

Outstanding Natural Features and Landscapes

Section 32 Report for the Proposed Waitomo District Plan

Section 32 Report – Outstanding Natural Features and Landscapes

ISSUES	RESOURCE MANAGEMENT ACT 1991	NATIONAL DIRECTION	REGIONAL POLICY STATEMENTS	IWI MANAGEMENT PLANS CONTINUED
<p>Two research reports are linked to this assessment and form part of the section 32 evaluation. Karst systems and outstanding natural features were researched early on in district plan review process. Dr Bruce Hayward undertook this research and consulted with other specialist geomorphologists and speleologists as part of this work. The report is entitled 'Outstanding Natural Features Identifying and Mapping sites in Waitomo District' August 2018. The second report is a landscape assessment undertaken by Bridget Gilbert called Waitomo District Landscape Study 2021. This assessment is the first time a comprehensive landscape assessment has been undertaken in the district.</p> <p>The issues are:</p> <ul style="list-style-type: none"> Inappropriate subdivision, use and development within or in proximity to outstanding natural features and landscapes may result in the degradation of their values, and adversely impact on people's use, enjoyment and appreciation of them. There are five outstanding natural landscapes within the Waikato Region part of the district comprising approximately 21% or 73,000 hectares. 51% of this is held as Department of Conservation estate, QEII covenant or Nga Whenua Rahui. Where the land is held in private ownership, the majority is identified as a significant natural area. Only 11% is developed or farmed. The rugged, peaked landforms of the northern Herangi range are an outstanding natural landscape at both a regional and a district scale. 76 outstanding natural features are identified that contribute to the understanding of geology, are rare or unusual, or meet other abiotic and biotic criteria that make them. This comprises approximately 2% or around 4,300 hectares. There are six categories of outstanding natural features and provisions apply according to their type. The majority are small features such as waterfalls, natural bridges, bluffs or sandspits. Two categories are larger areas with characteristics similar to the outstanding natural landscapes. 	<p>Section 6 RMA Section 6(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development. Section 6(e) – the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wahi tapu and other taonga. Council is required to recognise and provide for section 6(b) and (e) as matters of national importance.</p> <p>Section 7 RMA Section 7(c) Council must have particular regard to the maintenance and enhancement of amenity values.</p> <p>Section 8 RMA Landscapes, places and features can be of cultural and spiritual significance to mana whenua and it is critical to manage and protect these resources in order to fulfil the obligation of kaitiakitanga or guardianship. Wider landscape settings symbolise life and the narratives of the local tribal guardians, as well as providing a tangible connection to ancestors, whenua and significant historical events. Landmarks and discrete features can carry deep levels of meaning and association. These settings are valued for their holistic connection to the local tribal custodians as a collective, through the generations.</p> <p>The principles of Te Tiriti o Waitangi are complemented by section 7(aa) and 7(a) which requires Council to have particular regard to the ethic of stewardship and kaitiakitanga and the view of mana whenua as guardians of natural resources. Mana whenua value these landscapes and features for their customary resources, naturalness, solitude and recreational opportunities.</p> <p>Relevant case law considered Council has reviewed relevant Environment Court cases regarding landscapes, specifically:</p> <ul style="list-style-type: none"> Man O'War Station Ltd v Auckland Council [2017] NZCA 24 Federated Farmers of New Zealand (Inc) v Mackenzie District Council [2017] NZEnvC 53 Golf (2012) Ltd v Thames-Coromandel District Council [2019] NZEnvC 112 <p>This case law is relevant to the provisions of this plan which have been drafted in alignment with the outcomes.</p>	<p>There are six National Policy Statements (NPSs) currently in place:</p> <ul style="list-style-type: none"> New Zealand Coastal Policy Statement 2010 NPS for Electricity Transmission 2008 NPS for Renewable Electricity Generation 2011 NPS for Freshwater Management 2020 NPS on Urban Development 2020 NPS for Highly Productive Land 2022 <p>It is considered that the New Zealand Coastal Policy Statement 2010 (NZCPS) is relevant to this topic. Objective 2 aims to preserve the natural character of the coastal environment and the protection of natural features and landscape values by recognising particular qualities, identifying where activities would be inappropriate and protecting those areas and encouraging restoration. Policy (15) requires protection of the natural features and natural landscapes of the coastal environment from inappropriate subdivision, use and development by avoiding adverse effects on ONLFs, avoiding significant adverse effects on other natural features and landscapes, and by identifying and assessing the natural features and landscapes of the district.