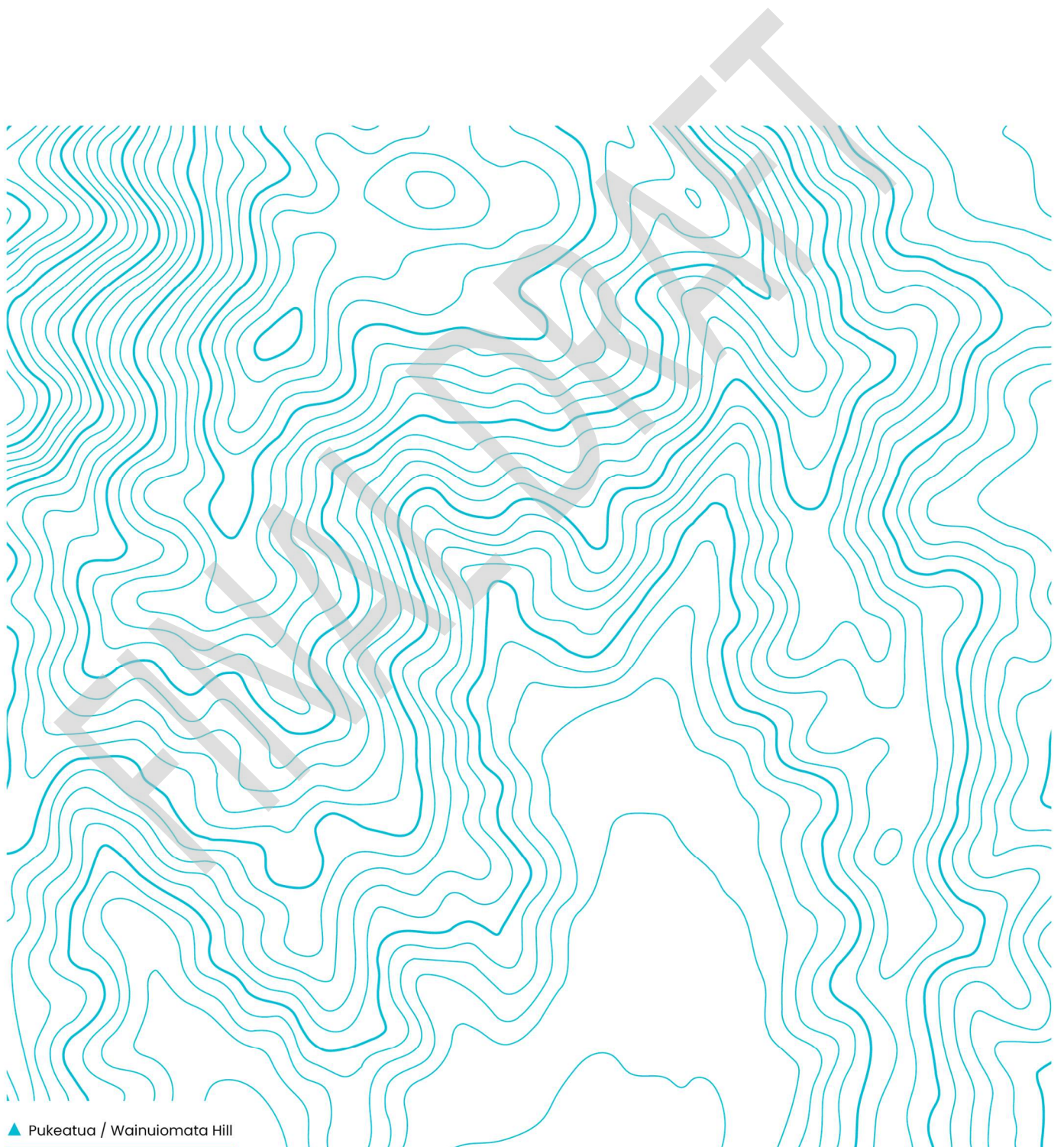


# Section 32 Evaluation

## RURAL ZONES



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## 2 Overview and Purpose

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- (1) Hutt City Council is reviewing the City of Lower Hutt District Plan. This is a full review of the District Plan, including the approach to the rural zones.
- (2) This report is a record of the review with regard to the rural zones, and includes an evaluation of objectives and provisions for a proposed District Plan to address rural zones, in accordance with the requirements of s32 of the Resource Management Act 1991.
- (3) This report sits as one of a package of reports for the proposed Plan and should be read alongside the Plan-Wide Report.

### 2.1 Rural areas in Lower Hutt

- (4) Lower Hutt's rural areas are identified in the operative District Plan through the General Rural and Rural Residential Activity Areas. The largest rural areas are in:
  - Wainuiomata, including Wainuiomata north, Moores Valley, and the Coast Road area,
  - Coastal areas extending round from the south end of Eastbourne, around parts of the Pencarrow, Baring and Turakirae Heads, and
  - Upper areas of the Western Hills, particularly in Normandale, Belmont, Kelson and Liverton.
- (5) There are also smaller rural zoned areas in Manor Park, Haywards, Korokoro and Naenae.
- (6) The predominant land uses in these areas are a mix of primary production (including agriculture and forestry) and rural lifestyle properties.
- (7) The character within these rural areas varies considerably, but typically include:
  - Relatively large lot sizes (particularly within the General Rural Activity Area, and particularly in the Coast Road and coastal areas),
  - Low levels of built development, with a mix of residential buildings and buildings and structures to support rural activities,

- High levels of natural, open space, including in large public reserves that are often located near rural areas, and
- A lower level of infrastructure and other services when compared to urban areas, including three waters infrastructure (which is rarely present in rural areas), provision for public and active transport, and access to community and commercial facilities.

(8) The operative District Plan also zones large areas of natural, open space land in the General Rural Activity Area - most notably, the Remutaka Forest Park. The Harbour Islands (Matiu, Mākarō and Mokopuna Islands) are also within the General Rural Activity Area. Of these islands, Matiu Island is the only island with any built development.

## 3 Statutory and Policy Context

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- (9) The following sections discuss the national, regional and local policy framework that are particularly relevant to the statutory and policy context for the rural zones the District Plan Review.

### 3.1 Resource Management Act 1991

#### 3.1.1 Section 5 – Purpose and Principles

- (10) The purpose of the RMA is set out in Section 5. The purpose is to promote the sustainable management of natural and physical resources.
- (11) Under s5(2) of the Act, sustainable management means:

*managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*

- (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

#### 3.1.2 Section 6 – Matters of National Importance

- (12) Section 6 of the RMA sets out matters of national importance that all persons exercising functions and powers under the Act shall recognise and provide for in achieving the purpose of the RMA. No s6 matters are directly relevant to rural zones. However, section 6 identifies aspects of the environment that may present in rural areas, including the coastal

environment, wetlands, lakes and rivers and their margins (s6a and s6d), outstanding natural features and landscapes (s6b), areas of significant indigenous vegetation and significant habitats of indigenous fauna (s6c), and ancestral lands, water, sites, waahi tapu, and other taonga for Māori (s6e). These matters are discussed in the evaluation reports for the District Wide chapters that are relevant for these matters.

### 3.1.3 Section 7 – Other Matters

- (13) Section 7 of the RMA sets out other matters that all persons exercising functions and powers under it shall *have particular regard to* in achieving the purpose of the RMA. The relevant s7 matters for rural zones are:

Section	Relevant Matter
7(b)	<i>The efficient use and development of natural and physical resources.</i>
7(c)	<i>The maintenance and enhancement of amenity values.</i>  Rural amenity is an important factor in the continued use of the area for agricultural activities. Loss of amenity through reverse sensitivity is known to compromise rural activities.
7(f)	<i>Maintenance and enhancement of the quality of the environment.</i>
7(g)	<i>Any finite characteristics of natural and physical resources.</i>  Rural areas can include highly productive land, a resource with finite characteristics.

### 3.1.4 Section 8 – Treaty of Waitangi

- (14) Section 8 of the RMA requires Council to take into account the principles of the Treaty of Waitangi when exercising functions and powers under the Act.



- (15) Council has engaged with Mana Whenua of Lower Hutt as part of the District Plan Review, including with representatives of Taranaki Whānui ki te Upoko o te Ika (Port Nicholson Block Settlement Trust), Wellington Tenth Trust, Palmerston North Māori Reserve Trust, Te Rūnanganui o Te Āti Awa ki Te Upoko o Te Ika a Māui Incorporated and Te Rūnanga o Toa Rangatira Incorporated.
- (16) This engagement has demonstrated two key principles of the treaty, the first being the principle of partnership by, recognising and fostering mutual good faith with our existing iwi partnerships and continuing to provide the opportunities for tangata whenua to input meaningfully into the design of the rural zones.
- (17) Secondly, the principle of active protection is another key aspect of the treaty principles demonstrated, as it seeks ways to deliver mixed and culturally dynamic communities in a sustainable way.

## **3.2 National Policy Statements**

- (18) Section 75(3)(a) of the RMA requires district plans to give effect to any national policy statement. The following national policy statements are particularly relevant for Rural Zones:

- National Policy Statement for Highly Productive Land 2024
- National Policy Statement for Fresh Water Management 2020

### **3.2.1 National Policy Statement for Highly Productive Land**

- (19) The National Policy Statement for Highly Productive Land (NPS-HPL) sets national objectives and policies for the management of highly productive land under the RMA.

- (20) The sole objective of the NPS-HPL is:

*Highly productive land is protected for use in land-based primary production, both now and for future generations.*

- (21) The policies of the NPS-HPL set direction for:

- Identification and mapping of highly productive land,

- Recognition of highly productive land as a resource with finite characteristics and long-term values for land-based primary production,
- Prioritising use of highly productive land for land-based primary production.
- Protection of highly productive land, including restrictions on rezoning, subdivision and development, and
- Management of reverse sensitivity effects.

(22) Part 3: Implementation of the NPS-HPL sets a non-exhaustive list of things local authorities must do to give effect to the objective and policies of the NPS-HPL, in relation to:

- Integrated management,
- Tangata whenua involvement,
- Mapping highly productive land,
- Identifying highly productive land in regional policy statements and district plans,
- Restricting urban rezoning of highly productive land,
- Avoiding rezoning of highly productive land for rural lifestyle and avoiding subdivision of highly productive land,
- Protecting highly productive land from inappropriate use and development,
- Exemption for highly productive land subject to permanent or long-term constraints,
- Continuation of existing activities,
- Supporting appropriate productive use of highly productive land, and
- Managing reverse sensitivity and cumulative effects.

(23) Of particular relevance for the District Plan Review, section 3.5 of the NPS-HPL sets requirements for the identification of highly productive land, including the following:

- Regional councils must identify and map highly productive in their region. A proposed change to the RPS to map the highly productive land must be notified within three years of the commencement date of the NPS-HPL (17 October 2022).
- As soon as practicable, and not later than 6 months, the proposed change to the RPS becomes operative, each relevant territorial authority must identify the highly productive land in its district, and must do so using maps that are exactly equivalent to those in the relevant RPS.
- Under section 3.5(7) of the NPS-HPL, until the change to the RPS is operative, each relevant territorial authority and consent authority must apply the NPS-HPL as if references to highly productive land were references to land that is:
  - Zoned general rural or rural production, and
  - Land identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory or by any more detailed mapping that uses the Land Use Capability classification,
 but is not:
  - Identified for future urban development, or
  - Subject to a Council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.

(24) As of the notification of the proposed District Plan, Greater Wellington Regional Council has not identified highly productive land through a proposed change to the RPS. As a result, Hutt City Council is required to apply the NPS-HPL based on the requirements of section 3.5(7) of the NPS-HPL, including basing the identification of highly productive land on Land Use Capability Classes 1, 2 and 3.

(25) The identification of highly productive land for the proposed District Plan, including the New Zealand Land Resource Inventory, is discussed further in Section 4 of this report (Resource management issues).

### 3.2.2 National Policy Statement for Freshwater Management

- (26) The National Policy Statement for Freshwater Management (NPS-FW) sets national objectives and policies for freshwater management, including in relation to maintaining and enhancing freshwater quantity and quality.
- (27) The NPS-FW is primarily given effect to through the Regional Policy Statement (RPS) and Natural Resources Plan (NRP) for the Wellington region. The NRP is the primary regulatory document in the Wellington region for the taking, use, damming and diversion of water and the discharge of contaminant to water or to land where it may enter water. The control of these activities is the function of the Greater Wellington Regional Council.
- (28) The NPS-FW has a single objective:
- (1) The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises:
    - (a) first, the health and well-being of water bodies and freshwater ecosystems
    - (b) second, the health needs of people (such as drinking water)
    - (c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.
- (29) The policies of the NPS-FW address:
- Te Mana o te Wai,
  - Tangata whenua involvement,
  - Integrated management,
  - Climate change,
  - Management for the health and well-being of water bodies and freshwater ecosystems, including in relation to wetlands, the extent

of rivers, outstanding waterbodies, habitat of freshwater species, trout and salmon, freshwater allocation, and

- Monitoring.

(30) Section 3: Implementation sets a non-exhaustive list of things local authorities must do to give effect to the objective and policies of the NPS-FW, in relation to:

- Te Mana o te Wai,
- Long-term visions for freshwater,
- Tangata whenua involvement,
- Integrated management,
- Transparent decision-making, and
- A National Objectives Framework

(31) While most of the implementation requirements give direction to regional councils, the following are relevant for territorial authorities (such as Hutt City Council):

- Section 3.4, which directs local authorities to actively involve tangata whenua (to the extent they wish to be involved) in freshwater management (including decision-making processes), and
- Section 3.5, which directs local authorities to adopt and integrated management approach (section 3.5 also includes specific direction for territorial authorities in relation to urban development, but not rural development).

