

**BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL**

**IN THE MATTER OF** the Resource Management Act 1991

**AND**

**IN THE MATTER OF** the Queenstown Lakes Proposed District  
Plan  
Submissions and Further Submissions on:  
Chapter 3 – Strategic Directions  
Chapter 4 – Urban Development  
Chapter 6 – Landscapes

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**COMBINED AND UPDATED SECTION 32AA ASSESSMENTS  
BY LOUISE TAYLOR:**

**X-RAY TRUST LIMITED (356 AND 1349),  
MATUKITUKI TRUST LIMITED (355),  
PENINSULA BAY JOINT VENTURE (378 and 1336)**

**(23 March 2016)**

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## **1. INTRODUCTION**

1.1 My name is Louise Taylor. I prepared evidence on behalf of submitters X-Ray Trust Limited, Matukituki Trust Limited and Peninsula Bay Joint Venture on chapters 1, 3, 4 and 6 of the Proposed District Plan. I provided the Panel my s32AA assessment of that evidence on 18 March 2016. I set out my qualifications and experience in my evidence dated 26 February 2016. I re-confirm my obligations in terms of the Environment Court Practice Note dated 1 December 2014.

## **2. SECTION 32AA ASSESSMENTS TO REFLECT AMENDED PROVISIONS FROM OFFICERS**

2.1 As agreed with the Chair at my appearance at the hearing on 22 March 2016, I have reviewed and amended in part my s32AA assessment in light of amended provisions provided by the Council officer dated 18 March 2016. Some of my concerns relating to the objectives have been resolved by the amendments suggested by the Officers. I have also amended my views on some of the policies, largely as a response to the amended objectives, but also in response to questioning by the panel today.

2.2 **Attached** is my updated s32AA assessment, which relates to submitters X-Ray Trust Limited, Matukituki Trust Limited and Peninsula Bay Joint Venture. The text in orange indicates where my views have changed in relation to an objective or policy since my s32AA assessment dated 18 March 2016.

**Louise Taylor**

**23 March 2016**

# **ATTACHMENT 1**

Combined and updated s32AA assessment

X-RAY TRUST LIMITED (356 AND 1349)

MATUKITUKI TRUST LIMITED (355)

PENINSULA BAY JOINT VENTURE (378 and 1336)



CHAPTER 3 – STRATEGIC DIRECTIONS - AMENDMENTS AND SECTION 32AA ASSESSMENT

Submitter	Proposed Provisions (as per the Section 42A officer "Redrafted Objectives", dated 18 March 2016)	Louise Taylor suggested amended provisions (deleted text struck through added text underlined)	Section 32AA Assessment					
Matukituki Trust	<p><b>Objective 3.2.1.4 (now 3.2.1.6)</b>  <del>Recognise the potential for Diversification of land use in rural areas to diversify their land use beyond the strong productive value of farming, provided a sensitive approach is taken to adverse effects on rural amenity, landscape character, healthy ecosystems, and Ngai Tahu values, rights and interests are avoided, remedied or mitigated.</del></p>	<p><b>Agree with Council officer redrafted version</b></p>	<p>No s32AA assessment required. I agree with s42A redrafted recommendation.</p>					
Peninsula Bay	<p><b>Goal 3.2.2</b>  <i>The strategic and Integrated management of urban growth</i></p> <p><b>Objective 3.2.2.1</b>  <i>Ensure urban development occurs in a logical manner:</i></p> <ul style="list-style-type: none"> <li>• <del>To that promotes</del> a compact, well designed and integrated urban form;</li> <li>• <del>To that manages</del> the cost of Council infrastructure; and</li> <li>• <del>To that protects</del> the District's rural landscape from sporadic and sprawling development.</li> </ul> <p>Delete associated <b>policies 3.2.2.1.1, 3.2.2.1.3 and 3.2.2.1.5</b></p>	<p>Agree retain goal 3.2.2 and objective 3.2.2.1  <b>Agree with redrafted amendments</b></p>	<p>No s32AA assessment required. I agree with s42A recommendation.</p>					
Peninsula Bay	<p><b>Objective 3.2.4.2</b>  <i>Protection of areas with significant Nature Conservation Values</i></p> <p>Delete associated <b>Policy 3.2.4.2.2</b>  <del>Where adverse effects on nature conservation values cannot be avoided, remedied or mitigated, consider environmental compensation as an alternative.</del></p>	<p><b>Objective 3.2.4.2</b> and associated <b>Policy 3.2.4.2.2</b></p> <p>Amend Objective 3.2.4.2 to refer to the values associated with "Significant Natural Areas", as mapped and referred to in the subsequent policy 3.2.4.2.1.</p> <p>I am comfortable with deleting Policy 3.2.4.2.2 if the concept of environmental compensation is provided for elsewhere in the Proposed Plan.</p>	<p><b>General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective</b></p> <ul style="list-style-type: none"> <li>• I consider the objective as drafted is far reaching and onerous on many areas within the district. The definition of Nature Conservation Values is very broad and is likely to apply to every natural area in the district.</li> <li>• I consider the objective should be amended to refer to "Significant Natural Areas" which focuses the objective to those areas worthy of protection, and achieves consistency with policy 3.2.4.2.1. This change is, in my opinion most appropriate in terms of achieving the purpose of the Act and objective.</li> </ul> <table border="1" data-bbox="1507 1759 2864 1835"> <tr> <td data-bbox="1507 1759 1893 1835"><b>Environmental, Economic, Social and Cultural Benefits</b></td> <td data-bbox="1893 1759 2350 1835"><b>Environmental, Economic, Social and Cultural Costs</b></td> <td data-bbox="2350 1759 2864 1835"><b>Effectiveness &amp; Efficiency</b></td> </tr> </table>			<b>Environmental, Economic, Social and Cultural Benefits</b>	<b>Environmental, Economic, Social and Cultural Costs</b>	<b>Effectiveness &amp; Efficiency</b>
<b>Environmental, Economic, Social and Cultural Benefits</b>	<b>Environmental, Economic, Social and Cultural Costs</b>	<b>Effectiveness &amp; Efficiency</b>						

