

# **Wellington City Proposed District Plan**

## **Hearing Stream 7 – General Rural Zone**

**Section 42A of the Resource Management Act  
1991**

## Document Information

<b>REPORT FOR:</b>	<b>Independent Hearings Commissioners:</b> Robert Schofield (Chair) Miria Pomare Jane Black Lindsay Daysh
<b>SUBJECT:</b>	<b>Wellington City Proposed District Plan – Hearing Stream 7 - Part 3 – General Rural Zone and Rural Design Guide</b>
<b>PREPARED BY:</b>	Joshua Patterson
<b>REPORT DATED:</b>	22 February 2024
<b>DATE OF HEARING:</b>	19 – 28 March 2024

## Executive Summary

- i. This report considers submissions received by Wellington City Council in relation to the relevant objectives, policies, rules, definitions, appendices and maps of the Wellington City Proposed District Plan as they apply to the General Rural Zone Chapter (GRUZ), Makara Beach and Makara Village Precinct and the Rural Design Guide (RDG).
- ii. There were 179 submission points and 57 further submission points received in relation to the General Rural Zone Chapter, Makara Beach and Makara Village Precinct and the Rural Design Guide. The submissions received were diverse and sought a range of outcomes. This report assesses and makes recommendations in response to the issues that have emerged from submissions.
- iii. The following are considered to be the key issues in contention:
  - a. Suitability of the objectives, policies, rules and standards in the GRUZ chapter;
  - b. Potential additional and/or fit-for-purpose provisions;
  - c. Recognition and enablement of quarrying activities within the GRUZ;
  - d. Extent of the GRUZ; and
  - e. Retention and/or amendment of the RDG.
- iv. This report addresses each of these key issues, as well as any other relevant issues raised in the submissions.
- v. The report includes recommendations to address matters raised in submissions. This includes whether the provisions in the Proposed District Plan relating to the General Rural Zone Chapter and the Rural Design Guide should be retained as notified, amended, or deleted in full.
- vi. Appendix A of this report sets out the recommended changes to the General Rural Zone Chapter and the Rural Design Guide in full. These recommendations take into account all of the relevant matters raised in submissions and relevant statutory and non-statutory documents.
- vii. Appendix B of this report details officers' recommendations on submissions and whether they should be accepted, accepted in part or rejected. The associated reasoning is set out in the body of this report.
- viii. For the reasons set out in the Section 32AA evaluations included throughout this report, the proposed objectives and associated provisions, along with any recommended amendments, are considered to be the most appropriate means to:
  - a. Achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives; and
  - b. Achieve the relevant objectives of the Proposed District Plan, in respect to the proposed provisions.

## Interpretation

**Table 1: Abbreviations**

<b>Abbreviation</b>	<b>Means</b>
the Act / the RMA	Resource Management Act 1991
the Enabling Act	Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021
the Council/WCC	Wellington City Council
the Operative Plan/ODP	Operative Wellington City District Plan
the Proposed Plan/PDP	Proposed Wellington City District Plan
GRUZ	General Rural Zone
GRUZ- PREC01	Makara Beach and Makara Village
GWRC	Greater Wellington Regional Council
NPS	National Policy Statement
NPS-UD	National Policy Statement on Urban Development 2020
NZCPS	New Zealand Coastal Policy Statement 2010
PNRP	Proposed Wellington Natural Resources Plan (Decisions Version) 2019
RPS	Wellington Regional Policy Statement 2013
SNA	Significant Natural Area
Spatial Plan	Spatial Plan for Wellington City 2021
S32	Section 32 of the Resource Management Act 1991
S32AA	Section 32AA of the Resource Management Act 1991

**Table 2: Abbreviations of Submitters' Names**

<b>Abbreviation</b>	<b>Means</b>
Aggregate and Quarry Assoc.	Aggregate and Quarry Association
Caniwi Properties (Boomrock)	Caniwi Properties (Boomrock) Limited
Department of Corrections	Ara Poutama Aotearoa the Department of Corrections
DGOC	Director-General of Conservation
Envirowaste Services	Envirowaste Services Ltd
FENZ	Fire and Emergency New Zealand
Forest and Bird	Royal Forest and Bird Protection Society of New Zealand Inc
GWRC	Greater Wellington Regional Council
Horokiwi Quarries	Horokiwi Quarries Ltd
Investore Property	Investore Property Limited
Johnsonville Community Assoc.	Johnsonville Community Association
Margaret Ellis	Margaret Ellis
Meridian Energy	Meridian Energy Limited
MOE	Ministry of Education
NZAAA	New Zealand Agricultural Aviation Association
NZMCA	New Zealand Motor Caravan Association
Parkvale Road	Parkvale Road Limited
Rimu Architects	Rimu Architects Ltd
RVA	The Retirement Villages Association of New Zealand Incorporated
Ryman Healthcare	Ryman Healthcare Limited
Taranaki Whānui	Taranaki Whānui ki te Upoko o te Ika
Terawhiti Farming Co	Terawhiti Farming Co Ltd (Terawhiti Station)
Te Kamaru Station	Te Kamaru Station Ltd Ratings
Te Marama	Te Marama Ltd
Waka Kotahi	Waka Kotahi Transport Agency
WCC	Wellington City Council
WCCERG	WCC Environmental Reference Group
WGTD Branch NZ Deerstalkers	Wellington Branch of the New Zealand Deerstalkers
WIAL	Wellington International Airport Ltd

## 1.0 Introduction

### 1.1 Purpose

1. This report is prepared under section 42A of the Resource Management Act 1991 (the **RMA**) to:
  - a. Assist the Independent Hearings Panel (**IHP**) in their role as Independent Commissioners in making their recommendations on the submissions and further submissions on the Wellington City Proposed District Plan (the **PDP**); and
  - b. Provide submitters with information on how their submissions have been evaluated and the recommendations made by officers, prior to the hearing.