</p> <p>National Policy Statement for Electricity Transmission 2008 Policy 8 states that in rural environments, planning and development of the transmission system should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities.</p> <p>There are also seven National Environmental Standards (NESs) currently in place:</p> <ul style="list-style-type: none"> NES for Air Quality 2004 NES for Sources of Human Drinking Water 2007 NES for Telecommunication Facilities 2016 NES for Electricity Transmission Activities 2009 NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 NES for Plantation Forestry 2017 NES for Freshwater 2020 NES for Storing Tyres Outdoors 2021 <p>The NES for Telecommunication Facilities is relevant. Regulation 50 requires regulated activities within identified outstanding natural features and landscapes to be assessed against the relevant landscape provisions in a district plan. Also, some rules in this plan prevail over the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017. Clause 6(1)(b) states that a rule in a plan may be more stringent than the regulations if the rule gives effect to Policy 15 of the NZCPS. Clause 6(2)(a) states that a rule in a plan may be more stringent than the regulations if the rule recognises and provides for the protection of outstanding natural features and landscapes from inappropriate use and development. Where this occurs, the plan states this.</p>	<p>Waikato Regional Policy Statement: Objective 3.20 The values of outstanding natural features and landscapes are identified and protected from inappropriate subdivision, use and development. Objective 3.21 The qualities and characteristics of areas and features, valued for their contribution to amenity, are maintained or enhanced. Policy 6.2 Development in the coastal environment occurs in a way, that amongst other things, avoids the adverse effects on areas with outstanding natural character, and outstanding natural features and landscapes and elsewhere ensures that activities are appropriate in relation to the level of natural character or natural feature and landscape, protects the valued characteristics of remaining undeveloped, or largely undeveloped coastal environments, and avoids ribbon development along coastal margins. Policy 12.1 Identified values and characteristics of outstanding natural features and landscapes (including seascapes) of regional or district significance are protected from adverse effects, including cumulative effects, arising from inappropriate subdivision, use and development. Policy 12.3 Areas of amenity value, including landscapes, seascapes or natural features are identified, maintained and enhanced. Method 12.1.1 District Plans must identify and protect ONLFs by avoiding adverse effects on ONLFs within the coastal environment, and avoiding adverse effects if possible, elsewhere. Method 12.3.1 District Plans must identify and recognise areas of amenity value and maintain or enhance the qualities and characteristics for which they are valued. Method 12.3.2 District Plans must maintain or enhance the amenity values of the coastal environment. The criteria in 12B were employed when assessing the location of potential ONFLs.</p> <p>Manawatū-Whanganui One Plan: There are no natural features and landscapes listed in Schedule G applicable to Waitomo District. Policy 6-7 District Plans must take into account but not be limited to the criteria in Table 6.1 when identifying outstanding natural features and landscapes. These criteria were employed when assessing the location of potential ONFLs.</p>	<p>The Waikato Tainui Environment Management (WTEMP) Plan 2018 contains the following provisions relevant to outstanding natural features and landscapes:</p> <p>15.3.2 Cultural, spiritual and ecological features of the Waikato landscape that are significant to Waikato-Tainui are protected and enhanced to improve the mauri of the land. 1.5.3.2.1 To ensure that there is greater protection and enhancement of cultural, spiritual and ecological features of significance to Waikato-Tainui.</p> <p>The WTEMP promotes a range of implementation methods including: Identification and protection of culturally and or spiritual significant landscapes, the use of statutory instruments and methods to promote the protection and restoration of landscapes and landscape values of importance to Waikato-Tainui and education of the public, local authorities, developers and resource users on Waikato-Tainui values of regionally, culturally and spiritually significant landscapes, vegetation and species.</p> <p>It is considered that the proposed provisions take into account the above objective and policy in the WTEMP, as they seek to protect outstanding natural features and landscapes from inappropriate subdivision, use, and development.</p>
<p>OPERATIVE WAITOMO DISTRICT PLAN</p>			<p>IWI MANAGEMENT PLANS</p>	<p>OTHER RELEVANT PLANS OR LEGISLATION</p>