Submitter	Proposed Provisions (as per the Section 42A officer "Redrafted Objectives", dated 18 March 2016)	Louise Taylor suggested amended provisions (deleted text struck through added text underlined)	Section 32AA Assessment		
			<ul style="list-style-type: none"> <li>Those parts of the District which are not necessary to protect may be freed up for some type of use, whilst those areas worthy of protection achieve the required focus to do this.</li> </ul>	<ul style="list-style-type: none"> <li>Potential areas which would be protected by the notified wording may no longer be protected.</li> </ul>	<ul style="list-style-type: none"> <li>I consider the amended wording will be effective at ensuring those parts of the district which are worthy of protection receive this protection.</li> </ul>
<b>Peninsula Bay</b>	<b>Objective 3.2.4.3</b> <i>Maintain or enhance the survival chances of rare, endangered, or vulnerable species of indigenous plant or animal communities.</i>  associated <b>Policy 3.2.4.3.1</b> <i>That development does not adversely affect the survival chances of rare, endangered, or vulnerable species of indigenous plant or animal communities.</i>	<b>Objective 3.2.4.3</b> <i>Maintain or enhance the survival chances of <u>significant indigenous vegetation and significant habitats of indigenous fauna.</u> <del>rare, endangered, or vulnerable species of indigenous plant or animal communities.</del></i>  <b>Policy 3.2.4.3.1</b> <i>That development does not adversely affect the survival chances of <u>significant indigenous vegetation and significant habitats of indigenous fauna.</u> <del>rare, endangered, or vulnerable species of indigenous plant or animal communities</del></i>	<b>General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective</b>		
			<ul style="list-style-type: none"> <li>I consider the amended wording brings the policy in line with s6(c) of the RMA and is therefore most appropriate in terms of achieving the purpose of the Act and amended objective.</li> <li>In response to Commissioner Gilmour's question relating to Council's other obligations in terms of biodiversity, I consider these to be adequately covered in Chapter 33 Indigenous Vegetation and Biodiversity (noting that Peninsula Bay has submitted on some of those objectives and policies in support).</li> </ul>		
			<b>Environmental, Economic, Social and Cultural Benefits</b>	<b>Environmental, Economic, Social and Cultural Costs</b>	<b>Effectiveness &amp; Efficiency</b>
			<ul style="list-style-type: none"> <li>The amended wording provides clarity to decision makers and users of the plan to ensure clear direction is given.</li> </ul>	<ul style="list-style-type: none"> <li>None – the policy wording provides clarify.</li> </ul>	<ul style="list-style-type: none"> <li>The amended wording provides clarify to decision makers and users of the plan to ensure clear direction is given; accordingly the wording is effective and efficient.</li> </ul>
<b>Peninsula Bay</b>	<b>Objective 3.2.4.7</b> <i>Facilitate public access to the natural environment.</i>  associated <b>Policy 3.2.4.7.1</b> <i>Opportunities to provide public access to the natural environment are sought at the time of plan change, subdivision or development.</i>	I consider the notified provisions appropriate.	<b>No s32AA assessment required. I agree with the s42A report.</b>		
<b>Matukituki Trust</b>  <b>Peninsula Bay</b>	<b>Objective 3.2.5.1</b> <i>Protection of the <del>natural character quality of Outstanding Natural Features and Landscapes and Outstanding Natural Features</del> from <u>inappropriate</u> subdivision, use and development</i>	<b>Objective 3.2.5.1</b> <i>I agree with the redrafted amendments.</i>	<b>No s32AA assessment required. Agree with redrafted provisions.</b>		

Submitter	Proposed Provisions (as per the Section 42A officer "Redrafted Objectives", dated 18 March 2016)	Louise Taylor suggested amended provisions (deleted text struck through added text underlined)	Section 32AA Assessment
Matukituki Trust  Peninsula Bay	<b>Policy 3.2.5.1.1 Delete policy</b> <del>Identify the district's Outstanding Natural Landscapes and Outstanding Natural Features on the District Plan maps, and protect them from the adverse effects of subdivision and development.</del>	<b>Policy 3.2.5.1.1</b> Agree delete policy	No s32AA assessment required. I agree with s42A recommendation.
Matukituki Trust	<b>Objective 3.2.5.2</b> <del>Minimise the adverse landscape effects of subdivision, use or development in specified Rural Landscapes.</del> <del>Maintain and enhance the landscape character of the Rural Landscape Classification. The quality and visual amenity values of the Rural Landscapes are maintained and enhanced, whilst acknowledging the potential for managed and low impact change.</del>	<b>Objective 3.2.3.2</b> Agree with redrafted wording,	No s32AA assessment required. I agree with officer redrafted recommendation.
Peninsula Bay	<b>Objective 3.2.5.3</b> <del>Direct <del>new</del> urban subdivision, use or development to will occur in those areas which have potential to absorb change without detracting from landscape and visual amenity values.</del>  associated <b>Policy 3.2.5.3.1 Delete</b> <del>Direct urban development to be within Urban Growth Boundaries (UGB's) where these apply, or within the existing rural townships</del>	Agree with redrafted wording for objective 3.2.5.3  Not opposed to deleting policy if intent addressed elsewhere in the plan.	No s32AA assessment required. I agree with officer redrafted recommendation.
Peninsula Bay	<b>Objective 3.2.6.3</b> <del>Provide a A high quality network of open spaces and community facilities.</del>  <b>associated Policy 3.2.6.3.1</b> <del>Ensure that open spaces and community facilities are accessible for all people.</del>  <b>Policy 3.2.6.3.2</b> That open spaces and community facilities are located and designed to be desirable, safe, accessible places.	I agree with the objective as redrafted by Council officer.  I agreed with policies as notified and agree with the s42A assessment to retain these.	No s32AA assessment required. I agree with s42A/ officer redrafted recommendation.





**CHAPTER 4 – URBAN DEVELOPMENT - AMENDMENTS AND SECTION 32AA ASSESSMENT**

Submitter	Proposed Provisions (as per the Section 42A report, dated 19 <sup>th</sup> February 2016)	Louise Taylor suggested amended provisions (deleted text struck through added text underlined)			
Peninsula Bay	<p><b>Objective 4.2.1</b>  <i>Urban development is coordinated with infrastructure and services and is undertaken in a manner that protects the environment, rural amenity and outstanding natural landscapes and features.</i></p> <p>associated <b>Policy 4.2.1.1, Policy 4.2.1.2, Policy 4.2.1.4, Policy 4.2.1.5</b></p>	<p><b>Objective 4.2.1</b>  <i>Objective - Urban development is coordinated with infrastructure and services and is undertaken in a manner that <u>maintains or enhances</u> <del>protects</del> the environment, rural amenity and outstanding natural landscapes and features.</i></p> <p>Retain <b>Policy 4.2.1.1, Policy 4.2.1.2, Policy 4.2.1.4, Policy 4.2.1.5</b></p>	<p><b>General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective</b></p> <ul style="list-style-type: none"> <li>I consider the amended wording of the objective is the most appropriate for achieving the purpose of the Act, as the term “protect” in this context is not commensurate with the value of the landscape being considered by the policy.</li> </ul>		
			<p><b>Environmental, Economic, Social and Cultural Benefits</b></p> <ul style="list-style-type: none"> <li>The amended wording will be focus assessments on the maintenance and enhancement of values of certain landscapes, as opposed to protecting them outright, thus giving opportunities for mitigation such as ecological enhancement.</li> </ul>	<p><b>Environmental, Economic, Social and Cultural Costs</b></p> <ul style="list-style-type: none"> <li>The amended wording will be focus assessments on the maintenance and enhancement of values of certain landscapes, as opposed to protecting them outright.</li> </ul>	<p><b>Effectiveness &amp; Efficiency</b></p> <ul style="list-style-type: none"> <li>I consider the amended wording provides for a more efficient and effective assessment process when this policy is being assessed in an application context.</li> </ul>
Peninsula Bay	<p><b>Policy 4.2.2.4</b>  <i>Not all land within Urban Growth Boundaries will be suitable for urban development, such as (but not limited to) land with ecological, heritage or landscape significance; or land subject to natural hazards. The form and location of urban development shall take account of site specific features or constraints to protect public health and safety.</i></p>	<p><b>Policy 4.2.2.4</b>  <i>Not all land within Urban Growth Boundaries will be suitable for urban development, such as (but not limited to) land with ecological, heritage or landscape significance; or land subject to natural hazards. The form and location of urban development shall take account of <del>site the</del> <u>specific features or constraints of the site and its ability to absorb development</u> <del>to protect public health and safety</del></i></p>	<p><b>General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective</b></p>		
			<ul style="list-style-type: none"> <li>I consider the amended wording of the policy broadens the policy to refer to ability to absorb development, not just in reference to protecting public health and safety. I consider this is the most appropriate way of achieving the objective.</li> </ul>		
			<p><b>Environmental, Economic, Social and Cultural Benefits</b></p> <ul style="list-style-type: none"> <li>The amended wording broadens the policy to better address relevant considerations which are the ability of the site to absorb development.</li> </ul>	<p><b>Environmental, Economic, Social and Cultural Costs</b></p> <ul style="list-style-type: none"> <li>None.</li> </ul>	<p><b>Effectiveness &amp; Efficiency</b></p> <ul style="list-style-type: none"> <li>I consider the amended wording provides for a more efficient and effective assessment process when this policy is being assessed in an application context.</li> </ul>
Peninsula Bay	<p><b>Objective 4.2.3</b>  <i>Within Urban Growth Boundaries, provide for a compact and integrated urban form that limits the lateral spread of urban areas, and maximises the efficiency of infrastructure operation and provision.</i></p> <p>and associated <b>Policies 4.2.3.1, 4.2.3.4 and 4.2.3.7</b></p>	<p>Retain as notified as per s42A recommendation.</p>	<p>No s32AA assessment required. I agree with s42A recommendation.</p>		