### 1.2 Scope

2. This report considers submissions received by the Council in relation to the relevant objectives, policies, rules, definitions and maps as they apply to the General Rural Zone (**GRUZ**) Chapter, which includes the Makara Beach and Makara Village (**GRUZ-PREC01**) and the Rural Design Guide (**RDG**).
3. This report:
  - a. Discusses general issues;
  - b. Considers the original and further submissions received following notification of the PDP;
  - c. Assesses and makes recommendations as to whether or not those submissions should be accepted, accepted in part or rejected; and
  - d. Concludes with recommendations to retain or change the PDP provisions or maps based on the assessment and evaluation contained in the report.
4. This report is intended to be read in conjunction with the Section 42A Assessment Report: Part A – Overview, which sets out the statutory context, background information and administrative matters pertaining to the District Plan review and the PDP.
5. The Hearings Panel may choose to accept or reject the conclusions and recommendations of this report, or may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.

### 1.3 Author and Qualifications

6. My full name is Joshua (Josh) Cunningham Patterson. I am a Principal Planning Advisor in the District Plan Team at Wellington City Council (the **Council**).
7. I hold the qualification of Bachelor of Science (Geography and Development Studies) from Victoria University and a Master of Resource and Environmental Planning from Massey University.

8. I have seven years' experience in planning and resource management. I began my career at the Council before moving to the private sector, returning to the Council in October 2022. Before leaving the Council initially, I worked in District Planning Team where I was a lead on the preparation of the first Housing and Business Capacity Assessment. Additionally, I was lead on the review of several chapters, including the Heritage Chapter. I then worked at Urban Edge Planning for three years where I was the lead and support planner on Private Plan Changes and District Plan changes, including for the Wellington City Council. In addition, I prepared and assessed resource consent applications for a range of developments across the Wellington Region. With respect to the PDP, I was involved in drafting the Natural Environment Chapters and was the lead on the Signs and Large Lot Residential Chapters.
9. Since joining the District Plan Team in October 2022 my primary focus has been assessing and reporting on the submissions relating to the Part 3 – Residential Zones. I am also the reporting officer on the General Rural Zone and Signs Chapter, which will also be heard in Hearing Stream 7.
10. My role in preparing this report is that of an expert in planning.

#### **1.4 Code of Conduct**

11. Although this is a Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the Practice Note issued by the Environment Court which came into effect on 1 January 2023. I have complied with the Code of Conduct when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
12. Other than when I state that I am relying on the evidence or advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.
13. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.

#### **1.5 Supporting Evidence**

14. The expert evidence, literature, legal cases or other material which I have used or relied upon in support of the opinions expressed in this report is as follows:

**Background Information:**

- a. The Wellington City District Plan (the ODP)<sup>1</sup>, including section 32 reports that inform the ODP provisions;
- b. The plan titled 'Our City Tomorrow – Spatial Plan for Wellington City (the Spatial Plan) 2021'<sup>2</sup>;
- c. The report titled 'Section 32 Evaluation Report Part 2: General Rural Zone' prepared

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<sup>1</sup> [Plans, policies and bylaws - Current District Plan - Wellington City Council](#)

<sup>2</sup> [Plans, policies and bylaws - A Spatial Plan for Wellington City - Wellington City Council](#)

by the Council (dated 2022)<sup>3</sup>.

- d. The report titled 'General Rural Zone – Issues & Options to inform the Wellington District Plan Review of the Rural Zone', prepared by Louise Miles (dated July 2020)<sup>4</sup>.
- e. The recommendations of the IHP in relation to the PDP ISPP provisions considered under Hearing Streams 1 to 5 and the ISPP Wrap-up Hearing.

[Plans, policies and bylaws - Decision-making process on the Proposed District Plan - Wellington City Council](#)

## 1.6 Key resource management issues in contention

15. 168 submission points and 54 further submission points were received on the provisions relating to the General Rural Zone Chapter (including on the Makara Beach and Makara Village Precinct).
16. 11 submission points and three further submission points were received on the Rural Design Guide.
17. Having read the submissions and further submissions, I consider that the following matters are the key issues in contention in the chapter:
  - a. Suitability of the objectives, policies, rules and standards in the GRUZ chapter;
  - b. Potential additional and/or fit-for-purpose provisions;
  - c. Recognition and enablement of quarrying activities within the GRUZ;
  - d. Extent of the GRUZ; and
  - e. Retention and/or amendment of the RDG.

## 1.7 Procedural Matters

18. At the time of writing this report there have not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions.
19. There are not considered to be any other procedural matters to note.

## 2.0 Background and Statutory Considerations

### 2.1 Resource Management Act 1991

20. The PDP has been prepared in accordance with the RMA and in particular, the requirements of:
  - Section 74 Matters to be considered by territorial authority; and
  - Section 75 Contents of district plans.
21. As set out in the Section 32 Evaluation Report Part 1 – Context to Evaluation and Strategic Objectives, there are a number of higher order planning documents and strategic plans that provide direction and guidance regarding the preparation and content of the PDP. These

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<sup>3</sup> [Section 32 Evaluation Report Part 2: General Rural Zone](#), Wellington City Council, 2022

<sup>4</sup> Refer to [Appendix C](#)



documents and a comprehensive assessment of all relevant consultation and statutory considerations prior to public notification of the PDP are discussed in detail within the General Rural Zone Section 32 Evaluation Report.

## 2.2 Schedule 1 and the Intensification Streamlined Planning Process (ISPP)

22. As detailed in the Section 42A Overview Report prepared and considered by the Panel in Hearing Stream 1, the Council has chosen to use two plan review processes:
  - a. The ISPP under Part 6 of Schedule 1 of the RMA for the intensification planning instrument (IPI). There are no appeal rights on ISPP provisions.
  - b. For all other PDP provisions and content, the standard Part 1 of Schedule 1 process of the RMA is used. Part 1 Schedule 1 provisions can be appealed.
23. The GRUZ Chapter and RDG have been notified using the standard RMA Part One, Schedule 1 process (P1 Sch1).
24. Since public notification of the PDP and publishing of the related section 32 evaluation reports on 18 July 2022, the following relevant statutory considerations have changed or been introduced:
  - a. **The Spatial Planning Bill and Natural and Built Environment Bill**  
These Bills have not been repealed and have no further relevance.
  - b. **Plan Change 1 to the Wellington Regional Policy Statement was notified (19.08.2022)**  
Hearings on Plan Change 1 are currently underway.
  - c. **National Policy Statement on Indigenous Biodiversity 2023**

