

Appendix 6 – Analysis of the specific planning provisions proposed in accordance with Option 3 to achieve the objectives of PC25

This appendix provides the analysis of the specific planning provisions to achieve the objectives of the plan change.

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Part B - Definitions

Definitions	
Definition: Artificial Screen	Option 1 Retain the existing definitions for artificial screens.
	Option 2 Delete the existing definition for artificial screens and include reference to these within the new definition for artificial crop protection structures.
	Option 3 Retain the existing definition with amendments to describe the form, scale, and purpose of the structure: Artificial Screen - Means a ~~man-made~~ structure covered by permeable cloth (vertically) that is greater than 1.8m high and for the purpose of providing wind shelter. ~~that is greater than 2m high.~~ ~~For the purpose of this definition 'permeable cloth' means material that does not prevent air, sunlight, or water penetration, and is able to be seen through.~~
Commentary Option 1 - The existing definition for artificial screens does not provide clear guidance that cloth materials form a large part of what the screen is. This is problematic when considering where these structures are to be permitted to be erected. Option 2 - While it could be considered superfluous because of the introduction of the definition for artificial crop protection structures (ACPS) as an all-encompassing definition for all types of artificial crop protection, the shape and scale of artificial screens differs greatly from that of an ACPS. Deleting the definition allows provision to be made for structures that are comprised of vertical screen and that are not covered or covered with non-permeable materials. Option 3 - Feedback received through the engagement period supported the retention of a definition for artificial screens to address situations where only vertical screens are proposed to be erected. It is considered valid to provide for the different types of crop protection structures that are in place throughout the rural area. However, it is necessary to amend the existing definition to provide greater clarity of what constitutes an artificial screen. This is necessary to ensure there is a correlation with the requirements applying to artificial crop protection structures, and to avoid potential conflict between artificial screens and fences, by: - Ensuring that any structure less than 1.8m high with permeable material is deemed to be a fence and not an artificial screen - Providing a clear explanation of what a permeable material is - Provides clearer guidance as to the different types of artificial crop protection that may be used; and - Provides clear guidance on the differences between a screen and a covered crop structure. Preferred Option: In weighing these options, Option 3, is the most appropriate option to achieve the objectives of PC25.	

Definitions	
Definition: Artificial Crop Protection Structures	To provide a new definition, to read: Artificial Crop Protection Structure - Means a structure (including artificial screens) covered by permeable cloth (vertically and/or horizontally) which does not impede the use of underlying soils, and which is used to: • Provide wind shelter, and/or • Protect or promote the growth of crops <u>This does not include Greenhouses/glasshouses, or Plastic-clad shade houses, Crop Support Structures.</u> <u>For the purpose of this definition:</u> • 'Permeable cloth' means material that does not prevent air, sunlight, or water penetration, and is able to be seen through.
Commentary Presently there is no definition provided by the district plan to inform what an artificial crop protection structure is. The definition as proposed: • Provides clarity on the expected form and purpose of the structure • Will enable consistent administration of the district plan when considering what type of farm building is being proposed • Avoids conflict and confusion when determining what provisions are to be applied to development proposals • Provides clarity to the intent and extent to the type of structures that are anticipated and provided for in the District Plan.	
Definition: Crop support structures	To provide a new definition, to read: Crop Support Structure - Means an open, uncovered structure on which plants are grown.
Commentary Presently there is no definition provided by the district plan to inform what a crop support structure is. The definition as proposed: • Provides clarity on the expected form and purpose of the structure. • Will enable consistent administration of the district plan when considering what type of farm building is being proposed. • Avoids conflict and confusion when determining what provisions to be applied to development proposals.	
	Option 1 Retain the existing definition for <i>Farming Activities</i> unchanged.

Definitions	
Definition: Farming Activities	Option 2 Amend the existing definition to read: Farming Activities - Means an agricultural and/or horticultural activity having as its primary purpose, the production of goods for human or animal consumption and includes any livestock or crop, using the in-situ soil, vegetation, water and air as the medium for production, and must include maintaining the ground cover: For the avoidance of doubt, Farming Activities includes: • • <i>The feeding of young stock in a building or similar enclosure or wintering of stock on a feed pad as part of normal pastoral farming activities for a limited season only; and</i> • <i>Artificial crop protection structures and crop support structures; and</i> • <i>Greenhouses/glasshouses with a permeable floor and where the soil profile is maintained if located on high quality soil; and</i> •
Commentary • <u>Option 1</u> - Familiarity with existing definition for plan users. Continued potential for questioning whether artificial crop protection is a farming activity. • <u>Option 2</u> - Addition of reference to artificial crop protection structures, artificial screens and crop support structures alongside other types of farm buildings / structures in the definition provides clarity that these structures are anticipated as part of farming activities in the rural environment. Option 2: ○ provides greater clarity on what the definition ‘<i>farming activities</i>’ is taken to include as applied through the district plan; and ○ removes any potential for confusion in whether horticultural structures (permeable crop protection and crop support) are activities that are anticipated and provided for in the rural environment. Preferred Option: Option 2 is considered to be the most appropriate option to achieve the objectives of PC25. The addition of these references into the definition provide clarity that these building types fall under the definition of farming activities in the WDP.	
Definition: Shelterbelt	Option 1 - Retain the existing definition for <i>Shelter belts</i> unchanged.

Definitions	
	Option 2 – amend the existing definition, to read: ~~Shelter belt~~ Shelterbelt Means a row of trees not more than four deep, planted for the purpose of providing wind shelter and screening. To avoid any doubt, a hedge with a maximum height of 3m or less that is located outside of a viewshaft or the SH3 Scenic Corridor is not a shelterbelt.
Commentary <u>Option 1</u> - Familiarity with existing definition for plan users. Cost to good plan administration when there are multiple spellings for the same term. Limits the search tool in the ePlan. <u>Option 2</u> - Provides clarity on what distinguishes a shelterbelt from a hedge. Improved plan administration with one spelling of the term being applied throughout the district plan. Preferred Option: Option 2 is the most appropriate option because: - It ensures one spelling of a term/activity is applied throughout the district plan; and - It clarifies the difference between a hedge and shelterbelt and removes potential confusion as to when rules pertaining to shelterbelts are applied.	
Overall Assessment of Proposed Amendments to Part B - Definitions:	
Effectiveness/Efficiency	Benefit/Cost: (Environmental, Economic, Social, Cultural)
Effectiveness: The provision of specific definitions, and the amendments to those existing definitions provide greater guidance for the plan user and are an effective way to link the types of activities and what is meant/intended by the use of those terms within the context of the WDP.	Benefits: The amendments to the definitions in the WDP will ensure a cohesive assessment of the intent and anticipated outcomes of the different permitted farming activities that may occur in the Rural Zone.
Efficiency: The provision of definitions ensures clarity when determining what a proposed activity is and the purpose of that activity in the context of the WDP.	Costs: None identified.
Opportunities for economic growth and employment to be provided or reduced: None identified.	
Sufficiency of information and risk of not acting: There is sufficient information to amend the identified definitions in Part B – Definitions. The risk of not acting would result in a continued misalignment of what artificial crop protection and support structures should be defined as, and what their purposes are, which would continue the unease that was the catalyst for Council’s decision to prepare the plan change.	

