p>	<p><u>Environmental</u></p> <p>Increased opportunities for people to maximise their land for a variety of activities.</p> <p>No limitation to activities due to focus on effects.</p> <p><u>Economic</u></p> <p>Non-rural activities are enabled.</p> <p><u>Social</u></p> <p>Greater flexibility for landowners and investors in terms of land use and development options.</p> <p><u>Cultural</u></p> <p>None known.</p>

	and Sites of Significance to Māori are located in the rural area.	
Option 3: Introducing separation buffers between known conflicting activities. (Plan change option).	<p><u>Environmental</u> Decreased opportunities for people to maximise their land for a variety of activities. Limitation to activities rather than effects, reliant upon setback provisions.</p> <p><u>Economic</u> Non-rural activities are may be limiting when located in proximity to a Living Environment.</p> <p><u>Social</u> Change to the current provisions for landowners, investors and residents. Reduced flexibility for landowners and investors in terms of land use and development options.</p> <p><u>Cultural</u> Cultural shift required to implement.</p>	<p><u>Environmental</u> Council will fulfil its duties under s31(1)(a). Option will address identified issues concerning land use conflicts, improving the potential for productive capability, consolidation of activities and the efficient use of rural land resources. Reduces the risk of potential adverse effects due to noise, odour, hazardous substances etc. Consistent with the consolidated growth pattern adopted by 30/50.</p> <p><u>Economic</u> Reduces the risk of land use conflicts and their potential impact on the ability to utilise rural land for primary production activities and decisions to further invest in primary production. Reduces the potential for additional operational costs or loss of production as a result of conflicts between activities (such as residential and farming). Reduces the loss of value to residential properties from reverse sensitivity effects.</p> <p><u>Social</u> Actively manages rural resources, reducing the potential for non-rural activities to compromise the productivity of rural land and lead to a reduction in the ability of people and the community to provide for their social and economic well-being. Health and well-being of some landowners is protected through the reduction of risk of exposure to noise, odour etc. Reduced discontent between neighbours is resulting in reduced complaints to Council.</p> <p><u>Cultural</u> None known.</p>
	Efficiency	Effectiveness
Option 1:	Consultation and research have confirmed that while the status quo option may have some merit, particular rules have been identified as not appropriate and are inefficient.	Several provisions in the status quo option have been identified as being ineffective and resulting in unnecessary consent considerations or unacceptable effects.
Option 2:	Option 2 would result in no separation of activity provisions, relying upon spatial mapping of zones to avoid conflicts. Due to the varied nature of the rural environment and rural activities being changeable it is considered that it would be difficult to efficiently and effectively map and control conflicts.	
Option 3: (Plan change option).	Option 3 is considered to be an improvement of the status quo provisions providing a more efficient method of achieving the objectives of the proposed RPE.	Option 3 would result in an improvement of the status quo provisions increasing the effectiveness of the land use conflict provisions to meet the objectives of the proposed RPE.
Economic Growth and Employment Opportunities		
Option 1:	<p>This option has a low to moderate impact in terms of economic growth and employment.</p> <p>The district's rural environment is highly varied with changeable land uses, there is a high risk that maintaining the status quo will lead to the creation of more conflicting land use activities, with adverse flow-on effects for the continued viability of farming systems.</p> <p>Conflicts between activities such as residential and farming resulting in additional costs to production activities as a result of loss of production due to the inability to efficiently undertake activities resulting in noise, odour and spraying etc.</p>	

Option 2:	<p>This option has a low to moderate impact in terms of economic growth and employment.</p> <p>The district's rural environment is highly varied with changeable land uses. There is a moderate risk that Option 2 will not control the increase in conflicting land use activities, with adverse flow-on effects for the continued viability of farming systems.</p> <p>Conflicts between activities (such as residential and farming) result in additional costs to production activities due to the inability to efficiently undertake activities resulting in noise, odour and spraying etc.</p>
Option 3: (Plan change option).	<p>This option has a low to moderate impact in terms of economic growth and employment.</p> <p>Option 3 provides a measurable method to manage conflicting land use activities, to reduce the adverse flow-on effects for the continued viability of farming systems improving their economic viability.</p> <p>Reduction of conflicts between activities such (as residential and farming) will result in a reduction in operational costs for production activities and improvement of the wellbeing of residents.</p>
Risk of acting and not acting if there is uncertain or insufficient information	
<p>There is no risk due to insufficient information.</p> <p>The objectives and policies of the WDP have to give effect to the RPS, so the risk of not acting is high.</p> <p>Failure to actively manage rural resources would mean that non-rural activities, particularly residential, may compromise the productivity of rural land and reduce the ability of people and the community to provide for their social and economic well-being.</p>	

67. Option 3 (Plan change option) is considered to be the most efficient and effective method. On balance Option 3 will achieve the expectations sought for RPE and achieve the proposed RPE objectives.

Subdivision provisions – minimum lot size

68. The changing minimum lot size in the PDP and WDP over the last 15 years has resulted in a varied pattern of allotment sizes scattered across the district. Fragmentation, loss of production land, reverse sensitivity effects, demand for service extensions, conflicting land use, change in amenity and character due to sprawling buildings and infrastructure are some of the effects realised due to this subdivision pattern.
69. This pattern makes it very difficult for resource consent planners to apply discretion and assess subdivision applications. Strong policy direction is necessary to provide more certainty for decision making.
70. In its decision on Variation 5 to the PDP³ the Environment Court provided clear guidance with regard to the direction Council must take with respect to the subdivision in rural and coastal environment. The Court was also very clear in stating that their 20ha minimum lot size as a controlled activity, decision was a holding pattern until Council had undertaken sufficient consideration of the zone and alternative provision options.
71. The Resource Consent/Development Monitoring Report (2015) has confirmed that the number of subdivisions and the creation of new allotments in the CE have reduced since 2007. While this timing correlates to the economic downturn, development patterns do illustrate a significant decrease in the number of smaller allotments created since the 20ha controlled activity rule became operative in 2007.

³ *Director General of Conservation v Whangarei District Council (A024/06) issued on 28 February 2006*

72. Very strong feedback was received during the pre-notification consultation on the RDS that a 20ha minimum lot size was inappropriate due to usability, too large for lifestyle development and too small for a highly productive land use such as beef and dairy farming. The 2012 (most recent) Statistics NZ census on agricultural production, provides data of what average farm sizes are in New Zealand as at June 2012:

TABLE 11: AVERAGE NEW ZEALAND FARM SIZE (HECTARES- HA) BY FARM TYPE IN NEW ZEALAND	
Farm type⁴	Average farm size (ha)⁵
Vegetable growing (under cover)	5.7
Floriculture production (outdoors)	9.5
Olive growing	10.4
Other fruit and tree nut growing	10.8
Floriculture production (under cover)	10.9
Mushroom growing	11.1
Turf growing	12
Citrus fruit growing	16.9
Kiwifruit growing	16.9
Nursery production (outdoors)	17.4
Stone fruit growing	18
Poultry farming (eggs)	19.3
Berry fruit growing	21.8
Horse farming	28.5
Other livestock farming ⁶	29.3
Apple and pear growing	32.1
Grape growing	42
Nursery production (under cover)	45.2
Pig farming	55.9
Other crop growing ⁷	61.6
Vegetable growing (outdoors)	89.8
Beef cattle farming (specialised)	109.5
Dairy cattle farming	211.5
Other grain growing	214.8
Deer farming	235.5
Forestry	245.3
Grain-sheep or grain-beef cattle farming	267.7
Sheep farming (specialised)	443
Sheep-beef cattle farming	603.5