### **3.3 New Zealand Coastal Policy Statement**

(32) Section 75(3)(b) of the RMA requires district plans to give effect to any New Zealand Coastal Policy Statement. The NZCPS does not directly address rural areas, rural zones, or rural land uses. However, the NZCPS addresses the coastal environment more generally, which can include rural areas and locations in rural zones.

(33) The NZCPS is evaluated in the s32 evaluation report for the Coastal Environment chapter.

### 3.4 National environmental standards

- (34) The national environmental standards provide a nationally consistent set of standards that manage a range of activities nationwide. A district plan can only be more lenient or stringent than a national environmental standard where this is expressly specified in the national environmental standard.
- (35) The following national environmental standards are particularly relevant for rural zones:
- National Environmental Standard for Commercial Forestry (NES-CF),
  - National Environmental Standard for Assessing and managing Contaminants in Soil to protect Human Health 2011 (NES-CS), and
  - National Environmental standard for Freshwater Management 2020 (NES-FW).

Reference	Comment
NES-CF	<p>The NES-CF sets a regulatory framework for commercial forestry in New Zealand. The NES-CF controls a range of activities involved in commercial forestry, including afforestation, quarrying, clearing indigenous vegetation, noise and vibration, dust and protection of nationally critical, nationally endangered or nationally vulnerable bird species.</p> <p>A District Plan may include a rule relating to afforestation that is more or less stringent than the regulations in the NES-CF. in prescribed circumstances. This includes:</p> <ul style="list-style-type: none"> <li>• providing protection for outstanding natural features and landscapes, and significant natural areas, in areas close to public water supplies.</li> <li>• Preservation and/or protection of natural character, indigenous biodiversity, outstanding natural features and landscapes in the coastal environment.</li> </ul>

NES-FW	The NES-FW sets out requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems (e.g. agricultural intensification, intensive winter grazing, vegetation clearance adjacent to natural wetlands, wetland drainage). This includes specific regulations for pastoral farming. These regulations solely relate to activities managed by regional council.
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### 3.5 National Planning Standards

- (36) Section 75(3)(ba) of the RMA requires district plans to give effect to national planning standards.
- (37) Standard 4 of the National Planning Standards (the District Plan Structure Standard) requires zone chapters to be located in Part 3: Area-Specific Matters of the District Plan.
- (38) The National Planning Standards provide for four Rural Zones:
- Rural lifestyle zone,
  - General residential zone,
  - Rural Production Zone, and
  - Settlement Zone.
- (39) The National Planning Standards also introduces several new definitions that are particularly relevant for activities in rural zones, including definitions for:
- Functional need,
  - Intensive indoor primary production,
  - Land disturbance,
  - Operational needs, and
  - Primary production.

## 3.6 Regional Policy Statement for the Wellington Region

(40) Under Section 75(3)(c), the District Plan is required to give effect to the Regional Policy Statement for the Wellington Region (the RPS). The RPS identifies the significant resource management issues for the region and outlines the policies and methods required to achieve the integrated sustainable management of the region’s natural and physical resources.

(41) For the most part, the objectives and policies of the RPS do not directly address rural areas, rural zones, or rural land uses and development. However, the objectives and policies do address aspects of the natural and built environment and forms of land use and development that may be present in rural zones, but are associated with district-wide matters. Where this is the case, these objectives and policies are addressed in Section 32 Evaluation Reports for the relevant district-wide matter.

(42) Objective 22 of the RPS is most relevant for rural zones. It seeks:

*A compact well designed and sustainable regional form that has an integrated, safe and responsive transport network and: ...*

*(e) urban development in existing urban areas, or when beyond urban areas, development that reinforces the region’s existing urban form;*

*(f) strategically planned rural development;*

*(g) a range of housing (including affordable housing); ...*

*(i) integrated land use and transportation; ...*

*(k) efficiently use existing infrastructure (including transport network infrastructure); ...*

(43) With regard to policies, the following table identifies policies of the RPS that are particularly relevant for rural zones:

<b>Summary of policies of the RPS for Rural Zones</b>
<b>Policy 55: Maintaining a compact, well designed and sustainable regional form – consideration</b>



When considering urban development beyond the region's urban areas (as at March 2009) as part of the proposed District Plan, Policy 55 requires Council to have particular regard to whether:

- (a) The proposed development is the most appropriate option to achieve Objective 22,*
- (b) The proposed development is consistent with the Council's growth and/or development framework or strategy that describes where and how future urban development should occur in that district, and*
- (c) A structure plan has been prepared.*

**Policy 56: Managing development in rural areas – consideration**

When considering the proposed District Plan with regard to rural areas (as at March 2009), Policy 56 requires Council to have particular regard to whether:

- (a) The proposal will result in a loss of productive capability of the rural area, including cumulative impacts that would reduce the potential for food and other primary production and reverse sensitivity issues for existing production activities, including extraction and distribution of aggregate minerals,*
- (b) The proposal will reduce aesthetic and open space values in rural areas between and around settlements,*
- (c) The proposal's location, design or density will minimise demand for non-renewable energy resources, and*
- (d) The proposal is consistent with the relevant city or district council growth and/or development framework or strategy that addresses future rural development, or*
- (e) In the absence of such a framework or strategy, the proposal will increase pressure for public services and infrastructure beyond existing infrastructure capacity.*

**Policy 59: Retaining highly productive agricultural land (Class I and II land) – consideration**

When considering the proposed District Plan, Policy 59 requires Council to have particular regard to *safeguarding productive capability on Class I and II land* (based on the New Zealand Land Resource Inventory).

### 3.6.1 Proposed RPS Change 1

- (44) Section 74(2)(a)(i) of the RMA requires Council to have regard to any proposed regional policy statement when preparing its district plan.
- (45) Greater Wellington Regional Council proposed a change to the RPS in August 2022 (Proposed RPS Change 1). The Regional Council notified its decisions on Proposed RPS Change 1 in October 2024. However, some aspects of the change have been appealed. As a result, the provisions of Proposed RPS Change 1 are considered a proposed regional policy statement for the evaluation of the proposed District Plan (until relevant appeals are resolved).
- (46) The following table outlines the proposed changes to regulatory policies of the RPS that relate to rural zones (based on the decisions version of Proposed RPS Change 1, dated October 2024):

<b>Summary of provisions of Proposed RPS Change 1 for Rural Zones</b>
<p><b>Objective 22</b></p> <p>Proposed RPS Change 1 would replace Objective 22 of the RPS (outlined above). The amended objective would seek the following:</p> <p><i>A compact, well-designed, climate resilient, accessible, and environmentally responsive regional form with well-functioning urban areas and rural areas, where:</i></p> <p><i>(a) there is sufficient development capacity to meet the needs of current and future generations, improve housing affordability and quality, and provide access to a diversity of housing typologies within neighbourhoods which enable choice; and ...</i></p> <p><i>(h) the productive capacity of rural land is retained; ...</i></p>
<p><b>Policy 56: Managing development in rural areas – consideration</b></p>

Policy 56 sets a range of matters to be considered when considering an application for a resource consent, variation or review of a district in relation to subdivision, use and development in rural areas.

Proposed RPS Change 1 would amend this list to consider whether:

- (a) ~~the proposal will result in a loss of~~ retains the productive ~~capability~~ capacity of the rural area, including cumulative impacts that would reduce the potential for food and other primary production ~~and reverse sensitivity issues for existing production activities, including extraction and distribution of aggregate minerals;~~
- (b) minimises the potential for reverse sensitivity issues, including on existing production activities, and extraction and distribution of aggregate minerals operations;
- (c) ~~(b) the proposal will reduce~~ retains or enhances the amenity ~~aesthetic,~~ cultural and open space values in rural areas between and around settlements;
- (d) provides for mana whenua / tangata whenua values, including the relationship with their traditions, ancestral lands, water, sites, wāhi tapu and other taonga;
- (e) ~~(e) the proposals location, design or density will~~ supports ~~reductions in greenhouse gas emissions~~ minimise demand for non-renewable energy resources through appropriate location, design and density o development;
- (f) is climate-resilient;
- (g) gives effect to Te Mana o Te Wai;
- (h) for urban development, is consistent with Policy 55;
- (i) ~~(d) for other development the proposal~~
  - i. has regard to is consistent with the Future Development Strategy the relevant city or district council growth and/or development framework or strategy that addresses future rural development, or

- ii. ~~where inconsistent with the Future Development Strategy (j)~~  
~~in the absence of a framework or strategy, the proposal~~  
~~would~~ increase pressure for public services and  
infrastructure beyond existing infrastructure capacity.

## 3.7 Natural Resources Plan for the Wellington Region and Proposed NRP Change 1

- (47) Section 75(4)(b) of the RMA states that the District Plan must not be inconsistent with a regional plan for any matter specified in section 30(1) of the RMA, which relates to functions of regional councils under the Act. The Natural Resources Plan for the Wellington Region (NRP) is the only operative regional plan for the Wellington region.
- (48) In addition, under section 74(2) of the RMA, Hutt City Council is required to have regard to proposed regional plans in regard to any matter of regional significance or for which the regional council has primary responsibility (under Part 4 of the Act). Greater Wellington Regional Council proposed a change to the Natural Resources Plan (Proposed NRP Change 1) in October 2023. As of the notification of the proposed District Plan, this proposed change represents the only proposed regional plan for the Wellington region, and is in the hearing phase of its plan change process.
- (49) However, for the types of activities and development managed by the Rural Zone chapters, there is no risk of inconsistency with the NRP as the NRP addresses very different activities/development from the Rural Zone chapters. While there could be a risk of inconsistency between the proposed District Plan and the NRP in relation to earthworks and vegetation clearance associated with rural development, those activities are addressed in other Section 32 Evaluation Reports that have been prepared for the proposed District Plan.

### 3.8 Iwi management plans

- (50) Section 74(2A) requires territorial authorities, when preparing or changing a district plan, to take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.
- (51) There are no iwi management plans currently in place for the rural areas of Lower Hutt.

### 3.9 Other plans, policies, and strategies

- (52) In addition to statutory plans, policies and strategies, there are other planning documents of Council that, while not directly prepared under specific legislation, should be considered as part of the District Plan Review as they set Council’s intentions on some matters that need to be addressed through the District Plan Review.
- (53) The following planning documents include relevant considerations for rural zone:
- Urban Growth Strategy 2012-2032,
  - Pencarrow Coast Road Policy for Vehicle Use 2012-2017, and
  - Wairarapa-Wellington-Horowhenua Future development Strategy 2024-2054.
- (54) These plans, policies and strategies are discussed below:

<b>Plan/Policy/Strategy</b>
<b>Urban Growth Strategy</b>
The Urban Growth Strategy outlines the Council’s aims for the future and growth of the district.
The relevant points for rural zones are relating rural; and rural lifestyle zones are:

- Provide for residential development on approximately 24 hectares in the Upper Fitzherbert area above Wise Street and below the paper road, instead of pursuing Greenfield development for whole of the Upper Fitzherbert area at this time (this strategy was finalised in 2014).
- Provide for residential development on approximately 40-50 hectares in the Upper Kelson area.
- Provide for rural/residential development on approximately 265 hectares in Normandale and Moores Valley.
- Allow development of smaller lifestyle sections of 5,000 square metres and investigate reducing frontage and driveway requirements.
- Allow one hectare lots across the remaining rural residential areas in the city.
- investigate the possibility of providing for rural residential development on rural land around Pencarrow, Coast Rd and other areas of these types.

Septic tank use in Normandale, Moores Valley and around the Coast Road are also identified as issues, but the strategy does not address the issue any further than simply noting the issue.

#### **Pencarrow Coast Road Policy for Vehicle Use**

This policy seeks to limit vehicle access on Pencarrow Coast Road to protect Hutt City Council's main outfall sewer and minimise any adverse effects on the safety, the environment and archaeological sites.

The policy includes specific controls limiting access to Pencarrow Lodge, which is in the General Rural Activity Area of the operative District Plan.

#### **Wairarapa-Wellington-Horowhenua Future Development Strategy 2024-2054 (FDS)**

Preparation of the FDS is required under section 3.12 of the NPS-UD. For the Wellington region and Horowhenua, the FDS has been prepared

through a partnership between local government, central government and mana whenua.

The purpose of the FDS (as sated in section 3.13(1) of the NPS-UD is to:

- (a) to promote long-term strategic planning by setting out how a local authority intends to:
  - (i) achieve well-functioning urban environments in its existing and future urban areas; and
  - (ii) provide at least sufficient development capacity (as required by clauses 3.2 and 3.3 of the NPS-UD), over the next 30 years to meet expected demand; and
- (b) assist the integration of planning decisions under the Act with infrastructure planning and funding decisions.

