



# District Plan Effectiveness Report - 2021

## Results of biannual monitoring

1 July 2018 – 30 June 2020

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**Document revision**

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24/6/2021	First Draft to Marcus Roy	Margaret Ferguson and Howard Alchin		
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## Executive summary

Council is required under Section 35 of the Resource Management Act 1991 to monitor the state of its environment (or specific parts) and the efficiency and effectiveness of policies, rules and other methods within its District Plan. The results of this monitoring are to be compiled in the form of the District Plan Effectiveness Report and made available to the public every five years at a minimum. The current report is a review as compared to the fuller monitoring report.

KPI (key performance indicator) 10.1 in the Long Term Plan requires that Council reports every two years with the last District Plan Effectiveness Report being adopted by Council in 2019. The current reporting period is 1 July 2018 through to 30 June 2020 and is compiled as a review.

The previous report (2019) capitalised on information gathered across the well beings (social, economic, environmental and cultural) as part of other Council work streams. This enabled a forward-looking stance to be taken with regard to positioning the environmental policy work streams and the Southland District to be responsive rather than reactive.

This current report provides an update to the substantial monitoring report adopted by Council in 2019. Both reports provide information on how well the District Plan is functioning and provides an avenue to highlight emergent and known issues.

It is noted that monitoring closes the policy development cycle. In essence Council can determine whether the policy framework in place is meeting resource management legislation requirements and the aspirations of the local community. It is acknowledged that an effective monitoring framework is still under development as monitoring relies heavily on resource consent data. At the time of the preparation of this report the dataset is not yet completely reliable with process improvement underway to refine its collection.

Since the last effectiveness review the Covid-19 pandemic has disrupted the world as we knew it. How this will play out, long term, across our communities on the ground will take some time to become evident. Any forward-looking policy framework will need to build in adaptability, scenario-based planning processes and time sensitive data analysis.

The resource management system was undergoing an extensive legislative review during the reporting period. The Resource Management Act 1991 had been widely accepted as being no longer being fit for purpose. The Randerson Report set the stage for the substantial changes by way of the three new acts which are: The Natural and Built Environments Act, Strategic Planning Act, and the Managed Retreat and Climate Change Adaptation Act.

Steady development has continued across the district during the reporting period with the real estate market showing few signs of slow down during the period with prices for land, buildings and dwellings continuing to trend up. Anecdotally there has been an inward movement of population across the main centres in the district due to the relative affordability of property in Southland. Urban zone boundary subdivisions are showing a clear trend upwards over the reporting period.

Subdivision of rural land has continued in order to meet housing demand and within the urban context, Riverton has become a property hot-spot. Many of the rural subdivisions are lifestyle sized blocks nearer to the urban areas. During the reporting period there has been a marked increase in the number of proposed dwellings that breach the 150m setback rule between dwellings held in separate ownership. This trend is not expected to slow down.

Commercial activity across the District has continued with a steady increase over the reporting period.

We have assumed that activity on the seaward side of the coastal hazard line has dropped off as awareness of the risks in these locations has become more evident to Council and community.

There has been an increase in recorded complaints, due to better reporting and additional staff resources. The District's landscapes are under potential threat from inappropriate development. A review of the Natural Features and Landscapes section of the District Plan will seek to address the issue.

## Resource management context

### State of the environment

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The Ministry for the Environment and Stats NZ released a comprehensive report in 2019 titled '*Environment Aotearoa 2019*'. This was a synthesis of previous reports and is a legislative requirement under the Environmental Reporting Act 2015. Since the last monitoring report two additional environmental reports have been issued:

- Our freshwater 2020
- Our atmosphere and climate 2020

The freshwater report identifies four priority issues:

1. Our native freshwater species and ecosystems are under threat
2. Water is polluted in urban, farming and forestry areas
3. Changing water flows affect our freshwater
4. Climate change is affecting freshwater in Aotearoa, New Zealand

The atmosphere and climate report covers in five chapters how, why and what is happening to our climate and how the changing climate is beginning to affect the things we care about. These chapters cover:

1. Our climate, our future
2. Our activities are driving emissions
3. Changes in our climate and environment are being observed
4. Climate change and our well being
5. Looking ahead: future emissions and climate

In addition, the Climate Change Commission has released a report titled '*Ināia tonu nei: A low emissions future for Aotearoa*'.

These work streams remain relevant in the changing context of the reform of the Resource Management Act and will build a sound foundation for the future. This reporting will also support the Long Term Plan key performance indicator as far as climate change is concerned.

Southland District Council has not undertaken any additional state of the environment monitoring since the last monitoring report in 2019.