<p>Chapter 12 of the ODP includes provisions for a Landscape Policy Area which is an "overlay" Policy Area covering land in the Waitomo Caves locality and the Mokau-Awakino coastal area. These two areas were identified as containing features and landscapes that are particularly sensitive to change. In both cases these sensitive natural landscape areas form the basis of tourism development and are not outstanding natural features or landscapes because they do not meet the criteria set out in the WRPS and One Plan. The ODP does not</p>	<p>Of particular relevance, the Court of Appeal considered the appeal by Man O'War Station Ltd ("MOWS") against provisions in proposed change 8 to the Auckland Regional Policy Statement ("ARPS"). The Court did not accept that whether or not land qualified as an outstanding natural landscape (ONL) must be influenced by the consequences of according it that status in terms of what might take place on that land. The question of what restrictions applied to land identified as an ONL, and the criteria which might be applied when assessing issues of consent to activities on that land, arose only after the ONL had been identified. Such questions did not relate to the</p>		<p>The Maniapoto Iwi Environment Management Plan (MIEMP) 2018 contains the following provisions relevant to outstanding natural features and landscapes:</p> <p>Objective 19.3.2 To protect and enhance significant cultural, spiritual, natural and ecological landscapes, features and locations in the Maniapoto rohe and to protect and enhance Maniapoto relationships and associations with these features</p> <p>Policy 19.3.2.1 Activities and uses that adversely affect significant cultural, spiritual natural and ecological landscapes, features or locations in the Maniapoto rohe</p>	<p>The Conservation Act 1987 promotes the conservation of New Zealand's natural and historic resources, preserves indigenous freshwater fisheries and habitat, and advocates for conservation. Where ONFLs overlap with any of the public conservation estate then the Conservation Act should be considered.</p> <p>Statutory acknowledgements identify the particular cultural, spiritual, historical and traditional association of mana whenua. These</p>

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<p>provide for the matters of national importance 6(b) and (e) and therefore there is significant change required by the proposed district plan to accommodate these matters.</p>	<p>qualities of the landscape at the time the ONL assessment was made, but related to subsequent actions which might or might not be appropriate within the identified ONLs. The Court found it would be illogical and contrary to the intent of s 6(a) and (b) of the RMA to conclude that an outstanding area should only be so classified if it were not suitable for a range of other activities. Nor was it persuaded that the ongoing use of MOWS's land in the ONL's for the purposes of farming as at present would constitute relevant adverse effects on the specified ONLs, having regard to the basis on which such ONLs were identified as outstanding in the ARPS.</p>		<p>are avoided, and Maniapoto relationships with those landscapes, features or locations are maintained and restored.</p> <p>The MIEMP promotes a range of implementation methods including: Appropriately protect significant landscapes from destructive activities such as vegetation clearance and earthworks; Appropriately protect significant landscapes, features, locations and associated view shafts (lines of sight to significant areas) from development or any other adverse effects on their character or amenity values.</p>	<p>have been taken into account wherever natural features and landscapes are valued by mana whenua or have historical associations.</p> <p>Waikato and Wanganui Conservancy Management Strategies set out the long-term vision for each conservancy and identify a range of objectives relating to management of natural heritage and biodiversity within these areas. They also identify those areas of habitat and natural character that are of national importance.</p>
<p>SCALE & SIGNIFICANCE s32(1)(c)</p>				<p>STRATEGIC DIRECTION</p>
<p>The assessment is based on eight factors outlined in Ministry for the Environment's guidance on Section 32 reports. Each factor is scored in terms of its scale and significance (where 1 is low and 5 is high).</p> <p>Reason for Change:1 Problem / Issue: 3 Degree of Shift from Status Quo: 5 Who and How Many Affected, Geographic Scale of Effects: 3 Degree of Impact on or Interest from Māori: 3 Timing and Duration of Effects: 1 Type of Effect: 3 Degree of Risk or Uncertainty:2</p> <p>Total (out of 40): 21</p> <p>The degree of change from the ODP has considered reasonably significant because only amenity landscapes are currently identified. However, this approach does not correspond with the requirements of the RMA or give effect to either RPS. Due to the level of change anticipated by the PDP, a report has been commissioned to identify the outstanding natural landscapes using the criteria prescribed in each RPS. Similarly, a report was commissioned to identify the outstanding natural features. The criteria used to identify outstanding natural features were agreed with each Regional Council. The proposed outstanding natural features and landscape provisions give effect to higher order documents and therefore the degree of risk and uncertainty is low.</p>			<p>It is considered that the proposed provisions take into account the above objective and policy in the MIEMP, as they seek to protect outstanding natural features and landscapes from inappropriate subdivision, use, and development.