Part D – Zone Provisions: Section 4 – Rural Zone

Rural Zone	
Section 4 – Rural Zone: Policy 4.3.2.2. Rural Environment	Recognise and protect the continued operation of the Rural Zone as a ~~pastoral~~ rural working environment.
Commentary <i>Objective 4.3.2 – Rural Activities: Farming</i> <i>The capacity of rural areas and rural resources to support farming activities and lawfully established rural based activities is maintained.</i> The rural zone is for all types of primary production / farming activities captured in the rule framework of the WDP. This is not restricted to pastoral farming. Accordingly, it is considered that the existing wording of Policy 4.3.2.2. does not fully represent the collective of <i>farming activities</i> that occur in the Rural Zone. It is also considered that as presently worded Policy 4.3.2.2 does not adequately achieve the objectives of PC25, because horticulture and pastoral farming are different, but are both anticipated, along with other types of farming activities in the rural zone. The term '<i>pastoral</i>' only identifies one type of farming activity, and in the context of Policy 4.3.2.2 could limit the achievement Objective 4.3.2. Replacing the word '<i>pastoral</i>' with '<i>rural</i>' in the policy strengthens the ability for the policy to: • Be applied to ensure Objective 4.3.2 can be implemented • Strengthens the WDP's approach in giving effect to the NSP-HPL • Aligns with the outcomes of the objectives for PC25	
Section 4 – Rural Zone: Policy 4.3.2.4	Farm Buildings (~~including artificial crop protection structures and crop support structures~~), and activities shall be located and scaled to minimise adverse effects on rural character and amenity.
Commentary Artificial crop protection and support structures are farm buildings and fall within the overarching definition of building in the WDP. Providing clarification in Policy 4.3.2.4 that crop structures are farm buildings, strengthens the fact that the activities being promoted through PC25 are subject to the considerations of effects on rural character and amenity, like any other farming building.	

Rural Zone	
Therefore, referencing artificial crop protection and support structures in the policy is a consequential change that will assist with the consistent administration of the district plan and achieves the objectives of PC25.	
Section 4 – Rural Zone: Rule 4.4.1.1 Permitted Activities	The addition of shelterbelts into the permitted activity status table: 4.4.1.1.z. Shelterbelts
Commentary Shelterbelts are an ancillary activity to the permitted activities in the Rural Zone but are not specifically listed. In contrast shelterbelts are listed as an activity in the activity table for Section 25 - Landscapes and Viewshafts. To improve plan administration and avoid potential for shelterbelts to be identified as an unlisted activity in the Rural Zone, it is proposed that shelterbelts be included in the Rural Zone permitted activity list. Including shelterbelts as a specific activity in the Rural Zone also clarifies that this is an activity that is anticipated and provided for in the rural zone subject to compliance with performance standards introduced by PC25.	
Section 4 – Rural Zone: Rule 4.4.1.3 Restricted Discretionary Activities	The addition of a new restricted discretionary activity: 4.4.1.3 o. Removal of any existing shelterbelt which is screening an existing artificial crop protection structure or crop support structure from a road or a dwelling on an adjoining site, which results in non-compliance with Rules 4.4.2.1.c and 4.4.2.2.d. Assessment will be restricted to the following matter: ▪ Visual effects This matter will be considered in accordance with the assessment criteria in Section 21.
Commentary Shelterbelts have in the past been established as mitigation for when artificial crop protection structures have been established within building setback areas. Through PC25, it is proposed to allow the reduction of the required setbacks for crop structures if they are screened by an existing shelterbelt. Accordingly, the inclusion of this new activity as a restricted discretionary activity is necessary to ensure that mitigation measures afforded through the exceptions under the setback rules are not able to be removed without consideration of visual effects that could arise from removal of shelterbelt screening.	

Rural Zone		
Section 4 – Rural Zone: Rule 4.4.1.4 Discretionary Activities	Amend the rule references for discretionary activities relating to the provisions for setbacks from roads, to read: a. Any permitted, controlled or restricted discretionary activity that fails to comply with: i. Rule 4.4.2.1.b., ~~ed. & de.~~ - Minimum building setback from roads.	
Commentary This is a consequential change as a result of the amendments proposed to the numbering of setback provisions in Rule 4.4.2.1.		
Section 4 – Rural Zone: Rule 4.4.2.1 Minimum building setback from road boundary	Amend Rule 4.4.2.1 to specifically reference artificial crop protection and support structures, to read:	
	a.	For dwellings, and for buildings less than 100m ²
	b.	For buildings over 100m ² (other than dwellings and artificial crop protection structures)
	c.	For artificial crop protection structures and crop support structures
	Except no setback applies where a structure is screened by an existing shelterbelt.	
	Provided that:	
	~~e. d.~~	For dwellings and buildings adjacent to a designated State Highway
~~d. e.~~	For dwellings and buildings adjacent to the Waikato Expressway (Designation D20)	
Activities that fail to comply with Rule 4.4.2.1.a will require a resource consent for a non-complying activity. Activities that fail to comply with Rules 4.4.2.1.b. ~~to~~ , 4.4.2.1.d, and 4.4.2.1.e will require a resource consent for a discretionary activity. Activities that fail to comply with Rule 4.4.2.1.c. will require a resource consent for a restricted discretionary activity, with the discretion being restricted over: The extent to which the crop structure alters the visual openness of a road corridor. The extent to which the safety of road users has the potential to be compromised, including by potential for glare or distraction effects associated with the crop structure. The extent to which existing vegetation is retained and landscaping adds to the amenity of the development. The extent to which the proposal will compromise the ability for rules relating to the location and maintenance of future shelterbelts to be met. The matters will be considered in accordance with the assessment criteria in Section 21.		

Rural Zone

Commentary

The extent of setbacks from roads was a key topic for all stakeholders, and it was clear that the consented baseline had consistently reduced the 30m setback (for buildings over 100m²) to a minimum of 6m.

The horticultural industry and growers raised concern over the loss to productivity from their rural properties because of a wide setback. However, other rural landowners supported a wide setback to retain a level of rural amenity they considered would be lost through the establishment of artificial crop protection structures.

The objectives and policies for the Rural Zone and the National Policy Statement – Highly Productive Land (NPS-HPL) provide clear guidance that activities in the Rural Zone are to prioritise the use of rural land for primary production purposes while not resulting in adverse effects on the rural environment or adjacent sites, and to minimise adverse effects on rural character and amenity (Policy 4.3.2.3 and Policy 4.3.2.4). These policies are implemented through the suite of bulk and location standards, such as setbacks. The objectives of PC25 are to ensure the direction set out in the Rural Zone remains appropriate and achieves the efficient and effective use of rural land for farming purposes, while the adverse effects arising from artificial crop protection and support structures and shelterbelts are appropriately managed.

As a result of the analysis of feedback received, the consented baseline and a review of what other councils' district plans require, a building setback from a road is proposed to be reduced because:

- The majority of the resource consents granted for artificial crop protection structures have allowed reduced road setbacks, on average being 6m.
- Shelterbelt saplings/young trees are generally planted along road boundaries;
- The colour of the vertical/side cloth materials is to be controlled;
- There is no one road boundary setback applied through other district plans;
- A 6m setback allows a degree of openness to be maintained along the road and provides space for shelterbelts to be planted in locations where they can be maintained from within the site boundaries.
- The proposed setback reduces the potential for driver distraction due to close proximity of structures to roads;
- The ability to use rural land for productive purposes is not unnecessarily compromised by excessive setback requirements.