The FDS includes criteria for considering what development to prioritise over the next 30 years. This is relevant in relation to rural zones with regard to whether the District Plan should enable urban development within existing rural areas. The criteria are listed in Diagram 7 of the FDS, which states:

*We will prioritise well designed developments for the urban environments in the region's towns and cities. The order of importance will be:*

1. *Areas of importance to iwi for development.*
2. *Areas along strategic public transport network corridors with good access to employment, education and 'active mode connections' such as walking, cycling, scootering and skateboarding.*
3. *Priority Development Areas.*
4. *Within existing rural towns around current and proposed public transport nodes and strategic active mode connections*

5. *Greenfield developments that are well connected to existing urban areas in our towns and cities and can be easily serviced by existing and currently planned infrastructure, including public and active transport modes, and where the locations and designs would maximise climate and natural hazard resilience and minimise emissions.*

*Any areas not specifically identified as priorities for development may still be appropriate to develop according to local needs and constraints but will not be prioritised at a regional level.*

### **3.10 District plans of adjacent territorial authorities**

- (55) Section 74(2)(c) of the RMA requires the Council to have regard to the extent to which the District Plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.
- (56) As the rural zones of Lower Hutt do not adjoin the districts of any adjacent territorial authorities, there is little need to be consistent with the plans or proposed plans of those territorial authorities, although there may be some benefit in a consistent approach for people who undertake subdivision, land use and development in Lower Hutt and adjacent areas.
- (57) The district plans of adjacent territorial authorities are discussed further in Section 4 of this report, as part of the discussion of resource management issues and options for addressing issues through a district plan.

### **3.11 Other legislation or regulations**

- (58) In addition to the RMA, other legislation and regulations can be relevant considerations for a district plan, particularly where management of an issue is addressed through multiple pieces of legislation and regulatory bodies.
- (59) The following other legislation and regulations are relevant for to rural zones:



- Building Act 2004
- Resource Management (Stock Exclusion) regulations 2020

(60) These are discussed below.

<b>Act or Regulation</b>	<b>Comments</b>
The Building Act 2004	The Building Act 2004 provides for the regulation of building work and sets performance standards for buildings. The Building Act applies to various buildings and structures that may be in the rural environment, including residential dwellings, sheds, barns and large dams.
Resource Management (Stock Exclusion) Regulations 2020	The regulations came into force on 3 September 2020 and require persons owning or controlling stock (i.e. beef/dairy cattle, deer, pigs) to, amongst other matters, exclude them from specified wetlands, lakes, and rivers more than 1m wide and from waterbodies regardless of the terrain.

# 4 Resource management issues

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## 4.1 Introduction to resource management issues

- (61) This section discusses the resource management issues for rural zones in Lower Hutt, and includes a summary of the evidence base that has informed the identification of resource management issues for the District Plan Review.
- (62) For the District Plan Review, the determination of resource management issues for rural zones, and the options for addressing those issues, has involved:
- A review of the statutory and strategic context for rural zones (outlined in Section 3 of this report),
  - A review of the existing approach of the District Plan for rural zones,
  - A review of information on recent resource consents and compliance issues for rural zones,
  - A review of the approaches of other district plans in the Wellington region,
  - The information on highly productive land from the New Zealand Land Resource Inventory, and
  - Engagement with Mana Whenua, the community and other stakeholders (including engagement on a draft District Plan).

## 4.2 Evidence base

### 4.2.1 Existing approach of City of Lower Hutt District Plan

- (63) The operative District Plan uses *activity areas* instead of zones. There are two rural activity areas in the operative District Plan: the zones General Rural Activity Area and Rural Residential Activity Area.

### **General Rural Activity Area**

- (64) The General Rural Activity Area applies to large, privately owned rural properties, primarily in Wainuiomata, the coastal area south of Eastbourne, and in Belmont. There are also smaller areas in Liverton and Manor Park. In addition to applying to privately owned properties, the General Rural Activity Area also applies to large, public, open space areas in Belmont Regional Park, East Harbour Regional Park and Remutaka Forest Park, as well as the Harbour Islands.

- (65) The objectives for the General Rural Activity Area seek outcomes for:

- Open character and amenity values,
- Natural character and amenity values of the coastal environment and significant indigenous vegetation and significant habitats of indigenous fauna,
- Slope stability and soil conservation,
- Top soil removal and turf farming,
- Recreation and leisure activities,
- Prospecting, exploration and mining of minerals, and
- Flood hazards.

- (66) Activities are permitted in the General Rural Activity Area where permitted activity standards are met, *unless* there is a rule that specifically requires consent for the activity.

- (67) Permitted activities include:

- Low density residential development (a maximum of two dwellings per site, with each dwelling requiring a net site area of 15ha),
- Home occupations,
- Rural activities,
- Piggeries,

- Commercial forestry,
- Visitor accommodation (of 10 persons or fewer), and
- Prospecting.

(68) Activities that specially require resource consent include:

- Commercial recreation,
- Visitor accommodation for more than ten persons,
- Café's and restaurants,
- Retirement villages,
- Urupā and cemeteries,
- Intensive farming,
- Turf farming and top soil removal,
- Exploration and mining of minerals,
- Landfills and transfer stations,
- Brothels,
- Other retailing activities,
- Service stations,
- Other industrial activities,
- Other residential activities,
- Places of public assembly, and
- Sensitive activities in a Quarry Protection Area.

(69) Permitted activity standards address the bulk and location of new buildings (through yard, height, recession plane and site coverage standards, dust, odour, light spill and glare and vibration).

### **Rural Residential Activity Area**

(70) The Rural Residential Activity Area applies to areas that are predominantly rural lifestyle blocks, with larger lot sizes than those in more urban areas but significantly smaller than those of the General Rural Activity Area. This includes areas in Wainuiomata, particularly in Wainuiomata North and parts of Moores Valley and Homedale, and suburbs in the Western Hills, particularly in Normandale, Belmont and Kelson.

(71) The objectives for the General Rural Activity Area seek outcomes for:

- Character and amenity values,
- Urban expansion,
- Constraints of growth in Liverton,
- Recreation and leisure activities, and
- Commercial forestry.

(72) Similar to the General Rural Activity Area, activities are permitted in the Rural Residential Activity Area where permitted activity standards are met, *unless* there is a rule that specifically requires consent for the activity.

(73) Permitted activities include:

- Residential development (subject to a permitted activity standard of 2ha net site area per dwelling),
- Home occupations,
- Rural activities,
- Piggeries,
- Commercial forestry,
- Visitor accommodation (of 10 persons or fewer), and
- Recreation activities.

(74) Activities that specially require resource consent include:

- Rural service industries,
- Boarding of domestic pets,
- Commercial recreation,
- Visitor accommodation for more than ten persons,
- Retirement villages,
- Any retailing activities,
- Service stations,
- Turf farming and top soil removal,
- Prospecting, exploration and mining of minerals,
- Places of public assembly, and
- Landfills and transfer stations.

(75) As with the General Rural activity Area, permitted activity standards address the bulk and location of new buildings (through yard, height, recession plane and site coverage standards, dust, odour, light spill and glare and vibration).

## 4.2.2 Analysis of other District Plans

(76) As part of the District Plan Review, the approaches of other district plans of the Wellington region for rural zones have been reviewed. The following table summarises the approaches of these district plans.

<p>Proposed Wellington District Plan</p>	<ul style="list-style-type: none"> <li>• Only includes a General Rural Zone. It includes a Precinct for the Makara Beach and Makara Village.</li> <li>• Provides for rural activities and residential development to a low intensity, clean fill areas, and home businesses.</li> <li>• Requires resource consents for Intensive indoor primary production, visitor accommodation, rural industry, and quarrying.</li> <li>• Standards focus on bulk and location of buildings, structures and fences.</li> </ul>
<p>Proposed Porirua District Plan</p>	<ul style="list-style-type: none"> <li>• Includes a General Rural Zone, Rural Lifestyle Zone and the Settlement Zone.</li> <li>• Provides for a range of rural activities, including primary production, in the General Rural and Rural Settlement Zones. These activities are more enabled in the General Rural Zone.</li> <li>• Residential activities are provided for subject to standards on density and bulk and location of buildings.</li> <li>• Small-scale education and recreation activities are enabled.</li> <li>• Industrial activities, rural industry, rural contractor depots, emergency facilities, papakāinga, golf courses and visitor accommodation activities catering to over 10 persons are discretionary activities.</li> <li>• Quarrying and mining are discouraged in the Rural Lifestyle Zone but are a discretionary activity in the General Rural Zone.</li> <li>• Retail, accommodation for the elderly, commercial, retail activities and health care activities are discouraged.</li> <li>• Standards focus on the bulk and location of buildings, structures fences and walls. There are also standards for onsite services and firefighting provisions.</li> </ul>
<p>Proposed Upper Hutt District - Plan Change 50</p>	<ul style="list-style-type: none"> <li>• District Plan Change 50 includes the General Rural Zone, the Rural Production Zone, Rural Lifestyle Zone and Settlement Zone.</li> <li>• Standards focus on the bulk and location of buildings and structures.</li> <li>• Additional standards relate to plantation forestry, three waters, residential density, visitor accommodation, home business, rural industries rural produce retail, conference facilities, the national grid yard, and water supply for firefighting.</li> </ul>
<p>Kāpiti Coast District Plan</p>	<ul style="list-style-type: none"> <li>• Includes a General Rural Zone, Rural Production Zone and Rural Lifestyle Zone.</li> <li>• Standards are included within the rules structure and focus on bulk and location of buildings and structures, forestry, and lighting.</li> </ul>

Proposed Wairarapa Combined District Plan	<ul style="list-style-type: none"> <li>• Includes the General Rural Zone and the Rural Lifestyle Zone.</li> <li>• Standards focus on the bulk and location of buildings and structures. Additional standards relate to bulk and location provisions. In addition, there are provisions for intensive primary production, transports requirements for rural produce retail, location of shelter belts, onsite services and relocatable buildings.</li> </ul>
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### 4.2.3 Highly productive land and the New Zealand Land Resource Inventory

- (77) As discussed in section 3.2 of this report, the District Plan is required to give effect to national policy statements, including the National Policy Statement for Highly Productive Land (NPS-HPL).
- (78) The NPS-HPL requires for the identification of highly productive land, with the objective that *Highly productive land is protected for use in land-based primary production, both now and for future generations.*
- (79) For the District Plan Review, as Greater Wellington Regional Council has not yet mapped highly productive land in its RPS, section 3.5(7) of the NPS-HPL requires Hutt City Council to apply the NPS-HPL as if references to highly productive land were references to land that is:
- Zoned general rural or rural production, and
  - Land identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory (NZLRI) or by any more detailed mapping that uses the Land Use Capability classification, but is not:
    - Identified for future urban development, or
    - Subject to a Council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.
- (80) As Council does not have more detailed mapping that uses the Land Use Capability classification, the NZLRI has been used for the District Plan Review.

(81) The Manaaki Whenua | Landcare Research website gives the following description of the NZLRI:

*The New Zealand Land Resource Inventory (NZLRI) is a national database of physical land resource information. It comprises two sets of data compiled using stereo aerial photography, published and unpublished reference material, and extensive field work:*

- 1. An inventory of five physical factors (rock type, soil, slope, present type and severity of erosion, and vegetation). A 'homogeneous unit area' approach is used to record the five physical factors simultaneously to a level of detail appropriate for presentation at a scale of 1:50,000.*
- 2. A Land Use Capability (LUC) rating of the ability of each polygon to sustain agricultural production, based on an assessment of the inventory factors above, climate, the effects of past land use, and the potential for erosion. The NZLRI covers the country in 11 regions, each with a separate LUC classification.*

*The first edition NZLRI provides national coverage from mapping between 1973 and 1979 at a scale of 1:63,360. A limited revision regional upgrade of the north Waikato area was completed at a scale of 1:63,360 in 1983. Second edition NZLRI regional upgrades at a scale of 1:50,000 have been completed for Northland, Wellington, Marlborough and Gisborne-East Cape. Third edition NZLRI layers contained a restructured polygon attribute table to allow the core NZLRI to complement the newly created fundamental soil layers with minimal duplication.*

(82) The LUC classes from the NZLRI are described in the following table (from the *Land Resource Information System Spatial Data Layers – Data Dictionary*):

<b>LUC Class code</b>	<b>Description</b>
1	Land with virtually no limitations for arable use and suitable for cultivated crops, pasture or forestry



2	Land with slight limitations for arable use and suitable for cultivated crops, pasture or forestry
3	Land with moderate limitations for arable use, but suitable for cultivated crops, pasture or forestry
4	Land with moderate limitations for arable use, but suitable for occasional cropping, pasture or forestry
5	High producing land unsuitable for arable use, but only slight limitations for pastoral or forestry use
6	Non-arable land with moderate limitations for use under perennial vegetation such as pasture or forest
7	Non-arable land with severe limitations to use under perennial vegetation such as pasture or forest
8	Land with very severe to extreme limitations or hazards that make it unsuitable for cropping, pasture or forestry

- (83) For Lower Hutt, no land has a LUC of 1 or 2. There are areas of LUC 3 land in Wainuiomata and Moores Valley, although these are relatively small and fragmented (when compared with rural areas in other parts of the country). Most of the LUC areas are in the rural areas along Coast Road.

#### **4.2.4 Resource consents and compliance issues in Rural Zones**

- (84) As part of the District Plan Review, resource consent data for the previous ten years were reviewed.

##### **General Rural Activity Area**

- (85) The majority of resource consents granted related to earthworks. A small number of resource consents were granted in relation to significant natural resources, utilities, telecommunications, noise, signage, natural hazards and temporary activities.