</p>	<p>The following objectives from the Strategic Directions chapter of the PDP are relevant to this topic:</p> <p>SD-010. The buildings, structures, sites, areas, ecosystems, natural landscapes and features identified as having special qualities and values and which contribute to the district's sense of place and identity, are protected.</p> <p>SD-011. The components of the coastal environment including outstanding landscapes and features, natural character and ecosystems, together with the cultural and spiritual values accorded by mana whenua, are recognised and protected.</p> <p>SD-012. Acknowledge that Te Tiriti o Waitangi settlements may drive change and development in parts of the district that have until now, been undeveloped.</p> <p>SD-013. The district's communities have access to a diverse and connected network of open spaces which offer a range of recreational experiences while protecting the values of scheduled sites, features and overlays.</p>
				<p>UNCERTAINTIES AND RISKS s32(2)(c)</p>
				<p>Changes introducing new spatially defined overlays and associated provisions to manage activities in these areas are generally contentious because they represent a regulatory change. The risk or uncertainty of introducing such regulatory change is usually considered to be high. However, not acting would fail the statutory duty to give effect to the WRPS and may mean that the values of these areas could be degraded or lost. Overall, it is considered that there is sufficient information to act, and that risks of acting outweigh those of not acting. The degree of risk and uncertainty is low due to the certainty provided by well-understood potential effects, prescribed criteria and the approach taken for their management in the proposed provisions.</p>

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OBJECTIVES s32(1)(a)	
<p>Relevance - The purpose of the RMA is to promote the sustainable management of natural and physical resources by managing the use, development and protection of physical resources in a way which enables people and communities to provide for their social, economic and cultural well-being. The objectives achieve the purpose of the RMA by recognising the issue and requiring that ONFLs are protected, thereby meeting the intent of Section 6(b) which the plan must recognise and provide for. The Objectives seek to protect the district’s significant natural landforms and valued landscapes, which contribute to visual amenity and to the district’s identity. Protecting them will ensure that future generations continue to enjoy their values in accordance with Section 5(2)(a) and will also assist in protecting their associated ecosystems, contributing to the achievement of Section 5(2)(b)). Additionally, the objectives are not separated between outstanding natural features and outstanding natural landscapes which and ensures that a consistent policy approach is applied.</p> <p>Usefulness – Protecting the significant values of natural landforms and valued landscapes ensures that the visual amenity and identity of the district, which provides the community with a sense of place, is maintained, also providing for social and cultural wellbeing. The objectives give effect to s6(b) of the RMA which requires ‘protection of outstanding natural features and landscapes from inappropriate subdivision, use and development’. The objectives directly respond to the resource management issues identified as part of the development of this plan. They also steer a wider policy and rule framework which is reasonably directive in order to respond to the significance of this matter as nationally important.</p> <p>Reasonableness – The proposed objectives are aligned to, and consistent with higher order direction. The objectives provide plan users and decision makers with certainty as to the expected outcomes by offering specific recognition of the overarching goal of recognising the values of outstanding natural features and landscapes and protecting them from inappropriate subdivision, use and development. The objectives are consistent with best practice and are aligned with the identification of ONFLs in other districts. This includes assessing the ONFLs identified in surrounding districts to ensure consistency across geographical boundaries. These objectives are in line with Council’s functions under section 31 of the RMA, including establishment of objectives to achieve the protection of outstanding natural features and landscapes.</p> <p>Achievability – The identification of outstanding natural landscapes and features is a standard approach across district plans in both regions, and is supported by identified assessment criteria. There is direct alignment between the plan’s objectives and the higher-order documents prepared under the RMA. The objectives guide decision makers when assessing resource consent applications as to the outcomes that are expected in terms of properly recognising the values of outstanding natural features and landscapes which meet the needs of future generations (Section 5(2)(a) of the Act). The objectives provide a clear and achievable statement of intent and certainty as to the appropriate outcomes.</p> <p>The proposed objectives are considered to meet the tests of relevance, usefulness, reasonableness and achievability. They give effect to the purpose and principles of the RMA align with higher order documents drafted under the RMA and with best practice drafting for objectives. The objectives have been examined and evaluated, in terms of the purpose of the RMA, its provisions and the hierarchy of planning documents, and are considered to be the most appropriate way to achieve the purpose of the RMA.</p>	