Submitter	Proposed Provisions (as per the Section 42A report, dated 19 <sup>th</sup> February 2016)	Louise Taylor suggested amended provisions (deleted text struck through added text underlined)	S32AA Assessment		
Peninsula Bay	<p><b>Objective 4.2.6</b> <i>Manage the scale and location of urban growth in the Wanaka Urban Growth Boundary.</i></p> <p><b>Policy 4.2.6.1</b> <i>Limit the spatial growth of Wanaka so that:</i></p> <ul style="list-style-type: none"> <li><i>The rural character of key entrances to the town is retained and protected, as provided by the natural boundaries of the Clutha River and Cardrona River</i></li> <li><i>A distinction between urban and rural areas is maintained to protect the quality and character of the environment and visual amenity</i></li> <li><i>Ad hoc development of rural land is avoided</i></li> <li><i>Outstanding Natural Landscapes and Outstanding Natural Features are protected from encroachment by urban development</i></li> </ul> <p><b>Policy 4.2.6.2</b> <i>Ensure that development within the Wanaka Urban Growth Boundary:</i></p> <ul style="list-style-type: none"> <li><i>Supports increased density through greenfield and infill development, in appropriate locations, to avoid sprawling into surrounding rural areas</i></li> <li><i>Provides a sensitive transition to rural land at the edge of the Urban Growth Boundaries through the use of: appropriate zoning and density controls; setbacks to maintain amenity and open space; and design standards that limit the visual prominence of buildings</i></li> <li><i>Facilitates a diversity of housing supply to accommodate future growth in permanent residents and visitors</i></li> <li><i>Maximises the efficiency of existing infrastructure networks and avoids</i></li> </ul>	<p><b>Support objective 4.2.6</b></p> <p><b>Amend:</b></p> <p><b>Policy 4.2.6.1</b> <i>Limit the spatial growth of Wanaka so that:</i></p> <ul style="list-style-type: none"> <li><i>The rural character of key entrances to the town is retained and protected, as provided by the natural boundaries of the Clutha River and Cardrona River</i></li> <li><i>A distinction between urban and rural areas is maintained to protect the quality and character of the environment and visual amenity</i></li> <li><i>Ad hoc development of rural land is avoided</i></li> <li><i>The effects of urban development within Outstanding Natural Landscapes and Outstanding Natural Features are appropriately avoided, remedied or mitigated, <del>are protected from encroachment by urban development.</del></i></li> </ul> <p><b>Policy 4.2.6.2</b> <i>Ensure that development within the Wanaka Urban Growth Boundary:</i></p> <ul style="list-style-type: none"> <li><i>Supports increased density through greenfield and infill development, in appropriate locations, to avoid sprawling into surrounding rural areas</i></li> <li><i>Provides a sensitive transition to rural land at the edge of the Urban Growth Boundaries through the use of: appropriate zoning and density controls; setbacks to maintain amenity and open space; and design standards that limit the visual prominence of buildings</i></li> <li><i>Facilitates a diversity of housing supply to accommodate future growth in permanent residents and visitors</i></li> </ul>	<b>General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective</b>		
			<ul style="list-style-type: none"> <li>The amended wording more appropriately deals with the management of effects on the values of ONLs and ONFs. This better achieves the purpose of the Act in my view.</li> </ul>		
			<b>Environmental, Economic, Social and Cultural Benefits</b>	<b>Environmental, Economic, Social and Cultural Costs</b>	<b>Effectiveness &amp; Efficiency</b>
<ul style="list-style-type: none"> <li>The amended wording more appropriately deals with the management of effects on the values of ONLs and ONFs. It provides for the scenario where some level of urban development in an ONL or ONF may be appropriate.</li> </ul>	<ul style="list-style-type: none"> <li>Potential environmental cost if ONLs and ONFs are developed for urban purposes inappropriately, however the policy wording ensures effects are appropriately avoided, remediated or migrated so I consider this risk is low.</li> </ul>	<ul style="list-style-type: none"> <li>I consider the amended wording provides for a more efficient and effective assessment process when this policy is being assessed in an application context.</li> </ul>			

	<p><i>expansion of networks before it is needed for urban development</i></p> <ul style="list-style-type: none"> <li>• <i>Supports the coordinated planning for transport, public open space, walkways and cycleways and community facilities</i></li> <li>• <i>Does not diminish the qualities of significant landscape features</i></li> <li>• <i>Rural land outside of the Urban Growth Boundary is not developed until further investigations indicate that more land is needed to meet demand.</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Maximises the efficiency of existing infrastructure networks and avoids expansion of networks before it is needed for urban development</i></li> <li>• <i>Supports the coordinated planning for transport, public open space, walkways and cycleways and community facilities</i></li> <li>• <i>Maintains or enhances <del>Does not diminish</del> the qualities of significant landscape features</i></li> <li>• <i>Rural land outside of the Urban Growth Boundary is not developed until further investigations indicate that more land is needed to meet demand.</i></li> </ul>			
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CHAPTER 6 – LANDSCAPES - AMENDMENTS AND SECTION 32AA ASSESSMENT