### Resource Management System Reform

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The Randerson Report dated June 2020 has been adopted in its entirety by the government as the basis for the current legislative reforms. These are now going through the drafting and consultation process. The full adoption of the Randerson Report as the basis for the current legislative change did occur after the reporting period – however, it is of relevance in this report given the huge contextual change in the planning landscape.

The key high-level findings/key recommendations of the Randerson Report are:

- repeal the Resource Management Act, replacing it with three new acts
- replace the Resource Management Act substantially with a **Natural Built Environments Act** with a revised purpose and principles

- a major shift from managing environmental effects to achieving positive outcomes
- create a new **Strategic Planning Act**, requiring preparation of regional spatial strategies which encompass both land and the coastal marine area. These strategies would align functions across other statutes, including the new Natural and Built Environments Act, the Local Government Act, the Land Transport Management Act and the Climate Change Response Act;
- enact a dedicated **Managed Retreat and Climate Change Adaptation Act**, which would provide for managed retreat and for the establishment of a climate change adaptation fund
- require decision makers to give effect to the principles of Te Tiriti o Waitangi, and incorporate the overarching concept of Te Mana O Te Taiao in the purpose statement of the new Natural and Built Environments Act
- establish a National Advisory Board to monitor performance of central and local government, giving effect to Te Tiriti and provide for an integrated partnership process between mana whenua and councils
- require national direction to be made on a range of core matters and combine this into a coherent suite of instruments that clearly resolve conflicts and relationships between them
- require the establishment of environmental bottom lines and targets
- reform the existing Resource Management Act plans into combined regional plans, reducing the 100 or so plans we have now to just 14
- reform the planning process, including the establishment of joint planning committees comprising regional council, territorial authority and mana whenua representatives
- require an audit of district/regional plans by the Ministry for the Environment before they are notified
- alter how the notification framework operates, including removing the “no more than minor” threshold for notification of consents
- remove the non-complying status
- Provide an alternative dispute resolution pathway for minor matters
- strengthen the overall role of the environment court
- strengthen the framework for water conservation orders
- provide more flexibility to review existing resource consents
- provide for greater use of economic instruments to drive behaviour change
- establish a nationally coordinated environmental monitoring system
- expand the role of the Parliamentary Commissioner for the Environment to provide a stronger auditing and oversight role of the resource management system
- establish regional hubs for compliance, monitoring and enforcement
- strengthen offenses and penalties for non-compliance.

The timetable is to have the three acts fully operational by the end of the current parliamentary term in approximately two and a half years' time. Transitional arrangements are still anticipated and how this will affect the Planning Department directly (and indirectly other departments within Council) remains to be seen. Southland District Council's response to the Randerson Report and the repeal of the Resource Management Act is to consolidate workstreams into policy, ecology and consenting, each with a team leader.

## **National legislation changes, direction and policy development**

As well as the Randerson report and subsequent RMA reforms post the reporting period, two amendments to the Resource Management Act 1991 have been made during the 2018 – 2020 monitoring period.

The Resource Management Amendment Act 2020 received royal ascent on 30 June 2020 and made a number of amendments throughout the RMA. In summary:

- resource consents: changes to administration matters, restore public participation opportunities
- introduced new compliance, monitoring and enforcement provisions
- incorporated a new freshwater planning process.

These amendments have an impact on the Southland District Plan and planning processes.

Two new National Policy Statements have come into effect in 2020, both outside of the monitoring time period. For completeness these are the:

- National Policy Statement on Urban Development 2020 (20 August 2020).
- National Policy Statement for Freshwater Management 2020 (September 2020).

The National Policy Statement on Urban Development does not apply to the Southland District Council given the 'Urban' environment is defined as being an area that is providing for housing and employment for 10,000 people or greater.

The National Policy Statement for Freshwater Management, while predominately focused on regional councils, does have a direction regarding integrated management. This will require district councils to collaborate with regional councils to review provisions that have the potential to impact on water quality.

Two National Environmental Standards came into effect more recently just outside of the monitoring period relating to:

- freshwater as part of the essential freshwater package. The package also included a new regulation relating to stock inclusion.
- marine aquaculture.

These are the responsibility of the regional council to administer.

## **Partnership with Ngāi Tahu and Te Tangi a Taurira**

At the time of reporting there was no confirmed timeframe for a review of the Charter of Understanding – Te Roopu Taiao. Council maintains a strong commitment to working in partnership with Ngāi Tahu.

## **Regional plans and policy development**

The Regional Coastal Plan has been under review during the monitoring period with pre-notification policy development being undertaken. The formal consultation process has not yet been initiated.