PROVISIONS s32(1)(b)	
EFFICIENCY & EFFECTIVENESS s32(1)(b)(ii), 32(2)(a)(i), s32(2)(a)(ii)	ALTERNATIVES s32(1)(b)(i)
<p>Benefits Anticipated</p> <p>Environmental The plan identifies, maps and schedules outstanding natural features and landscapes to ensure certainty of location and to clearly physically demark the expectations associated with the values of these natural features. Certain activities, such as conservation activities, small buildings, buildings with an approved building platform, earthworks, farm/forestry quarrying, tanks and silos (all to a certain size) and some plantation forestry and vegetation removal, are permitted where these activities are not expected to have adverse effects on the values of the ONFLs. The size, scale and effect of the activities are managed through the plan provisions to ensure adverse impacts are avoided as far as possible on the ONFLs. This allows some activities to occur as permitted, while avoiding adverse effects. Outstanding natural features that are rare, unique or fragile are protected more heavily through the plan’s provisions. Conservation activities which include pest and weed control are permitted and assist in maintaining and enhancing the values of these areas.</p> <p>Economic Economic benefits include landscape, character and amenity benefits. Economic development of Māori Freehold Land is considered through Policy NFL-P2. The provisions also provide flexibility for some approved building platforms. Economic benefits also include the potential to provide public access to outstanding natural features and landscapes on public land. The provisions also seek to reduce duplication with other legislative mechanisms including the Conservation Act 1987 and the Reserves Act 1977, which increases efficiency of administration.</p> <p>Social There are a large range of social benefits which accrue from areas of outstanding natural landscape and outstanding natural features. These areas are appreciated for their naturalness, solitude and recreational opportunities in particular.</p> <p>Cultural The relationship of mana whenua and their traditions associated with outstanding natural features and landscapes is recognised and provided for, consistent with Sections 6(e) and 7(aa) and (a) of the RMA and Policy 15 of the NZCPS. Māori cultural and customary uses are permitted to support cultural and social wellbeing and to provide practical opportunities for mana whenua to exercise their role as kaitiaki. Wider landscape settings identified as outstanding natural landscapes can symbolise life and the narratives of the local tribal guardians, as well as providing a tangible connection to ancestors, whenua and significant historical events. Landmarks and discrete features identified as outstanding natural features can carry deep levels of meaning and association. These settings are valued for their holistic connection to the local tribal custodians as a collective, through the generations.</p> <p>Costs Anticipated</p> <p>Environmental No environmental cost has been identified in relation to the preferred option of identifying and protecting ONFLs, particularly given the majority of these areas are also SNAs. The provisions of the plan acknowledge that some activities should be permitted in these landscapes in order to ensure that the landowners can appropriately use their properties for economic gain, such as pastoral farming and limited areas of plantation forestry. Allowing plantation forestry in outstanding natural landscapes is unusual across most district plans. However in the Western coastal ONL particularly, some of the land is best utilised for forestry rather than pastoral farming given the rugged nature and remoteness of these land parcels.</p> <p>Economic Requiring a resource consent for some buildings, activities, vegetation clearance or earthworks may result in higher costs (including time and uncertainty) for landowners. Restrictions on activities in outstanding natural features and landscapes may impact on property values or restrict the development potential of sites. This could impact the efficient use of land and affect future resale of these land parcels. However, only around 11% of outstanding natural landscapes are currently used for productive pastoral farming purposes. 30% of land which contains an outstanding natural feature is likely to be farmed equating to around 2400 ha. Outstanding natural features only comprise 2.25% of the total area of the district. 