- (86) There were a small number of subdivision consent applications, including subdivision for developments that breached density standards.
- (87) With respect to land use consents relating to residential density and bulk and location of dwelling, the greatest number of resource consents granted were for breaches of the rules governing residential density. A smaller number of consents were granted for buildings that did not comply with the standards relating height and recession planes.
- (88) Other land use applications were for:
- A boarding kennel,
  - A plant nursery (retail activity),
  - Visitor accommodation,
  - A café and restaurant,
  - A transfer station, and
  - An urupā/cemetery.

### **Rural Residential Activity Area**

- (89) Again, the majority of resource consent applications were for earthworks under Chapter 14I of the operative District Plan.
- (90) A number of subdivision consents were granted, most of which were accompanied with a land use consent. Associated land use consents included noncompliance with provisions for residential density, earthworks and bulk and location of buildings.
- (91) The most common resource consents granted in relation to the bulk and location of buildings are for non-compliance with the permitted standards for boundary setbacks and site coverage. Only a few resource consents have been granted for non-compliance with standards for maximum height and recession planes.
- (92) Other land use applications were for:
- Places of public assembly, and
  - Boarding house for pets.

## **4.2.5 Advice from mana whenua**

(93) Council has engaged with mana whenua on the district plan review through the Kāhui Mana Whenua engagement group. No specific issues have been raised with regard to rural zones. However, mana whenua have provided advice on the sites and areas that are of significance to them. The values associated with these sites and areas have potential to be impacted by the activities provided for in rural zone chapters.

#### **4.2.6 Stakeholder and community engagement**

(94) Council has primarily engaged with the community and other stakeholders for the District Plan Review through two rounds of engagement:

- The *Shaping Your City* engagement (2020), on issues and options for the District Plan Review, and
- The *Draft District Plan* engagement (2023), on a full draft of the plan that had been developed through the District Plan Review.

(95) In addition, for some topics there has been ongoing engagement with people who have expressed a particular interest in that topic.

(96) The following is a summary of the input received during engagement.

- Feedback was received on the issue of minimum lot sizes, both in support and opposition to reducing minimum lot sizes.
- There was support for enabling minor additional dwellings in both the General Rural Zone and Rural Lifestyle Zone.
- Submitters on the Draft District Plan noted that current roading and three waters infrastructure is insufficient to enable urban development in the proposed Rural Lifestyle Zone. Feedback indicated that this could be a reason to either restrict further development or to provide development infrastructure to enable development.
- Feedback from owners of properties that lie within the Highly Productive Land overlay generally opposed the overlay and the associated restrictive provisions. The key issues raised related to the process used to define and map highly productive land.

- Feedback from submitters who owned larger rural properties requested more enabling provisions within the General Rural Zone, including enabling tourist activities.
- Feedback was received from both owners of properties in the Quarry Protection Area overlay (an overlay that identifies an area within the General Rural and Rural Lifestyle Zones adjoining the site of the Belmont Quarry, where development is restricted to protect the Belmont Quarry from sensitive activities) and from the owner/operator of the quarry. Owners of rural properties sought fewer restrictions within the identified area. This would enable the development and subdivision of their properties. The owner/operator of the quarry sought more restrictions. They seek to ensure quarry activities are not compromised by future development in the identified area.
- There were requests for rezoning of properties, most frequently from the Rural Lifestyle Zone to a residential zone. There was also the request to apply the General Rural Zone to the site at 30 Benmore Crescent, Manor Park.

## 4.3 Summary of issues analysis

(97) Based on the above sources of information, the key resource management issues are:

- Rural zones provide for a range of activities that either benefit or require and open space, rural location. This includes rural activities and development that may have effects that make them less suited to more built up areas.
- The range of activities and low density of development within rural areas results in a specific rural character for these areas, which can be impacted by new development.
- Rural areas often do not have the same infrastructure or services that is found in rural areas, including the three-waters and transport infrastructure typically found in urban areas. With regard to the lack of three-waters infrastructure, this often means that development needs to include on-site solutions, including on-site wastewater disposal

(such as septic tanks and disposal fields) and water collection (such as rainwater collection or water takes from surface waterbodies or groundwater).

- While the land in Lower Hutt's rural areas is not as productive as in some parts of the country (with no LUC 1 or 2 land and relatively small, fragmented areas of LUC 3 land) the Council is required to identify these areas through its District Plan and include provisions to protect highly productive land for use in land-based primary production.
- There is an opportunity to provide for additional housing within rural areas (particularly areas that would be in the Rural Lifestyle Zone), including through minor additional dwellings (such as granny flats). While this may have some benefits, it has the potential to impact the rural character of an area and have reverse sensitivity effects on existing rural activities. In addition, there may be issues with infrastructure capacity, and where three-waters infrastructure is not available, on-site solutions will be required.
- Some rural areas are near the existing quarry operations that are currently in the Extraction Activity Area of the operative District Plan, and are proposed to be included in a Quarry Zone under the proposed District Plan. New land use and development within these rural areas have the potential to have reverse sensitivity effects on the existing quarry operations, particularly if the new land use is particularly sensitive to the noise, vibration and visual effects of the quarry operations (such as residential activities and visitor accommodation).

# 5 Scale and significance assessment

- (98) This evaluation report must provide a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects anticipated from the implementation of the proposal.
- (99) In assessing that scale and significance we have had regard to the following:

Matters of national importance	Low
Other matters	Moderate <i>Other matters</i> are listed in Section 7 of the RMA. Of particular relevance for rural zones, this includes the maintenance and enhancement of amenity values (include rural amenity) and finite characteristics of natural and physical resources (which includes highly productive land).
Degree of change from the operative plan	Moderate The proposed District Plan would increase the level of development enabled within rural zones.
Geographic scale of effects	Moderate Properties in rural zones cover a relatively large geographical area.
Number of people affected	Low There are a small number of owners/occupiers in rural zones when compared to zones in urban areas.

Duration of effects	<p>Moderate</p> <p>An increase in residential development, as provided for through the proposed District Plan, would be long term.</p>
Economic impacts	<p>Low</p> <p>The economic considerations for the Rural Zone chapters are similar to those for other zone chapters, although the proposed District Plan would notably increase the plan-enabled residential development capacity for rural residential areas, which can have environmental impacts.</p>
Social and cultural impacts	<p>Low</p> <p>The social and cultural considerations for the Rural Zone chapters are similar to those for other zone chapters, although the proposed District Plan would notably increase the plan-enabled residential development capacity for rural residential areas, which can have environmental impacts.</p>
Environmental impacts	<p>Low</p> <p>The environmental considerations for the Rural Zone chapters are similar to those for other zone chapters, although the proposed District Plan would notably increase the plan-enabled residential development capacity for rural residential areas, which can have environmental impacts.</p>
Health and safety impacts	<p>Low</p>

	The health and safety considerations for the Rural Zone chapters are similar to those of other zone chapters.
Degree of interest from Mana Whenua	Low Mana Whenua have not expressed a particular interest in this part of the District Plan Review.
Degree of interest from the public	Moderate More people have taken an active interest in the Rural Zone chapters during the District Plan Review than most other zone chapters. There was a particularly high interest in the zoning for a site in Manor Park (in the General Rural Zone in the proposed District Plan).
Degree of risk or uncertainty	Low There are no greater risks or uncertainty associated with Rural Zone chapters than there is for other zone chapters.

(100) Accordingly, the overall scale and significance of the effects of rural zones are **moderate**.



# 6 Proposed District Plan objectives and provisions

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(101) The proposed District Plan includes two rural zones: the General Rural Zone and the Rural Lifestyle Zone. The following sections summarise these zones.

## 6.1 General Rural Zone

(102) The proposed General Rural Zone applies to some rural areas of:

- Wainuiomata, including parts of Moores Valley and the Coast Road area,
- Coastal areas extending from the south end of Eastbourne, around parts of the Pencarrow, Baring and Turakirae Heads, and
- Smaller areas in Liverton, Manor Park and Stokes Valley.

(103) This zone is most similar to the General Rural Activity Area of the operative District Plan.

(104) The objectives are:

- **GRUZ-O1: Purpose and character of the zone**, which sets the overall purpose and character of the zone, with a focus on open space and opportunities for rural activities supporting or compatible activities.
- **GRUZ-O2: Activities in the zone**, which describes the activities for the zone, including specific activities (rural activities and low-density residential development) and in terms of the impacts and compatibility for other activities.
- **GRUZ -O3: Built character**, which outlines what is anticipated for built development within the zone.
- **GRUZ -O4: Adverse effects**, which sets the overall outcome for how adverse effects are to be managed in relation to adjoining zones.
- **GRUZ-O5: Infrastructure**, which sets an objective for development to be adequately serviced and supported by infrastructure or is serviced and supported by on-site facilities.

- **GRUZ-QZPO-01: Protection of the quarrying activities in the Quarry Zone.**
- **GRUZ-HPLO-01: Protection of highly productive land in the Highly Productive Land Overlay.**

(105) The policies for the zone collectively implement these objectives.

(106) **Policies GRUZ-P1 to GRUZ-P3** outline the predominant, compatible and potentially incompatible activities for the zone. These are primarily implemented by the *Land use activities* rules (listed in the rule table below), with more permissive rules for the predominant and compatible activities for the zone, resource consent requirements for potentially incompatible activities.

(107) **Policy GRUZ-P4: Built development** is the policy for how built development is to be managed within the zone.

(108) **Policy NOSZ-P5: Infrastructure** relates to recognition of infrastructure constraints for development within the zone.

(109) **Policy GRUZ-QZPO-P1: Activities in the Quarry Zone Protection Overlay** gives direction for protection of quarrying activities in the Quarry Zone from reverse sensitivity effects from activities within the General Rural Zone.

(110) **Policies GRUZ-HPLO-P1** and **GRUZ-HPLO-P2** relate to existing and new activities within the Highly Productive Land Overlay.

(111) The following table lists rules for the proposed General Rural Zone.

<b>Rules for the proposed General Rural Zone</b>
<b>Buildings and structures</b>
<ul style="list-style-type: none"> <li>• GRUZ-R1: Repair and maintenance of buildings and structures</li> <li>• GRUZ-R2: Demolition or removal of buildings and structures</li> <li>• GRUZ-R3: Construction of new buildings and structures and alterations and additions to existing buildings and structures</li> </ul>
<b>Land use activities</b>
<ul style="list-style-type: none"> <li>• GRUZ-R4: Piggeries</li> <li>• GRUZ-R5: Rural activities not otherwise provided for</li> </ul>

- GRUZ-R6: Residential activities
- GRUZ-R6a: Papakāinga
- GRUZ-R7: Home businesses not otherwise provided for
- GRUZ-R8: Conservation activities
- GRUZ-R9: Public and community gardens
- GRUZ-R10: Recreation activities not otherwise provided for
- GRUZ-R11: Visitor accommodation
- GRUZ-R12: Rural industries
- GRUZ-R13: Intensive indoor primary production
- GRUZ-R14: Quarrying activities
- GRUZ-R15: Landfills and cleanfills
- GRUZ-R16: Solid waste transfer stations
- GRUZ-R17: Retirement villages
- GRUZ-R18: Community facilities
- GRUZ-R19: Educational facilities
- GRUZ-R20: Health care activities
- GRUZ-R21: Emergency service facilities
- GRUZ-R22: Boarding of domestic pets
- GRUZ-R23: Activities not otherwise provided for
- GRUZ-R24: Industrial activities

#### **Rules – Quarry Zone Protection Overlay**

- GRUZ-QZPO-R1: Construction of new residential units in the Quarry Zone Protection Overlay
- GRUZ-QZPO-R2: Residential activities in the Quarry Zone Protection Overlay
- GRUZ-QZPO-R3: Visitor accommodation in the Quarry Zone Protection Overlay

#### **Rules – Highly Productive Land Overlay**

- GRUZ-HPLO-R1: Construction of new buildings and structures and alterations and additions to existing buildings and structures in the Highly Productive Land Overlay
- GRUZ-HPLO-R2: Land use activities in the Highly Productive Land Overlay

Standards
<ul style="list-style-type: none"><li>• GRUZ-S1: Gross floor area</li><li>• GRUZ-S2: Building height</li><li>• GRUZ-S3: Setback</li></ul>



(112) The objectives for the General Rural Zone are also implemented through the policies and rules of the District-Wide chapters, including policies and rules that specifically apply to areas identified by overlays on the proposed District Plan maps.

## 6.2 Rural Lifestyle Zone

(113) The proposed Rural Lifestyle Zone applies to some rural areas of:

- Wainuiomata, particularly in Wainuiomata North, Moores Valley and Homedale, and
- The Western Hills suburbs, particularly in Normandale, Belmont and Kelson.

(114) This zone is most similar to the Rural Residential Activity Area of the operative District Plan.

(115) The objectives for the zone are:

- **RLZ-O1: Purpose and character of the zone**, which sets the overall purpose and character of the zone, with a focus on a mixed rural and residential character.
- **RLZ-O2: Activities in the zone**, which describes the activities for the zone, including specific activities (rural activities and low-density residential development) and in terms of the impacts and compatibility for other activities.
- **RLZ-O3: Built character**, which outlines what is anticipated for built development within the zone.
- **RLZ-O4: Adverse effects**, which sets the overall outcome for how adverse effects are to be managed in relation to adjoining zones.
- **RLZ-O5: Infrastructure**, which sets an objective for development to be adequately serviced and supported by infrastructure or is serviced and supported by on-site facilities.