Substantial work has been undertaken on resolving the appeals to the Proposed Regional Water and Land Plan. Four interim decisions have been issued by the environment court and relate to:

- the higher order provisions of the plan including most of its objectives and certain key policies
- the architecture (structure) of the proposed plan and the interpretation and implementation of Te Mana o te Wai and Ki uta ki tai by the plan
- addressing four discrete wording amendments
- confirmation of specific objectives within the proposed plan

The hearing of appeals will continue into 2021.

## Department of Conservation plan development / projects

The Fiordland National Park Management Plan is now due for review and at this point in time the review has not been scheduled.

### Recent District plan changes

One plan change has been undertaken to the Operative Plan. Plan Change 1 – Dark Skies was notified 9 September 2019 and became operative on 18 December 2020.

### Resource management activity

Southland District covers a significant land area (30,000km<sup>2</sup>) which constitutes approximately 11% of the total land area of New Zealand. Below are three tables showing the most common type of consent that the Council processes.

TABLE 1: TOTAL NUMBER OF CONSENTS					
Consent type	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020
Land use	176	101	137	148	152
Subdivision	86	54	123	104	107
<b>Total</b>	<b>262</b>	<b>155</b>	<b>260</b>	<b>252</b>	<b>258</b>

Table 2: Five most common land use consents applied for in the last four years (across all zones):

TABLE 2: MOST COMMON LAND USE CONSENTS							
2016/2017		2017/2018		2018/2019		2019/2020	
Breach of 150m separation rule	17	Breach 150m separation rule	15	Breach of 150m separation rule	6	Breach of 150m separation rule	22
Commercial activity	16	Commercial activity	18	Commercial activity	26	Commercial activity	29
Urban amenity bulk and location	14	Urban amenity bulk and location	21	Urban amenity bulk and location	11	Urban amenity bulk and location	10
Gravel extraction	8	Gravel extraction	6	Gravel extraction	7	Gravel extraction	6
Rural – accessory buildings	4	Rural – accessory buildings	6	Rural accessory buildings	3	Rural accessory buildings	3

Table 3: The most common types of subdivision consents applied for:

TABLE 3: MOST COMMON SUBDIVISION CONSENT							
2016/2017		2017/2018		2018/2019		2019/2020	
Rural – two lot	18	Rural – two lot	32	Rural – two lot	42	Rural – two lot	38
Boundary adjustment	11	Urban zone subdivisions	17	Urban – two lot	18	Boundary adjustment	4
Urban zone subdivisions	10	Boundary adjustment	12	Rural – three lot	33	Urban zone	43



## Complaints

Table 4: Number of complaints

TABLE 4: COMPLAINTS	NO.
2018/2019	29
2019/2020	61

The reporting and recording of complaints has improved and is now considered to be a more accurate reflection than previously. Planners routinely lodge complaints in the RFS (request for service) database that have been made directly to them, rather than address the complaint themselves unrecorded. Complaints are being lodged in the RFS database as the default location. In future years a better trend analysis should emerge from the data.

At the time of this report Council has invested in human resources to address compliance and monitoring. Late in the reporting period the compliance and consents officer role became vacant. A business case was prepared and one new full time monitoring and enforcement officer role was established with a vehicle which has significantly increased the capacity of in the monitoring and enforcement space. The next district plan effectiveness report will be able to look more closely at any trends associated with additional capacity in this role and how it may be achieving the intent of the District Plan.

## Monitoring results

### Coastal environment

#### District Plan objectives

- preserve the natural character of the coastal environment
- manage development within the coastal environment to minimise risk from coastal hazards
- provide for the maintenance and enhancement of public access to the coastal environment.

#### Key issues

- potential for coastal development to impact on the natural character values of the coastal environment
- increased risk of being affected by coastal inundation or coastal processes
- loss or lack of public access to and along the coast.

#### Indicators

Table 5: number and type of resource consents within Coastal Environment Overlay

TABLE 5: TYPE OF CONSENT	2018 /2019	2019 /2020	SUMMARY OF ACTIVITIES
Subdivision	11	2	Two lot – Six lots rural subdivision predominately
Land use	4	4	Earthworks, vegetation clearance, trail – run operation (commercial activity), building platform, dwelling within 150m

Table 6: number and type of resource consents on the seaward side of the coastal hazard line

TABLE 6: TYPE OF CONSENT	2018 /2019	2019 / 2020	SUMMARY OF ACTIVITIES
Subdivision	2	1	Boundary Adjustment
Land use	6	0	Dwelling within 150m and in coastal hazard line, intensive farming operation, trail – run operation (commercial activity), building extension.