51% of outstanding natural landscapes are protected by mechanisms including Crown</p>	<p>For the purpose of this evaluation, the Council has considered the following potential options:</p> <ol style="list-style-type: none"> 1. The status quo; and 2. The proposed provisions; and 3. Do nothing. <p>In order to identify other reasonably practicable options, the Council has undertaken the following:</p> <ul style="list-style-type: none"> • Reviewed other relevant district plan provisions for provisions relating to outstanding natural features and landscapes; and • Engaged a landscape architect to identify map and assess the values of potential outstanding natural landscapes against the criteria in both regional policy statements; and • Engaged Dr Bruce Hayward MNZM FRSNZ who is a geologist, marine ecologist and leading specialist on living and fossil foraminifera to identify map and assess the values of potential outstanding natural features; and • Sought feedback from stakeholder groups including the Department of Conservation, Federated Farmers, The Waikato Regional Council, Manawatū-Whanganui Regional Council, QEII Trust and other key groups; and • Collated feedback obtained from workshops undertaken with mana whenua representatives comprising a working group on the proposed district plan. <p>Options:</p> <ul style="list-style-type: none"> • Status Quo - retain the ODP provisions: The ODP identifies amenity landscapes which appear to have been based on areas of high tourism. Draft versions of the ODP show these overlays as tourism overlays. This option does not fulfil the requirements of section 6 of the RMA, and therefore the Council’s functions and

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<p>estate and QEII covenants. The majority of the remaining land is SNA. 53% of land containing an outstanding natural feature is protected. There are also compliance costs to Council to enforce the provisions of the plan and to process resource consents and monitor these.</p> <p>Social Where the ONFL is also an SNA, these areas require regular upkeep, pest and weed control and the provisions may restrict land from being used for other purposes. In the case of reserves in the open space and natural open space zones, it may limit that portion of the reserve from being redeveloped into active recreation spaces.</p> <p>Cultural As identified against specific provisions in the plan, when some resource consents are applied for under the plan’s provisions, there is an expectation that mana whenua should be involved and this may result in resourcing pressures on mana whenua and/or increase the cost and time it takes to gain consent (while permission is sought and/or values are assessed). Some areas of land identified as outstanding natural landscape in western coastal part of the district and in the Mokau Hills is Māori Freehold Land. The policy framework provides flexibility when considering the development of land returned under Te Tiriti o Waitangi settlements and multiple owned Māori land located within an ONFLs by evaluating the extent to which the development enables and actively sustains the relationship of mana whenua with their ancestral lands and the exercise of kaitiakitanga, the extent to which the development enables mana whenua to manage their own lands and resources for the benefit of their people and the extent to which the development achieves positive economic, social and cultural benefits for mana whenua now and into the future. This policy takes into account the requirement to mitigate or remedy, through restoration and enhancement, any adverse effects on the values and character of ONFLs.</p> <p>Economic Growth and Employment Opportunities There are fewer opportunities for economic growth or employment than if the land were developed in accordance with the provisions of the underlying zone. However, as stated the majority of land identified as an ONFL is already protected by statutory mechanism (or similar) and the majority of land in private ownership is SNA.</p>	<p>duties under section 31. This option does not give effect to either regional policy statement. As such it is not appropriate because it fails to meet the requirements of the primary legislation and regional planning documents.</p> <ul style="list-style-type: none"> Alternative – the proposed provisions: This approach involves identifying, mapping and scheduling outstanding natural landscapes and outstanding natural features using subject matter experts employing criteria from the Waikato and Manawatū-Whanganui Regional Policy Statements. It involves the development of a new policy framework and rules which apply to the natural features and landscapes dependent on their rarity, fragility and extent. This approach is consistent with both regional policy statements. Identifying and mapping ONFLs provides certainty and is easier to administer and monitor. This option achieves the best environmental and cultural outcomes and is consistent with higher-order documents. The approach is likely to be the option most acceptable to the community based on consultation that has been undertaken to date. The approach is consistent with the approaches of other District Councils within the Waikato and the Manawatū-Whanganui regions. This approach considers the location of outstanding natural landscapes in surrounding districts in order to provide consistency and continuity of landscape form. It is the most effective option to achieve the objectives. Do nothing: This alternative does not meet the intent or direction of s6(b). Nor does it achieve the intent of the higher order policy documents including the NZCPS or give effect to either regional policy statement. Council would fail to achieve its regulatory function to protect ONFLs from inappropriate use, subdivision and development (section 31). This option is not environmentally acceptable and is not directly aligned with the policy intent of the two Iwi Environmental Management Plans.