## 2.3 Section 32AA

25. I have undertaken an evaluation of the recommended amendments to provisions since the initial Section 32 evaluation was undertaken in accordance with s32AA. Section 32AA states:

### ***32AA Requirements for undertaking and publishing further evaluations***

*(1) A further evaluation required under this Act—*

*(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and*

*(b) must be undertaken in accordance with section 32(1) to (4); and*

*(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and*

*(d) must—*

*(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the*

*decision on the proposal, is notified; or*

*(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.*

*(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).*

26. The required Section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to this topic is included following the assessment and recommendations in relation to the relief sought in submissions of this report, as required by s32AA(1)(d)(ii).
27. The Section 32AA further evaluation contains a level of detail that corresponds to the scale and significance of the anticipated effects of the changes that have been made. Recommendations on editorial, minor, and consequential changes that improve the effectiveness of provisions without changing the policy approach have not been re-evaluated, as have any amendments that do not materially alter the policy approach in the PDP.

## **2.4 Trade Competition**

28. Trade competition is not considered relevant to the provisions of the PDP relating to this topic.
29. There are no known trade competition issues raised within the submissions.

## **3.0 Consideration of Submissions and Further Submissions**

### **3.1 Overview**

30. Submitters collectively made 236 submission points in relation to the GRUZ, Makara Beach and Makara Village Precinct and the RDG.

#### **Report Structure**

31. Submissions on this topic raised a number of submission points.
32. I have considered substantive commentary on originating submissions contained in further submissions as part of my consideration of the submissions to which they relate, noting however that this has excluded commentary on any matters outside the scope of the originating submissions.
33. In accordance with Clause 10(3) of the First Schedule of the RMA, I have undertaken the following evaluation on both an issues and provisions-based approach, as opposed to a submission-by-submission approach. I have organised the evaluation in accordance with the layout of chapters of the PDP as notified.
34. Recommended amendments are contained in the following appendices:

- a. Appendix A – Recommended Amendments to the provisions contained in the General Rural Zone, Makara Beach and Makara Village Precinct, and Rural Design Guide.
  - b. Appendix B – Recommended Responses to Submissions and Further Submissions on the General Rural Zone, Makara Beach and Makara Village Precinct, and Rural Design Guide.
35. The following evaluation should be read in conjunction with the relevant summaries of submissions and further submissions, along with the full submissions.
36. Where a submission(s) seeks to retain a specific plan provision as notified, I have not provided a detailed evaluation or recommendation in the body of this report, but an associated recommendation is provided in the summary of submission table in Appendix B.
37. Where a further evaluation of the relief sought in a submission(s) has been undertaken the evaluation and recommendations are set out in the body of this report. A marked-up version of the General Rural Zone, Makara Beach and Makara Village Precinct, and Rural Design Guide with recommended amendments in response to submissions is included as Appendix A.
38. This report only addresses definitions that are specific to this topic. Definitions that relate to more than one topic have been addressed in Hearing Stream 1 and in the associated section 42A report.

### 3.2 Definitions – General Rural Zone

The following section of the report includes consideration and recommendations relating to definitions in the PDP.

#### Matters raised by submitters

39. New Zealand Agricultural Aviation Association [40.1 and 40.2 (supported by WIAL FS36.6)] seeks that the use of airstrips and helicopter landing areas for agricultural aviation activities on an intermittent basis are adequately provided for in the Proposed District Plan. Accordingly, they seek to add a new definition for ‘Agricultural Aviation Activity’ as follows:

Agricultural Aviation Activity: means the intermittent operation of an aircraft from a rural airstrip or helicopter landing area for primary production activities, and; conservation activities for biosecurity, or biodiversity purposes; including stock management, and the application of fertiliser, agrichemicals, or vertebrate toxic agents (VTA's). For clarity, aircraft includes fixed-wing aeroplanes, helicopters, and unmanned aerial vehicles (UAV's).

40. Waka Kotahi [370.29] seeks that the definition of ‘Public Accessway’ be retained as notified.

#### Assessment

41. I acknowledge the submission of the NZAAA seeking a definition be included for ‘Agricultural Aviation Activity’. I note that the Panel has considered this submission point and recommended

a definition for this activity in its Recommendation Report 5A<sup>5</sup>. The recommended definition is:

***Agricultural Aviation Activity means the intermittent operation of an aircraft over a rural or natural open space zone using a rural airstrip or helicopter landing area for primary production activities; conservation activities for biosecurity, or biodiversity purposes (including stock management); and the application of fertiliser, agrichemicals, or vertebrate toxic agents (VTAs). Aircraft includes fixed-wing aeroplanes, helicopters, and unmanned aerial vehicles (UAVs).***

42. This definition has slightly different wording than that proposed by the NZAA, but is equivalent. More discussion on this wording is in the Right of Reply response for the Noise Chapter for Hearing Stream 5 by the reporting officer Mark Ashby.
43. This Section 42A report will be circulated before the Council's 14 March 2024 decision on this Report 5A recommendation, but the Hearing on General Rural Zone matters will be after 14 March. To cover this gap, I note here that I agree with the Hearing Panel's recommended decision above based on the assessment in the Panel's recommendation report 5A. I recommend that the new definition apply to this NZAAA submission point in this Hearing also. I acknowledge the support of Waka Kotahi [370.29] to retain the definition of 'Public Accessway' as notified; no further assessment is required.

### Summary of recommendations

44. **HS7-GRUZ-Rec1:** That the definition of Agricultural Aviation Activity recommended in the Independent Hearing Panel Recommendation Report 5A on the Proposed Wellington City District Plan is applied to submissions on definitions in this Hearing Stream 7.
45. **HS7-GRUZ-Rec2:** That submission points relating to definitions are accepted as detailed in Appendix B.

### 3.3 General Submissions – General Rural Zone

The following section of the report includes consideration and recommendations in relation to more general matters relevant to the General Rural Zone chapter.