### Total number of existing dwellings located within the coastal hazard area.

Data must be gathered as part of further work to understand the extent of existing dwellings located seaward of the coastal hazard line and their associated risk. This will provide a base line for understanding the total exposure of dwellings subject to coastal hazards and coastal processes.

### Extent of public land along the coast line

Baseline data is yet to be captured showing where access is provided to the coastal marine area along with identification of any locations that are a priority for access to be achieved. A new indicator, being the number of new access easements created to enable coastal access is proposed to provide ongoing observation of the progress made towards meeting the objective of providing for the maintenance and enhancement of public access to the coastal environment. It's acknowledged that the esplanade mechanism section of the District Plan should be broadened when next reviewed to also include esplanade mechanisms along the coast as this is currently missing in the current wording.

### Discussion

There is an overall decline in consents granted that are subject to the coastal environment overlay. The reasons for this decline are uncertain as we do not have a metric due to the unmeasured permitted building consent activity. It is therefore unclear whether District Plan objectives are being met.

### Response

Data needs to be collected relating to permitted activities that occur within areas subject to the coastal environment overlay. We note that the potential change in the legislative framework to address climate change has the potential to further affect future activity within the coastal environment overlay. Council needs to understand the impacts of this legislative framework to make sure the District Plan reflects the new requirements.

## Natural features and landscapes

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### District Plan objectives

- protection of Outstanding natural features and landscapes
- maintenance of visual amenity landscapes.

### Key Issues

- inappropriate development can adversely affect the values and attributes of a landscape that make it special.
- are the rules set at the right level of intervention to achieve the objectives?
- are there areas of development pressure within landscapes that have not yet been classified?
- increased forestry activity.

## Indicators

Table 7: number of land use consents within the outstanding natural features and landscapes overlay

TABLE 7: DATE RANGE	NO.	SUMMARY OF ACTIVITIES
1 July 2018 – 30 June 2019	13	Visitor centre, commercial activity, earthworks, vegetation removal
1 July 2019 – 30 June 2020	1	Disturbance of soil under the NES

Table 8: number of land use consents in the visual amenity landscape overlay.

TABLE 8: DATE RANGE	NO:	SUMMARY OF TYPE OF ACTIVITIES
<b>1 July 2018 – 30 June 2019</b>	16	Vegetation clearance, building platform, dwellings, second dwelling, visitor accommodation, garage, intensive farming operation.
<b>1 July 2019 – 30 June 2020</b>	3	Building platforms

Table 9: number of subdivision consents within the outstanding natural features and landscapes overlay

TABLE 9: DATE RANGE	NO:	SUMMARY OF TYPE OF ACTIVITIES
2019	1	Boundary adjustment

## Discussion

### Outstanding natural features and landscapes

There is less activity in this area, although the effects of forestry are not adequately measured.

### Visual amenity landscapes

There is a range of authorised resource consent activity occurring within the visual amenity landscape overlay. However, data needs to be collected that details the type of permitted activities occurring so as to fully understand the effectiveness of District Plan objectives and policies and where there are policy gaps.

More specifically indigenous vegetation clearance is occurring within this overlay. It is noted that the National Environmental Standard for Plantation Forestry (NES-PF), which came into force just prior to the start of this reporting period, has the potential to facilitate forestry activity within the Visual Amenity Landscape Overlay because the NES overrides the operative District Plan. Currently there are only rules associated with Forestry within Outstanding Natural Features and Landscapes. There is a risk to our other landscapes of both increased indigenous vegetation clearance with inappropriate resultant activity.

## Response

At the time of this report only some parts of the district's landscapes have been assessed as required by Section 6 and 7 of the RMA. This presents a risk if development occurs, as a permitted activity, in areas that should otherwise be classified as outstanding and/or as visual amenity landscapes. A review of the Natural Features and Landscapes Section of the District Plan has subsequently commenced within this reporting period to address the policy gap. This workstream will culminate in a plan change.

## Biodiversity

### District Plan objectives

- protection of significant indigenous biodiversity and maintenance of all other indigenous biodiversity.

## Key Issues

- is the current district wide 'blanket rule' approach achieving the purpose of Section 6 of the Resource Management Act 1991?
- where are the pressures for clearance across the District?
- does the consent process achieve the desired outcomes?