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QUANTIFICATION OF BENEFITS & COSTS s32(2)(b)

Section 32(2)(b) requires that, where practicable, the benefits and costs of a proposal are to be quantified. 21% of the district’s total area is identified as an outstanding natural landscape. 2.25% is identified as an outstanding natural feature. This equates to 73,000 ha of outstanding natural landscape and almost 8000 ha of land containing outstanding natural features. The majority of this land area is protected in some form. The remainder is largely SNA. However there are still significant areas in private ownership. It is not possible to quantify the costs or benefits of the marking these areas as ONFLs. It is understood that there are significant economic gains in the form of tourism and recreation in these areas. There are also intangible benefits which are very difficult to quantify in monetary terms. As such quantifying the benefits and costs is not considered practicable.

EFFICIENCY & EFFECTIVENESS s32(1)(b)(ii)	REASONS FOR PROVISIONS s32(1)(b)(iii)
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<p>Section 32(1)(b)(ii) requires assessing the efficiency and effectiveness of the provisions in achieving the objectives:</p> <p><u>Efficiency</u> This approach is efficient as it protects ONFLs from inappropriate subdivision, use and development. The approach is pragmatic and fit for purpose. Activities requiring resource consent are limited to those that are considered “inappropriate” and decision-makers are able to make an informed decision based on detailed policy guidance, and on the identified values of the ONFLs. Permitted activity standards reflect best practice and provide clarity to plan users about when resource consent would be required. This approach is not considered to be overly restrictive for landowners, particularly given the small percentage of ONFLs that is likely to be farmed. This approach addresses current issues, by providing a balance between protecting lawfully established activities and protecting the identified values of ONFLs.</p> <p><u>Effectiveness</u> The proposed provisions are considered to be effective as they directly address the resource management issues and the outcomes sought through the objectives. The approach of identifying ONFLs through mapping and scheduling, by applying consistent assessment criteria, reflects best practice and is a clear and consistent approach. The provisions provide the strongest regulation for the most fragile, rare and unique outstanding natural features which are deemed to be the most significant. The provisions balance the need to protect ONFLs while being fair and reasonable to landowners by providing for a reasonably wide range of permitted activities where they will have minor adverse effects on the values of the ONFLs.</p>	<p>The proposed provisions are considered to be the most appropriate approach to achieve the objectives of the natural features and landscapes chapter. The evaluation has been undertaken in accordance with Section 32 of the Act in order to identify the benefits, costs and the appropriateness of the proposed objectives and provisions, having regard to their effectiveness and efficiency relative to other means in achieving the purpose of the RMA. This evaluation demonstrates that the proposed objectives and provisions are the most appropriate option because they provide for the identification, recognition and protection of ONFLs, including specific identification using RPS criteria, direction and certainty on appropriate and inappropriate activities in relation to the identified values. Permitted activity rules allow for activities that are generally appropriate and/or contribute to the values of ONFLs, however provisions are highly restrictive where the feature is unique, fragile or rare. Resource consents are required to manage the effects of activities that may be inappropriate or have adverse impacts on the values of ONFLs. The policy framework provides specific recognition of the cultural values and association mana whenua have with their ancestral lands and taonga, and their kaitiaki role. Overall, it is considered that the proposed objectives and provisions are the most appropriate given that the benefits outweigh the costs, and there are considerable efficiencies gained from their adoption.</p>
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