	Proposed Provisions (as per the Officers “Redrafted Objectives”, dated 18 March 2016)	Louise Taylor suggested amended provisions (deleted text struck through added text underlined)	S32AA Assessment		
Matukituki Trust  X-Ray Trust	Objective 6.3.1 <del>The District contains and values Outstanding Natural Features, Outstanding Natural Landscapes, and Rural Landscapes that require protection from inappropriate subdivision and development. Landscapes are managed and protected from the adverse effects of subdivision, use and development.</del>	Objective 6.3.1 <del>The District contains and values Outstanding Natural Features, and Rural Landscapes that require protection from inappropriate subdivision and development and Rural Landscapes where the adverse effects of subdivision and development are appropriately managed.</del>  I suggest the following wording as an amendment to the Council officer’s redrafted wording:  <u>Outstanding Natural Landscapes and Features are managed and protected and Rural Landscapes are managed from the adverse effects of inappropriate subdivision, use and development.</u>	General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective		
			<ul style="list-style-type: none"> <li>As notified, Objective 6.3.1 appears to apply the threshold of “protection from inappropriate subdivision and development” from s6(b) of the RMA to land proposed to be subject to the Rural Landscapes classification. Section 6(b) recognises the national importance of ONF’s and ONL’s. I note Mr Barr’s comment that “the word ‘inappropriate’ does not need to be placed in a vacuum because it is used in s6(b) of the RMA, and therefore, only for the reserve of outstanding natural features and landscapes”<sup>1</sup>. However, I consider that the extension of s6(b) terminology to sites <u>not</u> within an ONF/ONL risks confusion about the correct tests to be applied in development assessment.</li> <li>I consider the “redrafted” version to be confused, in that it sets the outcome sought to be both managing and protecting landscapes. I consider my suggested amended wording is more appropriate in terms of achieving the Act as it separates the expectations of the level of protection differently between ONL/ONFs and rural landscapes.</li> </ul>		
			Environmental, Economic, Social and Cultural Benefits	Environmental, Economic, Social and Cultural Costs	Effectiveness & Efficiency
			<ul style="list-style-type: none"> <li>My suggested amendments clearly distinguish between the different landscape classifications and clarify the expectations for development of land in ONFs or ONLs versus land in a Rural Landscape classification. This is consistent with the framework for ONFs and ONLs set by s6(b) of the RMA.</li> </ul>	<ul style="list-style-type: none"> <li>None. The amendments ensure the Objective more clearly aligns with the direction provided by s6(b) of the RMA.</li> </ul>	<ul style="list-style-type: none"> <li>The amendments are considered to be appropriate, effective and efficient as they will prevent ambiguity in relation to the correct tests to apply to land in the Rural Landscapes classification versus land in ONFs or ONLs. This is consistent with achieving the purpose of the RMA, in terms of recognising and providing for s6(b) matters.</li> </ul>
Matukituki Trust  Peninsula Bay	Policy 6.3.1.3 (now 6.3.1.2) <del>That subdivision and development proposals located within the Outstanding Natural Landscape, or an Outstanding Natural Feature, be assessed against the</del>	Policy 6.3.1.3 (now 6.3.1.2) I suggest the following wording:  <u>That subdivision and development proposals located within <del>thean</del> Outstanding Natural Landscape, or an Outstanding Natural Feature, be</u>	General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective		

<sup>1</sup> Paragraph 9.17, Section 42A Hearing Report, Chapter 6 Landscapes.

	assessment matters in provisions 21.7.1 and 21.7.3 because subdivision and development is inappropriate in almost all locations, meaning successful applications will be exceptional cases	<u>assessed against the specific values of the affected Outstanding Natural Landscape or Feature.</u>	<ul style="list-style-type: none"> <li>The s42A report acknowledges that the statement in this policy that “<i>subdivision and development is inappropriate in almost all locations</i>” is conservative. I concur with this comment and consider that the statement presents a degree of pre-judgement that is inappropriate and does not focus on the assessment and/or management of effects.</li> <li>I consider the I have suggested provides clear direction that any development proposal must be assessed against the specific values of that ONL or ONF. I consider this more appropriately achieves the purpose of the objective (as amended as per my suggestion).</li> </ul>						
			<table border="1"> <thead> <tr> <th>Environmental, Economic, Social and Cultural Benefits</th> <th>Environmental, Economic, Social and Cultural Costs</th> <th>Effectiveness &amp; Efficiency</th> </tr> </thead> <tbody> <tr> <td> <ul style="list-style-type: none"> <li>The removal of the assumption regarding the appropriateness of development applications is beneficial in terms of facilitating consideration against specified assessment criteria.</li> <li>The policy provides clear direction as to the values to be considered; i.e. a proposal must be assessed in the context of the values of each particular landscape.</li> </ul> </td> <td> <ul style="list-style-type: none"> <li>None. The Act requires merits-based assessment of the effects of proposals against the specific values of a site or landscape.</li> </ul> </td> <td> <ul style="list-style-type: none"> <li>The amendments are effective and efficient in providing clear direction to decision makers.</li> </ul> </td> </tr> </tbody> </table>	Environmental, Economic, Social and Cultural Benefits	Environmental, Economic, Social and Cultural Costs	Effectiveness & Efficiency	<ul style="list-style-type: none"> <li>The removal of the assumption regarding the appropriateness of development applications is beneficial in terms of facilitating consideration against specified assessment criteria.</li> <li>The policy provides clear direction as to the values to be considered; i.e. a proposal must be assessed in the context of the values of each particular landscape.</li> </ul>	<ul style="list-style-type: none"> <li>None. The Act requires merits-based assessment of the effects of proposals against the specific values of a site or landscape.</li> </ul>	<ul style="list-style-type: none"> <li>The amendments are effective and efficient in providing clear direction to decision makers.</li> </ul>
Environmental, Economic, Social and Cultural Benefits	Environmental, Economic, Social and Cultural Costs	Effectiveness & Efficiency							
<ul style="list-style-type: none"> <li>The removal of the assumption regarding the appropriateness of development applications is beneficial in terms of facilitating consideration against specified assessment criteria.</li> <li>The policy provides clear direction as to the values to be considered; i.e. a proposal must be assessed in the context of the values of each particular landscape.</li> </ul>	<ul style="list-style-type: none"> <li>None. The Act requires merits-based assessment of the effects of proposals against the specific values of a site or landscape.</li> </ul>	<ul style="list-style-type: none"> <li>The amendments are effective and efficient in providing clear direction to decision makers.</li> </ul>							
Matukituki Trust  X-Ray Trust	<b>Policy 6.3.1.4 (now 6.4.1.3)</b> <i>That subdivision and development proposals located within the Rural Landscape be assessed against the assessment matters in provisions 21.7.2 and 21.7.3 because subdivision and development is inappropriate in many locations in these landscapes, meaning successful applications will be, on balance, consistent with the assessment matters.</i>	<b>Policy 6.3.1.4 (now 6.3.1.3)</b> <u>That subdivision and development proposals within the Rural Landscapes are located and designed in such a manner that adverse effects on landscape character and visual amenity values are avoided, remedied or mitigated.</u>	<b>General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective</b> <ul style="list-style-type: none"> <li>I oppose this policy for similar reasons to those given for policy 6.3.1.3 above. Specifically, I consider the policy incorporates an element of pre-judgement that creates tension with the principle of merits-based development assessment. The recommended amendments remove this, as well as the superfluous reference to consistency with assessment matters.</li> <li>I consider the amendments to more appropriately give effect to the (amended) parent objective 6.3.1 and by removing the reference to assessment matters this unnecessary step is removed.</li> </ul> <table border="1"> <thead> <tr> <th>Environmental, Economic, Social and Cultural Benefits</th> <th>Environmental, Economic, Social and Cultural Costs</th> <th>Effectiveness &amp; Efficiency</th> </tr> </thead> <tbody> <tr> <td> <ul style="list-style-type: none"> <li>The recommended amendments remove a superfluous generic supposition about the appropriateness of proposals in the Rural Landscape classification. This is beneficial in terms of improving the clarify of the policy.</li> </ul> </td> <td> <ul style="list-style-type: none"> <li>None. The proposed amendments remove an unsubstantiated proposition about rural development from the policy.</li> </ul> </td> <td> <ul style="list-style-type: none"> <li>In my view the amended policy is more effective and efficient in terms of supporting (amended) objective 6.3.1. The policy as amended directs consideration to assessment (rather than pre-judgement) of effects.</li> </ul> </td> </tr> </tbody> </table>	Environmental, Economic, Social and Cultural Benefits	Environmental, Economic, Social and Cultural Costs	Effectiveness & Efficiency	<ul style="list-style-type: none"> <li>The recommended amendments remove a superfluous generic supposition about the appropriateness of proposals in the Rural Landscape classification. This is beneficial in terms of improving the clarify of the policy.</li> </ul>	<ul style="list-style-type: none"> <li>None. The proposed amendments remove an unsubstantiated proposition about rural development from the policy.</li> </ul>	<ul style="list-style-type: none"> <li>In my view the amended policy is more effective and efficient in terms of supporting (amended) objective 6.3.1. The policy as amended directs consideration to assessment (rather than pre-judgement) of effects.</li> </ul>
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X-Ray Trust	<b>Policy 6.3.1.5 (now 6.3.1.4)</b> <del>Avoid</del> <i>Urban subdivision and urban development in the Rural Zones shall:</i>	<b>Policy 6.3.1.5 (now 6.3.1.4)</b> Delete policy.	<b>General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective</b> <ul style="list-style-type: none"> <li>Given the variety of development typologies present in the District’s rural areas, the absence of a definition of the term “urban subdivision”, and the possibility that the policy could be read as requiring the avoidance of all development, it appears that the use of this policy in development assessment would be open to interpretation. The policy furthermore is focussed on prohibiting</li> </ul>						