## Indicators

Table 10: biodiversity indicators

TABLE 10: INDICATOR	1 JULY 2014 – 30 JUNE 2016	1 JULY 2016 – 30 JUNE 2018	1 JULY 2018 – 30 JUNE 2020
<b>Area of vegetation authorised to be cleared through resource consent.</b>	2758.38ha	4.2920ha	10.45ha
<b>Number of resource consents applied for to undertake clearance of indigenous vegetation.</b>	11	5	6
<b>Summary of activities</b>	Pastoral farming, building platforms and access.	Walking tracks, roading, access to sites and building platforms.	Build dwelling, plant in radiata pine, gravel extraction, commercial activity, walking track
<b>Area covenanted through Queen Elizabeth Trust (QEII) covenants.</b>	197ha	2,180ha	699.72
<b>Number of High Value Area reports undertaken.</b>	62	73** (covering 3,286ha)	51

*\*The information for the reporting period was unable to be sourced.*

*\*\*This means that over the last previously an average of 34 reports have been completed per year.*

## Discussion

There is an evident increase in vegetation clearance which could be attributed to, but not limited to, the National Environmental Standard for Plantation Forestry (NES-PF) which came into force just prior to the start of the reporting period; and the government's 'One Billion Trees Programme'. In essence there are incentives for land diversification into forestry. The NES-PF currently overrides parts of the Southland District Plan.

At this stage Council has not completed a stock take of all the indigenous vegetation cover within the District to form a reliable data set. Therefore, we do not know the impact and / or level of significance of any clearance to date as we do not understand what exists in totality.

At the time of reporting there are known unconsented vegetation clearance activities with a significant loss of indigenous vegetation alongside known pressures on our landscapes attributed to forestry activity.

Overall, we do not consider that the objectives of the District Plan are being met

## Response

Council needs to know the amount of indigenous vegetation cover in Southland and the impact of clearance activities. This can only be achieved with a significant investment in compliance and monitoring resources.

At the time of writing this report the proposed National Policy Statement for Indigenous Biodiversity (NPSIB) is under development. The proposed NPSIB will require councils to survey and map significant indigenous biodiversity within their region and include associated policy response(s). This process, whilst currently controversial, has the potential to assist better policy development.

## Historic heritage

### District Plan objectives

- retention and utilisation of scheduled heritage sites and buildings
- minimise risk of damage from earthquakes to heritage buildings and structures
- maintain the state of our heritage resources

### Key Issues

- listed heritage items are lost or damaged as a result of inappropriate development
- the regulatory framework is potentially creating barriers to the use retention and upgrading of buildings.

### Indicators

Table 11: heritage items

TABLE 11: INDICATOR	1 JULY 2014 – 30 JUNE 2016	1 JULY 2016 – 30 JUNE 2018	1 JULY 2018 – 30 JUNE 2020
Number of consents granted for modification of heritage items.	1 – Additions to a commercial building.	0	0
Number of consents granted for demolitions / removal	1 - Demolition of woolshed	0	Unknown at reporting
Number of heritage buildings that have been identified as earthquake prone.	12 – all in Winton historic area	12 – Winton historic area*	12 – Winton historic area***
Number of new entries to HNZ listings (100/30/5/20)	N/A	2** – Dwelling in rural Riverton area and gold workings in Nokomai area	1 – Ohai Railway Board Office and Depot (former), Wairio.

\*Given there are no new commercial buildings listed there will have been no increase in the number of listed buildings identified as earthquake prone.

\*\*These listings and any subsequent to this reporting period will be considered for inclusion on the District Plan Schedule in future updating processes.

\*\*\* carried over from previous period

### Archaeological authorities granted.

Two authorities were granted during the reporting time period. The first was for works affecting gold workings in the Waikaia area and the second for works affecting a historic culvert.

## Discussion

There are no resource consents for modification of heritage listed items or buildings. The assumption is made that there are no new resource consents due to the impact that the earthquake prone buildings upgrade processes, regulations and associated costs may be having on demand.

It is also noted that in Table 15 there are 19 resource consents for commercial activity outside of the commercial precinct overlay. There may be a correlation between the location of commercial activity and the demand for suitable commercial buildings, some of which may be subject to earthquake prone upgrade requirements.

Council has identified 149 buildings as earthquake prone and undertaken the process required to work with owners to manage the associated risk. This is an ongoing project.

Overall, it appears that the District Plan objectives are being met.

## Response

The planning department will need to work with the building department to understand the metrics and the issues associated with buildings now subject to earthquake prone processes. The Building Team are also working on behalf of building owners to identify grants and funding to support earthquake strengthening of heritage buildings.

## Natural hazards

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### District Plan objective

- reduce the risk of natural hazards to people, communities, businesses and infrastructure.