Rural Zone		
Section 4 – Rural Zone: Rule 4.4.2.2 Minimum setbacks from internal site boundaries	Amend Rule 4.4.2.2 to specifically reference artificial crop protection and support structures, to read:	
	a.	Dwellings 15m
	b.	Dwellings on sites 1ha or less 10m
	c.	Accessory buildings to dwellings less than or equal to 100m ² 10m
	d.	Artificial crop protection structures and crop support structures 6m
		Except no setback shall apply where: Any adjoining site is held in common ownership. The artificial crop protection structure or crop support structure is screened from any adjoining site (not in common ownership) by an existing shelterbelt. The encroachment is authorised by a deemed permitted activity notice in accordance with s.87BA(2) of the Resource Management Act 1991
	~~d.~~ e.	All other buildings less than or equal to 250m ² 15m
	~~e.~~ f.	All other buildings greater than 250m ² 25m
Commentary The extent of setbacks from internal site boundaries was a key topic for all stakeholders, and it was apparent that the consented baseline had consistently reduced the required setback of 25m (buildings greater than 250m²) to a minimum of 6m. The horticultural industry and growers raised concern over the potential loss to productivity from their rural properties as a result of a wide setback. However, other rural landowners supported a wide setback to retain a level of rural amenity they considered would be lost through the establishment of artificial crop protection structures. The objectives and policies for the Rural Zone and the NPS –HPL provide clear guidance that activities in the rural zone are to prioritise the use of rural land for primary production purposes while not resulting in adverse effects on the rural environment or adjacent sites, and to minimise adverse effects on rural character and amenity (Policy 4.3.2.3 and Policy 4.3.2.4). These policies are implemented through the suite of bulk and location standards, such as setbacks. The objectives of PC25 are to ensure the direction set out in the rural zone presently, both remain appropriate, and achieve the efficient and effective use of rural land for farming purposes; while the adverse effects arising from artificial crop protection and support structures and shelterbelts are appropriately managed.		

Rural Zone	
As a result of the analysis of feedback received, the consented baseline and a review of what other councils' district plans require, the building setback from an internal boundary is proposed to be reduced because: • The majority of the resource consents granted for artificial crop protection structures have allowed reduced internal boundary setbacks; • The colour of the vertical/side cloth materials is to be controlled to reduce the visual effects of the artificial crop protection structures; • A 6m setback allows a degree of openness to be maintained along the internal boundaries and provides room for shelterbelts to be planted in locations where they can be maintained from inside the site. • The ability to use rural land for productive purposes is not unnecessarily compromised by excessive setback requirements.	
Section 4 – Rural Zone: Rule 4.4.2.9 Height of Buildings	Amend Rule 4.4.2.9, to read: Buildings (excluding artificial crop protection structures and crop support structures) in all areas except for those affected by the approach surfaces, transitional surfaces, horizontal surface, conical surface, as delineated on the Planning Maps for Hamilton International Airport and also in Appendix O9 shall not exceed 12m in height above ground level.
Commentary This is a consequential change as a result of the proposed new rule 4.4.2.9A (below) which specifies a maximum height for artificial crop protection and support structures that is less than that provided by existing Rule 4.4.2.9.	
Section 4 – Rural Zone: Rule 4.4.2.9A	Introduce a new maximum height provision specifically for artificial crop protection and support structures, to read: Rule 4.4.2.9A Artificial crop protection structures and crop support structures shall not exceed 6m in height above ground level. <u>Note:</u> 1. Refer to Rules - Buildings and Structures within the National Grid Yard (Rules 4.2.77 and 4.4.2.78). 2. When in proximity to overhead powerlines compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is required. Activities that fail to comply with this rule Rules 4.4.2.9 or 4.4.2.9A will require a resource consent for a restricted discretionary activity with the discretion being restricted over: • Visual effects including bulk, scale and location of the building; and • Effects on rural character and amenity; and • Effects on surrounding properties; and • Loss of daylight to adjoining sites. These matters will be considered in accordance with the assessment criteria in Section 21.

Rural Zone	
Commentary The maximum building height permitted in the Rural Zone is currently 12m above ground level; the maximum height of the existing and consented artificial crop protection structures has consistently been in the order of 6m. The horticultural industry and growers have advised that their preference would be for an increase in the maximum permitted height to future-proof the industry and accommodate other crop types and/or the evolution of machinery or technology used within an orchard. The objectives and policies for the Rural Zone provide clear guidance that activities in the Rural Zone are to prioritise the use of rural land for primary production purposes while not resulting in adverse effects on the rural environment or adjacent sites, and to minimise adverse effects on rural character and amenity (Policy 4.3.2.3 and Policy 4.3.2.4). These policies are implemented through the suite of bulk and location standards, such as height. The objectives of PC25 are to ensure the direction set out in the Rural Zone remains appropriate and achieve the efficient and effective use of rural land for farming purposes, while the adverse effects arising from artificial crop protection and support structures are appropriately mitigated. As a result of the analysis of feedback received, the consented baseline and a review of what other councils' district plans require, the maximum height for artificial crop protection and support structures is proposed to be reduced to 6m because: • The maximum height of the artificial crop protection structures granted resource consent has consistently been 6m above ground level. • The colour of the horizontal/roof and vertical/side cloth materials is to be controlled to reduce visual effects. • 6m maximum height manages the size and scale of the structures to ensure a low profile to provide a degree of openness and reduce potential for domination of neighbouring land. • There is no standard height for rural buildings/structures; district plans from other councils prescribe varying height controls ranging from 6m through to 15m.	
Section 4 – Rural Zone: Rule 4.4.2.10 Maximum building coverage	Amend Rule 4.4.2.10, to read: The maximum amount of a site which can be covered by buildings is: 3% for sites of one hectare or more. 10% for sites less than one hectare. Provided that this rule does not apply to the Tokanui Dairy Research Centre, artificial crop protection structures, or to dwellings.
Commentary All the resource consents granted for the establishment of artificial crop protection structures have included the increase in the site coverage percentage, being on average between 60% - 80% building coverage.	

Rural Zone

In proposing that no site coverage standard is applied for artificial crop protection structures, the following has been considered:

- The visual permeability of the cloth material covering the structures and the use on the in-situ soils of the site provides justification for enabling large land areas to be covered by crop protection structures.
- The consented baseline for has consistently exceeded site coverage requirements.
- Management of the colour of both the horizontal/roof and vertical/side cloth materials.
- The low profile of the structures.
- Site coverage controls are not applied to crop protection structures in other district plans.
- The ability to use rural land for productive purposes is not unnecessarily compromised by excessive site coverage requirements.

It is clearly understood that due to the changing nature of the horticultural activities, the productivity of certain crops substantially improves when they are protected by artificial crop protection structures. Accordingly, and in line with the NPS-HPL that the district's rural land resource must be prioritised for land-based primary production and to maintain or increase the productive capacity of highly productive land (noting that this is where those opportunities are not otherwise inconsistent with s.6, RMA or NPS for Freshwater Management).