⁴ Farm types are classified according to the Australian and New Zealand Standard Industrial Classification (ANZSIC06)

⁵ Based on the latest Agricultural Production Census data from Statistics New Zealand, being 2012

⁶ Not elsewhere classified

⁷Not elsewhere classified

73. Although consultation feedback indicates that the 20ha minimum lot size was inappropriate, the census confirms that productive farming generally does occur on the larger lots, while more intensive cropping occurs on allotments less than 20ha. To maintain production and keep larger land holdings, producers are unlikely to want to reduce their allotments to less than 20ha in size.
74. 30/50 adopts a consolidated approach to population growth, directing the majority of the population to occupy the city and growth nodes. To achieve this outcome, the population living in the CE needs to be managed. The Demographic Profile for Whangarei District (2015) highlights the Whangarei district's aging population. Development opportunities need to cater for this demand providing living options close to infrastructure, social services and communities.
75. According to the Whangarei District Growth Model 15,765 people (5,473 occupied residential units) lived outside the city and the nodal areas in 2013. Projected forward and following the consolidation approach the population outside of the City and nodal areas should become 18,893 outside the city and nodal areas in 2023. To achieve 30/50 strategic direction development of the RPE must decrease and development of urban areas must increase, with additional Living Environments.
76. The Growth Model predicts that 6,815 occupied residential units will be required in the Rural Area by 2028, in 2013 5,473 occupied residential units existed. Over the last three years an average of 120 new builds has occurred per year in the CCE and CE.
77. Allowing for the continued subdivision and fragmentation of rural land into non-productive allotments is not sustainable, and will not result in a sustainable use of land. As land is taken out of production that production must be established elsewhere on land of lower natural productivity. Doing so requires greater inputs to achieve the same levels of production or productivity. It is likely also to result in additional transport costs as these areas will be located further from the Whangarei urban population.
78. District plan provisions that enable subdivision of land in the Rural Area to occur without the subdivision being justified by increased rural production are almost certain to result in long-term reductions in rural production and productivity. The central problem with these types of provision is that for every new site created, there are a level of permitted activities which can occur without consent from Council. These normally include the right to build a residential unit, as well as the right to carry out farming, horticultural and forestry activities. Once a district plan provides a level of permitted activity for a rural site (especially the right to build a residential unit on it) the site gains a value independent of its rural productivity. If a site is vacant, it has latent potential for residential use.

Resource Area Subdivision options

79. The Environment is the lowest level in the rule hierarchy in the District Plan. Resource Areas overlay (where appropriate) with a layer of additional provisions. For example the WDP has Mineral Extraction Areas, Flood Susceptible and Outstanding Natural Landscape Resource Areas. To meet its statutory obligations to give effect to the RPS Council will need to consider additional

Resource Areas, such as the coastal environment, Natural Character of the coast, High Class Soils, Outstanding Landscapes and Features and Significant Natural Areas. Methods such as transferable subdivision rights, Management Plan Technique and benefit lots could be applied at the Resource Area level subject to their appropriateness being confirming in s32 evaluation.

Minimum Lot Size in the RPE

80. Analysis of the equivalent of rural production zones throughout New Zealand has shown that minimum lot sizes vary from 12ha to 150ha. There appears to be no consistent approach and each size fits the relevant situation. Options evaluated

Option 1: Status Quo: Maintain existing subdivision provisions for the CE and CCE with existing subdivision provisions:

Minimum lot size 20ha		Controlled activity
Average lot size of 4ha CE/10ha CCE		Discretionary activity
Environmental Benefit Lot Provisions		Restricted Discretionary activity

Option 2: Promotion of consolidation of residential development and recognizing existing development patterns by introducing new zones of RLE and RUEE:

Minimum lot size of 1ha	RUEE	Controlled activity
Average lot size of 2ha & minimum lot size of 4000m ²	RLE	Controlled activity
Minimum lot size 80 ha	RPE	Controlled activity
Minimum lot size 20 ha	RPE	Discretionary activity

Option 3: Promotion of consolidation of residential development and recognizing existing development patterns by introducing new zones of RLE and RUEE. RLE and RUEE promote rural living and rural residential development with more permissive subdivision provisions in combination with protection of production in the RPE containing more restrictive lot sizes.

Minimum lot size of 1ha	RUEE	Controlled activity
Average lot size of 2ha & minimum lot size of 4000m ²	RLE	Controlled activity
Minimum lot size 20 ha	RPE	Controlled activity
Retiring farmer (Plan change option)	RPE	Discretionary activity

81. The above options area assessed in the following table:

TABLE 12: ALTERNATIVES EVALUATION – SUBDIVISION MINIMUM LOT SIZE

	Costs	Benefits
<p>Option 1: Status Quo.</p>	<p><u>Environmental</u> Current provisions do not fully address identified issues concerning rural land fragmentation and potential reduction of the productive capability of the resources, including impacts on life-supporting capacity of soil resources and reverse sensitivity effects associated with rural residential activities. The generic policy approach and assessment criteria do not support consent processing where a complex resource consent application is lodged or existing pattern of development is fragmented (dishonest zoning). There is some uncertainty about the robustness of consent conditions and environmental outcomes. Does not give effect to the consolidated growth pattern adopted by 30/50. The objectives and policies are generic and do not address all key elements of the Rural Area. Does not give due regard to the finite nature of the rural land resource (s7(g)).</p> <p><u>Economic</u> Ongoing fragmentation of rural land for non-rural activities (such as rural residential development), contributes to land price inflation, increased reverse sensitivity effects and impacts on the ability to utilise rural land for primary production activities and decisions to further invest in primary production. Reduction in the supply of rural land parcels of a sufficient size to be used for primary production activities will impact on the ability of people and the community to provide for their social and economic well-being. Ad hoc or premature development of rural land at the city’s urban edge will adversely affect the efficient, effective and affordable development of future urban growth/expansion areas, particularly due to the cost of providing urban services and infrastructure around existing development. Potential for reduction in levels of investment in primary production due to uncertainty about the proposed changes. Ongoing demand for urban services in rural areas with implications for Council infrastructure funding and development. Uncertainty and cost of discretionary and non-complying activity subdivision assessed case by case, increased complexity and potential risk of hearings and appeals.</p> <p><u>Social</u> Failure to actively manage rural resources would mean that non-rural activities, particularly rural residential activities, may</p>	<p><u>Environmental</u> Density of built development is generally managed. The minimum lot size affords a level of protection to the Rural Area, while the averaging of allotment sizes as a discretionary activity provides an ability to create a range of allotment sizes.</p> <p><u>Economic</u> Provides a level of certainty for landowners, investors, residents and the market about the controls on land use and subdivision in the Rural Areas.</p> <p><u>Social</u> No change to the current provisions for landowners, investors and residents. Continued flexibility for landowners and investors in terms of land use and development options,</p> <p><u>Cultural</u> Provides a level of familiarity for WDP users. No cultural shift required to implement.</p>