### Key Issues

- understanding the extent of natural hazards in Southland and the number of buildings developed on hazard prone land.
- the District Plan was completed prior to the Regional Policy Statement, therefore has the District Plan appropriately given effect to the policy direction contained within the policy statement?

### Indicators

Table 12: number of subdivisions granted and lots created within the natural hazard overlay

YEAR RANGE	NO OF SUBDIVISION CONSENTS:	TOTAL LOTS CREATED
1 July 2018 – 30 June 2019	21	53 Lots
1 July 2019 – 30 June 2020	7	16 Lots

Table 13: number of land use consents granted within the natural hazard overlay

YEAR RANGE	NO OF LAND USE CONSENTS :
1 July 2018 – 30 June 2019	22
1 July 2019 – 30 June 2020	8

## Discussion

The reason for declining trend of subdivision and land use consents within the natural hazard overlay is unclear given there was no policy change within the reporting period at a regional council and district council level.

The declining trend could be due to increased public awareness of development within areas subject to a natural hazard overlay. Furthermore, associated insurance costs may now make construction within areas subject to hazards as becoming price prohibitive.

We still need to develop an understanding of the permitted baseline i.e. what development is occurring that does not require resource consent. In analysing the permitted baseline, Council can determine more accurately if District Plan objectives are being met. This dataset can be achieved by collaboration with the building team alongside refined use of pathways to capture the relevant data.

## Response

Council needs to ensure that the Natural Hazards section of the District Plan remains current and meeting best practice across the rest of New Zealand. In the last reporting period section 6 (matters of national importance) was updated to include “managing the risks of natural hazards” and accordingly at a national level more emphasis is being given to restricting activities in areas prone to natural hazard events.

Council needs to create and monitor the permitted baseline activity for both building consents and resource consents to highlight any gaps in policy.

## Rural zone

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### Residential development in the rural zone

#### District Plan objectives

- subdivision, land use and development is undertaken in a manner that maintains the productive value of the land resource and maintains amenity values including rural character
- Subdivision is integrated and well planned and gives particular consideration to anticipated future land use and development.

#### Key Issues

There is the potential for the following issues to arise as unintended outcomes from the current plan approach:

- proliferation of dwellings in the rural zone and resulting loss of productive land
- reverse sensitivity effects on permitted and anticipated rural activities
- subdivision in the rural zone with no minimum lot size density controls can create situations where lots are created and building platforms are ‘booked’ for future development – without consideration of rural amenity or character of the site and surrounding area
- construction of accessory buildings in rural settlement areas may be precluding efficient future intensive development of these areas
- Proposed National Policy Statement for Highly Productive Land will have an impact on the District Plan.

## Indicators

### Number of resource consents for staff accommodation.

No resource consents were granted for staff accommodation within this time period.

### Number of resource consents for residential activity

Table 14: number of resource consents for residential associated activity

YEAR RANGE	NUMBER OF CONSENTS
2018-2019	19
2019-2020	25

See also Table 2. Note the number of resource consents for dwellings that breach the 150m rule within the rural zone. See also Table 3.

## Discussion

Insufficient data available to confirm permitted baseline i.e. we do not know what development has occurred as of right.

There is an increase in residential and associated activity occurring within this zone with more work required to understand the exact volume of buildings constructed. Assumptions can be made by reviewing Table 2 which shows an increase in dwellings constructed that breach the 150m requirement and Table 3 which shows an increase in the number of two lot rural subdivisions. Overall, residential activity within the rural zone is increasing but we are unable to understand the effect this is having on the productive use of land and rural amenity because of insufficient metrics.

## Response

Dataset development by collaboration with the building team is required to better understand patterns of development in the Rural Zone.

## Intensive farm buildings

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### Objective

- maintain amenity, including rural character.

### Issues

- is the permitted threshold set at the right level to achieve the outcome desired?
- are the performance conditions functioning as intended? Currently the rule triggers on size only, not activity, therefore is the Restricted Discretionary rule drafted to sufficiently manage effects? (materials, bulk, night time lights?).

## Indicators

Table 15: number of consents for wintering sheds, intensive farming activity



TABLE 15: INDICATOR	1 JULY 2014 – 30 JUNE 2016	1 JULY 2016 – 30 JUNE 2018	1 JULY 2018 – 30 JUNE 2020
Number of consents granted for wintering sheds over 1500m <sup>2</sup>	6	7	3
Number of consents granted for intensive farm buildings / activity Confining stock longer than 3 months	1 –over 1500m <sup>2</sup>	1 –over 1500m <sup>2</sup>	1 – Poultry farm

## Discussion

The trend suggests there are few wintering sheds breaching the district plan. However, we do not know the impact of intensive farming buildings because we do not monitor the permitted baseline.