#### Matters raised by submitters

46. EnviroWaste Services Ltd [373.25 and 373.26 (opposed by M&P Makara Family Trust FS41.5 and Mākara-Ōhāriu Community Board FS66.1)] seeks that the chapter have a consenting pathway for the establishment of composting operation for the processing of household food waste.
47. Greater Wellington Regional Council (GWRC) [351.264] seeks that the chapter be retained, subject to the amendments outlined in other submission points.
48. Helen Grove [197.2] seeks that the District Plan removes the objective of a compact city at the expense of the rural space around the city.
49. New Zealand Motor Caravan Association (NZMCA) [314.12] seeks that the GRUZ chapter be

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<sup>5</sup> [IHP Recommendation Report 5A – Overview and Noise Chapter](#), para 116.

amended to allow for more permissive rules related to campgrounds.

50. NZAAA [40.8] seeks that the intermittent use of aircraft for agricultural aviation activities is included in the PDP as a permitted activity in the General Rural Zone.
51. Rowan Hannah [84.3] seeks that intensification is not enabled in the General Rural Zone.
52. Rowan Hannah [84.4] seeks that houses in rural areas be required to be of darker colours.
53. Waka Kotahi [370.399] considers that areas zoned General Rural Zone as notified do not contain land accessed from state highway, if the extent of General Rural Zones area changes, Waka Kotahi may be interested.
54. WCC Environmental Reference Group (WCCERG) [377.396] are generally supportive of the chapter. Subject to the amendments specified to address wilding pines.
55. Wellington Branch of the New Zealand Deerstalkers (WGTN Branch NZ Deerstalkers) [299.1] seeks that the General Rural Zone (inferred from submission) provisions be amended to recognise the rifle range located at 109 Rifle Range Road and protect it from reverse sensitivity from future nearby land uses and activities.

## Assessment

56. Regarding the submission point of Envirowaste Services Ltd [373.25 and 373.26 (opposed by M&P Makara Family Trust FS41.5 and Mākara-Ōhāriu Community Board FS66.1)] seeking a consenting pathway for the establishment of a composting operation for the processing of household food waste in the GRUZ, I disagree. In my view it is unnecessary to create tailored provisions focusing on composting operations within the GRUZ for the following reasons:
    - a. It is not a primary activity anticipated within the zone and does not fall within the definition of rural activities or other identified activities within the policy framework such as residential activities, home businesses etc.;
    - b. The GRUZ provides for anticipated activities within the zone and other potentially compatible activities through specific rules, with all other activities then grouped into a catch-all 'all other activities' GRUZ rule GRUZ-R14. A proposed composting operation for household food waste in the GRUZ would therefore fall under GRUZ-R14. This follows the WCC Style Guide and the structure of other zones which all contain similar 'all other activity rules'. Composting operation activities are not anticipated by the zone as primary activities or a key purpose of the zone. Hence, it does not have a specific consenting pathway.
    - c. 'Composting of organic materials' is provided for within the definition of 'Heavy industrial activity' under the umbrella of 'other waste management processes'. There is not a carve-out rule in the GRUZ for heavy industrial activities, which I consider to be the case because such activities are not anticipated within the zone and may be deemed to be potentially incompatible activities for the zone. However, under GRUZ-R14 activities default to being a Discretionary Activity, which provides for a consenting pathway for activities like composting operations to be evaluated, have their effects considered, and their alignment with the purpose, character and amenity
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values of the zone reviewed by Council's processing planners. Resource consent approval is still possible, but this is done on a case-by-case basis.

- d. I also note that it would depend on the scale of the composting operation. Small scale facilities that do not create objectionable effects or pose a risk to people's health and safety may not be captured by the 'heavy industrial activity' definition and may be deemed to be more appropriate for the GRUZ. I consider any larger-scale composting operations may be more appropriately located within the District's identified General Industrial Zoned land, where 'heavy industrial activity' is anticipated.
57. I acknowledge the support from GRWC [351.264] and WCCERG [377.396]. However, as addressed later in the report in para 95, I do not support the WCCERG's request for specific provisions to address wilding pines.
  58. In relation to the submission point from Helen Grove [197.2] seeking that the District Plan removes the objective of a compact city at the expense of the rural space around the city, I note no further context has been provided in the submitter's submission as to any alternative relief or rationale for this change sought. I consider that the submitter may have misinterpreted the following sentence in the GRUZ's introduction which notes '*To support the District Plan's compact city strategic objective, provision for rural lifestyle development is limited.*' The plan intends to do the opposite of what the submitter is inferring, in that it seeks to ensure a compact city and limit upzoning of rural areas in order to preserve the district's limited rural areas and their functions.
  59. Regarding the submission point of NZMCA [314.12] seeking for more permissive rules related to campgrounds in the GRUZ, in my view campgrounds are not anticipated activities within the GRUZ and as such should not have more permissive rule framework. Under the notified GRUZ campgrounds would fall under the catch-all 'all other activities' GRUZ rule GRUZ-14 and would be assessed on a case-by-case basis. I consider this approach to be appropriate for campgrounds proposed within the zone due to the potential adverse effects (visual, noise, transport etc.) that campgrounds can generate, and how this may misalign with the purpose, character and amenity values of the GRUZ.
  60. In regards to the NZAAA's [40.8] request that the intermittent use of aircraft for agricultural aviation activities is included in the PDP as a permitted activity in the General Rural Zone, I disagree. I consider that intermittent agricultural aviation activities are a component of rural activities generally. To clarify this, and to partly satisfy NZAAA's submission point, I recommend that the Definitions Nesting Tables approved by the Hearings Panel in their Hearings Report 1A Appendix 1.78 be amended to include Agricultural Aviation Activity as a subset of Rural Activities. I also note that neither the Porirua District Plan, the New Plymouth Proposed District Plan (Appeals Version), or the Auckland Unitary Plan address this matter.
  61. In relation to Rowan Hannah's [84.3] submission seeking that intensification is not enabled in the GRUZ, I note that the PDP ensures that residential development and subdivision are tightly controlled within the zone for this the purpose of limiting intensification within the zone. As per the GRUZ's introduction, the characteristics of the zone are that it entails low density and scale of development, with provision for rural lifestyle development being limited. This supports the compact city strategic objective, concentrating intensification within and around the city centre
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and centres rather than the GRUZ.