- **RLZ-QZPO-O1: Protection of the quarrying activities in the Quarry Zone.**

- (116) The policies for the zone collectively implement these objectives.
- (117) **Policies RLZ-P1 to RLZ-P3** outline the predominant, compatible and potentially incompatible activities for the zone. These are primarily implemented by the *Land use activities* rules (listed in the rule table below), with more permissive rules for the predominant and compatible activities for the zone, resource consent requirements for potentially incompatible activities.
- (118) **Policy RLZ-P4: Built development** is the policy for how built development is to be managed within the zone.
- (119) **Policy RLZ-P5: Infrastructure** relates to recognition of infrastructure constraints for development within the zone.
- (120) **Policy RLZ-QZPO-P1: Activities in the Quarry Zone Protection Overlay** gives direction for protection of quarrying activities in the Quarry Zone from reverse sensitivity effects from activities within the Rural Lifestyle Zone.
- (121) The following table lists rules for the proposed Rural Lifestyle Zone.

<b>Rules for the proposed General Rural Zone</b>
<b>Buildings and structures</b>
<ul style="list-style-type: none"> <li>• RLZ-R1: Repair and maintenance of buildings and structures</li> <li>• RLZ-R2: Demolition or removal of buildings and structures</li> <li>• RLZ-R3: Construction of new buildings and structures and alterations and additions to existing buildings and structures</li> </ul>
<b>Land use activities</b>
<ul style="list-style-type: none"> <li>• RLZ-R4: Piggeries</li> <li>• RLZ-R5: Rural activities not otherwise provided for</li> <li>• RLZ-R6: Residential activities</li> <li>• RLZ-R6a: Papakāinga</li> <li>• RLZ-R7: Home businesses not otherwise provided for</li> <li>• RLZ-R8: Conservation activities</li> </ul>

<ul style="list-style-type: none"> <li>• RLZ-R9: Public and community gardens</li> <li>• RLZ-R10: Recreation activities not otherwise provided for</li> <li>• RLZ-R11: Visitor accommodation</li> <li>• RLZ-R12: Rural industries</li> <li>• RLZ-R13: Retirement villages</li> <li>• RLZ-R14: Community facilities</li> <li>• RLZ-R15: Educational facilities</li> <li>• RLZ-R16: Emergency service facilities</li> <li>• RLZ-R17: Boarding of domestic pets</li> <li>• RLZ-R18: Activities not otherwise provided for</li> <li>• RLZ-R19: Intensive indoor primary production</li> <li>• RLZ-R20: Industrial activities</li> </ul>
<p><b>Rules – Quarry Zone Protection Overlay</b></p>
<ul style="list-style-type: none"> <li>• RLZ-QZPO-R1: Construction of new residential units in the Quarry Zone Protection Overlay</li> <li>• RLZ-QZPO-R2: Residential activities in the Quarry Zone Protection Overlay</li> <li>• RLZ-QZPO-R3: Visitor accommodation in the Quarry Zone Protection Overlay</li> </ul>
<p><b>Standards</b></p>
<ul style="list-style-type: none"> <li>• RLZ-S1: Gross floor area</li> <li>• RLZ-S2: Building height</li> <li>• RLZ-S3: Setback</li> </ul>

(122) The objectives for the Rural Lifestyle Zone are also implemented through the policies and rules of the District-Wide chapters, including policies and rules that specifically apply to areas identified by overlays on the proposed District Plan maps.

# 7 Evaluation of objectives

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- (123) This section is the evaluation of objectives, as required through s32(1)(a) of the RMA.
- (124) An objective is a statement of what is to be achieved through the resolution of a particular resource management issue. A district plan objective should set out a desired end state to be achieved through the implementation of policies and rules.
- (125) Under s75(1)(a) of the Resource Management Act, a district plan must state the objectives for the district.
- (126) Under s32(1)(a) of the Resource Management Act, an evaluation report required under the Act must examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the RMA. The purpose of the RMA, as stated in s5(1) of the Act, is to promote the sustainable management of natural and physical resources.

## Structure of this evaluation

- (127) Both of the proposed Rural Zone chapters have an objective on the Purpose and character of the zone, Activities in the zone, Built character, Adverse effects and Infrastructure.
- (128) For this evaluation, these pairs of objectives have been evaluated together, with separate evaluations for the overlay-specific objectives. As a result, this evaluation includes the following evaluation tables:
1. Purpose and character of the zones (GRUZ-O1 and RLZ-O1)
  2. Activities in the zones (GRUZ-O2 and RLZ-O2)
  3. Built character (GRUZ-O3 and RLZ-O3)
  4. Adverse effects (GRUZ-O4 and RLZ-O4)
  5. Infrastructure (GRUZ-O5 and RLZ-O5)
  6. Protection of the quarrying activities in the Quarry Zone (GRUZ-QZPO-O1 and RLZ-QZPO-O1)

7. Protection of highly productive land in the Highly Productive Land Overlay (GRUZ-HPLO-01)

## 7.1 Evaluation of objectives on purpose and character (GRUZ-01 and RLZ-01)

### Evaluation of objectives on purposes and characters of rural zones

#### GRUZ-01 and RLZ-01

##### Relevance

- The objectives set the overall purpose and character for the zones.
- Responds to the issues identified in this report of Lower Hutt including rural and rural residential areas with a character that differs from more urban areas.
- These objectives are part of a consistent approach taken across zone chapters of the proposed District Plan, each of which include an objective on the purpose and character of that zone.

##### Usefulness

- Clearly states the intended purpose and character for the zones, providing the basis for the policies and rules of the chapters, and context for decision makers when considering resource consent applications for land use and development within the zones.
- Supports provision of a range of land uses that require rural, open space locations.
- Supports the Council function of controlling the actual and potential effects (a function under s31(1)(b) of the RMA) within rural and rural residential areas.

##### Reasonableness

- The objectives for the purpose and character of the zones do not set an overly prescriptive outcome for the zones.

##### Achievability

- The objectives seek a similar outcome for the purpose and character of the zones to what is currently being achieved in the areas identified by the zones.



- The objectives can be achieved without imposing a significant regulatory burden on people undertaking land use and development within these zones (although the policies and rules that implement the objective would have a greater influence on this).

## **Alternatives**

### **More specific purpose and character objectives**

This alternative would involve each objective for the purpose and character of the open space and recreation zones have more detail on the outcome sought for the zone.

This alternative is not recommended as that detail is provided in other objectives for the zones that focus on the activities, built development and management of effects in the zones, as well as outcomes sought through District-Wide chapters of the proposed District Plan.

### **Setting an alternative purpose or character for each zone**

This alternative would involve outlining a different purpose or character for one or more of the open space and recreation zones. This could be in order to signal a different type of land use or level of development than what currently exists in these areas, such as signalling a greater level of urban development.

This alternative is not recommended as there is no clear justification for seeking an alternative purpose or character for the areas identified in the rural zones, noting that there are often constraints to more urban land uses within rural areas, particularly due to a lack of infrastructure to support them.

## 7.2 Evaluation of objectives on activities (GRUZ-O2 and RLZ-O2)

Evaluation of objectives on activities in rural zones
<b>GRUZ-O2 and RLZ-O2</b>
<p><b>Relevance</b></p> <ul style="list-style-type: none"> <li>• These objectives set a desired outcome for the types of activities within the zones, which responds to the identified resource management issues of the potential for incompatible activities within the zones and potential impacts of activities.</li> <li>• These objectives are part of a consistent approach taken across zone chapters of the proposed District Plan, each of which include an objective on activities within that zone.</li> </ul> <p><b>Usefulness</b></p> <ul style="list-style-type: none"> <li>• Clearly states outcomes sought for the types of activities that are anticipated in rural zones.</li> <li>• Supports the Council function of controlling the actual and potential effects of activities in rural zones (a function under s31(1)(b) of the RMA).</li> </ul> <p><b>Reasonableness</b></p> <ul style="list-style-type: none"> <li>• Seeks an outcome that is reasonable for people who operate under Plan to meet, noting that this objective is relatively consistent with what is sought under the operative District Plan.</li> </ul> <p><b>Achievability</b></p> <ul style="list-style-type: none"> <li>• Can be achieved without imposing a significant regulatory burden on people undertaking activities within rural zone, noting that resource consent may be required for some activities.</li> </ul>
<b>Alternatives</b>
<p><b>No objective for activities in the zones</b></p> <p>Under this alternative there would be no activity-specific objectives in the chapters for the rural zones, effectively relying on more general objectives on the purpose and character for the zones.</p> <p>The proposed approach is more appropriate as it provides more detail on the outcome sought for the zones than the more general objectives on purpose and character of the zones. This would be more useful for plan users in providing the context for the policies and rules of the rural zone chapters, including for resource applicants and decision makers considering resource consent applications.</p> <p><b>Objectives seeking alternative ranges of activities for the zone</b></p>

Under this alternative, a different range of activities would be signalled through the objectives for rural zones on activities.

While this is a valid alternative, more detail would be required on what alternative activities would be included. Instead, the proposed objectives seek activities that are in keeping with the existing character of areas within these zones.

## 7.3 Evaluation of objectives on built character (GRUZ-O3 and RLZ-O3)

### Evaluation of objectives on built character in rural zones

#### GRUZ-O3 and RLZ-O3

##### Relevance

- The proposed objectives set the desired outcome for built development for sites within rural zones. This responds to the identified resource management issues in relation to potential impacts of built development, and also the need for built development to provide for land use and development anticipated for the zones.
- These objectives are part of a consistent approach taken across zone chapters of the proposed District Plan, each of which include an objective on built character within that zone.

##### Usefulness

- Provides clear guidance on the desired outcomes for built development within the zones, providing useful context for the policies and rules in the rural zone chapters, including for people applying for resource consent and for decision makers when considering those applications.
- Supports the Council function of controlling the actual and potential effects of new buildings or structures and additions to existing buildings and structures (a function under s31(1)(b) of the RMA).

##### Reasonableness

- The objectives are not overly prescriptive, providing sufficient flexibility for built development to occur within the wide range of sites within the zones.

##### Achievability

- As the objectives are not overly prescriptive, the outcomes sought by the objectives will be achievable without placing an unreasonable regulatory burden on people undertaking land use and development within these zones, noting that the policies and rules that implement this objective provide for built development as a permitted activity.

<b>Alternatives</b>
<p><b>No objectives for built development</b></p> <p>Under this alternative, there would be no objectives for built development within the rural zones, effectively relying on more general objectives to support regulation on built development within the zones, such as the general objectives on purpose and character.</p> <p>This alternative is less appropriate than the recommended objectives as built development has types of impacts that need to be regulated in order to achieve sustainable development (such as impacts on amenity values for users of the site and for adjacent sites) and setting specific objectives for built development supports application of policies and rules that address these impacts.</p> <p><b>More specific objectives for built development</b></p> <p>Alternative objectives could be adopted that are more prescriptive on the outcomes sought for built development. This could include in relation to the size of the buildings (such as number of storeys and gross floor area) and proximity to other features (particularly site boundaries).</p> <p>This alternative is not recommended as there is a wide variety of sites within each of the zones, and a more prescriptive objective runs the risk of setting a desired outcome that is not achievable for some sites. In addition, this more specific detail can be provided through the policies and rules that implement the objectives.</p>

## 7.4 Evaluation of objectives on adverse effects (GRUZ-O4 and RLZ-O4)

<b>Evaluation of objectives on adverse effects</b>
<b>GRUZ-O4 and RLZ-O4</b>
<p><b>Relevance</b></p> <ul style="list-style-type: none"> <li>Assists in responding to the identified resource management issue of land use and development within rural zones potentially having adverse effects, including effects on sites in adjoining zones. This is particularly the case where rural zones adjoin more urban zones as rural zones provide for activities that can be incompatible with the land use in more urban zones (such as residential zones) if not managed appropriately.</li> <li>These objectives are part of a consistent approach taken across zone chapters of the proposed District Plan, each of which include an objective on management of adverse effects.</li> </ul> <p><b>Usefulness</b></p>

- Clearly states a general objective for how potential impacts of land use and development within the zones is to be managed (with more specific direction provided through policies).
- Supports the Council function of controlling the actual and potential effects of activities in rural zones (a function under s31(1)(b) of the RMA).
- Useful for plan users in setting an expectation for how adverse effects are to be managed in relation to sites in adjacent zones, which will assist people applying for resource consent for land use and development within the zones and decision makers in considering those applications.

**Reasonableness**

- The objectives would be able to be achieved without creating an unjustifiable cost, noting that there may be some costs associated with meeting achieving the objective if resource consent.

**Achievability**

- The objective is achievable, noting that this objective may influence the location of some forms of land use and development (particularly locating some forms of land use and development away from property boundaries) and may influence the manner in which the land use and development needs to be carried out.

**Alternatives**

**No general objective for adverse effects**

Under this alternative there would be no objective that is specific to how adverse effects are to be managed in relation to sites in adjacent zones.

While this is a valid alternative, the proposed objectives are more appropriate as they set a clear outcome for how effects on sites in adjacent zones should be managed. This is particularly useful for resource consent processes as how to manage effects on sites in adjacent zones is a common question that needs to be answered through those processes.

**Objectives that are more accepting of adverse effects in adjacent zones**

Under this alternative, the objectives would not seek the management of effects at interfaces with other zones (either all other zones or specific zones), effectively providing for those effects on sites in those adjacent zones. A variation of this alternative would be to include more detail on which effects are to be managed.