Since the reporting period we are aware of the increase in wintering sheds that breach the District Plan requirements. We anticipate that this trend will continue.

## Response

Council needs to understand and monitor the permitted baseline to identify policy gaps and to understand if objectives are met. This dataset/analysis can be achieved by collaboration with the building team in regards to permitted activity.

## Urban zone

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### Residential amenity

#### Objectives

- subdivision, land use, and development in the Urban Zone shall maintain or enhance residential amenity.

#### Key Issues

- is the level of intervention set appropriately to achieve the objective?
- what has the effect been of the Resource Management Act 1991 amendments to provide for minor breaches as permitted activities?
- has there been privacy and amenity concerns raised over the reports time period?
- are there any other aspects of building bulk and location that are not currently being managed sufficiently?
- is there a clear link between the definition of Urban Amenity, the existing policy framework and rules?

#### Indicators

Table 16: number of consents breaching height restrictions

TABLE 16: INDICATOR	1 JULY 2014 – 30 JUNE 2016	1 JULY 2016 – 30 JUNE 2018	1 JULY 2018 – 30 JUNE 2020
Number of consents granted height in relation to boundary / setback	46	30*	5*

<b>TABLE 16: INDICATOR</b>	<b>1 JULY 2014 – 30 JUNE 2016</b>	<b>1 JULY 2016 – 30 JUNE 2018</b>	<b>1 JULY 2018 – 30 JUNE 2020</b>
<b>Number of consents granted for over height buildings</b>	17	7	7

*\*RMA amendments came into effect during this time period, therefore 1 July 2018 – 30 June 2020 figures only relate to those matters that required land use consent. A new alternative process is provided for “Permitted Boundary Breaches” and that has not been reported here.*

## Discussion

The declining trend, whilst unrecorded within our dataset, can be attributed to the RMA amendments.

We cannot conclude as to whether the objectives of the plan are met in regards to amenity because we do not have permitted baseline data and we do not adequately monitor resource consents on completion.

We anticipate the proposed RMA reform which is focused on outcomes rather than effects will have a positive impact on measuring amenity.

## Response

Council needs to record and monitor the number of permitted boundary breaches.

Council requires feedback from district plan users regarding the usability of the 6m<sup>2</sup> exemption to height in relation to boundary rule. Additionally, feedback on our urban amenity and expectations/observable changes should be obtained before any further work is undertaken on the Urban section of the District Plan.

Council needs to understand the number and location of complaints received regarding permitted building projects in order to fully understand what the community considers as urban amenity.

## Commercial precincts

### Objective

- where they are identified, commercial precincts shall accommodate the principal retail and services functions of the urban zone.

### Key Issues

- is it appropriate to require re-use of existing commercial buildings in the commercial precinct to comply with all the same general standards as a new building?
- are there additional unnecessary regulatory barriers to appropriate use and development of sites for commercial purposes?
- are there sufficient brown field and green field sites available for future development in townships experiencing growth currently?
- is new commercial activity being directed to establish in the commercial areas?

### Indicators

Table 17: Number of consents issued for commercial activities by zone and precinct.

<b>TABLE 17: ZONE</b>	<b>1 JULY 2018 – 30 JUNE 2020 NO:</b>
<b>Rural zone</b>	5
<b>Urban zone</b>	8
<b>Commercial precinct</b>	0

<b>TABLE 17: ZONE</b>	<b>1 JULY 2018 – 30 JUNE 2020 NO:</b>
<b>Industrial zone</b>	1
<b>Fiordland Rakiura zone</b>	5

## **Discussion**

The trend shows that no development within the Commercial Precinct triggered resource consent which can mean the rules were enabling enough to facilitate this development or the rules are too restrictive and commercial development was put into other zones. It is noted that the commercial activity ranges between water surface activity to commercial activity from a building. The assumption is made that the availability of suitable commercial buildings may have an impact on demand. See discussion in respect of heritage buildings.

Given the number of commercial activities that are occurring outside of the designated retail area it can be concluded that the objectives of the District Plan are not being met.

## **Response**

Analysis of the commercial building consent dataset, and related warrant of fitness information is required to better understand the level of permitted activity not requiring consent.

Council needs to further analyse the existing commercial building stock within Southland District, understand the barriers to development, and identify opportunities for development in order to meet objectives of District Plan.