62. In response to Rowan Hannah's [84.4] submission point seeking that houses in rural areas be required to be of darker colours, I consider this to be an urban design matter for consideration as part of the resource consent process, and not a district plan matter. I note this is already addressed under G44 in the Rural Design Guide, as such this does not need to be referenced in the GRUZ provisions. I also agree with the PDP's approach to have standards requiring darker buildings colours in the Special Amenity Landscapes (see NFL-S1) and Outstanding Landscapes (see NFL-S2), rather than rural areas generally.
63. I acknowledge the submission point of Waka Kotahi [370.399], and consider no further assessment is needed.
64. With respect to the inferred decision of the WGTN Branch NZ Deerstalkers [299.1] seeking that the GRUZ provisions be amended to recognise the rifle range located at 109 Rifle Range Road and protect it from reverse sensitivity from future nearby land uses and activities, I acknowledge their concerns regarding potential reverse sensitivity effects. However, I consider that the submitters concerns are already provided for in the notified GRUZ chapter, and thus disagree with the need to amend the GRUZ provisions to add specific provisions recognising the rifle range and protecting it from reverse sensitivity effects for the following reasons:
- a. GRUZ-P4 (Potentially compatible activities) seeks that activities are only allowed in the GRUZ where amongst other requirements it can be demonstrated that:
    - Under clause (2) 'they will not limit or constrain rural activities, or other lawfully established or permitted activities in the Zone'
    - Under clause (4) 'there are measures in place to manage adverse effects, including reverse sensitivity effects'.

The rifle range at 109 Rifle Range Road is an existing 'lawfully established' activity, and thus is covered by GRUZ-P4. Any new proposal to establish a 'sensitive activity', i.e. to build a new residential dwelling, healthcare facility, educational facility, visitor accommodation etc., would need to be assessed through the resource consent process against GRUZ-P4 as to the potential reverse sensitivity adverse effects on nearby activities including the rifle range, and what measures are proposed to mitigate and manage these effects should the proposal be approved.

- b. The rifle range is not one of the primary activity anticipated within the GRUZ, noting it does not fall under the definition of 'rural activities' or 'informal recreation activities', nor does it fall under the listed activities under GRUZ-P1 (Enabled activities). In my view such an activity falls under the umbrella of a 'potentially compatible activity' (GRUZ-P4), noting it may have a functional need to operate in the GRUZ due to the potential adverse noise effects that can be generated. Because it is not a primary activity anticipated within the zone, in my view it does necessitate tailored bespoke provisions within the GRUZ to manage reverse sensitivity effects, beyond the provisions quoted above in GRUZ-P4. I consider this would not align with the drafting style guide for the PDP.

I note the one exception to this in the GRUZ is quarrying and mining activities which have a standalone policy (GRUZ-P5 – Quarrying and mining rehabilitation) in order to manage new mining or quarrying activities and changes of use, their potential adverse effects and rehabilitation of their sites.

### Summary of recommendations

65. **HS7-GRUZ-Rec3:** That Agricultural Aviation Activities be added to the Definitions Nesting Tables under Rural Activities, and that no other changes are made to the GRUZ as a result of general submission points.
66. **HS7-GRUZ-Rec4:** That general submission points on the GRUZ are accepted/rejected as detailed in Appendix B.

### 3.4 General submissions on rezoning – General Rural Zone

The following section of the report includes consideration and recommendations in relation to general submissions on rezoning relevant to the General Rural Zone chapter.

#### Matters raised by submitters

67. Caniwi Properties (Boomrock) Limited [381.1 and 381.2] opposes the PDP in its current form and seeks the addition of a Rural Lifestyle Zone (outside of the Natural Environmental Values Overlays and Historical and Cultural Values Overlays).
68. Caniwi Properties (Boomrock) Limited [381.3] seeks the addition of a Settlement Zone (outside of the Natural Environmental Values Overlays and Historical and Cultural Values Overlays).
69. Connor Hill [76.4] seeks that Ohariu Valley is rezoned to allow for more housing.
70. Horokiwi [271.8] seeks to rezone Pt Sec 18 Harbour District and Pt Sec 17 Harbour District from General Rural Zone to Special Purpose Quarry Zone.
71. Johnsonville Community Association (JCA) [429.15] seeks that Takapu Valley is rezoned to residential zones.
72. JCA (429.16) seeks that Ohariu is rezoned to residential zones.
73. Parkvale Road Limited [298.1 (opposed by Andy Foster FS86.67 and supported by Forest and Bird FS85.39)] seeks that part of site (200 Parkvale Road) immediately adjacent to the existing urban area be rezoned from General Rural Zone to Medium Density Residential Zone.
74. Parkvale Road Limited (298.2 [opposed by Andy Foster FS86.68 and Forest and Bird FS85.40]) seeks that (200 Parkvale Road at Parkvale Road) is rezoned from General Rural Zone to Large Lot Residential Zone.
75. Parkvale Road Limited (298.3 [opposed by Andy Foster FS96.69 and Forest and Bird FS85.41]) seeks that part of property (200 Parkvale Road at Montgomery Avenue) is rezoned from General Rural Zone to a mixture of Large Lot Residential Zone and Open Space Zone.
76. Rod Halliday (25.13 [opposed by Heidi Snelson FS24.14]) seeks to rezone part of the overlay at 224 Westchester Drive from 'General Rural Zone' to 'Medium Density Residential Zone'.