Objective 4.3.2 in the district plan promotes that *the capacity of rural area and rural resources to support farming activities and lawfully established rural based activities is maintained*; and to achieve that Policy 4.3.2.1 states *management of rural resource so that farming activities can continue to establish and operate*. These objectives and policies provide clear guidance of the expectation that the district's farming activities will continue to evolve, and that the rural land resource will continue to be used for productive purposes. While farming activities in the district have predominantly been pastoral based, the diversification in farming activities requires consideration of the operational characteristics of these new activities within the existing rural environment.

The objectives of PC25 are to ensure the direction set out in the Rural Zone remains appropriate and achieves the efficient and effective use of rural land for farming purposes, while ensuring that the effects arising from artificial crop protection and support structures are appropriately managed. It is considered exempting crop structures from site coverage standards is appropriate because:

- It enables achievement of the objectives of the Rural Zone.
- It gives effect to the objectives and policies of the NPS-HPL.
- The height, setback and colour controls applied to artificial crop protection structures in combination with the visual permeability of cloth materials ensures that visual effects are acceptable and a degree of openness is achieved.
- Ensures that the ability to use rural land for productive purposes is not unnecessarily compromised by unnecessary resource consent requirements.

Rural Zone		
Section 4 – Rural Zone: Rule 4.4.2.57A Shelterbelts	Introduce a new standard, to read:	
	a.	The maximum height of a shelterbelt planted after [OPERATIVE DATE] within 20m of a site boundary. 6m above ground level
	b.	The minimum setback of any shelterbelt planted after [OPERATIVE DATE] from a road boundary Unless: i. It is demonstrated that the shelterbelt at its mature height can be maintained from within the boundaries of the subject site. 4m
	c.	The minimum setback of any shelterbelt planted after [OPERATIVE DATE] from an internal boundary Unless: i. It adjoins a site held in common ownership; or ii. The encroachment is authorised by a deemed permitted activity notice in accordance with s.87BA(2) of the Resource Management Act 1991; or iii. There is an easement registered that provides right of access to adjoining land for maintenance purposes; or iv. It is demonstrated that the shelterbelt at its mature height can be maintained from within the boundaries of the subject site. 4m
	d.	No shelterbelt planted after [OPERATIVE DATE] may: i. Restrict sight visibility from any vehicle access, road intersection (refer to Rule 16.4.2.4) or railway crossings (refer to Rule 16.4.2.7); and ii. Be located within 10m of the outer conductor (wire or cable) for an overhead power line or telephone line. iii. Be located within 10m from the outer edge of the national High Pressure Gas Transmission pipeline.
	e.	Shelterbelts shall be maintained by the owners at all times so that: i. No vegetation (branches/limbs) extends over property boundaries or roads; and ii. Any vegetation (branches/limbs/trimmings/fallen trees) that falls onto adjoining sites is removed. iii. All maintenance activities (such as trimming to maintain the height and width) occurs within the boundaries of the site within which the shelterbelt is located.
Note: Reference shall be had to:		

Rural Zone		
	1. New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) 2. Electricity (Hazards from Trees) Regulations 2003. 3. A Guide to Land Development over Firstgas Pipelines.	
	Advice Note: 1.Guidance on required visibility for compliance with 4.4.2.57A.a.iii is contained within the Regional Infrastructure Technical Specifications (RITS) and section 2.1 of RTS6 (Guidelines for visibility at driveways) Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over: • The proximity to, and the effects on adjoining activities. • The ability to maintain shelterbelt within the boundaries of the subject property. • The effects on infrastructure and/or network utilities. • Effect on safety of road users. These matters will be considered in accordance with the assessment criteria in Section 21.	
Commentary In developing the proposed rules for managing the effects of shelterbelts, means of mitigation through shading controls consistent with the national environmental standards for commercial forestry were promoted. Feedback received on the management of shelterbelts was comprehensive, with a consensus that provisions should focus on setback controls, maximum height and on-site maintenance of shelterbelts. Also, feedback from network utility operators requested that setbacks from electricity and gas lines be used to manage potential conflicts between shelterbelts and infrastructure. The existing objective and policy relating to shelterbelts states: Objective 4.3.3 – Rural activity: shelterbelts, woodlots and commercial forestry: <i>To ensure commercial forestry and/or woodlot forestry and shelterbelts do not have an adverse effect on the environment, the amenity of adjacent properties, or on infrastructure such as roads, railway lines, electricity transmission and distribution lines, and boundary fence lines.</i> Policy 4.3.3.4 Shelterbelts: <i>To manage the location and height of shelterbelts to avoid adverse effects of shading on adjacent sites and adverse effects on infrastructure including electricity lines.</i>		

Rural Zone														
The proposed rule provides specific standards to address the height, location at planting and the on-going on-site maintenance requirements for shelterbelts within the Rural Zone. Separating out shelterbelts from Rule 4.4.2.58 – Tree Planting, and creating a new provision for shelterbelts ensures that specific effects arising from shelterbelts are appropriately managed, will achieve the objectives of PC25 and supports the achievement of existing Objective 4.3.3 by ensuring that adverse effects arising from shelterbelts are appropriately avoided, remedied or mitigated by standards that set: • Minimum setbacks from roads, internal site boundaries and network utilities (electricity and gas); • Maximum height; and • Requirements for on-site maintenance of shelterbelts.														
Section 4 – Rural Zone: Rule 4.4.2.58 Tree Planting	Amend Rule 4.4.2.58, to read: No trees within a woodlot forest or commercial forest ~~or shelter belt~~ which are or are likely to grow to more than 6m in height shall be planted closer than any of the distances specified below:													
Commentary This is a consequential change to remove reference to shelterbelts in Rule 4.4.2.58 on the basis that proposed standard 4.4.2.57A will specifically address matters relating to shelterbelts.														
Section 4 – Rural Zone: Rule 4.4.2.88 Artificial Crop Protection Structures and Crop Support Structures	Introduce a new standard, to read: <table><tr><td rowspan="3">a.</td><td colspan="2"><u>The colours of permeable cloth associated with the vertical and horizontal surface of any artificial crop protection structure shall be:</u></td></tr><tr><td><u>For all vertical/side surfaces</u> <u>Except no colour control applies if the cloth cannot be seen from outside the boundaries of the site.</u></td><td><u>Dark Green or Black</u></td></tr><tr><td><u>For all horizontal/roof surfaces</u></td><td><u>Transparent, White, Dark Green or Black</u></td></tr><tr><td rowspan="2">b.</td><td colspan="2"><u>All artificial crop protection and support structures shall be setback a minimum of 10m, from the:</u></td></tr><tr><td colspan="2"><u>Outer conductor (wire or cable) of an overhead power line or telephone line</u></td></tr></table>		a.	<u>The colours of permeable cloth associated with the vertical and horizontal surface of any artificial crop protection structure shall be:</u>		<u>For all vertical/side surfaces</u> <u>Except no colour control applies if the cloth cannot be seen from outside the boundaries of the site.</u>	<u>Dark Green or Black</u>	<u>For all horizontal/roof surfaces</u>	<u>Transparent, White, Dark Green or Black</u>	b.	<u>All artificial crop protection and support structures shall be setback a minimum of 10m, from the:</u>		<u>Outer conductor (wire or cable) of an overhead power line or telephone line</u>	
a.	<u>The colours of permeable cloth associated with the vertical and horizontal surface of any artificial crop protection structure shall be:</u>													
	<u>For all vertical/side surfaces</u> <u>Except no colour control applies if the cloth cannot be seen from outside the boundaries of the site.</u>	<u>Dark Green or Black</u>												
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	<u>Outer conductor (wire or cable) of an overhead power line or telephone line</u>													