This alternative is less appropriate than the objectives adopted in the proposed District Plan given that sites in adjacent zones can have a significantly different character and provide for different land uses than rural zones, notably rural activities.

## 7.5 Evaluation of objectives on infrastructure (GRUZ-O5 and RLZ-O5)

<b>Evaluation of objectives on infrastructure</b>
<b>GRUZ-O5 and RLZ-O5</b>
<p><b>Relevance</b></p> <ul style="list-style-type: none"> <li>Addresses the identified resource management issue that there is typically a lower level of infrastructure within rural areas, and that this can be a constraint on the density and form of development within those areas unless there are plans in place to resolve the constraints, including infrastructure upgrades and measures provide on-site (such as on-site wastewater disposal and water collection).</li> </ul> <p><b>Usefulness</b></p> <ul style="list-style-type: none"> <li>Clearly states a basic outcome that development is adequately serviced and supported by infrastructure while also providing scope for the servicing to be achieved through on-site facilities, a common measure to resolving infrastructure constraints in rural areas.</li> <li>The objectives provide context for policies and rules that constrain the density and form of development in rural areas.</li> </ul> <p><b>Reasonableness</b></p> <ul style="list-style-type: none"> <li>Seeks an outcome that is reasonable for people undertaking land use and development within the zones to meet, noting that this objective is currently being achieved by development in Lower Hutt.</li> </ul> <p><b>Achievability</b></p> <ul style="list-style-type: none"> <li>Can be achieved within the functions of Hutt City Council, including the control of subdivisions, noting that this is currently being achieved under the operative District Plan, and that Greater Wellington Regional Council is responsible for the management off discharges to land (such as discharges from septic tanks and on-site disposal fields, common in rural areas) and water takes from groundwater and surface waterbodies.</li> </ul>
<b>Alternatives</b>
<p><b>No specific objective for infrastructure in rural zones</b></p> <p>Under this alternative, there would be no specific objective in relation to rural zones.</p> <p>This alternative could be on the basis that this objective could be set in the Strategic Direction chapter for development in general, or that this outcome</p>

could be incorporated within objectives on the purposes and characters of the zones.

This alternative is not proposed as it is more useful for plan users to have these objectives clearly stated in the chapters for the zones as infrastructure constraints (or a lack of infrastructure entirely) are particularly notable issues for rural areas, and there is a risk that the objective would be missed if it was solely stated in the Strategic Directions chapter or presented within the purpose and character objectives, which address different issues to infrastructure.

## 7.6 Evaluation of objectives for protection of quarrying activities in the Quarry Zone (GRUZ-QZPO-01 and RLZ-QZPO-01)

### Evaluation of objectives for protection of quarrying activities in the Quarry Zone

#### GRUZ-QZPO-01 and RLZ-QZPO-01

##### Relevance

- Addresses the identified resource management issue that new land use and development near the Quarry Zone (particularly new land use that are sensitive to the effects of quarrying, including noise, vibration and visual impacts) can have reverse sensitivity effects on the operation of the quarry, potentially constraining quarrying within the zone.
- The provision of aggregate and other construction products is essential for development, particularly urban development.
- Locations that are suitable for quarrying are a finite resource. Section 7g of the RMA directs councils to have particular regard to any finite characteristics of natural and physical resources when exercising functions and powers under the Act(s7g).

##### Usefulness

- Clearly states outcomes sought for new land use and development within the Quarry Zone Protection Overlay.
- Supports the Council function of controlling the actual and potential effects (a function under s31(1)(b) of the RMA) with regard to reverse sensitivity effects on quarrying activities within the Quarry Zone from new land use and development that is potentially sensitive to the effects of quarrying activities.

**Reasonableness**

- Seeks an outcome that is reasonable for people undertaking land use and development within the precinct to meet, noting that this objective seeks a similar outcome to what is currently sought (and achieved) through the operative District Plan.

**Achievability**

- Can be achieved without imposing a significant regulatory burden on people undertaking land use and development within the overlay, noting that this objective seeks a similar outcome to what is currently sought through the operative District Plan.

**Alternatives****No objectives for the Quarry Zone Protection Overlay**

Under this alternative, there would be no specific objectives for protecting quarrying activities in the Quarry Zone from activities in the rural zones.

This alternative could result in either there being no policies and rules that protect the quarrying activities (as there would be no objective for them to implement) or policies and rules with no objective to provide the context for what is to be achieved through the application of the policies or rules. For these reasons, this alternative is not adopted in the proposed District Plan.

**More specific objectives on protection of quarrying activities in the Quarry Zone**

Under this alternative, the objectives that relate to the Quarry Zone Protection Overlay would include more details on the protection of quarrying activities. This could include details on the types of activities and development addressed by the objectives and the types of effects.

While this is a valid alternative, this detail can be provided through the policies and rules that implement the objective (the approach of the proposed District Plan).

## 7.7 Evaluation of objective on protection of highly productive land (GRUZ-HPLO-01)

**Evaluation of objective on protection of highly productive land****GRUZ-HPLO-01****Relevance**

- The protection of highly productive land for use in land-based primary production is the objective of the National Policy Statement for Highly Productive Land (NPS-HPL). The NPS-HPL gives direction to regional and



territorial authorities on how this protection is to be achieved (Part 3 of the NPS-HPL).

- Section 7 of the RMA directs councils to have particular regard to other matters when exercising functions and powers under the Act. This includes *any finite characteristics of natural and physical resources* (s7g). Highly productive land is a finite resource.
- For the proposed District Plan, highly productive land has been identified within the General Rural Zone through a Highly Productive Land Overlay. This overlay has been prepared in accordance with section 3.5 of the NPS-HPL the process.

#### **Usefulness**

- The objective is Council's objective to be achieved in the implementation of the NPS-HPL, and supports Council in carrying out its function under s32(1)(b) of the RMA of controlling *any actual or potential effects of the use, development, or protection of land* with regard to potential effects of use and development of highly productive land and the protection of highly productive land for land-based primary production.

#### **Reasonableness**

- The outcome sought by the objective is reasonable in the context of the requirements of the NPS-HPL to protect highly productive land for use in land-based primary production.

#### **Achievability**

- The objective can be achieved through the policies and rules that implement the objective (evaluated elsewhere in this report), including through resource consent processes.

#### **Alternatives**

##### **No objective for protection of highly productive land**

Under this alternative, there would be no objective for the protection of highly productive land for use in land-based primary production.

This may have been the most appropriate option prior to the NPS-HPL taking effect due to the lack of LUC 1 and 2 land in Lower Hutt and the relatively small, fragmented area of LUC 3 land (based on the New Zealand Land Resource Inventory). However, the NPS-HPL is in place, and the District Plan must implement the NPS-HPL.

This alternative is not adopted in the proposed District Plan as under this alternative plan users would need to look to the NPS-HPL to find what the policies and rules for highly productive land are trying to achieve, rather than simply being able to see this through an objective in the Plan.

## 8 Evaluation of Policies and Rules

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- (129) Policies and rules implement, or give effect to, the objectives of a plan.
- (130) Policies of a district plan are the course of action to achieve or implement the plan's objective (i.e. the path to be followed to achieve a certain, specified, environmental outcome). Rules of a district plan implement the plan's policies, and have the force and effect of a regulation.
- (131) Under s32(1)(b) of the Resource Management Act, an evaluation report required under the Act must examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—
- (i) *identifying other reasonably practicable options for achieving the objectives; and*
  - (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
  - (iii) *summarising the reasons for deciding on the provisions.*
- (132) Under s32(2) of the Resource Management Act, the assessment of the efficiency and effectiveness of the provisions must:
- (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
    - (i) *economic growth that are anticipated to be provided or reduced; and*
    - (ii) *employment that are anticipated to be provided or reduced; and*

- (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*
- (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

### **Structure of this evaluation**

- (133) This evaluation evaluates the policies and rules for each of the two Rural Zone chapters of the proposed District Plan (the General Rural Zone and the Rural Lifestyle Zone).
- (134) An evaluation table has been prepared for each of these chapters, with each evaluation table addressing all the policies and rules for that chapter collective. This is in part because the policies and rules of a chapter often act as a package of provisions that implement one or more zones.
- (135) However, the specific policies and rules for the Quarry Zone Protection Overlay and Highly Productive Land Overlay are evaluated in evaluation tables specific to those overlays.
- (136) As a result, the following sections include the following evaluation tables:
- Section 8.1: Evaluation of policies and rules for the General Rural Zone
  - Section 8.2: Evaluation of policies and rules for the Rural Lifestyle Zone
  - Section 8.3: Evaluation of specific policies and rules for the Quarry Zone Protection Overlay
  - Section 8.4: Evaluation of specific policies and rules for the Highly Productive Land Overlay

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

- (137) Under Section 32(2)(b), the benefits and costs assessed should be quantified if practicable.
- (138) Given the wide range of land uses and types of development that are addressed through the Rural Zones chapter, and the significant degree in variation in sites within the Rural Zones, quantification of the benefits and costs it is not practicable in relation to this topic. Instead, the following assessments includes qualitative assessments of benefits and costs, with a generally assessment of where additional benefits and costs may lie.

**Risk of acting / not acting if information is uncertain or insufficient**

- (139) Under Section 32(2)(c) the assessment of efficiency and effectiveness of provisions must include an assessment of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.
- (140) For the Rural Zones chapter, there is certain and sufficient information on which to base the proposed policies and rules.

# 8.1 Evaluation of policies and rules for the General Rural Zone

Evaluation of policies and rules for the General Rural Zone	
<b>OBJECTIVES</b>	
<ul style="list-style-type: none"> <li>GRUZ-O1: Purpose and character of the zone</li> <li>GRUZ-O2: Activities in the zone</li> <li>GRUZ-O3: Built character</li> </ul>	<ul style="list-style-type: none"> <li>GRUZ-O4: Adverse effects</li> <li>GRUZ-O5: Infrastructure</li> </ul>
<b>POLICIES</b>	
<ul style="list-style-type: none"> <li>GRUZ-P1: Predominant activities</li> <li>GRUZ-P2: Compatible activities</li> <li>GRUZ-P3: Potentially incompatible activities</li> </ul>	<ul style="list-style-type: none"> <li>GRUZ-P4: Built development</li> <li>GRUZ-P5: Infrastructure</li> </ul>
<b>RULES</b>	
<ul style="list-style-type: none"> <li>GRUZ-R1: Repair and maintenance of buildings and structures</li> <li>GRUZ-R2: Demolition or removal of buildings and structures</li> <li>GRUZ-R3: Construction of new buildings and structures and alterations and additions to existing buildings and structures</li> </ul>	<ul style="list-style-type: none"> <li>GRUZ-R11: Visitor accommodation</li> <li>GRUZ-R12: Rural industries</li> <li>GRUZ-R13: Intensive indoor primary production</li> <li>GRUZ-R14: Quarrying activities</li> <li>GRUZ-R15: Landfills and cleanfills</li> <li>GRUZ-R16: Solid waste transfer stations</li> </ul>

<ul style="list-style-type: none"> <li>• GRUZ-R4: Piggeries</li> <li>• GRUZ-R5: Rural activities not otherwise provided for</li> <li>• GRUZ-R6: Residential activities</li> <li>• GRUZ-R6a: Papakāinga</li> <li>• GRUZ-R7: Home businesses not otherwise provided for</li> <li>• GRUZ-R8: Conservation activities</li> <li>• GRUZ-R9: Public and community gardens</li> <li>• GRUZ-R10: Recreation activities not otherwise provided for</li> </ul>	<ul style="list-style-type: none"> <li>• GRUZ-R17: Retirement villages</li> <li>• GRUZ-R18: Community facilities</li> <li>• GRUZ-R19: Educational facilities</li> <li>• GRUZ-R20: Health care activities</li> <li>• GRUZ-R21: Emergency service facilities</li> <li>• GRUZ-R22: Boarding of domestic pets</li> <li>• GRUZ-R23: Activities not otherwise provided for</li> <li>• GRUZ-R24: Industrial activities</li> </ul>
<b>Efficiency and effectiveness</b>	
<b>Costs</b>	<b>Benefits</b>
<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Potential for environmental costs from the policies and rules that enable a greater level of density and built development within the zone, noting that other chapters of the proposed District Plan would have a greater influence on the environmental impacts of development in the zone (particularly the Earthworks, Ecosystems and Indigenous Biodiversity, Natural Features and Landscapes and Natural Character chapters). In addition, the Natural Resources Plan for the Wellington Region plays an important role in managing environmental impacts from</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• No direct environmental benefits. While conservation activities would be explicitly permitted through rule GRUZ-R8, it is likely that these would be treated as permitted without that specific reference.</li> <li>• Retaining a relatively low level of built development (through standards on density and built development) would have environmental benefits when compared to a more intensive level of development. However, the proposed provisions would provide for an increase in the</li> </ul>

new development, including with regard to discharges (including on-site wastewater discharges), water takes from groundwater and surface water bodies, diversions of water and disturbance of the bed of waterbodies (all of which can be a key part of land use and development in rural areas).