	<p>compromise the productivity of rural land and lead to a reduction in the ability of people and the community to provide for their social and economic well-being.</p> <p>The cumulative impact of rural residential development (including higher density integrated developments) and non-rural activities will impact on overall rural character and amenity.</p> <p><u>Cultural</u> None known.</p>	
<p>Option 2: Promotion of consolidation.</p>	<p><u>Environmental</u> Clustering of lifestyle development can result in a change in rural amenity, intensification of onsite services, and servicing demands.</p> <p><u>Economic</u> In the short-term, provides less certainty. Some potential for reduction in investments in primary production activities by landowners, investors, residents and the market, as the plan change goes through the RMA Schedule 1 process.</p> <p>Land supply for rural residential development is restricted.</p> <p>Reduction in the ability to subdivide removes a potential revenue source for property owners.</p> <p>Potential for reduction in levels of investments in primary production due to uncertainty about the proposed changes.</p> <p><u>Social</u> Failure to actively manage rural resources would mean that non-rural activities, particularly rural residential activities, may compromise the productivity of rural land and lead to a reduction in the ability of people and the community to provide for their social and economic well-being.</p> <p>The cumulative impact of rural residential development (including higher density integrated developments) and non-rural activities will impact on overall rural character and amenity.</p> <p><u>Cultural</u> Cultural shift required to adopt a strategic management approach to managing rural land and rural-residential development.</p>	<p><u>Environmental</u> Planning provisions recognise the primacy of the RPE for rural land-based activities. Recognises pre-consultation feedback that a minimum allotment size of 20ha is considered to be inappropriate for productive uses.</p> <p>Provisions ensure that rural development contributes to the District's amenity and the quality of the environment, including natural features and landscape, open spaces and views, biodiversity and water quality values.</p> <p>Zoning and identification of specific rural residential and rural living locations in the RUEE and RLE will minimise potential reverse sensitivity conflicts between primary production activities and rural residential activity on other non-rural activities, in terms of adverse effects on the environment and amenities, public health or general nuisance.</p> <p>Rural residential and rural living development is directed away from areas with versatile soil resources.</p> <p>Avoids sprawling subdivision in the RPE.</p> <p><u>Economic</u> Land supply for rural residential development is directed to RUEE, RLE, L1 and L3 and takes account of the development capacity, anticipated market demands for the planning period, and the range of lifestyle choices available.</p> <p>Policy framework provides a clearer statement of the intent of the RPE resulting in increased certainty for users and the community.</p> <p>Opportunities for rural production are enhanced. Increased certainty for WDP users and the community.</p> <p>Provisions align with and do not conflict with Council's long-term plans for growth and infrastructure.</p> <p>Financial impact of rural residential and rural living subdivision in terms of demands for services is reduced through more explicit and directive controls for the provision of on-site services.</p> <p>Balance is achieved in terms of the policy framework for assessing resource consent applications.</p> <p><u>Social</u> Health and well-being of residents in the RPE will be enhanced through strict subdivision standards.</p> <p><u>Cultural</u> Community awareness of the risks associated with residential and other non-agricultural activities on</p>

		the longer-term sustainability of the rural land resource and particularly the need to protect versatile soils for productive uses.
Option 3: Consolidation of residential development and recognizing existing development patterns. (Plan change option).	<p><u>Environmental</u></p> <p>Clustering of rural residential and rural living development can result in a change in rural amenity, intensification of onsite services, and servicing demands.</p> <p>Potential for fragmentation of productive land maintaining the status quo of a 20ha minimum allotment size as a controlled activity.</p> <p>Potential to subdivide and create more capacity than needed based upon projected population demand.</p> <p><u>Economic</u></p> <p>In the short-term, provides less certainty. Some potential for reduction in investments in primary production activities by landowners, investors, residents and the market, as the plan change goes through the RMA Schedule 1 process.</p> <p>Low flexibility to create varied allotment sizes.</p> <p><u>Social</u></p> <p>Failure to actively manage rural resources would mean that non-rural activities, particularly rural residential activities, may compromise the productivity of rural land and lead to a reduction in the ability of people and the community to provide for their social and economic well-being.</p> <p>The cumulative impact of rural residential development (including higher density integrated developments) and non-rural activities will impact on overall rural character and amenity.</p> <p><u>Cultural</u></p> <p>Cultural shift required to adopt a strategic management approach to managing rural land and rural-residential development.</p>	<p><u>Environmental</u></p> <p>Planning provisions recognise the primacy of the RPE for rural land-based activities. While recognising that not all productive uses require large land holdings (e.g. 80ha minimum lot size proposed in option 2).</p> <p>Provisions ensure that rural development contributes to the district's amenity and the quality of the environment, including natural features and landscape, open spaces and views, biodiversity and water quality values.</p> <p>Provides for new development opportunities on rural land, provided they are compatible with the sustainable management of the rural land resource for current and future generations.</p> <p>Zoning and identification of specific rural residential and rural living locations in the RUEE and RLE will minimise potential reverse sensitivity conflicts between primary production activities and residential activity on other non-rural activities in terms of adverse effects on the environment and amenities, public health or general nuisance.</p> <p>Rural residential and rural living development is controlled and directed away from areas with versatile soil resources.</p> <p>Avoids sprawling subdivision in RPE.</p> <p><u>Economic</u></p> <p>Land supply for rural residential development is directed to RUEE, RLE, L1 and L3 and takes account of the development capacity, anticipated market demands for the planning period, and the range of lifestyle choices available.</p> <p>Opportunities for rural production are retained.</p> <p>Policy framework provides a clearer statement of the intent of the RPE resulting in increased certainty for users and the community.</p> <p>Provisions align with and do not conflict with Council's long-term plans for growth and infrastructure.</p> <p>Balance is achieved in terms of the policy framework for assessing resource consent applications.</p> <p><u>Social</u></p> <p>Health and well-being of residents in the RPE will be enhanced through strict standards.</p> <p><u>Cultural</u></p> <p>Community awareness of the risks associated with residential and other non-agricultural activities on the longer-term sustainability of the rural land resource and particularly the need to protect versatile soils for productive uses.</p>
	Efficiency	Effectiveness
Option 1:	<p>While the CE and CCE minimum lot size of 20ha has managed to provide a level of protection to the rural environment, the averaging provisions have continued to result in fragmentation. The provisions are not efficient due to the lack of consistent policy direction.</p> <p>The status quo is not effective. Scattered lifestyle development has resulted in fragmentation of</p>	