Rural Zone	
	ii. <u>Exterior of the national High Pressure Gas Transmission Pipeline</u> <u>Activities which fail to comply with this rule will require resource consent for a restricted discretionary activity with the discretion being restricted over:</u> <u>The extent to which the colour of the vertical cloth materials on artificial crop protection structures and artificial screens integrates with and is sympathetic to the surrounding area.</u> <u>The extent to which the height and location of the structures integrates into the surrounding area.</u> <u>The likely visual effects of the structures and the effectiveness of any mitigation proposed.</u> <u>The effect on rural character including consideration on the existing landscape setting and the overall cumulative effects.</u> <u>The effects on infrastructure and network utilities.</u> <u>These matters will be considered in accordance with the assessment criteria in Section 21.</u> <u>Note: Reference should be had to:</u> <u>New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001)</u> <u>A guide to land development over Firstgas pipelines.</u>
Commentary The introduction of new provisions for artificial crop protection and support structures relating to cloth materials and setbacks from utilities is necessary to complement the rural rule framework, and support the achievement of rural objectives and policies to manage effects from these structures (refer Objective 4.3.2 – Rule Activities: farming and Policies 4.3.2.1 – Rural environment, 4.3.2.3 – Farming activities to avoid adverse effects). The colour of the cloth applied to the horizontal and vertical surfaces of the artificial crop protection structures has the potential to cause differing degrees of glare (white or bright green). Black and dark green colours on vertical surfaces enable them to ‘blend’ more readily with the surrounding environs. Industry representatives have advised that there are also optimum growing colours that are used. For example, for kiwifruit, advice has been received that white, or a transparent cloth is always applied to the horizontal surfaces. When viewed from elevated positions, the white cloth is very distinctive within the rural environment. The effects of this are mitigated through shelterbelts and/or the use of black or dark green applied to the vertical surfaces of these structures. Rule 4.4.2.58.a has been developed to prescribe permitted cloth colours for horizontal and vertical surfaces to assist in the mitigation of potential effects. The horticultural industry has also advised that other cloth colours, (such as blue and red) are also used elsewhere in New Zealand. It is considered that the brightness and unnatural appearance of these colours could generate adverse effects that require further management,	

Rural Zone	
particularly when applied to large structures that could be covering large areas of land and at a height of 6m. The preferred approach, if such colours are to be used, is to enable them to be assessed at a case-by-case basis via the resource consent process as a restricted discretionary activity. The second part of this new rule relates to requirements for minimum setbacks for crop structure from gas and electricity lines. The purpose of this is to provide protection for network utilities, the national High Pressure Gas Transmission pipeline and electricity distribution outside of the National Grid Transmission lines. The proposed 10m setback is taken from the existing requirements of Rule 4.4.2.58 for electricity lines and guidance prepared by Firstgas for gas pipelines. The proposed standards will ensure that visual and locational effects arising from the establishment of artificial crop protection, artificial screens and crop support structures are appropriately managed.	
Overall Assessment of specific planning provisions to Part D – Section 4 – Rural Zone:	
Effectiveness/Efficiency	Benefit/Cost: (Environmental, Economic, Social, Cultural)
Effectiveness: The amendments proposed set out specific requirements relating to crop structures and shelterbelts that need to be complied with to maintain their permitted status. This ensures there is transparency with the way that effects are managed, with a pathway for the triggering of resource consent processes where non-compliance is generated.	Benefits: The amendments proposed to be applied to artificial crop protection and support structures, as well as shelterbelts in the Rural Zone will enable effects on the rural environment to be appropriately managed while ensuring the on-going use of the rural land resource farming activities and the diversification of primary production within the rural sector is continued to be provided for.
Efficiency: The outcomes of the proposed changes to Section 4 – Rural Zone provide certainty in rural areas of the baseline requirement for the establishment of artificial crop protection and support structures, and shelterbelts; and when resource consents would be required and the matters of discretion to be considered.	Costs: Resource consent triggers where non-compliance with standards for crop structures and shelterbelts arise.
Opportunities for economic growth and employment to be provided or reduced: the changes proposed ensure that the use of the rural resources in the district for all types of farming activities is able to continue in a way that prioritises the efficient use of highly productive land for land-based primary production, while minimising the potential for resource consent requirements to be triggered.	
Sufficiency of information and risk of not acting: There is sufficient information to amend the provisions in Section 4 – Rural Zone, Part D – Zone Provisions. The risk of not acting would result in:	

Rural Zone	
• Uncertainty in the ability to efficiently develop rural land for farming activities in the Rural Zone that have crop structures and shelterbelts associated with them. • The continuation of unnecessary resource consent requirements (including retrospective applications) for matters that are appropriately managed through performance standards to manage effects on the rural environment. • Continued uncertainty for adjoining landowners about what of the diverse range of farming activities that may establish legally.	

Part E –District Wide Provisions: Section 21 – Assessment Criteria and Information Requirements

Assessment Criteria	
Assessment Criteria: 21.1.4.6A	Introduce new assessment criteria, to read: <u>21.1.4.6A Minimum setback of Artificial Crop Protection Structures and Crop Support Structures from road boundaries (Rule 4.4.2.1.c)</u> a. <u>The extent to which the crop structure alters the visual openness of a road corridor.</u> b. <u>The extent to which the safety of road users has the potential to be compromised, including by potential for glare or distraction effects associated with the crop structure.</u> c. <u>The extent to which existing vegetation is retained, and landscaping adds to the amenity of the development.</u> d. <u>The extent to which the proposal will compromise the ability for rules relating to the location and maintenance of future shelterbelts to be met.</u>
Commentary The addition of this new assessment criteria is a result of the proposed changes to Rule 4.4.2.1 – Minimum building setback from road boundaries, to have a new 6m setback standard for crop protection and support structures. Where non-compliance with this new standard occurs resource consent for a restricted discretionary activity is required. Non-compliance with other setbacks specified in this rule are to either a discretionary or non-complying activity. The 6m setback has been developed to ensure that crop structures are not located in places where they could compromise the safety of road users. This could occur because of the alignment or positioning of the road, the creation of glare from sunlight reflecting from cloth or the creation of a distraction within a driver’s eyeline. The setback also ensures that there is enough space for a shelterbelt to be planted in compliance with shelterbelt rules if this is proposed at some future point in time.	