**Economic**

- There would be additional economic costs for land use and development where the rules require resource consent, including costs associated with preparing a resource consent application and costs associated with processing the application.
- Resource consent requirements can have an additional economic cost as they can deter an activity or development from occurring, which can result in a loss of an economic opportunity, including opportunities that create employment. This is particularly notable for the General Rural Zone which has resource consent requirements for a range of activities that are often more suited to a more rural location, including rural industries, intensive indoor primary production, quarrying activities, and landfills and cleanfills. Retail of locally grown/manufactured produce and tourism activities also require resource consent under the discretionary catch-

level of development (compared to the Rural Residential Activity Area).

- Other chapters of the proposed District Plan would have a greater influence on the level of benefits for the natural environment than the General Rural Zone chapter (in particular, the Earthworks, Ecosystems and Indigenous Biodiversity, Natural Features and Landscapes and Natural Character chapters).

**Economic**

- There are economic benefits from providing for development within the General Rural Zone, including by providing for increased residential development that can contribute the economic value of a property.
- Some rules of the proposed Rural Lifestyle Zone provide for activities that typically result in a direct economic benefit, including rural activities, home occupations and visitor accommodation, which can contribute to economic growth and employment opportunities.
- The proposed rules require resource consent for a range of activities. This is in part to ensure the impacts of those activities on rural activities within the zone can be assessed, including reverse sensitivity effects. Protecting

all rule (GRUZ-R23). However, the proposed chapter would require resource consent for these activities in order to manage their potential effects, including effects on the predominant activities for the zone, character and amenity, and infrastructure.

### **Social**

- An increase in density and level of built development (which would be enabled when compared to the provisions for the General Rural Activity Area of the operative District Plan) would have a social cost in terms of impacts on amenity values for people who value the lower density and low level of built development.
- There is a social cost from requiring resource consent for activities that can make a positive contribution to social wellbeing (including community facilities, commercial activities, educational facilities and papakāinga) as resource consent requirements can have a discouraging influence on these activities taking place (although this is part of a trade-off with managing potential effects on amenity values, character, and predominant activities for the zone, as well as infrastructure capacity).

### **Cultural**

rural activities from activities sensitive to their effects has an economic benefit for those rural activities.

### **Social**

- Social benefits through the increased provision for residential development in areas within the General Rural Zone (compared to the Rural Residential Activity Area of the operative District Plan), including through minor additional dwellings.
- Resource consent requirements, including for built development, are proposed in part to manage the potential effects on amenity values both within the zone and in adjacent zones.

### **Cultural**

- Rule RLZ-6a would provide for papakāinga, albeit through a resource consent process as a restricted discretionary activity to ensure effects on amenity values, infrastructure issues and reverse sensitivity issues can be addressed. Papakāinga would be supported through policies in the proposed Papakāinga chapter.



- No cultural costs have been identified, noting that other chapters of the proposed District Plan are potentially more relevant in this regard. In particular, the Sites and Areas of Significance to Māori, Natural Character, Natural Features and Landscapes, Ecosystems and Indigenous Biodiversity and Earthworks chapters.

### **Effectiveness and efficiency summary**

The proposed provisions are effective at meeting the objectives for the General Rural Zone. They provide for land use and development that meets the purpose and character set by the objectives, and also implement the objectives in terms of the range of activities for the zone, built development for the zone, and the overall management of adverse effects, particularly with regard to the interface with other zones.

The policies and rules provide for a range of economic, social and cultural benefits (outlined above). This is often achieved through permitted activity rules, which is an efficient approach as it avoids the added time and costs associated with resource consent processes. Where resource consent is required, this is in order to address the effects associated with the land use and development, including effects on character of the zone, amenity values for areas within the zone and adjacent zones, predominant activities for the zone (including reverse sensitivity effects on rural activities), and infrastructure.

While some environmental, economic and social costs have been identified, particularly through resource consent requirements for some activities, this is part of a trade-off between providing for new land use and development (and the benefits derived from new land use and development) with managing the potential impacts of land use and development.

## Other reasonably practicable options for achieving the objective

### More enabling provisions for a wider range of activities

Under this alternative, the policies and rules would be more enabling of a wider range of activities. Examples of activities that could benefit from more enabling provisions (including permitted activity rules) include activities that are best suited to a rural location, such as:

- Rural industries and intensive indoor primary production,
- Quarrying activities,
- Landfills and cleanfills,
- Boarding of domestic pets,
- Retail of local produce,
- Community, healthcare and emergency service facilities that support rural communities, and
- Tourism and educational facilities with a functional need to have access to rural and/or open space locations.

More enabling provisions would have the added economic benefits (including providing for added business opportunities and employment and more convenient access to facilities that support rural development and rural communities) and added social benefits (particularly by providing for added facilities to support rural communities). However, there would potentially be adverse effects from the additional activities, including effects on the character of the zone, rural amenity, amenity of sites in adjoining zones, infrastructure (particularly the safety and efficiency of the transport network) and reverse sensitivity effects on rural activities.

Given these potential impacts, the proposed provisions are more appropriate at achieving the objectives, noting that the resource consent pathway is still available for these other activities, which enables the impacts to be assessed on a case-

by-case basis and enables people living in these areas to have a say on the proposed activities (depending on the scale of the effects of the proposed activity).

#### **More restrictive policies and rules for activities other than rural and residential activities**

Under this alternative, the proposed policies and rules would be more restrictive for a greater range of activities, including through more rules with more restrictive activity statuses (such as non-complying rules) and policies that discourage those activities from being located within the zone.

While this alternative may be more effective at achieving the objective for the zone with regard to the prevalence of open space and predominantly providing for rural and low density residential activities (GRUZ-O1 and GRUZ-O2), it would be less enabling of activities that:

- Are compatible with those predominant activities,
- Activities that support rural activities and rural communities, and
- Activities with a functional need for an open space and/or rural location.

This alternative would also be less efficient at providing for these activities as provision of these activities may incur added consenting costs (or other costs associated with meeting the additional requirements that would be imposed) for activities that may have only minimal impacts.

The proposed provisions are more appropriate as they provide a consenting pathway for a wide range of activities that may be appropriate within the zone. The consenting pathway would ensure the effects of the activities can be considered on a case-by-case basis, based on the specific details of the proposal.

#### **Alternative standards for density and built development**

The General Rural Zone could include alternative standards for density and built development. This could include:

- Providing for lesser or greater residential development through standards on the maximum number of units per site or hectare,

- Including alternative standards for building heights, gross floor area and boundary setbacks, and
- Additional standards on built development, such as height in relation to boundary standards, open space requirements and standards that encourage clustering of built development.

Ultimately, all of these standards are part of striking a balance between providing for an appropriate level land use and development for a rural area while managing the potential impacts of that development, particularly on the rural character and amenity of areas within the General Rural Zone as well as the potential impacts on the transport network (as an increase in development can put greater demand on rural roads, which may need to be upgraded to support the additional vehicle movements).

With regard to additional standards on built development, the General Rural Zone has fewer standards on built development than residential zones, such as standards on outdoor living space, height in relation to boundary, and landscaping. This is due to sites in the General Rural Zone typically being much larger than typical sites in residential zones, and this larger site size enables built development to take place in a way that that has minimal effects on amenity values of adjoining sites and the surrounding area.

## 8.2 Evaluation of policies and rules for the Rural Lifestyle Zone

Evaluation of policies and rules for the Rural Lifestyle Zone	
<b>OBJECTIVES</b>	
<ul style="list-style-type: none"> <li>• RLZ-O1: Purpose and character of the zone</li> <li>• RLZ-O2: Activities in the zone</li> <li>• RLZ-O3: Built character</li> </ul>	<ul style="list-style-type: none"> <li>• RLZ-O4: Adverse effects</li> <li>• RLZ-O5: Infrastructure</li> </ul>
<b>POLICIES</b>	
<ul style="list-style-type: none"> <li>• RLZ-P1: Predominant activities</li> <li>• RLZ-P2: Compatible activities</li> <li>• RLZ-P3: Potentially incompatible activities</li> </ul>	<ul style="list-style-type: none"> <li>• RLZ-P4: Built development</li> <li>• RLZ-P5: Infrastructure</li> </ul>
<b>RULES</b>	
<ul style="list-style-type: none"> <li>• RLZ-R1: Repair and maintenance of buildings and structures</li> <li>• RLZ-R2: Demolition or removal of buildings and structures</li> <li>• RLZ-R3: Construction of new buildings and structures and alterations and additions to existing buildings and structures</li> <li>• RLZ-R4: Piggeries</li> </ul>	<ul style="list-style-type: none"> <li>• RLZ-R10: Recreation activities not otherwise provided for</li> <li>• RLZ-R11: Visitor accommodation</li> <li>• RLZ-R12: Rural industries</li> <li>• RLZ-R13: Retirement villages</li> <li>• RLZ-R14: Community facilities</li> <li>• RLZ-R15: Educational facilities</li> </ul>

<ul style="list-style-type: none"> <li>• RLZ-R5: Rural activities not otherwise provided for</li> <li>• RLZ-R6: Residential activities</li> <li>• RLZ-R6a: Papakāinga</li> <li>• RLZ-R7: Home businesses not otherwise provided for</li> <li>• RLZ-R8: Conservation activities</li> <li>• RLZ-R9: Public and community gardens</li> </ul>	<ul style="list-style-type: none"> <li>• RLZ-R16: Emergency service facilities</li> <li>• RLZ-R17: Boarding of domestic pets</li> <li>• RLZ-R18: Activities not otherwise provided for</li> <li>• RLZ-R19: Intensive indoor primary production</li> <li>• RLZ-R20: Industrial activities</li> </ul>
<p><b>Efficiency and effectiveness</b></p>	
<p><b>Costs</b></p>	<p><b>Benefits</b></p>
<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Potential for environmental costs from the policies and rules that enable a greater level of density and built development within the zone, noting that other chapters of the proposed District Plan would have a greater influence on the environmental impacts of development in the zone (particularly the Earthworks, Ecosystems and Indigenous Biodiversity and Natural Character chapters). In addition, the Natural Resources Plan for the Wellington Region plays an important role in managing environmental impacts from new development, including with regard to discharges (including on-site wastewater discharges), water takes from groundwater and surface</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• No direct environmental benefits. While conservation activities would be explicitly permitted through rule RLZ-R8, it is likely that these would be treated as permitted without that specific reference.</li> <li>• Retaining a relatively low level of built development (through standards on density and built development) would have environmental benefits when compared to a more intensive level of development. However, the proposed provisions would provide for an increase in the level of development (compared to the Rural Residential Activity Area).</li> </ul>

water bodies, diversions of water and disturbance of the bed of waterbodies (all of which can be a key part of land use and development in rural areas).

**Economic**

- There would be additional economic costs for land use and development where the rules require resource consent, including costs associated with preparing a resource consent application and costs associated with processing the application.
- Resource consent requirements can have an additional economic cost as they can deter an activity or development from occurring, which can result in a loss of an economic opportunity, including opportunities that create employment. This is particularly notable for the Rural Lifestyle Zone due to catch-all discretionary activity rule (RLZ-R18) which would require resource consent for all commercial activities not otherwise provided for.

**Social**

- An increase in density and level of built development (which would be enabled when compared to the provisions for the Rural Residential Activity Area of the operative District Plan) would have a social cost in terms

- Other chapters of the proposed District Plan would have a greater influence on the level of benefits for the natural environment than the Rural Lifestyle Zone chapter (in particular, the Earthworks, Ecosystems and Indigenous Biodiversity and Natural Character chapters).

**Economic**

- There are economic benefits from providing for development within the Rural Lifestyle Zone, including by providing for increased residential development that can contribute the economic value of a property.
- Some rules of the proposed Rural Lifestyle Zone provide for activities that typically result in a direct economic benefit, including rural activities, home occupations and visitor accommodation, which can contribute to economic growth and employment opportunities.

**Social**

- Social benefits through the increased provision for residential development in areas within the Rural Lifestyle Zone (compared to the Rural Residential Activity Area of the operative District Plan), including through minor additional dwellings.
- Resource consent requirements, including for built development, are proposed in part to manage the

of impacts on amenity values for people who value the lower density and low level of built development.

- There is a social cost from requiring resource consent for activities that can make a positive contribution to social wellbeing (including community facilities, commercial activities, educational facilities and papakāinga) as resource consent requirements can have a discouraging influence on these activities taking place (although this is part of a trade-off with managing potential effects on amenity values, character of the zone and the predominant activities for the zone, as well as infrastructure capacity).

#### **Cultural**

- No cultural costs have been identified, noting that other chapters of the proposed District Plan are potentially more relevant in this regard. In particular, the Sites and Areas of Significance to Māori, Natural Character, Ecosystems and Indigenous Biodiversity and Earthworks chapters.

potential effects on amenity values both within the zone and in adjacent zones.

#### **Cultural**

- Rule RLZ-6a would provide for papakāinga, albeit through a resource consent process as a restricted discretionary activity to ensure effects on amenity values, infrastructure issues and reverse sensitivity issues can be addressed. Papakāinga would be supported through policies in the proposed Papakāinga chapter.

#### **Effectiveness and efficiency summary**

The proposed provisions are effective at meeting the objectives for the Rural Lifestyle Zone. They provide for land use and development that meets the purpose and character set by the objectives, and also implement the objectives in terms of the



range of activities for the zone, built development for the zone, and the overall management of adverse effects, particularly with regard to the interface with other zones.

The policies and rules provide for a range of economic, social and cultural benefits (outlined above). This is often achieved through permitted activity rules, which is an efficient approach as it avoids the added time and costs associated with resource consent processes. Where resource consent is required, this is in order to address the effects associated with the land use and development, including effects on character of the zone, amenity values for areas within the zone and adjacent zones, predominant activities for the zone, and infrastructure.