	<p>the rural environment.</p> <p>Inconsistent decision making has occurred due to lack of clarity in provisions and “dishonest zoning”.</p>
Option 2:	<p>Option 2 provides a viable alternative in terms of effective provisions as a robust measurable alternative to achieve the proposed RPE objectives.</p> <p>The provisions are efficient as they give effect to the consolidated pattern of development adopted in Sustainable Futures 30/50. Option 2 is consistent with the proposed objectives of RPE and the intent of the RMA.</p> <p>The minimum lot size of 80ha combined with the provision for rural residential and rural living in RLE and RUEE would supply sufficient development capacity to meet the anticipated population growth and demand.</p> <p>However Option 2 provides very little flexibility to undertake subdivision and is therefore considered to not be as efficient as Option 3.</p>
Option 3: (Plan change option).	<p>Option 3 provides a viable alternative in terms of effective provisions as a robust measurable alternative to achieve the proposed RPE objectives.</p> <p>The minimum lot size of 20ha combined with the provision for rural residential and rural living in RLE and RUEE would supply sufficient development capacity to meet the anticipated population growth and demand.</p> <p>Option 3 minimises the risk of fragmentation when compared to Option 1 as it does not include discretionary averaging provisions, reducing the extent of reverse sensitivity effects on farming operations and activities the rural economy.</p> <p>The provisions are efficient as they give effect to the consolidated pattern of development adopted in Sustainable Futures 30/50.</p> <p>The proposed policy and methods are effective as they will minimise the potential for confusion and affirms Council’s intent to reduce the extent of reverse sensitivity effects on farming operations and activities, the loss of the productive capability of land and on the rural economy.</p>
Economic Growth and Employment Opportunities	
<p>All options have a moderate to high impact in terms of economic growth and employment.</p> <p>The District’s highly productive rural land resource is highly fragmented in terms of the number of small parcels (between 1-10ha). There is a high risk in a peri-urban context that maintaining the status quo will lead to the creation of more small parcels in the RPE with adverse flow-on effects for the continued viability of farming systems. The adverse effects of land fragmentation include elevated rural land prices, increased potential for sites to convert to non-rural uses such as rural-residential sites, and increased reverse sensitivity effects, making conventional production unfeasible. A strong WDP response is required to support ongoing rural production activities.</p> <p>The current CE makes provision for lifestyle development, and subdivision provisions have historically created a significant oversupply in terms of the size of this market and the other options available for rural-residential living in the wider region.</p> <p>Continuation of the status quo runs the risk of undermining the sustainability of farming in the District. A structural shift in the regulatory site size for rural subdivision will put farming on a more sustainable footprint. Larger sites have more utility for productive uses and can also support larger farming systems, e.g. a run-off, cropping unit or raising yearlings, with the potential to be used for production sizes. Flexibility and living choice is maintained via the development options proposed in RUEE, RLE, L1, L3.</p>	
Risk of acting and not acting if there is uncertain or insufficient information	
<p>Not having a clear policy framework and rules which support and enable primary production and related land-based activities would mean that the WDP would not achieve the promotion of sustainable management.</p> <p>Failure to actively manage rural resources would mean that non-rural activities, particularly rural residential development, may compromise the overall productivity of rural land and lead to a reduction in the ability of people and the community to provide for their social and economic well-being.</p> <p>Option 1 will not implement the RPS, UGS, RDS, and 30/50.</p> <p>There is no risk due to uncertain information.</p>	

82. The status quo of the CE provides for a minimum lot size of 20 hectares as a controlled activity and averaging provisions as a discretionary activity across the entire RA. Applying the status quo would not meet the objectives of the RPE which is to reduce fragmentation and protect rural land

for productive land uses by limiting residential development in the RPE and to provide for rural residential and rural living elsewhere.

83. Options 2 and 3 have the potential to create more capacity than needed according to the protected population demand as displayed in tables 13 and 14. However options 2 and 3 both move closer towards the consolidated direction of 30/50 when combined with the proposed RUEE and RLE that option 1.

Size	Number of Parcels	Sum of Area (Ha)	Percentage of Total Rural Environment
0-4ha	12385	10918	5%
4-20ha	4442	37717	19%
20-40ha	1329	37225	18%
40-50ha	317	14034	7%
50-80ha	457	28866	14%
80-100ha	147	12887	6%
100+ha	270	31503	30%
Total	19347	203150	100%

Zone	Provision	Total Area	Approximate Number of Additional Lots
RUEE*	Minimum lot size 1ha	825ha	342 lots
RLE	2ha average, 4000m2 minimum	1545.2ha	274 lots
CE to L1*	Minimum lot size ranging 500m2 serviced, 2000m2 unserviced	186ha	2479 lots
CE to L3*	Minimum lot size 2000m2	189ha	3148 lots
Total rezoned from CE		2745.1ha	6243 additional lots
* Proposed RUEE, L1 and L3 are located within the city or nodes in the Growth Model			
RPE	Minimum lot size 20ha (Option 3 Plan change option)	87290	4365 additional allotments
RPE	Minimum lot size of 80ha (Option 2)	44390	555 additional allotments

84. Option 3 is considered to be the most efficient and effective method to achieve the RPE objectives.

Residential units

85. The RPE objectives seek to maintain rural character, discourage rural living development and promote allotment sizes that facilitate productive land uses. Rural living development has the potential to undermine these objectives particularly when density of living activities increases. Residential unit density and minimum allotment size are considered to be the most significant concern with the existing CE provisions.

86. There is significant potential for a large number of new residential units to be constructed in the rural environment without any further subdivision. However, not all of those sites will be in locations in rural Whangarei that are attractive to buyers and sellers of rural land. The CE provisions provide the ability for landowners to create one residential unit per site (plus provision for a minor residential unit where the site is 8000m² or more in area). This means sites can be used for purely residential purposes without any consent from Council. If the right to build residential units that are currently available under the WDP were exercised a significant loss of productive land to rural living use, as well as an increase in adverse reverse sensitivity effects in relation to production activities, would result.
87. The RMA requires that under a district plan a landowner can make reasonable use of their land. Any rule that prevents the ability of a landowner from building a residential unit on their land is normally strongly opposed (provided the land is physically capable of having a residential unit built on it). Once a residential unit has been constructed it is easier to justify (in terms of potential environmental effects) a subdivision of that residential unit. Therefore it is essential that the residential unit density remain consistent with the minimum allotment size.
88. The central problem with these types of provision is that for every new allotment created there is a level of permitted activities which can occur without consent from Council. These normally include the right to build a residential unit, as well as the right to carry out production activities. Once a district plan provides a level of permitted activity for a rural site (especially the right to build a house on it), it gains a value independent of its rural productivity. If a site is vacant, it has latent potential for construction of a residential use.
89. If the site is small enough and in the right location to be attractive for rural living, then its value and use is virtually guaranteed to be based on its rural living use. This then determines its market value, and is significantly higher, per hectare, than the value of rural land valued according to its productive potential. While the land owner may keep a small number of stock on the land, the land productivity (measured by the value of inputs and outputs relative to the land value) will be low and the property can accurately be described as a “hobby farm” or “rural living”, and the owners will almost certainly rely on off-farm income to support themselves.
90. Productive farms are generally comprised of multiple sites. The sale of these sites to separate individual owners may result in loss of rural production and lower productivity of the land involved. High class soils (as identified in the RPS) are clustered around Whangarei city and a small area around Waipu. Because of the easy contour, convenient location near to Whangarei city, and attractive rural amenity values, this land is also very attractive for non-rural uses and especially rural living.
91. Analysis and consultation undertaken through the RDS and pre-notification consultation on the plan change drafting has confirmed that the rural environment is increasingly becoming fragmented and the ability to undertake productive activities is decreasing as a result of land use conflicts (particularly with rural living development). Increasing density and the sprawling nature

of residential development is adversely affecting the amenity of the rural environment, changing it from primarily a working environment to a more passive rural living environment.

92. As part of the Rural Plan Changes two new Environments have been proposed RLE and RUEE. These Environments provide for increased residential unit density (rural living and rural residential subdivision and development) in consolidated areas to reduce the potential fragmentation. Due to the increased capacity created by the RUEE and the RLE and the expectations and proposed objectives for RPE increasing the residential unit density is not appropriate.

93. Alternatives considered were:

Option 1: Status Quo: Maintain existing CE residential unit provisions in RPE (together with proposed RLE and RUEE zones) 1 residential unit per 20ha. (Plan change option).

Option 2: Decrease residential density to 1 residential unit per 40ha in RPE (together with proposed RLE and RUEE zones) 1 residential unit per 20ha.