Assessment Criteria	
The assessment criteria enable case by case assessment of proposals to reduce the front yard setback and to impose conditions specific to these matters if this is warranted.	
Section 21 –Assessment Criteria: 21.4.13A	Introduce new assessment criteria, to read: 21.1.4.13A Shelterbelts (Rule 4.4.2.57A) a. <u>The proximity to and the effects on adjoining activities.</u> b. <u>The ability to maintain shelterbelt within the boundaries of the subject property.</u> c. <u>The effects on infrastructure and/or network utilities.</u> d. <u>Effect on safety of road users.</u>
Commentary The addition of this assessment criteria is because of the introduction of a new rule specific to shelterbelts in the Rural Zone. The new shelterbelt standards relate to: • Maximum height; • Minimum road and internal boundary setbacks; • Electricity and gas infrastructure setbacks; • Sight visibility restriction; and • Shelterbelt maintenance. Any shelterbelt planted after the date of rules becoming operative that fail to meet one or more of these standards will require resource consent for a restricted discretionary activity. These standards have been developed to ensure that shelterbelts are located and maintained to ensure they do not compromise the safety of road users, do not impact on the ability for neighbouring landowners to use and enjoy their properties, and avoid impacts on the ability to operate and maintain electricity and gas infrastructure. The assessment criteria enable case by case assessment of proposals failing to comply with shelterbelt standards and to impose conditions specific to these matters if this is warranted.	
Section 21 –Assessment Criteria: 21.1.4.29A	Introduce new assessment criteria, to read: 21.1.4.29A Artificial Crop Protection Structures and Crop Support Structures (Rule 4.4.2.88) a. <u>The extent to which the colour of the vertical cloth on an artificial crop protection structure integrates with and is sympathetic to the surrounding area.</u> b. <u>The extent to which the height and location of the structures integrates into the surround area.</u> c. <u>The likely visual effects of the structures and the effectiveness of any mitigation proposed.</u>

Assessment Criteria	
	d. <u>The effect on rural character including consideration on the existing landscape setting and the overall cumulative effects.</u> e. <u>The effects on infrastructure and/or other network utilities.</u>
Commentary The addition of this assessment criteria is because of the introduction of a new rule specific to artificial crop protection and support structures in the Rural Zone. The new standards relate to: • Cloth colours; and • Electricity and gas infrastructure setbacks. Any crop structure that fails to meet one or more of these standards will require resource consent for a restricted discretionary activity. These standards have been developed to ensure that cloth materials associated with crop protection structures are comprised of colours that enable the structure to integrate with the surrounding environment and not unduly dominate it, and so structures are located to avoid impacts on the ability to operate and maintain electricity and gas infrastructure. The assessment criteria enable case by case assessment of proposals failing to comply with crop structure standards and to impose conditions specific to these matters if this is warranted.	
Section 21 –Assessment Criteria: 21.1.25.10 Artificial screens and ancillary structures	Amend assessment criteria 21.1.25.10 to change existing reference to ‘Artificial Screens and ancillary structures’, replacing it with Artificial Crop Protection Structures and crop support structures.
Commentary The amendment to this assessment criteria is necessary because the rules which require resource consent in landscape and viewshaft areas have been changed from artificial screens to refer to Artificial Crop Protection Structures. Artificial screens has now been incorporated into the new definition for Artificial Crop Protection Structure that is proposed by PC25.	
Section 21 –Assessment Criteria: 21.1.25.11 Shelterbelts, including shelterbelts in viewshafts and the State Highway 3 Scenic 3 scenic corridor (Rule 25.4.1.1.i.)	Amend assessment criteria 21.1.25.11 for editorial purposes to reference the relevant rule in the Section 4 – Rural Zone.

Assessment Criteria	
Commentary This is a consequential change to include reference to the specific performance standard for shelterbelts in Section 4 – Rural Zone.	
Section 21 –Assessment Criteria: 21.1.25.14 General	Amend assessment criteria 21.1.25.14, to read: a. The extent to which an additional building on the site may cause adverse effects on the identified landscape. b. The extent to which the siting, orientation, design, and bulk of the building/s and materials used for their construction, with regard to the reflectivity of the finish (including the visual prominence of glazing), integrate the building into the surrounding natural environment. c. The extent to which the finished building roofline, will be below the nearest ridgeline, d. The extent to which the location of buildings, artificial screening, and ~~shelter belts~~ shelterbelts obstructs the identified viewshafts on State Highway 3, State Highway 39 and the Te Awamutu to Cambridge Road and the Rangiaowhia Ridge area. e. The extent to which planting/landscaping is proposed in order to mitigate adverse effects of building/s, and earthworks; and whether trees (including shelterbelts) are planted to follow the contour line rather than vertical lines. f. The extent to which commercial forestry and woodlot planting is shaped to the lie of the land not to property boundaries, and avoids harsh geometric shapes, and whether cosmetic edge planting around commercial forest integrates with the surrounding indigenous vegetation. g. The extent to which the effect of glazing detracts from the values of the identified landscape, or the viewshaft. h. The extent to which the effects of cloth colour of artificial crop protection structures and/or artificial screens detract from the values of the identified landscape, or viewshaft. i. The extent to which any harvesting is undertaken in a manner that does not result in significant adverse effects on landscape values. j. The nature and extent of any effects on the relationship of tāngata whenua with their ancestral lands, water sites, wāhi tapu, and other taonga.
Commentary The amendments to Assessment Criteria 21.1.25.14 – General are necessary to correct the spelling of “shelterbelt” and to provide specific assessment criteria relating to the potential for the colour of cloth material associated with artificial crop protection structures to detract from landscape and viewshaft values.	

Assessment Criteria	
Overall Assessment of specific planning provisions Part E – Section 21 – Assessment Criteria:	
Effectiveness/Efficiency	Benefit/Cost: (Environmental, Economic, Social, Cultural)
Effectiveness: The amendments proposed have updated the District Plan so that there is clarity and transparency with the matters that will be considered by Council in making decisions on applications for resource consent where proposed crop structures or shelterbelts trigger requirement for resource consent.	Benefits: The amendment will ensure appropriate assessment of the effects on the environment of crop structures and shelterbelts are able to be made when decisions on resource consent applications are made.
Efficiency: Providing the amendments to Section 21 ensures clarity of the matters that discretion will be restricted to in making decisions on resource consent applications.	Costs: None identified.
Opportunities for economic growth and employment to be provided or reduced: None identified.	
Sufficiency of information and risk of not acting: There is sufficient information to amend the provisions in Section 21, Part E – District Wide Provisions. The risk of not acting would result in the inability to fully assess and make decisions on resource consent applications for crop structures and shelterbelts failing to comply with performance standards.	

Part F – District Wide Natural and Cultural Heritage: Section 25 – Landscapes and Viewshafts

Landscapes and Viewshafts	
Section 25 –Landscapes and Viewshafts: Policy 25.3.1.1	Amend Policy 25.3.1.1, to read: <i>Policy – Ensuring that development shall not detract from outstanding landscapes</i> To ensure the landscape values of Mount Pirongia and Maungatautari are maintained by: - Ensuring the location, materials, and colour of buildings (<i>including the cloth colour of artificial crop protection structures and</i> artificial screens), <i>crop support structures</i>, and infrastructure avoid adverse effects on the values and features of the landscape, natural habitats and ecosystems; and - Avoiding clusters or groups of buildings; and - Ensuring earthworks for buildings, driveways and farm access tracks integrate with the existing landform to preserve natural landscape character, and recontouring earthworks are avoided or minimised to preserve natural landscape character; and - Avoiding developments on locations that are of significance to tāngata whenua; and