## Appendix 1 Progress on 2016-2018 recommendations

RECOMMENDATIONS	PROGRESS
Recommendation 1: That the preparation of a State of the Environment Report be endorsed and provided for within the 2020/2021 Resource Management Policy Work Plan	<b>On hold</b> until additional policy resource secured.
Recommendation 2: Work associated with the climate change work stream continues as planned.	Current workstream
Recommendation 3: Review status of public access along the coastline, and the esplanade reserve mechanism provisions of the subdivision section of the plan	Current workstream
Recommendation 4: Undertake work to enable building consent data to be extracted from pathways against zones and overlays to show exposure to coastal processes	Current workstream
Recommendation 5: continue to progress work on enabling data gathered within the Pathways system and the GIS system to be integrated and spatially interrogated	Current workstream
Recommendation 6: Develop guidance material to support the implementation of the permitted activity framework for the visual amenity landscape overlay	Current workstream
Recommendation 7: continue to progress the development of a project plan to scope progressing the district wide landscape values assessment (including geological sites)	Done
Recommendation 8: Continue to have a watching brief on the development of the National Policy Statement for Indigenous Biodiversity	Current workstream
Recommendation 9: Continue to progress the background work to inform a review of this section of the plan including consideration of alignment with the National Policy Statement for Indigenous Biodiversity	Current workstream
Recommendation 10: Scope and develop a project plan to undertake further work as part of the future district plan review process into the state of heritage and earthquake prone buildings within the district and the potential mechanisms to address the situation	Current workstream
Recommendation 11: scope project plan to spatially display building consent information, refined to show dwellings and other buildings within hazard prone areas	Current workstream
Recommendation 12: Continue to work collaboratively with Environment Southland on information gathering and analysis relating to hazards. Initiate discussions with Environment Southland regarding a review partnership	Current workstream
Recommendation 13: scope project plan to spatially display building consent information, refined to show dwellings and other buildings across the rural zone and within the rural settlement areas	Current workstream
Recommendation 14: Review the effectiveness of current rural density controls on achieving the desired outcomes of the rural zone as part of the rolling district plan review process	Incomplete
Recommendation 15: Review the urban amenity standards as part of the rolling District Plan review and future urban development work	Incomplete

Recommendation 16: The necessity of the accessory building maximum height rule be reviewed as part of the omnibus technical plan change work during the 2019/2020 year	Incomplete
Recommendation 17: That a project plan be developed to assess current and future development trends across the district	Current workstream
Recommendation 18: Data be gathered regarding demand and supply of residential, commercial and industrial zoned land within the 3 largest urban settlements of the district. That this data be integrated with GIS systems and spatially displayed	Incomplete
Recommendation 19: Approach key parties to ascertain interest in undertaking such a process with regard to the Milford Sound Township	Ongoing
Recommendation 20: Source and analyse relevant data, potentially as part of the future development capacity project work and report back to Council on findings	Incomplete

## Appendix 2: Recommendations 2018-2020

The following is a list of recommendations for 2018 - 2020

### RECOMMENDATIONS

#### **Coastal environment overlay**

Data needs to be collected that relates to permitted activities within areas subject to the coastal environment overlay, coastal hazard line, visual amenity landscape overlay

#### **Natural features and landscapes**

A review of the natural features and landscapes section of the District Plan undertaken to address gap in policy to manage landscapes of significance

#### **Biodiversity**

Data collected on the amount of indigenous vegetation cover in Southland

Council needs to monitor the permitted baseline to understand significant adverse trends and to understand if policy direction is adequate

Council needs to incorporate incoming national regulation eg the proposed National Policy Statement for Indigenous Biodiversity (NPSIB) which is under development.

#### **Historic heritage**

The planning department will need to work with the building department to better understand the metrics and the issues associated with buildings now subject to earthquake prone processes

#### **Natural hazards**

Council needs to review and re-evaluate the natural hazards section of the District Plan to understand if it aligns with the Regional Policy Statement

#### **Rural zone**

A dataset developed in collaboration with the building team to understand the status of permitted activities

#### **Intensive farm buildings**

A dataset developed in collaboration with the building team to understand the status of permitted activities

#### **Urban zone**

Council needs to record and monitor the number of permitted boundary breaches; and the usability of the 6m<sup>2</sup> exemption to the Height in Relation to Boundary recession plane

Council needs to understand the number and location of complaints received regarding permitted building projects to understand what the community considers as urban amenity

#### **Commercial precincts**

Analysis of commercial building consent data, and related warrant of fitness information is required to better understand permitted activity not requiring consent.

Council needs to further analyse the existing commercial building stock within Southland District to better understand barriers to development, and to identify opportunities for development in order to meet the objectives of District Plan.