TABLE 15: ALTERNATIVES EVALUATION – RESIDENTIAL DENSITY

	Costs	Benefits
<p>Option 1: Status Quo: 1 Residential Unit per 20ha in RPE together with RUEE and RLE. (Plan change option).</p>	<p><u>Environmental</u> CE provisions alone do not fully address identified issues concerning fragmentation and potential reduction of the productive capability, and consolidation of activities.</p> <p><u>Economic</u> Ad hoc development of rural land particularly at the city's urban edge will adversely affect the efficient, effective and affordable development of future growth, particularly due to the cost of providing services and infrastructure.</p> <p><u>Social</u> Failure to actively manage rural resources would mean that non-rural activities may compromise the productivity of rural land and lead to a reduction in the ability of people and the community to provide for their social and economic well-being. Residential density will impact on the overall rural character and amenity.</p> <p><u>Cultural</u> None known.</p>	<p><u>Environmental</u> Increased opportunities for people to maximise their land for potential non-rural activities. Consolidation of rural residential and rural living subdivision and development to appropriate locations. Reduced fragmentation of rural land. Will give effect to the consolidated growth pattern adopted by 30/50.</p> <p><u>Economic</u> Residential activities are maintained. Reduced fragmentation of rural land improving opportunity for productive activities to operate.</p> <p><u>Social</u> Continued flexibility for landowners and investors in terms of land use and development options.</p> <p><u>Cultural</u> Provides a level of familiarity for WDP users and certainty about consenting practice and decisions. No cultural shift required to implement. Limits the sprawl of rural living activities and the potential to impact on cultural resources and values particularly as a majority of Māori land and Sites of Significance to Māori are located in the rural area.</p>
<p>Option 2: Decrease residential density to 1 residential unit per 40ha together with proposed RLE and RUEE.</p>	<p><u>Environmental</u> None known.</p> <p><u>Economic</u> Potential for increased compliance and consenting costs as a result of the stricter control of residential density from status quo.</p> <p><u>Social</u> Reduces the opportunities for families to provide for accommodation within residential units within the same production unit.</p>	<p><u>Environmental</u> Council will fulfil its duties under the RMA to achieve the integrated management of the effects of the use and development of the land and resources. Reduces the potential to fragment the rural environment with rural living development and subsequent subdivision. Option 2 will better address identified issues concerning fragmentation and potential reduction of the productive capability, and consolidation of activities.</p>

	<p><u>Cultural</u> None known.</p>	<p>Gives effect to the consolidated growth pattern adopted by 30/50.</p> <p><u>Economic</u> Rural living opportunities are maintained at a very reduced level. Fragmentation of rural land for non-rural activities is reduced. The potential is reduced for land price inflation, increased reverse sensitivity effects and impacts on the ability to utilise rural land for primary production activities and decisions to further invest in primary production. Significantly reducing the potential for rural living development of rural land particularly at the city's urban edge and the potential for infrastructure service demands and cost of providing services and infrastructure.</p> <p><u>Social</u> Option 3 provides a method of actively managing rural resources to reduce the sprawl of rural living development providing opportunity for non-rural activities, reducing the potential to compromise the productivity of rural land and improving the ability of people and the community to provide for their social and economic well-being.</p> <p><u>Cultural</u> None known.</p>
	Efficiency	Effectiveness
Option 1: (Plan change option).	Option 1 provides an efficient and effective method of providing maintaining residential density across the rural environment, while protecting the productive land from further fragmentation through the direction of rural residential and rural living development to the RUEE and RLE.	
Option 2:	Option 2 does provide an effective method to limit residential unit density. However it is not considered to be efficient as it introduces a density of residential development stricter than the proposed minimum lot size for subdivision. Option 2 results in inconsistencies within the plan creating provisions that are not effective.	
Economic Growth and Employment Opportunities		
<p>This option has a low to moderate impact in terms of economic growth and employment.</p> <p>The District's highly productive rural land resource is highly fragmented in terms of the number of small parcels (between 1-10ha). Residential density has a direct correlation to the subdivision of land and fragmentation. There is a high risk, particularly in a peri-urban context that maintaining the status quo will lead to the creation of more small parcels in the RPE with adverse flow-on effects for the continued viability of farming systems. The adverse effects of land fragmentation include elevated rural land prices, increased potential for sites to convert to non-rural uses such as rural living sites, and increased reverse sensitivity effects, making conventional farming unfeasible. A strong district plan response is required to support ongoing rural production activities.</p> <p>Continuation of the status quo runs the risk of undermining the sustainability of farming in the district and will not meet the proposed RPE objectives. A structural shift in the minimum site size for residential units and the removal of the ability to establish minor residential units will put farming on a more sustainable footprint. Larger sites have more utility for productive uses and can also support larger farming systems, e.g. a run-off, cropping unit or raising yearlings, with the potential to be used for production sizes.</p> <p>Minimum site area for residential units needs to equal the minimum lot size for subdivision.</p>		
Risk of acting and not acting if there is uncertain or insufficient information		
<p>There is no risk due to uncertain information.</p> <p>The current objectives and policies of the WDP have to give effect to the RPS, so the risk of not acting is high.</p> <p>Failure to actively manage rural resources would mean that non-rural activities, particularly rural living may compromise the productivity of rural land and reduce the ability of people and the community to provide for their social and economic well-being.</p>		

94. Applying the status quo 1 residential unit per 20ha in the RPE, together with the new RUEE and RLE would meet the objectives of the RPE and the objectives of the other rural Environments such as RLE and RUEE which is to limit residential development in the RPE to reduce fragmentation and to provide for rural residential and rural living elsewhere.
95. Option 1 is considered to be the most efficient and effective method maintaining consistency with the preferred option for minimum allotment size and providing sufficient protection of resources to meet the objectives of the RPE.

Minor residential units and retiring producer allotments

96. The RPE objectives seek to maintain rural character, discourage rural living development and promote allotment sizes that facilitate productive land uses. Increasing residential unit density has the potential to compromise the RPE amenity and to result in fragmentation of productive rural land.
97. The CE provisions provide the ability for landowners to create one residential unit per site (plus provision for a minor residential unit where the site is 8000m² or more in area) and allows for averaging of allotments to various sizes as discretionary activities. It has been common practice for landowners to convert minor residential units into stand alone residential units. As previously discussed once a residential unit has been constructed it is easier to justify (in terms of potential environmental effects) a subdivision of that residential unit.
98. Analysis and consultation undertaken through the RDS and pre-notification consultation on the plan change drafting has confirmed that the rural environment is increasingly becoming fragmented and the ability to undertake productive activities is decreasing as a result of land use conflicts (particularly with rural living development). Feedback also raised concerns in relation to the ability to provide for succession of family farms and the ability for producers to retire on the farm.
99. Whangarei District has an aging population, concern has been raised in written feedback that residential density should allow for the development of minor residential units or for aging family members to retire and remain living on the farm close to relatives.
100. Alternatives considered were:
 - Option 1:** Status Quo: Maintain existing minor residential unit provisions in RPE (together with proposed 20ha minimum allotment size and residential density as a controlled activity)
 - Option 2:** No minor residential unit provisions, providing for the subdivision of existing residential units to provide for retiring producers. (Plan change option)
 - Option 3:** No provision for minor residential units or subdivision for retiring producers.