Landscapes and Viewshafts	
	e. Avoiding new above ground network infrastructure, unless the route and site selection process demonstrates that there is no other alternative; and f. Minimising the effects of upgrade work to existing infrastructure including removal of indigenous vegetation; and g. In all other cases, avoiding or minimising the removal of indigenous vegetation; and h. Recognising and providing for the continued operation of lawfully established farming activities.
Commentary This is a consequential change to ensure artificial crop protection structures are referenced by the policy.	
Section 25 –Landscapes and Viewshafts: Policy 25.3.3.2	Amend Policy 25.3.3.2, to read: <i>Policy - Maintaining the values of Mt Kakepuku</i> To ensure that the values of Mt Kakepuku are maintained, buildings (including artificial crop protection structures and crop support structures), infrastructure, and driveways shall be located and finished, in colours and materials that do not detract from the natural feature.
Commentary This is a consequential change to confirm that artificial crop protection structures, artificial screens and crop support structures are buildings to which the policy applies.	
Section 25 –Landscapes and Viewshafts: Policy 25.3.3.4	Amend Policy 25.3.3.4, to read: <i>Policy - Maintaining the values of the Ignimbrite cliffs and bluffs at Whitehall, Arapuni, castle Rock and Maungatautari</i> To ensure that the values of the Ignimbrite cliffs and bluffs at Whitehall, Arapuni, castle Rock and Maungatautari are maintained; buildings (including artificial crop protection structures and crop support structures), infrastructure and driveways shall be located, and finished in colours and materials, that do not detract from the natural feature.
Commentary This is a consequential change to confirm that artificial crop protection structures, artificial screens and crop support structures are buildings to which the policy applies.	
Section 25 –Landscapes and Viewshafts: Policy 25.3.3.6	Amend Policy 25.3.3.6, to read: <i>Policy - Maintaining the values of Sanitorium Hill/Pukemako</i> To ensure that the values of Sanitorium Hill/Pukemako are maintained; buildings (including artificial crop protection structures and crop support structures), infrastructure and driveways shall be located and finished in colours and materials, that do not detract from the natural feature.
Commentary	

Landscapes and Viewshafts	
This is a consequential change to confirm that artificial crop protection structures, artificial screens and crop support structures are buildings to which the policy applies.	
Section 25 –Landscapes and Viewshafts: Objective 25.3.4	Amend Objective 25.3.4, to read: <i>Objective - Other landscapes: visually sensitive hill country and river and lake environs</i> To provide for lawfully established farming activities while ensuring the location of buildings (including artificial crop protection structures and crop support structures), driveways and infrastructure does not compromise and where practicable enhances the landscape qualities of visually sensitive hill country and river and lake environs.
Commentary This is a consequential change to confirm that artificial crop protection structures, artificial screens and crop support structures are buildings to which the objective applies.	
Section 25 –Landscapes and Viewshafts: Policy 25.3.4.2	Amend Policy 25.3.4.2, to read: <i>Policy - Maintaining the values of visually sensitive hill country</i> To maintain or enhance the values of the visually sensitive hill country by recognising the landscape values associated with working pastoral environments and through the care location of building (including artificial crop protection structures and crop support structures), driveways and infrastructure that aligns with the contours of the land, the use of appropriate design, materials and colours, and minimising earthworks and minimising the need for bush removal.
Commentary This is a consequential change to confirm that artificial crop protection structures, artificial screens and crop support structures are buildings to which the policy applies.	
Section 25 –Landscapes and Viewshafts: Policy 25.3.4.4	Amend Policy 25.3.4.4, to read: <i>Policy - Maintaining the values of the river and lake environs</i> To ensure that the amenity and values of the river and lake environs are maintained, or enhanced, the locations of buildings (including artificial crop protection structures and crop support structures), infrastructure and driveways shall not dominate these landscapes. Buildings shall use appropriate design, materials and colours, artificial crop protection structures use appropriate cloth colour, and vegetation removal should be avoided.
Commentary This is a consequential change to confirm that artificial crop protection structures, artificial screens and crop support structures are buildings to which the policy applies.	

Landscapes and Viewshafts	
Section 25 –Landscapes and Viewshafts: Policy 25.3.5.1	Amend Policy 25.3.5.1, to read: <i>Policy - Protection of viewshafts</i> To maintain the viewshafts to Mt Pirongia, Mt Kakepuku, Maungatautari Mountain, Mt Te Kawa, the District's peat lakes, and Rangiāowhia Ridge; buildings, forestry, woodlots, ~~artificial screens~~ crop protection structures and crop support structures , and ~~shelterbelts~~ shelterbelts shall be located to retain these views, from the identified viewshafts along State Highway 39, the Cambridge to Te Awamutu Road, and the Rangiāowhia and Paterangi ridges.
Commentary This is a consequential change to confirm that artificial crop protection structures (including artificial screens) and crop support structures are buildings to which the policy applies.	
Section 25 –Landscapes and Viewshafts: Policy 25.3.5.2	Amend Policy 25.3.5.2, to read: <i>Policy - State Highway 3 scenic corridor between Hamilton and Te Awamutu</i> The values of the State Highway 3 scenic corridor are the prominent and memorable views to the outstanding natural landscape features, the volcanic cones and views of nationally significant peat lakes. The location of buildings, driveways and infrastructure, shelterbelts, ~~artificial screens~~ crop protection structures, crop support structures , woodlots and commercial forestry shall be managed to recognise, maintain or enhance views.
Commentary This is a consequential change to confirm that artificial crop protection structures (including artificial screens) and crop support structures are buildings which the policy applies.	
Section 25 –Landscapes and Viewshafts: Policy 25.3.6.2	Amend Policy 25.3.6.2, to read: <i>Policy - Managing the location of development within cultural landscapes</i> The location of buildings (~~including artificial crop protection structures and crop support structures~~), wastewater treatment and disposal systems, ~~shelterbelts~~ , and some earthworks shall be managed to avoid adverse effects on the values of the cultural landscapes of Pirongia, Maungatautari, Kakepuku, Matakītaki, Rangiāowhia, Ōrakau, Pukekura, Waiari and the Hingakākā battle site.
Commentary This is a consequential change to include shelterbelts and to confirm that artificial crop protection structures, artificial screens and crop support structures are buildings which the policy applies.	
Section 25 –Landscapes and Viewshafts: Objective 25.3.10	Amend Objective 25.3.10, to read: Objective – ~~Shelterbelts~~ Shelterbelts, artificial crop protection and crop support structures in natural landscapes and viewshafts