## Assessment

77. In response to Parkvale Road Limited [298.1, 298.2, and 298.3] I agree in part with their requested rezoning. I agree with the request to rezone the eastern part of the site MRZ, as identified in the submitter's submission. My reasoning for agreeing to this specific rezoning request is as follows:
- a. The area adjoins existing residential areas along Parkvale Road which have been zoned MRZ under the notified PDP, which represents a natural extension of the MRZ.
  - b. From a transport, amenities and services perspective, the area is well-serviced and accessed via Parkvale Road and is within walking distance of Karori Centre which contains a variety of commercial and community services within itself and surrounding the centre e.g. supermarkets, libraries, schools. The nearest bus line (the Number 2 Karori link) runs through the Karori Centre and is approximately 1km away from the site.
  - c. As noted in the submitter's submission, the area currently contains three existing dwellings, provides access to a further two existing dwellings adjacent to the site and at the time of the submission resource consent was sought for the construction of five additional dwellings.
  - d. An MRZ zoning would mean that development anticipated within this portion of the site would be in accordance with that anticipated in the adjoining residential environment and would be of reduced scale and density to still be in accordance with the site's (and that of the adjoining sites) GRUZ zoning.
  - e. Rezoning this small portion of the site to MRZ and any subsequent development would not interfere with the Skyline walkway.
  - f. Rezoning this portion of the site, any development would still be subject to the SNA and Ridgelines and Hilltops overlays and would need to comply with these requirements when considering any development proposals within this portion of the site. Any development within these areas would have to go through a resource consent process, including providing necessary assessments such as ecological assessments.
78. However, I disagree with the request to rezone the western part Large Lot Residential Zone (LLRZ) and Open Space Zone (OSZ). I have liaised with Mr Lewandowski, the planner representing Parkvale Road Limited. I have resolved that the submitter is no longer seeking a rezoning to Large Lot Residential or Open Space on the western part of the site (identified in the submitters evidence). Therefore, I consider that no further assessment is needed here and I recommend this part of the site remains zoned Rural.
79. In regards to Caniwi Properties (Boomrock) Ltd [381.1, 381.2 and 381.3] requests to add a Rural Lifestyle Zone (RULZ) and/or a Settlement Zone (SEZ) to the PDP and amend the planning maps accordingly to cover the submitter's land (inferred decision), I note that their justification for including these two potential new zones within the PDP is as follows:
- a. That one or other of these new zones is required to accommodate rural lifestyle
-

activities. The submitter seeks new objectives, policies, rules and standards within the proposed new zones to provide for 1ha minimum allotments with a 2ha average and Settlement Zone pockets with a 2000m<sup>2</sup> minimum lot size with a 5000m<sup>2</sup> average.

- b. That the submitters land is near the proposed Makara Beach and Makara Village Precinct which are more residential in character than those in the wider General Rural Zone.
- c. The properties adjoining the submitter's land to the east is within Porirua City Council's jurisdiction, and there is an opportunity to provide consistent rural zoning provisions via the inclusion of a RULZ and/or SEZ over the land.
- d. The coastal environment can be enhanced through appropriate rural lifestyle development.
- e. The land is a strategic connection to the neighbouring Porirua City which is in growth mode, and there is a need to explore alternative land use in the area to provide for strategic connections for the Wellington Region and in a cross-District approach.

80. I disagree with Caniwi Properties (Boomrock) Ltd's contention that these new zones are required in the Plan and that the mapping should be amended accordingly from GRUZ to these zones, for the following reasons:

- a. The submitter has not provided sufficient evidence to support their proposal to include two new zones in the plan and rezone their site and to support why this alternative zoning is more appropriate, efficient and effective zoning for the land and land uses and development anticipated within this environment.
- b. The submitter speaks to the 'need to explore alternative land use in the area to provide for strategic connections for the Wellington region and across adjoining districts'. However, no evidence or analysis is appended to their submissions supporting such an exploration, or why it is warranted in the first place. It is not clear to me how 'exploring alternative land uses' (which actually are in my view somewhat akin to the notified PDP GRUZ land uses) are going to enhance strategic connections to the region and Porirua. No new road or public transport connections are suggested, or other means of connecting adjoining districts etc.
- c. The submitter has provided alternative standards, but no objectives, policies or rules sought, nor justification why alternatives would be more efficient and effective than the notified GRUZ zoning.
- d. The notified GRUZ zoning to the area in question reflects the ODP's current zoning, and has gone through numerous round of consultation with the wider public and rural community. Including two significant new zones, based on limited justification, represents a clear natural justice concern.
- e. The notified PDP's zoning approach gives effect to the Wellington City Spatial Plan and has been factored into development capacity projections. The submitter's proposed zoning changes do not provide any assessment regarding the effect of this rezoning on the District's development capacity, housing supply, alignment with the region's

Future Development Strategy, alignment with the Spatial Plan, nor any assessment of effects including upon infrastructure capacity and supply, or adjoining properties.

- f. The submitter notes that Makara Beach and Makara Village precinct is more residential in character than the wider General Rural Zone. I would note that this is appreciated through the use of a precinct tool for this existing settlement area to provide tailored provisions.
- g. The submitter notes that the 'Coastal environment in this location can be enhanced through appropriate rural lifestyle development', but provides no rationale to support this assertion. In my view, an upzoning from GRUZ to SEZ or RULZ would be more likely to have potential adverse effects upon the coastal environment through increased land use and residential development.
- h. Whilst regional alignment and where possible a consistent approach is important, it would be inappropriate to assume that one Council's zoning approach for their district is applicable or appropriate for another, as suggested by the submitter. Whilst there is consistency with Porirua in some areas, a District Plan has to be tailored to the characteristics, land use, natural environment etc. of the area/district in question. A one size fits all approach is not appropriate in my view.

81. In relation to the request to rezone Ohariu and Takapu Valley to a residential zone by Conor Hill [76.4] and the JCA [429.15 and 429.16], I disagree and recommend that GRUZ remains for the following reasons:

- a. Extensive research, assessment, community engagement and review has gone into the zoning of the PDP to inform the zoning decisions made and planning maps incorporated into the notified PDP. The Planning for Growth programme and engagement process leading up to the notified PDP included in 2017 Council talking to the public about the future of the city and based on these responses Council developed and tested four possible growth scenarios, with a focus on people and the places where people live, work and play are connected and accessible. In 2019, the city was consulted on the four growth scenarios, which then informed the Spatial Plan and the revision of the District Plan.