	<ul style="list-style-type: none"> <li><u>Avoid degradation of the Outstanding Natural Features and Landscapes:</u></li> <li><u>Be located only in those parts of the Rural Landscape that have capacity to absorb change.</u></li> </ul>		<p>a particular activity rather than managing the effects of the activity on the landscape resource. Council's s42A report notes problems with the policy and proposes a revised policy<sup>2</sup>.</p> <ul style="list-style-type: none"> <li>I consider the revised policy to also be ambiguous, given the qualitative drafting used ("degrade") and the retention of "urban subdivision" without accompanying explanation of the framework that would be used to differentiate "urban" subdivision from other (acceptable) forms of subdivision.</li> <li>It is considered that deleting the policy is the most appropriate way to achieve the purpose of the Objective.</li> </ul>		
			<b>Environmental, Economic, Social and Cultural Benefits</b>	<b>Environmental, Economic, Social and Cultural Costs</b>	<b>Effectiveness &amp; Efficiency</b>
			<ul style="list-style-type: none"> <li>The policy as drafted is considered to be superfluous and could generate additional compliance cost to determine its applicability.</li> </ul>	<ul style="list-style-type: none"> <li>None. The policy as drafted does not add any useful guidance to decision makers.</li> </ul>	<ul style="list-style-type: none"> <li>The deletion of the policy will be effective and efficient in terms of allowing the remainder of the policy framework to appropriately manage development in a landscape context.</li> </ul>
<b>Peninsula Bay</b>	<b>Amend Policy 6.3.1.7 (now 6.3.1.6)</b> <i>When locating urban growth boundaries or extending urban settlements through plan changes, avoid impinging on Outstanding Natural Landscapes or Outstanding Natural Features and minimise disruption degradation of the values derived from open rural landscapes.</i>	<b>Amend Policy 6.3.1.7 (now 6.3.1.6)</b> <i>When locating urban growth boundaries or extending urban settlements through plan changes, avoid, remedy, or mitigate the effects of impinging on Outstanding Natural Landscapes or Outstanding Natural Features and minimise disruption to the values derived from open rural landscapes.</i>	<b>General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective</b>		
			<ul style="list-style-type: none"> <li>I consider the amended wording better provides for the various scenarios where remediation or mitigation is appropriate in terms of managing ONLs and ONFs. I consider this better achieves the purpose of the objective.</li> </ul>		
			<b>Environmental, Economic, Social and Cultural Benefits</b>	<b>Environmental, Economic, Social and Cultural Costs</b>	<b>Effectiveness &amp; Efficiency</b>
			<ul style="list-style-type: none"> <li>I consider the amended wording better provides for the various scenarios where remediation or mitigation is appropriate in terms of managing ONLs and ONFs.</li> </ul>	<ul style="list-style-type: none"> <li>Potential environmental cost if ONLs and ONFs are developed inappropriately, however the policy wording ensures effects are appropriately avoided, remediated or migrated so I consider this risk is low.</li> </ul>	<ul style="list-style-type: none"> <li>I consider the amended wording provides for a more efficient and effective assessment process when this policy is being assessed in an application context.</li> </ul>
<b>Matukituki Trust</b> <b>Peninsula Bay</b>	<b>Policy 6.3.1.11 (now 6.3.1.10)</b> <i>Recognise the importance of protecting the landscape character and visual amenity values, particularly as viewed from public places.</i>	<b>Policy 6.3.1.11 (now 6.3.1.10)</b> Agree to retain as notified.	No s32AA assessment required. I agree with s42A recommendation.		
<b>Matukituki Trust</b>	<b>Policy 6.3.1.12 (now 6.3.1.11)</b> Recognise and provide for the protection of Outstanding Natural Features and Landscapes with particular regard to values relating to cultural and historic elements, geological features and matters of cultural and spiritual	<b>Policy 6.3.1.12 (now 6.3.1.11)</b> <i>Recognise and provide for the protection of Outstanding Natural Features and Landscapes from inappropriate subdivision, use and development with particular regard given to values relating to cultural and historic elements, geological features and matters of cultural and spiritual</i>	<b>General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective</b>		
			<ul style="list-style-type: none"> <li>The proposed amendments remove the absolute requirement for protection contained in the notified policy. This gives effect to s6(b) of the Act, which does not envisage that ONFs and ONLs will be protected from all subdivision, use and development.</li> </ul>		
			<b>Environmental, Economic, Social and Cultural Benefits</b>	<b>Environmental, Economic, Social and Cultural Costs</b>	<b>Effectiveness &amp; Efficiency</b>
			<ul style="list-style-type: none"> <li>The requirement to protect ONFs and ONLs is appropriately</li> </ul>	<ul style="list-style-type: none"> <li>The process of identifying the values to which particular regard must be had, and</li> </ul>	<ul style="list-style-type: none"> <li>I consider it to be effective and efficient to clearly identify within the Plan the</li> </ul>

<sup>2</sup> Paragraphs 9.70–9.76, Section 42A Hearing Report, Chapter 6 Landscapes.