Landscapes and Viewshafts					
	Ensure that the location of ~~shelter belts~~ <i>shelterbelts, artificial crop protection structures and crop support structures</i> ~~artificial screens~~ maintain the character and amenity of natural landscapes, and the views of outstanding landscape features form identified viewshafts.				
Commentary This is a consequential change to include reference to artificial crop protection and support structures and to correct the spelling of shelterbelt.					
Section 25 –Landscapes and Viewshafts: Policy 25.3.10.1	Amend Policy 25.3.10.1, to read: <i>Policy - ~~Shelter belt~~ Shelterbelts, artificial crop protection structures and crop support structures</i> locating in viewshafts <i>Shelterbelts, artificial crop protection structures and crop support structures</i> ~~Shelter belts~~ shall avoid locating in viewshafts where the views to the outstanding natural features, and mountains and heritage items cannot be maintained.				
Commentary This is a consequential change to include reference to artificial crop protection and support structures and to correct the spelling of shelterbelt.					
Section 25 –Landscapes and Viewshafts: Policy 25.3.10.2	Amend Policy 25.3.10.2, to read: <i>Policy - ~~Artificial screens~~ protection structures and crop support structures</i> in natural landscapes and viewshafts Artificial <i>crop protection structures and crop support structures</i> shall not detract from the character and amenity of the landscape or viewshaft.				
Commentary This is a consequential change to reference to artificial crop protection and support structures.					
Section 25 –Landscapes and Viewshafts: Policy 25.3.10.3	Amend Policy 25.3.10.3, to read: <i>Policy - ~~Shelter belts~~ Shelterbelts</i> in natural landscapes and viewshafts ~~Shelter belts~~ <i>Shelterbelts</i> shall be orientated and located to minimise adverse effects on natural landscapes and viewshafts.				
Commentary An editorial change to correct the spelling of shelterbelt.					
Section 25 –Landscapes and Viewshafts: Rule 25.4.1.1 activity status	Amend the activity table, to read: <table><tr><td>Activity</td><td>Outstanding natural features and landscapes; High Amenity Landscapes;</td><td>Viewshafts, SH3 Scenic Corridor</td></tr></table>		Activity	Outstanding natural features and landscapes; High Amenity Landscapes;	Viewshafts, SH3 Scenic Corridor
Activity	Outstanding natural features and landscapes; High Amenity Landscapes;	Viewshafts, SH3 Scenic Corridor			

Landscapes and Viewshafts			
		Significant Landscape features; other landscapes	
	Artificial Crop Protection, Artificial Screens and Crop Support Structures		
	25.4.1.1.h. Artificial screens and ancillary structures Crop Protection Structures, Artificial Screens and Crop Support Structures	Restricted Discretionary Activity	Restricted Discretionary Activity within 400m of a public road
			Permitted Activity in all other locations
	Assessment of restricted discretionary activities shall be restricted to the following matters: • Location; and • Height; and • Integration with landscape; and • Colour; and • Avoidance of glare; and • Materials These matters will be considered in accordance with the assessment criteria in Section 21.		
Commentary This is a consequential change to include reference to artificial crop protection structures, artificial screens and crop protection structures as a collective. Feedback received through the engagement period raised concern of the potential for cloth covering associated with artificial crop protection structures and artificial screens may cause a glare issue. Accordingly, through the restricted discretionary activity resource consent process it is important to enable the assessment of glare. Accordingly, the matter of glare has been added to the matters assessment is restricted to.			
Section 25 –Landscapes and Viewshafts: Rule 25.4.2.2 Colour of buildings	Amend Rule 25.4.2.2, to read: For all buildings (except for permeable cloth associated with artificial crop protection structures) within natural landscapes and viewshafts identified on the Planning Maps, the whole of the walls and façade of the structure (including doors, window sills, and chimneys) shall be finished so that they are either of: a. Unpainted natural timber board or batten; or		

Landscapes and Viewshafts	
	b. Uncoated brick, stone, or concrete block, or any surface coated with paint, stain or varnish, but in each case, the colours must be in accordance with Appendix N6; or c. A combination of the above.
Commentary The exception is necessary because the materials that artificial crop protection structures and artificial screens are comprised of differs significantly from other buildings that the rule is targeting. In particular, the walls of crop structures are cloth materials that are not finished in timber board or batten, brick, stone or concrete block, and will not be painted, stained or varnished. In addition to this, because the cloth colours are required by new rule 4.4.2.88 it is not appropriate to require artificial crop protection structures to comply with Appendix N6. Notwithstanding this approach, as the establishment of artificial crop protection structures are a restricted discretionary activity (Rule 25.4.1.1.h.) in landscape areas, resource consent will be required in all instances and as such consideration of the effects of proposed colours and materials can be made as part of the resource consent process.	
Section 25 –Landscapes and Viewshafts: Rule 25.4.2.3 Colour of buildings	Amend Rule 25.4.2.3, to read: The whole of the roof of the building <u>(except for permeable cloth associated with an artificial crop protection structure)</u> in a natural landscape or viewshaft identified on the Planning Maps shall be finished in the colours set out in Appendix N6, provided that: a. This rule does not apply to an extension of an existing dwelling or accessory building or a farm building that is not visible from a public place; and b. In the event that the extension is visible from a public place, the extension and existing building shall comply with the colours set out in Appendix N6; and c. Roofs shall use a darker colour than the walls of the building. Activities that fail to comply with Rules 25.4.2.2. and 25.4.2.3 will require a resource consent for a discretionary activity.
Commentary The exception is necessary because the materials that artificial crop protection structures and artificial screens are comprised of differs significantly from other buildings that the rule covers. In addition to this, because the cloth colours are required by new Rule 4.4.2.88 it is not appropriate to require artificial crop protection structures to comply with Appendix N6. Notwithstanding this approach, as the establishment of artificial crop protection structures are a restricted discretionary activity (Rule 25.4.1.1.h.), in landscape areas, resource consent will be required in all instances and as such consideration of the effects of proposed colours and materials can be made as part of the resource consent process.	
Section 25 –Landscapes and Viewshafts: Rule 25.4.2.11	Amend Rule 25.4.2.11, to read: Rule - Shelterbelts in natural landscapes Shelterbelts shall not obscure views of significant natural features and landscapes from public space or roads.

Landscapes and Viewshafts	
	Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with discretion being restricted over: • Effects on views from view shafts including consideration of: • Location; and • Effects on views; and • Species; and • Mature height- This matter shall be considered in accordance with the assessment criteria in Section 21. Advice Note: Refer also to Rule ~~4.4.1.2.58 – Tree Planting~~ 4.4.1.2.57A - Shelterbelts
Commentary A consequential change to ensure correct referencing is applied as a result of provisions for shelterbelts being moved by PC25 from Rule 4.4.2.58 and into new Rule 4.4.2.57A.	
Overall Assessment of specific planning provisions to Part F – Section 25 – Landscapes and Viewshafts:	
Effectiveness/Efficiency	Benefit/Cost: (Environmental, Economic, Social, Cultural)
Effectiveness: The amendments proposed have updated the District Plan so that there is greater clarity that artificial crop protection structures, artificial screens, and crop support structures in landscape areas will be assessed and require resource consent for a restricted discretionary activity. Plan users are also provided with clarification as to the matters to which discretion will be restricted to in making decisions on resource consent applications.	Benefits: The amendments will ensure that the plan provisions continue to protect the landscape and cultural values of existing identified landscape and viewshaft areas through Section 25 when shelterbelts, artificial crop protection and support structures are proposed to be established.
Efficiency: The proposed amendments to Section 21 clarify the circumstances where resource consent is required, and the matters that discretion will be restricted to in making decisions on resource consent applications.	Costs: None identified as there is already a resource consent requirement for buildings and artificial screens in all landscape and viewshaft areas; and for shelterbelts in viewshafts and State Highway 3 Scenic Corridor.
Opportunities for economic growth and employment to be provided or reduced: None identified.	
Sufficiency of information and risk of not acting: There is sufficient information to amend the provisions in Section 25, Part F – District Wide Natural and Cultural Heritage.	

Landscapes and Viewshafts

The risk of not acting would result in the inability to fully assess, through the resource consent process, effects on the environment that could arise from the establishment of artificial crop protection and support structures and shelterbelts within landscape and viewshaft areas, as identified in the district plan.