This city-wide engagement was undertaken over 5 weeks, giving the public an opportunity to have a say about where and how the City should grow over the next 30 years. 1372 submissions from a range of age groups, suburbs and households were received. The submissions highlighted<sup>6</sup> that there was a strong opposition to identifying any further greenfield areas over and above the existing provision in Lincolnshire Farm and Upper Stebbings Valley/Marshall Ridge. The key reasons for this response were that further greenfield development does not support the compact city goal, there would be significant impacts on the transport system as this type of development encourages private car use, and the subsequent increase in carbon emissions. Submitters were also concerned about the potential negative impacts of

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<sup>6</sup> Wellington City Council, City Strategy Committee 20 June 2019, [Planning for growth – report back on city-wide engagement on growth scenarios](#)

greenfield development on the natural environment.

- b. The GRUZ areas of Ohariu and Takapu Valley are characterised as rural environments with low-density housing and most development is rural or lifestyle developments. The areas are rural in nature and are separated from easy access to public transport into the city, as well as from other amenities and services.
  - c. GRUZ zoning gives effect to the widely engaged upon and tested Wellington City Spatial Plan and its 30-year vision for the City. The proposed amended zoning for this area does not.
  - d. I note the submitters have not provided any evidence or S32AA assessment to justify why Ohariu and Takapu Valley need to be rezoned or why this is more appropriate, efficient and effective zoning for the land and land uses and development anticipated within this environment. Nor has the submitter provided any analysis on potential social, cultural, economic and environmental benefits, costs and effects of doing so. I also note that no further submissions were made in support of this requested zoning, including no further submissions from property owners or residents of the areas being proposed to be rezoned.
82. In response to Horokiwi Quarries [271.8] request to rezone Pt Sec 18 Harbour District and Pt Sec 17 Harbour District from GRUZ to Special Purpose Quarry Zone (QUARZ), I refer to Hearing Stream 6 Quarry Zone reporting officer Hannah van Haren-Giles's section 42A report<sup>7</sup> at paragraphs 52-78 where Ms van Haren-Giles has already addressed this submission point. Ms van Haren-Giles has rejected this rezoning request and provided reasoning for this. I support Ms van Haren-Giles's position.
83. In relation to Rod Halliday's [25.13 (opposed by Heidi Snelson FS24.14)] request to rezone part of the overlay at 224 Westchester Drive from GRUZ to MRZ as shown in Figure 1 below, I agree with the relief sought for the following reasons:
- a. The area adjoins existing residential areas along Westchester Drive, Furlong Crescent, Edington Grove etc. which have been zoned MRZ under the notified PDP, which represents a natural extension of the MRZ.
  - b. From a transport, amenities and services perspective, the area is well-serviced and accessed via Westchester Road. It is reasonably close to the Churton Park local centre (approximately a 3-minute drive) which contains a variety of commercial and community services. It is also within walking distance of multiple recreation areas including Churton Park reserve and Churton Park School. The site is also well-serviced by bus routes, being within close proximity of the number one and nineteen bus routes.
  - c. As noted by the submitter, the submitter has approved resource consents for a 17 lot subdivision and earthworks (SR338514 and time extended under SR421772/501793) which at the time of submission was near completion. With the approved resource consent and earthworks undertaken, I consider leaving this site as GRUZ would no

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<sup>7</sup> Wellington City Council, Hearing Stream 6 [Special Purpose Quarry Zone Section 42A report](#)

longer be in keeping with the character, amenity and anticipated density of the zone.

- d. An MRZ zoning would mean that development anticipated within this portion of the site would be in accordance with that anticipated in the adjoining residential environment to the east, and would be of reduced scale and density to still be sympathetic with the wider area's GRUZ zoning to the north, south and west of the site.
- e. The portion of the GRUZ site proposed to be rezoned to MRZ avoids any areas of the wider site identified as having SNA and Ridgeline and Hilltops overlays.



Figure 1: Showing the area proposed by the submitter to be rezoned from GRUZ to MRZ.

### Summary of recommendations

84. **HS7-GRUZ-Rec5:** That a portion of the site at 200 Parkvale Road be rezoned to MRZ and the site at 224 Westchester Drive be rezoned from GRUZ to MRZ.
85. **HS7-GRUZ-Rec6:** That the proposed GRUZ applying to the remainder of the site at 200 Parkvale Road, the sites within the Pt Sec 18 Harbour District and Pt Sec 17 Harbour District titles, and all of the land in Ohariu and Takapu Valley currently zoned GRUZ, be retained.
86. **HS7-GRUZ-Rec7:** That general submission points on rezoning of GRUZ land are accepted/rejected as detailed in Appendix B.

### Section 32AA Evaluation

87. In my opinion, the amendment to rezone part of 200 Parkvale Road is more appropriate in achieving the objectives of the plan than the notified provisions. I consider that:
  - a. The proposed amendment will:
    - i. Unlock an area of rural zoned land for further residential development under the MRZ provisions. This will contribute positively to housing capacity across the City. This will also assist Council's requirement to give effect to the NPS-UD.
    - ii. Result in a rezoning that is within the urban area of Wellington City and close to

public transport and other facilities/amenities at Karori.

- iii. Make no changes to the ridgelines and hilltops provisions. Any development in this area will still need to comply with the ridgelines and hilltops provisions meaning that any potential development will not be seen widely by the community.
  - iv. Be largely out of sight from the surrounding environment given its location at the end of a street and behind existing residential houses. In addition, the proposal will be largely in keeping with the surrounding residential environment and any proposed breaches of the MRZ will still require a resource consent meaning any potential breach can be assessed at the time of consent.
88. In my opinion, the amendment to rezone part of the overlay at 224 Westchester Drive is more appropriate in achieving the objectives of the plan than the notified provisions. I consider that:
- a. The proposed amendment will:
    - i. Unlock an area of rural zoned land for further residential development under the MRZ provisions. This will contribute positively to housing capacity across the City. This will also assist Council's requirement to give effect to the NPS-UD.
    - ii. Result in a rezoning that is within the urban area of Wellington City and close to public transport and other facilities/amenities at Churton Park.
    - iii. Respond to an already approved development at the site which would be out of keeping with the rural zone but in keeping with the Medium Density Zone.
89. The changes are therefore more efficient and effective than the notified provisions in achieving the objectives of the plan.
90. The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions.