TABLE 16: ALTERNATIVES EVALUATION – MINOR RESIDENTIAL UNITS AND RETIRING PRODUCER ALLOTMENTS

	Costs	Benefits
<p>Option 1: Maintain existing minor residential unit provisions in RPE (together with proposed 20ha minimum allotment size and residential density as a controlled activity).</p>	<p><u>Environmental</u> Fragmentation and potential reduction of the productive capability, and lack of consolidation of activities.</p> <p><u>Economic</u> Ad hoc development of rural land particularly at the city's urban edge will adversely affect the efficient, effective and affordable development of future growth, particularly due to the cost of providing services and infrastructure.</p> <p><u>Social</u> Failure to actively manage rural resources would mean that non-rural activities may compromise the productivity of rural land and lead to a reduction in the ability of people and the community to provide for their social and economic well-being.</p> <p>Residential density will impact on the overall rural character and amenity.</p> <p><u>Cultural</u> None known.</p>	<p><u>Environmental</u> Increased opportunities for people to maximise their land for potential non-rural activities. Provides opportunities for families to provide for accommodation of extended family via the provision for minor residential units.</p> <p><u>Economic</u> Residential activities are maintained. Maintains the option to construct minor residential units to cater for our aging population.</p> <p><u>Social</u> No change to the current provisions for landowners, investors and residents. Continued flexibility for landowners and investors in terms of land use and development options. Maintains the option to construct minor residential units to cater for our aging population.</p> <p><u>Cultural</u> Provides a level of familiarity for WDP users and certainty about consenting practice and decisions. No cultural shift required to implement.</p>
<p>Option 2: No minor residential unit provisions, providing for the subdivision of existing residential units to provide for retiring producers. (Plan change option).</p>	<p><u>Environmental</u> Fragmentation and potential reduction of the productive capability, and lack of consolidation of activities.</p> <p><u>Economic</u> Ad hoc development of rural land particularly at the city's urban edge will adversely affect the efficient, effective and affordable development of future growth, particularly due to the cost of providing services and infrastructure.</p> <p><u>Social</u> Reduces the opportunities for families to provide for accommodation within residential units within the same production unit.</p> <p><u>Cultural</u> None known.</p>	<p><u>Environmental</u> Council will fulfil its duties under the RMA to achieve the integrated management of the effects of the use and development of the land and resources. Option 2 will better address identified issues concerning fragmentation and potential reduction of the productive capability, and consolidation of activities. Gives effect to the consolidated growth pattern adopted by 30/50.</p> <p><u>Economic</u> Provision of subdivision rules that provide for retiring producers provides an alternative means of establishing financial stability to support the long term viability of family ownership of larger farms.</p> <p><u>Social</u> Provision of subdivision rules that provide for succession planning or retiring producer supports the long term family wellbeing and the long term viability of family ownership of larger farms.</p> <p><u>Cultural</u> None known.</p>
<p>Option 3: No provision for minor residential units or subdivision for retiring producers.</p>	<p><u>Environmental</u> None known.</p> <p><u>Economic</u> Reduces that ability to financially support the production activity the long term viability of family ownership of larger farms. Potential for increased compliance and consenting costs as a result of the stricter control of residential density from status quo. Potential for increased costs to relocate elderly family members into the city due to the lack of minor residential unit provisions.</p>	<p><u>Environmental</u> Council will fulfil its duties under the RMA to achieve the integrated management of the effects of the use and development of the land and resources. Option 3 will address identified issues concerning fragmentation and potential reduction of the productive capability, and consolidation of activities. Gives effect to the consolidated growth pattern adopted by 30/50.</p> <p><u>Economic</u> None known.</p>

	<u>Social</u> Reduces the opportunities for families to provide for accommodation within residential units within the same production unit. <u>Cultural</u> None known.	<u>Social</u> None known. <u>Cultural</u> None known.
	Efficiency	Effectiveness
Option 1: (Plan change option).	Option 1 does not provide an efficient and effective method of protecting the productive land from further fragmentation as a result of on going conversion and subdivision of minor residential units. Option 1 does provide a method to provide for the district's growing elderly population, maintaining family connection to the rural environment.	
Option 2:	Option 2 provides an effective method to protect the rural environment from further fragmentation, while providing sufficient ability to provide for retiring producers.	
Option 3:	While option 3 provides efficient and effective methods, it is considered that these do not provide sufficient flexibility to provide for succession of production activities and the ability to accommodate depended.	
Economic Growth and Employment Opportunities		
<p>This option has a low impact in terms of economic growth and employment.</p> <p>The District's highly productive rural land resource is highly fragmented in terms of the number of small parcels (between 1-10ha). Residential density has a direct correlation to the subdivision of land and fragmentation. There is a high risk, particularly in a peri-urban context that maintaining the status quo will lead to the creation of more small parcels in the RPE with adverse flow-on effects for the continued viability of farming systems.</p> <p>Continuation of the status quo runs the risk of undermining the sustainability of farming in the district and will not meet the proposed RPE objectives.</p>		
Risk of acting and not acting if there is uncertain or insufficient information		
<p>There is no risk due to uncertain information.</p> <p>The current objectives and policies of the WDP have to give effect to the RPS, so the risk of not acting is high.</p> <p>Failure to actively manage rural resources would mean that non-rural activities, particularly rural living may compromise the productivity of rural land and reduce the ability of people and the community to provide for their social and economic well-being.</p>		

101. Option 2 is considered to be the most efficient and effective method to provide sufficient protection of resources to meet the objectives of the RPE.

Mineral extraction/earthwork provisions

101. The WDP contains a district wide Resource Area, which identifies locations specifically for the establishment and operation of mineral extraction activities both within Mineral Extraction Areas (MEA) and outside of them. The MEAs provide relatively permissive rules. As district wide provisions the MEA provisions apply in addition to those of the underlying Environment. In the CE rule 38.3.3 provides for mineral extraction (outside of an MEA) where it is less than 500m³ in material and does not include blasting as a permitted activity. The CE does not contain any further limitations on earthworks.
102. The RPS provides clear direction in policy 5.1.3 that district plans must avoid adverse effects including reverse sensitivity effects of new subdivision, use and development on primary production within production areas, and the use and development of regionally significant mineral resources. In the WDP regionally significant mineral resources are identified as MEAs.
103. Farm quarrying, site excavations and mineral extraction are recognised as an activity currently undertaken within the rural environment. Effects associated with mineral extraction can be

increased levels of noise, dust, vibration, lighting, odour and the potential loss of amenity, conservation, ecology and biodiversity. Such activities are important to support the operation of production activities such as farming, horticulture and forestry. Proposed objectives RPE.1.2.1 and RPE1.2.6 seek to protect rural land resources for production purposes.

104. The Northland Regional Council (NRC) Regional Water and Soil Plan (RWSP) provides for earthworks up to 5000m³ in any 12 month period as a permitted activity.
105. Pre-notification consultation from pre-consultation presented differing opinions with regard to mineral extraction activities; ranging from complete banning of all mineral extraction activities in the rural environment through to allowing all mineral extraction activities via permissive permitted and restricted discretionary activity rules. However conflicting land use resulting in reverse sensitivity effects has been raised as a major issue through the RDS, therefore a balance needs to be struck.
106. Alternatives considered were:

Option 1: Status Quo: Maintain existing CE provisions providing for mineral extraction activities of up to 500m³ in any 12 month period, no blasting, and setback, and planting requirements as permitted activities (including the Resource Area provisions).

Option 2: No provisions in the proposed RPE. Rely upon the limits set within the RWSP and specifically provide for mineral extraction activities within the existing Resource Area provisions.