	value to Tangata Whenua, including Tōpuni.	value to Tangata Whenua, including Tōpuni.	qualified, such that appropriate proposals are enabled. <ul style="list-style-type: none"> <li>The matters to which particular regard is required to be had will be clearly identified. This will benefit Plan users in terms of clear and efficient application of this component of the policy and will drive efficient design and assessment of development proposals.</li> </ul>	incorporating these into the Plan will consume public (Council) resources.	values that must be managed through the development assessment process. <ul style="list-style-type: none"> <li>In my view it is efficient to enable a merits-based assessment of proposals in ONLs and ONFs. Appropriate development proposals may not always protect these resources, however may provide a range of positive and adverse effects that on balance weigh towards the grant of a resource consent.</li> </ul>
Matukituki Trust Peninsula Bay X-Ray Trust	<b>Objective 6.3.2</b> <del>Avoid adverse cumulative effects on landscape character and amenity values caused by incremental subdivision and development. Landscapes are protected from the adverse cumulative effects of subdivision, use and development.</del>	<b>Objective 6.3.2</b> I suggest the following amendments to the redrafted wording:  <i>Outstanding Natural Landscapes and Features are protected and Rural Landscapes are managed from the cumulative effects of subdivision, use and development.</i>	<b>General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective</b>		
			<ul style="list-style-type: none"> <li>It is considered that the proposed amendments are appropriate in terms of achieving the objective as they acknowledge the different level of protection required for ONL/ONFs as opposed to other landscapes.</li> </ul>		
			<b>Environmental, Economic, Social and Cultural Benefits</b>	<b>Environmental, Economic, Social and Cultural Costs</b>	<b>Effectiveness &amp; Efficiency</b>
			<ul style="list-style-type: none"> <li>Supports merits-based assessment depending on the values of the landscape being affected.</li> </ul>	<ul style="list-style-type: none"> <li>The Objective is not as definitive in terms of protection of effects.</li> </ul>	<ul style="list-style-type: none"> <li>It is efficient to provide for merits assessment of proposals against the relevant landscape values.</li> </ul>
X-Ray Trust Peninsula Bay	<b>Policy 6.3.2.2</b> Allow residential subdivision and development only in locations where the District's landscape character and visual amenity would not be degraded.	<b>Policy 6.3.2.2</b> Allow residential subdivision and development only in locations where <del>adverse the District's</del> landscape character and visual amenity <u>effects are appropriately avoided, remedied or mitigated.</u> <del>would not be degraded.</del>	<b>General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective</b>		
			<ul style="list-style-type: none"> <li>I support the amendment insofar as it seeks to avoid significant adverse effects and prompts consideration of the acceptability of other adverse effects on landscape and visual amenity values and provides for mitigation.</li> <li>I consider the amendment is appropriate for achieving the amended objective.</li> </ul>		
			<b>Environmental, Economic, Social and Cultural Benefits</b>	<b>Environmental, Economic, Social and Cultural Costs</b>	<b>Effectiveness &amp; Efficiency</b>
			<ul style="list-style-type: none"> <li>The policy more clearly defines the acceptable threshold of effects. The term "degrade" is absolute" (any change could be seen as "degrading" the landscape, regardless of whether a proposal is otherwise acceptable). As amended, significant adverse effects are not supported.</li> <li>The potential for rural living development in suitable locations is recognised but with the caveat that such potential is subject to</li> </ul>	<ul style="list-style-type: none"> <li>None. The amended policy is clearer and avoids potential for inadvertent prohibition of development due to interpretation of the term "degraded".</li> <li>The amended policy maintains the intent of the notified policy.</li> </ul>	<ul style="list-style-type: none"> <li>The amended policy is efficient in terms of providing unambiguous guidance for the assessment of residential subdivision and development effects on landscape and visual amenity values.</li> </ul>



			consideration of landscape and visual amenity effects.		
Peninsula Bay	<b>Policy 6.3.2.5</b> <i>Ensure incremental changes from subdivision and development do not degrade landscape quality, character or openness as a result of activities associated with mitigation of the visual effects of proposed development such as screening planting, mounding and earthworks.</i>	Delete policy 6.3.2.5 due to unnecessary double up with policy 6.3.2.2:  <i>Allow residential subdivision and development only in locations where the District's landscape character and visual amenity would not be degraded.</i>	<b>General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective</b>		
			<ul style="list-style-type: none"> <li>I consider that deleting the policy is more appropriate in terms of achieving the objective. Policy 6.3.2.2 provides sufficient guidance around the appropriateness of residential subdivision and development in certain locations.</li> </ul>		
			<b>Environmental, Economic, Social and Cultural Benefits</b>	<b>Environmental, Economic, Social and Cultural Costs</b>	<b>Effectiveness &amp; Efficiency</b>
			<ul style="list-style-type: none"> <li>The reduction in the number of policies where there is overlap provides benefits in terms of preparation and hearing of applications.</li> </ul>	<ul style="list-style-type: none"> <li>None. I consider policy 6.3.2.2 provides sufficient guidance regarding this issue.</li> </ul>	<ul style="list-style-type: none"> <li>The reduction in the number of policies where there is overlap is a more efficient and effective approach.</li> </ul>
Matukituki Trust	<b>Objective 6.3.3</b> Protection, <del>maintain</del> <u>maintainance or enhancement</u> of the district's Outstanding Natural Features (ONF).	<b>Objective 6.3.3</b> Protection, <del>maintain</del> <u>maintainance or enhancement</u> of the district's Outstanding Natural Features (ONF) <u>from inappropriate subdivision, use and development.</u>	<b>General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective</b>		
			<ul style="list-style-type: none"> <li>I consider the objective as redrafted by the Officer, whilst improved in terms of being an objective in form as opposed to a policy in form, does not appropriately give effect to the RMA in terms of s6(b).</li> <li>The redrafted objective appears not to envisage any subdivision, use or development of the District's ONFs.</li> <li>I consider my amended wording is appropriate in terms of achieving the purpose of the Act as it better aligns with Part 2, and provides clarity around what ONFs are to be protected from.</li> </ul>		
			<b>Environmental, Economic, Social and Cultural Benefits</b>	<b>Environmental, Economic, Social and Cultural Costs</b>	<b>Effectiveness &amp; Efficiency</b>
			<ul style="list-style-type: none"> <li>In my view the amendment of the objective is beneficial in that it removes a requirement that is inconsistent with the RMA.</li> <li>Amendment of the objective provides for the development of ONFs that, subject to a merits assessment, is considered to be appropriate. Importantly, this may include development that does not meet the thresholds sought by this policy as notified.</li> </ul>	<ul style="list-style-type: none"> <li>Some proposals that would generate adverse effects on the landscape resource may proceed, if the merits of a proposal acceptably balanced the adverse effects with management measures and overall principles of sustainable management.</li> </ul>	<ul style="list-style-type: none"> <li>I consider it to be effective and efficient to amend the objective</li> </ul>



Matukituki Trust	<b>Policy 6.3.3.1</b> Avoid subdivision and development on Outstanding Natural Features that does not protect, maintain or enhance Outstanding Natural Features.	<b>Policy 6.3.3.1</b> Avoid <u>inappropriate</u> subdivision and development on Outstanding Natural Features that does not protect, maintain or enhance Outstanding Natural Features.	<b>General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective</b>		
			<ul style="list-style-type: none"> <li>I consider that the notified policy suggests the prohibition of the subdivision use and development of ONFs that is established by the notified parent objective 6.3.3.</li> <li>I therefore consider that, having regard to the recommended amendment of Objective 6.3.3 and the other objectives and policies that relate to the management of ONFs and ONLs, the amendment of the policy is the most appropriate to achieve the amended objective.</li> </ul>		
			<b>Environmental, Economic, Social and Cultural Benefits</b>	<b>Environmental, Economic, Social and Cultural Costs</b>	<b>Effectiveness &amp; Efficiency</b>
			<ul style="list-style-type: none"> <li>Amendment of the policy provides clarity that not all subdivision and development must be appropriate, only that which is inappropriate. It therefore enables a wider merits-based assessment of proposals.</li> </ul>	<ul style="list-style-type: none"> <li>Some proposals that would generate adverse effects on the ONF resource may proceed, if the merits of a proposal acceptably balanced the adverse effects with management measures and overall principles of sustainable management.</li> </ul>	<ul style="list-style-type: none"> <li>I consider it to be effective and efficient to amend the policy, as other objectives and policies adequately regulate subdivision use and development in ONFs.</li> </ul>
Matukituki Trust	<b>Policy 6.3.3.2</b> Ensure that subdivision and development in the Outstanding Natural Landscapes and Rural Landscapes adjacent to Outstanding Natural Features would not degrade the landscape quality, character and visual amenity of Outstanding Natural Features.	<b>Policy 6.3.3.2</b> I am comfortable with the wording as notified and retained in the s42A report.	<b>No s32AA assessment required. I agree with the notified version of the policy.</b>		