While some environmental, economic and social costs have been identified, particularly through resource consent requirements for some activities, this is part of a trade-off between providing for new land use and development (and the benefits derived from new land use and development) with managing the potential impacts of land use and development.

#### **Other reasonably practicable options for achieving the objective**

##### **More enabling provisions for a wider range of activities**

Under this alternative, the policies and rules would be more enabling of a wider range of activities. Examples of activities that could benefit from more enabling provisions (including permitted activity rules) include activities that are best suited to a semi-rural, low density location, such as:

- Boarding of domestic pets,
- Retail of local produce,
- Community, healthcare and emergency service facilities that support rural communities, and
- Tourism and educational facilities with a functional need to have access to rural and/or open space locations.

More enabling provisions would have the added economic benefits (including providing for added business opportunities and employment and more convenient access to facilities that support rural communities) and added social benefits

(particularly by providing for added facilities to support rural communities). However, there would potentially be adverse effects from the additional activities, including effects on the character of the zone, amenity of sites in the zone and in adjoining zones (including residential zone), infrastructure (particularly the safety and efficiency of the transport network) and reverse sensitivity effects on rural activities.

Given these potential impacts, the proposed provisions are more appropriate at achieving the objectives, noting that the resource consent pathway is still available for these other activities, which enables the impacts to be assessed on a case-by-case basis and enables people living in these areas to have a say on the proposed activities (depending on the scale of the effects of the proposed activity).

#### **More restrictive policies and rules for activities other than rural and residential activities**

Under this alternative, the proposed policies and rules would be more restrictive for a greater range of activities, including through more rules with more restrictive activity statuses (such as non-complying rules) and policies that discourage those activities from being located within the zone.

While this alternative may be more effective at achieving the objectives for the zone with regard to the purpose and character of the zone (RLZ-O1) and predominant activities for the zone (RLZ-O2), it would be less enabling of activities that:

- Are compatible with those predominant activities,
- Activities that support rural activities and rural communities, and
- Activities with a functional need for a low-density, rural or semi-rural location.

This alternative would also be less efficient at providing for these activities as provision of these activities may incur added consenting costs (or other costs associated with meeting the additional requirements that would be imposed) for activities that may have only minimal impacts.

The proposed provisions are more appropriate as they provide a consenting pathway for a wide range of activities that may be appropriate within the zone. The consenting pathway would ensure the effects of the activities can be considered on a case-by-case basis, based on the specific details of the proposal.

### **Alternative standards for density and built development**

The Rural Lifestyle Zone could include alternative standards for density and built development. This could include:

- Providing for lesser or greater residential development through standards on the maximum number of units per site or hectare,
- Including alternative standards for building heights, gross floor area and boundary setbacks, and
- Additional standards on built development, such as height in relation to boundary standards, open space requirements and standards that encourage clustering of built development.

Ultimately, all of these standards are part of striking a balance between providing for an appropriate level land use and development for a rural area while managing the potential impacts of that development, particularly on the rural character and amenity of areas within the General Rural Zone as well as the potential impacts on the transport network (as an increase in development can put greater demand on rural roads, which may need to be upgraded to support the additional vehicle movements).

With regard to additional standards on built development, the Rural Lifestyle Zone has fewer standards on built development than residential zones, such as standards on outdoor living space, height in relation to boundary, and landscaping. This is due to sites in the Rural Lifestyle Zone typically being much larger than typical sites in residential zones, and this larger site size enables built development to take place in a way that has minimal effects on amenity values of adjoining sites and the surrounding area.

## 8.3 Evaluation of specific policies and rules for the Quarry Zone Protection Overlay

Evaluation of specific policies and rules for the Quarry Zone Protection Overlay
<p><b>OBJECTIVE</b></p> <ul style="list-style-type: none"> <li><b>GRUZ-QZPO-O1 and RLZ-QZPO-O1: Activities in the Quarry Zone Protection Overlay</b></li> </ul>
<p><b>POLICIES</b></p> <ul style="list-style-type: none"> <li><b>GRUZ-QZPO-P1 and RLZ-QZPO-P1: Activities in the Quarry Zone Protection Overlay</b> <i>Only allow activities in the Quarry Zone Protection Overlay where they do not increase reverse sensitive effects on quarrying activities within the Quarry Zone.</i></li> </ul>
<p><b>RULES</b></p> <ul style="list-style-type: none"> <li><b>GRUZ-QZPO-R1 and RLZ-QZPO-R1: Construction of new residential units in the Quarry Zone Protection Overlay</b></li> <li><b>GRUZ-QZPO-R2 and RLZ-QZPO-R2: Residential activities in the Quarry Zone Protection Overlay</b></li> <li><b>GRUZ-QZPO-R3 and RLZ-QZPO-R3: Visitor accommodation in the Quarry Zone Protection Overlay</b></li> </ul> <p>Restricted discretionary rules for construction of new residential units, residential activities and visitor accommodation in the Quarry Zone Protection Overlay, with matters of discretion restricted to reverse sensitivity effects on quarrying activities in the Quarry Zone.</p>
<p><b>Efficiency and effectiveness</b></p>

<b>Costs</b>	<b>Benefits</b>
<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>No direct environmental costs.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>There would be consenting costs for activities that would be restricted discretionary activities within the overlay, including costs for preparing a consent application and the processing costs.</li> <li>There are potential economic costs through restrictions on activities that could add value to a property (noting that a resource consent pathway would exist for these activities).</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>There are potential social costs through restrictions on land use that can make a positive contribution to social wellbeing (including the provision of housing).</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>No direct cultural costs.</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>No direct environmental benefits.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>The main economic benefits of these policies and rules are associated with providing for the ongoing operation and development of quarry activities within the Quarry Zone, which not only has economic benefits for the quarry operators, but also creates employment opportunities and flow-on economic benefits for other parts of the economy that benefit from the provision of aggregate and other construction materials in a convenient location for the urban environment. This reduces the costs of development within Lower Hutt.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>No direct social benefits.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>No direct cultural benefits.</li> </ul>
<p><b>Effectiveness and efficiency summary</b></p> <p>The proposed provisions are effective at meeting the objectives for the Quarry Zone Protection Overlay. They provide a framework for identifying, considering and managing the potential reverse sensitivity effects of new residential development</p>	

and visitor accommodation on quarrying activities within the Quarry Zone through a resource consent process that allows the specific details of any proposed residential development and visitor accommodation (noting the proposed rules for the underlying zone that would also control these activities and other activities that are potentially sensitive to the effects of quarrying activities).

The proposed policies and rules are relatively efficient as they focus on specific activities (rather than all new land use), which would require less time and costs to implement when compared to policies and rules that apply to land use in general.

This does come with economic and social costs through the constraints of development within the Quarry Zone Protection Overlay that could make a positive contribution to economic and social wellbeing. However, this is part of a trade-off with managing the potential impacts of new land use quarrying activities within the Quarry Zone.

#### **Other reasonably practicable options for achieving the objective**

##### **No specific policies or rules for land use and development in the Quarry Zone Protection Overlay**

Under this alternative, there would be no specific policies or rules that protect quarrying activities within the Quarry Zone from new development in areas near the Quarry Zone. This would be less effective than the proposed approach at achieving objectives GRUZ-QZPO-01 and RLZ-QZPO-01, which seek that new activities in rural zones do not restrict quarrying activities in the Quarry Zone, as it would enable activities that are potentially sensitive to the effects of quarrying activities to take place near the quarrying zone without any consideration to the potential reverse sensitivity effects on the quarrying activities.

##### **More restrictive policies and rules for land use and development in the Quarry Zone Protection Overlay**

Under this alternative, there would be more restrictive policies and rules to manage new land use and development within the Quarry Zone Protection Overlay for the specific purpose of managing the potential reverse sensitivity effects on quarrying activities within the Quarry Zone.

The more restrictive policies could include,

- Rules that require resource consent for all new land use,
- Rules that require resource consent for additional specific activities that are potentially sensitive to the effects of quarrying activities (such as retirement villages, childcare facilities and educational facilities), and
- A non-complying activity status for activities within the Quarry Zone Protection Overlay.

The policies and rules that are proposed are more appropriate as:

- The restricted discretionary activity rule provides a consenting framework that allows the potential impacts of these activities to be considered on a case by case basis, and continues the approach of the operative District Plan for residential activities and visitor accommodation.
- A blanket resource consent requirement for all new land use within the Quarry Zone Protection Overlay would be inappropriate due to the regulatory burden it would create for private properties where new activities may be proposed with no reverse sensitivity effects on the quarrying activities.
- Specific rules for other activities are not necessary as the likely candidates (community facilities, hospitals and healthcare facilities, childcare facilities and education facilities) require resource consent through the underlying zone rules.

## 8.4 Evaluation of specific policies and rules for the Highly Productive Land Overlay

Evaluation of specific policies and rules for the Highly Productive Land Overlay
<b>OBJECTIVE</b> <ul style="list-style-type: none"><li>• <b>GRUZ-HPLO-O1: Protection of highly productive land in the Highly Productive Land Overlay</b></li></ul>
<b>POLICIES</b> <ul style="list-style-type: none"><li>• <b>GRUZ-HPLO-P1: Existing activities in the Highly Productive Land Overlay</b> <i>Enable the ongoing operative, maintenance, and upgrade of existing activities in the Highly Productive Land Overlay.</i></li><li>• <b>GRUZ-HPLO-P2: Activities in the Highly Productive Land Overlay</b> <i>Avoid activities in the Highly Productive Land Overlay that:</i><ol style="list-style-type: none"><li>1. <i>Reduce the area of highly productive land,</i></li><li>2. <i>Result in fragmentation of highly productive land, or</i></li><li>3. <i>Restrict land-based primary production activities on highly productive land.</i></li></ol></li></ul>
<b>RULES</b> <ul style="list-style-type: none"><li>• <b>GRUZ-HPLO-R1: Construction of new buildings and structures and alterations and additions to existing buildings and structures in the Highly Productive Land Overlay</b></li></ul>



A rule that permits buildings and structures in the area identified by the overlay where ancillary to land-based primary production and where standards on gross floor area, building height and setbacks are met. Otherwise, resource consent is required as either a restricted discretionary (if the standards are not met) or non-complying activity (if the building/structure is no ancillary to land-based primary production).

- **GRUZ-HPLO-R2: Land use activities in the Highly Productive Land Overlay**

A rule that permits land-based primary production in the area identified by the overlay and requires resource consent for all other activities in the area as a non-complying activity.

**Efficiency and effectiveness**

**Costs**

**Environmental**

- The only environmental cost would be through the restrictions of land use that would have the potential to result in environmental benefits.

**Economic**

- There are potential economic costs through resource consent requirements for land use and development that would be restricted discretionary or non-complying activities (described in the section on rules above). This includes the costs of preparing a consent application as well as the processing fees.

**Benefits**

**Environmental**

- No direct environmental benefits.

**Economic**

- The economic benefits would be through the retention of land for land-based primary production and ancillary activities, activities that often come with an economic benefit and potential benefits for economic growth and employment opportunities. However, these benefits would ultimately depend on the suitability of the land identified for these activities, which would depend on a number of factors, including the productive capacity of the land, whether the productive land is fragmented (including through

- There would be an economic cost through the loss of economic opportunities from activities that would either be prevented or discouraged through the resource consent requirements (notably, land use that is not land-based primary production or ancillary to land-based primary production). This may have flow-on effects for economic growth and employment opportunities.

**Social**

- Potential social costs from constraints on activities that may make a positive contribution to social wellbeing.

**Cultural**

- Potential cultural costs from constraints on activities that may make a positive contribution to cultural wellbeing.

fragmented ownership) and whether infrastructure is in place to support land-based primary production.

**Social**

- No direct social benefits.

**Cultural**

- No direct cultural benefits.

**Effectiveness and efficiency summary**

Based on this assessment, there are a range of costs associated with the proposed policies and rules. While there are some economic benefits, these are limited due to the lack of LUC 1 and 2 land in Lower Hutt, and the relatively small area of LUC 3 land. In addition, the LUC 3 land is often fragmented, is in multiple landholdings, and in some areas is unsuitable for land-based primary production due to steep slopes and being under roads, driveways and structures. Lower Hutt also lacks the rural infrastructure and industries often found in provincial parts of New Zealand that are necessary to support land-based primary production.

However, the purpose of this evaluation is to assess the effectiveness and efficiency of the proposed policies and rules at achieving the objectives of:

- Enabling the ongoing operative, maintenance, and upgrade of existing activities in the Highly Productive Land Overlay, and
- Avoid activities in the Highly Productive Land Overlay that reduce the area of highly productive land, result in fragmentation of highly productive land, or restrict land-based primary production activities on highly productive land.

Despite the costs of the proposed policies and rules, the policies and rules would be effective at achieving these objectives and would be efficient due to only requiring resource consent for activities that may reduce areas of highly productive land, fragment highly productive land, or restrict land-based primary production activities on highly productive land.

In addition, the policies and rules ensure that the proposed District Plan gives effect to the National Policy Statement on Highly Productive Land, a requirement under section 75(3)(a) of the RMA.

#### **Other reasonably practicable options for achieving the objective**

No reasonably practicable options have been identified as the options for achieving these objectives are heavily constrained by the National Policy Statement on Highly Productive Land.