Option 3: Introduce provisions in the proposed RPE increasing the permitted activity limits allowing for mineral extraction activities up to 5000m³ in any 12 month period, no blasting, and setback requirements as permitted activities (including the Resource Area provisions). (Plan change option).

TABLE 17: ALTERNATIVES EVALUATION – MINERAL EXTRACTION ACTIVITIES		
	Costs	Benefits
Option 1: Status Quo	<p><u>Environmental</u></p> <p>Council will not fulfil its duties under the RMA to achieve the integrated management of the effects of the use and development of the land and resources.</p> <p>Provision for mineral extraction activities across the RPE may result in identified issues concerning land use conflicts and reverse sensitivity effects.</p> <p>Risk of potential adverse effects due to noise, odour, hazardous substances etc.</p> <p><u>Economic</u></p> <p>Current provisions are restrictive compared to the RWSP limitations resulting potentially in unnecessary consent requirements and costs.</p> <p>Lack of control over land use conflicts is resulting in increased reverse sensitivity effects and impacts on the ability to utilise rural land for primary production activities</p>	<p><u>Environmental</u></p> <p>Status quo limit on 500m³ is relatively restrictive maintaining a high level of control over mineral extraction and its potential impacts on landform, amenity, biodiversity and ecology.</p> <p><u>Economic</u></p> <p>Potential monitoring and restoration costs are reduced due to the restrictive nature of status quo. On-going management of mineral extraction activities can be managed via conditions of resource consent.</p> <p><u>Social</u></p> <p>No change to the current provisions for landowners, investors and residents.</p> <p>Continued flexibility for landowners and investors in terms of land use and development options.</p> <p><u>Cultural</u></p> <p>Provides a level of familiarity for WDP users and certainty about consenting practice and decisions.</p>

	<p>and decisions to further invest in primary production.</p> <p>Conflicts between activities (such as residential and mineral extraction) resulting in additional costs to production activities as a result of loss of production due to the inability to efficiently undertake activities.</p> <p><u>Social</u></p> <p>Health and well-being of some landowners compromised by risk of exposure to noise, odour etc.</p> <p>Land use conflicts can result in complaints to Council.</p> <p><u>Cultural</u></p> <p>The potential adverse effects particularly to water quality have been raised as a concern by hapu in pre-consultation. Widespread mineral extraction activities have the potential to impact on cultural resources and values particularly as a majority of māori land and Sites of Significance to Māori are located in the rural area.</p>	<p>No cultural shift required to implement.</p>
<p>Option 2: Introduce no provisions in the RPE, rely upon the limits set within the RWSP and specifically provide for mineral extraction activities within the existing Resource Area provisions.</p>	<p><u>Environmental</u></p> <p>Regional councils have different functions to district councils. The RWSP does not address concerns in relation to amenity, therefore reliance solely upon the RWSP may result in adverse effects to rural amenity and character.</p> <p>Not specifying separation of activities will not fully address identified issues concerning land use conflicts, potential reduction of the productive capability, consolidation of activities and the efficient use of rural land resources.</p> <p>Risk of potential adverse effects due to noise, odour, hazardous substances etc.</p> <p><u>Economic</u></p> <p>Lack of control over land use conflicts is resulting in increased reverse sensitivity effects and impacts on the ability to utilise rural land for primary production activities and decisions to further invest in primary production.</p> <p>Conflicts between activities such as residential and mineral extraction activities resulting in additional costs to the mineral extraction activities as a result of loss of production due to the inability to efficiently undertake activities.</p> <p><u>Social</u></p> <p>Health and well-being of some landowners compromised by risk of exposure to noise, odour etc.</p> <p>Land use conflicts can result in complaints to Council.</p> <p><u>Cultural</u></p> <p>The potential adverse effects particularly to water quality have been raised as a concern by hapu in pre-consultation. Widespread mineral extraction activities have the potential to impact on cultural resources and values particularly as a majority of Māori land and</p>	<p><u>Environmental</u></p> <p>Increased opportunities for people to maximise their land for a variety of activities.</p> <p><u>Economic</u></p> <p>Non-rural activities are enabled.</p> <p>Avoids the cost of requiring resource consent approval from both WDC and NRC.</p> <p><u>Social</u></p> <p>Continued flexibility for landowners and investors in terms of land use and development options.</p> <p><u>Cultural</u></p> <p>None known.</p>

	Sites of Significance to Māori are located in the rural area.	
Option 3: Introducing provisions in the RPE increasing the permitted activity limits allowing for mineral extraction activities up to 5000m3 in any 12 month period, no blasting and setback requirements as permitted activities (including the Resource Area provisions). (Plan change option).	<p><u>Environmental</u> Decreased opportunities for people to maximise their land for a variety of activities. Limitation to activities rather than effects, reliant upon a setback provisions.</p> <p><u>Economic</u> Resource consent approval from both WDC and NRC may be required for larger scale mineral extraction activities resulting in additional consenting costs.</p> <p><u>Social</u> Change to the current provisions for landowners, investors and residents.</p> <p><u>Cultural</u> The potential adverse effects particularly to water quality have been raised as a concern by hapu in pre-consultation. Widespread non-rural activities have the potential to impact on cultural resources and values particularly as a majority of Māori land and Sites of Significance to Māori are located in the rural area.</p>	<p><u>Environmental</u> Council will fulfil its duties under s31(1)(a). Option 3 will address identified issues concerning land use conflicts, improving the potential for productive capability and the efficient use of rural land resources. Reduces the risk of potential adverse effects due to noise, odour, hazardous substances etc.</p> <p><u>Economic</u> Reduces the risk of land use conflicts and their potential impact on the ability to utilise rural land for primary production activities and decisions to further invest in primary production. Reduces the potential for additional operational costs or loss of production as a result of conflicts between activities such as residential and mineral extraction.</p> <p><u>Social</u> Actively manages rural resources, reducing the potential for non-rural activities to compromise the productivity of rural land and lead to a reduction in the ability of people and the community to provide for their social and economic well-being. Health and well-being of some landowners is protected through the reduction of risk of exposure to noise, odour etc.</p> <p><u>Cultural</u> None known.</p>
	Efficiency	Effectiveness
Option 1:	Consultation and research have confirmed that while the status quo option may have some merit particular rules have been identified as not appropriate and are inefficient.	Several provisions in the status quo option have been identified as being ineffective and resulting in unnecessary consent considerations.
Option 2:	Option 2 would result in no separation of activity provisions. As a result of reliance upon the NWSP controls, Option 2 is not effective in terms of maintaining rural amenity and character.	
Option 3: (Plan change option).	Option 3 is considered to be an improvement of the status quo provisions providing a more efficient method of achieving the proposed objectives of the RPE.	Option 3 would result in the improvement of the status quo provisions increasing the effectiveness of the land use conflict provisions to meet the proposed objectives of the RPE.
Economic Growth and Employment Opportunities		
Option 1:	This option has a low to moderate impact in terms of economic growth and employment. The district's rural environment is highly varied with changeable land uses. There is a risk that maintaining the status quo will lead to on-going consenting requirements with adverse flow-on effects for the continued viability of farming systems. Conflicts between activities (such as residential and mineral extraction) resulting in additional costs to production activities as a result of loss of production due to the inability to efficiently undertake activities. .	
Option 2:	This option has a low to moderate impact in terms of economic growth and employment. Option 2 results in open flexibility to undertake mineral extraction activities within the constraints of the RWSP. This potentially avoids costly consenting requirements and may open more mineral extraction opportunities, potentially opening more jobs and economic opportunities, but does not address rural amenity.	
Option 3: (Plan change)	This option has a low to moderate impact in terms of economic growth and employment. Option 3 provides a measurable method to manage conflicting land use activities, to reduce the adverse flow-on effects for the continued viability of mineral extraction activities improving their	

option).	economic viability. Reduction of conflicts between activities (such as residential and mineral extraction) will result in a reduction in operational costs for production activities.
Risk of acting and not acting if there is uncertain or insufficient information	
There is no risk due to uncertain information. The current objectives and policies for the WDP have to give effect to the RPS, so the risk of not acting is high.	