Matukituki Trust	<b>Objective 6.3.4</b> <i>Protection, maintain maintenance or enhancement of the District's Outstanding Natural Landscapes (ONL).</i>	<b>Objective 6.3.4</b> <i>Protection, maintain maintenance or enhancement of the District's Outstanding Natural Landscapes (ONL).from inappropriate subdivision, use and development.</i>	<b>General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective</b>		
			<ul style="list-style-type: none"> <li>I am of the view that this objective (similar to objective 6.3.3) does not achieve the purpose of the Act, as it does not contemplate activities that would have adverse effects on an ONL.</li> <li>The objective is not clear as to what the ONL's are to be protected from.</li> <li>I therefore have recommended that the objective be amended. In my view the amendments clarify the framework for assessment and correspond more clearly with the requirements of the RMA in relation to ONLs.</li> </ul>		
			<b>Environmental, Economic, Social and Cultural Benefits</b>	<b>Environmental, Economic, Social and Cultural Costs</b>	<b>Effectiveness &amp; Efficiency</b>
			<ul style="list-style-type: none"> <li>In my view the amendment of the objective is beneficial in that it removes a requirement that is inconsistent with the RMA.</li> <li>Amendment of the objective provides for the development of ONLs that, subject to a merits assessment, is considered to be appropriate. Importantly, this may include development that does not meet the thresholds sought by this policy as notified</li> </ul>	Some proposals that would generate adverse effects on ONLs may proceed, if the merits of a proposal acceptably balanced the adverse effects with management measures and overall principles of sustainable management.	<ul style="list-style-type: none"> <li>The revised wording is effective and efficient in that it provides clearer direction to decision makers about what ONLs are to be protected from.</li> </ul>
Matukituki Trust  Peninsula Bay	<b>Policy 6.3.4.1</b> <i>Avoid subdivision and development that would degrade the important qualities of the landscape character and amenity, particularly where there is no or little capacity to absorb change.</i>	<b>Policy 6.3.4.1</b> <i>Avoid inappropriate subdivision and development that would degrade the important qualities of the landscape character and amenity, particularly where there is no or little capacity to absorb change.</i>	<b>General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective</b>		
			<ul style="list-style-type: none"> <li>I consider that the amendment as proposed by submitter 805 qualifies the policy in a manner that is suitable. As referred to in reasons above, I consider the term "degrade" to be absolute in its nature. Any change could be interpreted as a degradation and therefore not permissible.</li> <li>In my view the insertion of the term "inappropriate" calls up a consideration of the degree of degradation that may be acceptable, and therefore prompts a merits assessment of any proposal.</li> <li>I am therefore of the opinion that the amendment improves the compatibility of the policy with the purpose of the Act and supports the parent amended objective 6.3.4. The amendment envisages that in some cases, subdivision and development that degrades the landscape character and amenity may be appropriate.</li> </ul>		
			<b>Cultural, Economic, Social and Cultural Benefits</b>	<b>Environmental, Economic, Social and Cultural Costs</b>	<b>Effectiveness &amp; Efficiency</b>
			<ul style="list-style-type: none"> <li>The amendment provides greater scope for consideration of measures to manage any adverse effects.</li> <li>The amendment promotes merits assessment of development applications.</li> </ul>	<ul style="list-style-type: none"> <li>The risk of absolute prohibition of any degradation of landscape character and quality is removed.</li> </ul>	<ul style="list-style-type: none"> <li>The amendment retains a strong position against the approval of inappropriate subdivision and development but that which is assessed as consistent with the sustainable management purpose of the RMA is</li> </ul>

					enabled. In my view this is efficient and effective as it balances the benefits of subdivision and development with management of landscape values, rather than applying an absolute requirement.
<b>Matukituki Trust</b>  <b>Peninsula Bay</b>	<b>Policy 6.3.4.3</b> <i>Have regard to adverse effects on landscape character, and visual amenity values as viewed from public places, with emphasis on views from formed roads.</i>	<b>Delete policy</b> <b><del>Policy 6.3.4.3</del></b> <del><i>Have regard to adverse effects on landscape character, and visual amenity values as viewed from public places, with emphasis on views from formed roads.</i></del>	<b>General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective</b>		
			<ul style="list-style-type: none"> <li>I am of the view that this policy duplicates the matters addressed by (amended) policy 6.3.4.1 and policy 6.3.5.2 and is therefore superfluous.</li> <li>I consider that the policy does not particularly give effect to its parent objective 6.3.4, as it does not seek to manage effects in ONLs.</li> <li>I therefore recommend that the policy be deleted as the most appropriate way to give effect to Objective 6.3.4.</li> </ul>		
			<b>Cultural, Economic, Social and Cultural Benefits</b>	<b>Environmental, Economic, Social and Cultural Costs</b>	<b>Effectiveness &amp; Efficiency</b>
			<ul style="list-style-type: none"> <li>Improves the clarity of the plan.</li> <li>Reduces unnecessary duplication.</li> </ul>	<ul style="list-style-type: none"> <li>None. The intent of this policy is captured in other provisions.</li> </ul>	<ul style="list-style-type: none"> <li>It is effective and efficient to minimise duplication between controls in the Plan. This improves its use-ability for decision makers.</li> </ul>
<b>X-Ray Trust</b>	<b>Objective 6.3.5</b> <del>Ensure subdivision and development does not degrade landscape character and diminish visual amenity values of the Rural Landscapes (RLC).</del> <u>Subdivision, use and development maintains and enhances the quality and visual amenity values of the Rural Landscapes (RLC).</u>	<b>Objective 6.3.5</b> I am comfortable with the redrafted wording.	<b>No s32AA assessment required. Agree with s42A officer's redrafted wording.</b>		