107. Option 3 is considered to be the most efficient and effective method to achieve the RPE Objectives.

Boundary relocation/adjustments

108. The proposed RPE objectives seek to maintain rural character, discourage rural living development and promote allotment sizes that facilitate productive land uses. Fragmentation of rural land resources via subdivision and non-rural land use are seen as the greatest risk to promotion of the productive use of rural land resources. The ability to rearrange boundary locations to maintain or facilitate productive land uses is a valuable option.

109. The CE subdivision rule 73.3.3 provides for boundary adjustments where minor changes can be made to the boundaries of existing allotments but does not provide for significant alterations in allotment areas. The effectiveness of this rule has been raised as an issue. Due to the nature of the rule many subdivision applications default to a non-complying activity status.

110. Alternatives considered were:

Option 1: Status Quo: Maintain the existing boundary adjustment rule 73.3.3.

Option 2: No provision for boundary relocations/adjustments.

Option 3: Provide for boundary relocation as a controlled activity provided that it does not result in an increase in the number of allotments, create additional allotments less than 4ha in area, result in additional access points or result in the ability to construct or locate residential units exceeding the current existing rights. (Plan change option)

TABLE 18: ALTERNATIVES EVALUATION – SUBDIVISION BOUNDARY RELOCATION		
	Costs	Benefits
Option 1: Status Quo.	<u>Environmental</u> Council will not fulfil its duties under the RMA to achieve the integrated management of the effects of the use and development of the land and resources. <u>Economic</u> The boundary adjustment provisions only provide for a 10% change in boundary location. Many applications become non-complying as a result of non-compliance. Increasing the consenting costs. <u>Social</u> None known. <u>Cultural</u> None known.	<u>Environmental</u> Limited ability to undertake boundary adjustments supports maintaining larger allotment sizes to protect the environment while providing the opportunity to move boundary fences etc to logical locations. <u>Economic</u> Provides the ability to maximise productive uses where boundaries are not in logical locations. <u>Social</u> No change to the current provisions for landowners, investors and residents. <u>Cultural</u> Provides a level of familiarity for plan users and

		certainty about consenting practice and decisions. No cultural shift required to implement.
Option 2: No provision for boundary relocations/a djustments.	<p><u>Environmental</u> Does not provide the ability to maximise productive uses where boundaries are not in logical locations.</p> <p><u>Economic</u> Potential for increased compliance and consenting costs as a result of the stricter control of boundary relocation from status quo.</p> <p><u>Social</u> None known.</p> <p><u>Cultural</u> None known.</p>	<p><u>Environmental</u> Council will fulfil its duties under s31(1)(a). Avoids the potential to fragment the rural environment with sprawling residential development and subsequent subdivision.</p> <p><u>Economic</u> None known.</p> <p><u>Social</u> None known.</p> <p><u>Cultural</u> None known.</p>
Option 3: Provide for boundary relocation as a controlled activity. (Plan change option).	<p><u>Environmental</u> None known.</p> <p><u>Economic</u> None known.</p> <p><u>Social</u> None known.</p> <p><u>Cultural</u> None known.</p>	<p><u>Environmental</u> Council will fulfil its duties under the RMA to achieve the integrated management of the effects of the use and development of the land and resources. Limits the potential to fragment the rural environment with sprawling residential development and subsequent subdivision.</p> <p><u>Economic</u> Fragmentation of rural land for non-rural activities is managed; reducing the potential for land price inflation, increased reverse sensitivity effects and impacts on the ability to utilise rural land for primary production activities and decisions to further invest in primary production. Providing for the ability to undertake boundary relocation will provide the ability to utilise productive land to it's full potential.</p> <p><u>Social</u> Option 3 provides a method of actively managing rural resources while reducing the potential to compromise the productivity of rural land improving the ability of people and the community to provide for their social and economic well-being.</p> <p><u>Cultural</u> None known.</p>
	Efficiency	Effectiveness
Option 1:	Option 1 has not been operating efficiently and effectively as a method to provide for minor boundary changes as many resource consent applications become a non-complying activity status.	
Option 2:	Option 2 would result in no provision for boundary adjustments which is an effective tool for maintaining productive farming activities. Not providing for boundary adjustment is therefore not efficient or effective.	
Option 3: (Plan change option).	Option 3 is considered to be an improvement of the status quo provisions providing a more efficient and effective method of achieving the outcomes of the RPE.	
Economic Growth and Employment Opportunities		
There is a low impact in terms of economic growth and employment associated with all options. The ability to undertake boundary relocation has a direct relationship to the viability of land particularly for productive purposes.		
Risk of acting and not acting if there is uncertain or insufficient information		
There is no risk due to uncertain or insufficient information.		

111. Option 3 is considered to be the most efficient and effective method to achieve the proposed RPE objectives.

5 Conclusion

112. Proposed PC85A is considered to include the most appropriate objectives, policies and methods to ensure consistency and maintain the integrity of the WDP.

113. The objectives proposed in PC85A are considered to be the most appropriate way to achieve the purpose of the RMA.

114. It is considered that the proposed provisions are the most efficient and effective means of achieving the objectives proposed in PC85A.

Appendix 1: Whangarei District Plan Extract – Chapter 5 Amenity Values

“**The Countryside Environment** tends to be used predominantly for primary production, but is also used for low-density residential purposes. When choosing to live in a rural area, people must expect and accept a certain level of odour, noise and other effects which are characteristic of primary production, recognising the scale and intensity of these activities which contribute to rural character. Rural areas do, however, tend to have high amenity values, due primarily to the following characteristics:

- The intermittent nature of most agricultural activities;
- Open landscapes and views;
- A low intensity of development;
- Feelings of remoteness and community;
- Low noise levels, particularly at night;
- A high degree of privacy;
- Daylight and sunlight access;
- Low levels of vehicular traffic;
- Green 'unspoiled' landscape with indigenous vegetation.

The Countryside Environment is sensitive to activities which have continuous or ongoing effects, or that are located in close proximity to other land uses such as residential units. The **Coastal Countryside Environment** has similar values and qualities as the Countryside Environment, in addition to those particular values of the coastal environment.

The **Coastal Countryside** and **Open Space Environments** usually have high amenity values. These areas are used by the public to interact socially and relax. The key elements of this amenity are:

- Low intensity of development;
- Provision of public facilities;
- High landscape qualities;
- Public places can be exciting and vibrant;
- Recreational qualities;
- Access to daylight and sunlight;
- Limited vehicular traffic.

While they can be very busy places in terms of human activity, such areas tend to be devoid of commercial or industrial activities, and therefore create a sense of tranquillity in which people can relax. The amenity values of these areas are sensitive to the effects of activities both within them and on adjoining sites, particularly activities that affect the ability of people to relax in these areas.”