<p><b>X-Ray Trust</b></p>	<p><b>Policy 6.3.5.1</b>  <i>Allow subdivision and development only where it will not degrade landscape quality or character, or diminish the visual amenity values identified for any Rural Landscape.</i></p>	<p><b>Policy 6.3.5.1</b>  Amend policy to clearly set out the measures available to manage adverse effects, however do not delete it.</p>	<p><b>General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective</b></p>		
			<ul style="list-style-type: none"> <li>I consider that this policy is important to retain in terms of intent, but inappropriate in its proposed wording for similar reasons to those given in relation to Objective 6.3.5 above. I consider that to give effect to the objective and in turn to the purpose of the Act, the policy should be amended to remove ambiguous terms such as “degrade” and “diminish”, and focus on managing Rural Landscapes through the avoidance, remediation or mitigation of adverse effects.</li> <li>As worded, I do not consider the policy achieves the objective.</li> </ul>		
			<p><b>Environmental, Economic, Social and Cultural Benefits</b></p> <ul style="list-style-type: none"> <li>Improved clarity for Plan users</li> <li>Avoid counter-productive interpretations of the policy that would require the prohibition of effects regardless of the severity of the effect.</li> </ul>	<p><b>Environmental, Economic, Social and Cultural Costs</b></p> <ul style="list-style-type: none"> <li>None. As notified the subjective nature of the terms used in the policy could be interpreted to mean that any effect on landscape quality or character, or visual amenity values degrades or diminishes these values and is therefore not allowed.</li> </ul>	<p><b>Effectiveness &amp; Efficiency</b></p> <ul style="list-style-type: none"> <li>It is efficient and effective to provide for merits-based assessment of the effects of development in the Rural Landscapes.</li> <li>It would not be efficient or effective to embed provisions in the Plan that could inadvertently prohibit development out-of-hand.</li> </ul>
<p><b>X-Ray Trust</b></p>	<p><b>Policy 6.3.5.2</b>  <i>Avoid adverse effects from subdivision and development that are:</i></p> <ul style="list-style-type: none"> <li><i>Highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); and</i></li> <li><i>Visible from public roads.</i></li> </ul>	<p><b>Policy 6.3.5.2</b>  <i>Avoid, remedy, or mitigate adverse effects from subdivision and development that are:</i></p> <ul style="list-style-type: none"> <li><i>Highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); and</i></li> <li><i>Visible from public roads.</i></li> </ul>	<p><b>General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective</b></p>		
			<ul style="list-style-type: none"> <li>As drafted the policy is impractical, given the substantial views that are often available from public viewing points and roads. The severity of effects is not taken into account in the policy and the policy does not provide scope for management measures aside from avoidance.</li> <li>In light of the context provided by over-arching objective 6.3.5, this policy appears to confirm that any visible effects are to be regarded as a degradation or diminishment of landscape values, and would not be permissible. This reinforces my perception that Objective 6.3.5 requires amendment to better correspond with the purpose of the RMA.</li> <li>I consider the amended wording is appropriate in terms of achieving the (amended) objective.</li> </ul>		
			<p><b>Environmental, Economic, Social and Cultural Benefits</b></p> <ul style="list-style-type: none"> <li>The flexibility to remediate or mitigate adverse effects enables measures other than avoidance to be considered.</li> <li>While some effects would be so significant as to warrant avoidance, lesser effects could be addressed through other measures. This enables holistic assessment of development applications that balances the positive and adverse effects of a proposal.</li> </ul>	<p><b>Environmental, Economic, Social and Cultural Costs</b></p> <ul style="list-style-type: none"> <li>None. The proposed amendments introduce a more fit-for-purpose management regime that is more consistent with the RMA.</li> </ul>	<p><b>Effectiveness &amp; Efficiency</b></p> <ul style="list-style-type: none"> <li>As notified, the policy prohibits development/subdivision that would have adverse effects that are visible from the public realm. Given the impracticality of this approach (many areas will be visible from the public realm but effects may not be so significant as to warrant avoidance if mitigation or remediation would suffice) the proposed amendments more effectively provide for merits-based assessment. They furthermore give effect to the amendments sought for the parent objective 6.3.5.</li> </ul>
<p><b>X-Ray Trust</b></p>	<p><b>Policy 6.3.5.3</b></p>	<p><b>Policy 6.3.5.3</b></p>	<p><b>General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective</b></p>		

	Avoid planting and screening, particularly along roads and boundaries, which would degrade openness where such openness is an important part of the landscape quality or character.	Avoid planting and screening, particularly along roads and boundaries, which would <u>have significant adverse effects on degrade existing openness landscape character</u> <del>where such openness is an important part of the landscape quality or character.</del>	<ul style="list-style-type: none"> <li>The ambiguous and absolute nature of the policy as notified is not supported. It appears to prevent the positive effects of planting and screening from being realised (e.g. ecological planting, forestry). It reiterates the interpretation issue regarding the term “degrade” found elsewhere in Chapter 6.</li> <li>I consider the amending wording proposed appropriately achieves the objective.</li> </ul>	<b>Environmental, Economic, Social and Cultural Benefits</b>	<b>Environmental, Economic, Social and Cultural Costs</b>	<b>Effectiveness &amp; Efficiency</b>
			<ul style="list-style-type: none"> <li>The various benefits associated with planting and screening are not prevented from being realised.</li> <li>The scale of effects that are of concern are more clearly quantified.</li> <li>The value that is sought to be managed is more clearly defined.</li> </ul>	<ul style="list-style-type: none"> <li>Adverse effects (as opposed to “significant” adverse effects) on open landscape character may be permitted in some instances.</li> </ul>	<ul style="list-style-type: none"> <li>It is considered to be efficient and effective to enable planting and screening to be undertaken, as these activities have a range of positive effects that should be considered in conjunction with adverse effects on landscape character.</li> </ul>	
<b>X-Ray Trust</b>	<b>Policy 6.3.5.4</b> Encourage any landscaping to be sustainable and consistent with the established character of the area.	Retain as notified	<b>No s32AA assessment required</b>			
<b>Peninsula Bay</b>	<b>Objective 6.3.7</b> <del>Recognise and p</del> <u>Protection, maintenance or enhancement of indigenous biodiversity where it contributes to the visual quality and distinctiveness of the District’s landscapes.</u>  <b>Policy 6.3.7.1</b> Encourage subdivision and development proposals to promote indigenous biodiversity protection and regeneration where the landscape and nature conservation values would be maintained or enhanced, particularly where the subdivision or development constitutes a change in the intensity in the land use or the retirement of productive farm land.	<b>Retain objective 6.3.7 as redrafted.</b>  Amend policy: Encourage subdivision and development proposals to promote indigenous biodiversity protection and regeneration where the landscape and <del>nature conservation values</del> <u>biodiversity</u> would be maintained or enhanced, particularly where the subdivision or development constitutes a change in the intensity in the land use or the retirement of productive farm land.	<b>General comments and appropriateness in terms of achieving the purpose of the Act or the purpose of the Objective</b>			
			<ul style="list-style-type: none"> <li>I consider the amended policy wording is more appropriate in terms of achieving the objective than the notified version as it refers to the term “biodiversity” as opposed to nature conservation values.</li> </ul>			
			<b>Environmental, Economic, Social and Cultural Benefits</b>	<b>Environmental, Economic, Social and Cultural Costs</b>	<b>Effectiveness &amp; Efficiency</b>	
			<ul style="list-style-type: none"> <li>The amended wording provide clearer guidance in terms of what is to be achieved.</li> </ul>	<ul style="list-style-type: none"> <li>None – the amendment provides clarity as opposed to intent change.</li> </ul>	<ul style="list-style-type: none"> <li>I consider the amended wording is more effective in provided better direction to decision makers as to the outcomes aimed for via the policy.</li> </ul>	

<p><b>Matukituki Trust</b></p> <p><b>Peninsula Bay</b></p>	<p><b>Policy 6.3.7.2</b></p> <p><i>Avoid indigenous vegetation clearance where it would significantly degrade the visual character and qualities of the District's distinctive landscapes</i></p>	<p><b>Policy 6.3.7.2</b></p> <p>Agree with notified wording, as retained by s42A report.</p>	<p>No s32AA assessment required. Agree with notified version and s42A report.</p>
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