### 3.5 New provisions – General Rural Zone

#### New policy

91. Horokiwi [271.4] seeks that a new policy be added within the PDP (outside the Special Purpose Quarry Zone) follows:
- When assessing quarrying activities, provide for their functional needs and operational needs, and have regard to their functional constraints.
92. Horokiwi [271.60 (opposed by Mākara-Ōhāriu Community Board FS66.2)] seeks that a new policy is added to recognise and provide for the benefits of quarrying activities, noting that policy GRUZ-P5 relates to adverse effects and not benefits.
93. WCC ERG [377.397 (supported by M&P Makara Family Trust FS41.19)] seeks to include a policy that signals the risk of wilding species from non-plantation forests (those not covered by the NES-PF) to the indigenous biodiversity of the rural zone, and encourage instead the planting of native species, or sterile exotic species.

## Assessment

94. In response to Horokiwi's [271.4, 271.60] request to add a new policy as proposed to recognise and provide for the benefits of quarrying activities, I disagree with their relief sought for the following reasons:
- a. Quarrying activities within the GRUZ are not a primary activity anticipated within the zone, noting it does not qualify as an enabled in GRUZ-P1 (Enabled activities), rather as a 'potentially compatible activity' as addressed and identified in GRUZ-P4 (Potentially compatible activities). I consider that sufficient support for quarrying activities is provided through being listed in GRUZ-P4. GRUZ-P4 and GRUZ-P5 (Quarrying and mining site rehabilitation) indicates that whilst quarrying is potentially compatible for the zone, its effects have to be managed to avoid adverse effects upon the character and amenity values of the zone.
  - b. Adding a tailored policy in the GRUZ recognising the benefits of a 'potentially compatible activity' would be add odds with the current suite of GRUZ policies and would not be consistent with the drafting style of the chapter or wider plan. Particularly, as there is no policy in the GRUZ recognising the benefits of another 'potentially compatible activities'.
  - c. There is a standalone Special Purpose Quarry Zone (QUARZ) that specifically provides for this activity and recognises the benefits they bring. I also note that as part of the Independent Hearing Panel Recommendation Report 1b (refer para 125), the Panel agreed with Mr McCutcheon's recommendation to include a new strategic objective SCA-O73 to recognise the strategic benefits of quarrying activities to the city. If the Council agrees with this recommendation at its meeting scheduled for 14 March 2024, , the new strategic direction would, in my view, sufficiently provide for the recognition of the benefits of quarries, alongside the QUARZ GRUZ-P4 more specifically in the GRUZ.
95. In relation to WCCERG'S request [377.397 (supported by M&P Makara Family Trust FS41.19)] to include a policy that signals the risk of wilding species from non-plantation forests (those not covered by the NES-PF) to the indigenous biodiversity of the rural zone, and encourage instead the planting of native species, or sterile exotic species, I do not consider the relief sought is necessary for inclusion in the GRUZ. In my view, it is not the place of the GRUZ provisions to discuss the risk of wilding species from non-plantation forests to indigenous biodiversity. This is a very unique topic area and a policy in this regard would be in keeping with the wider policies and their structure for the zone. Whilst I appreciate this concern relates to rural areas, I consider that this is a jurisdiction matter for the regional council and should not be managed through the District Plan, given this relates to the management of pest species. The [Wellington Regional Pest Management Plan 2019-2039](#) manages specific wilding conifers, firs and pine species through containment programmes and regulations under this Plan.

## Summary of recommendations

96. **HS7-GRUZ-Rec8:** That no amendments are made to the GRUZ policies as a result of submissions seeking new policy provisions.

97. **HS7-GRUZ-Rec9:** That submission points seeking new policies be added to the GRUZ are rejected as detailed in Appendix B.

### New rule

98. Horokiwi [271.61] seeks that a new rule providing a Restricted Discretionary Activity status for the extension to an existing quarry be added to the chapter.
99. MOE [400.110] considers that GRUZ rules do not sufficiently provide for additional infrastructure/educational facilities. Therefore, they seek the inclusion of a new rule:

GRUZ-RX Educational Facility

1. Activity Status: Restricted Discretionary

Matters of Discretion

1. The matters in GRUZ-P4.

100. MOE [400.111] seeks a new rule which aims to ensure that educational facilities can operate in a way that positively contributes to the rural community. They seek that the following rule be added to the chapter:

GRUZ-RX – Construction, addition or alteration to buildings and structures associated with activities not otherwise listed.

1. Activity status: Restricted Discretionary

Matters of Discretion

a. The matters in GRUZ-P4.

2. Activity status: Discretionary

Where:

1. Compliance with GRUZ-S1, GRUZ-S2 and GRUZ-S5 is not achieved.

101. WCCERG [377.398 (supported by M&P Makara Family Trust FS41.20)] seeks to include a related rule to the new policy sought. They seek that the rule has the effect of prohibiting establishment of exotic species forests and / or exotic species shelter belts of 1ha area or more, where such forests do not meet the criteria of a plantation forest as defined in the NES-PF (and are therefore not subject to the controls that the NES-PF sets out) and where the species sought to be planted are exotic and non-sterile. To tie this in with the NES-PF they seek that the rule use 1 ha continuous cover as its starting point.

### Assessment

102. In regards to Horokiwi's submission point [271.61] seeking a new rule providing a Restricted Discretionary Activity status for the extension to an existing quarry be added to the chapter, I disagree with the relief sought. GRUZ-R12 (quarrying or mining activities) already provides for extensions to existing quarries. In relation to Horokiwi's other submission points [271.64 and 271.65] detailed further below which seek clarity on whether GRUZ-R12 applies to only new quarrying activities or also covers extensions to existing quarries I consider the rule applies to



both activities. However, I acknowledge more clarity could be provided in the title of GRUZ-R12 to make this clear. I have recommended an amendment in paragraph 272 in the section relating to GRUZ-R12.

103. Whilst I appreciate that Horokiwi [271.61] are seeking that extension to an existing quarry be a restricted activity status, I consider that GRUZ-R12's Discretionary Activity status is appropriate. A discretionary activity status allows processing planners a greater ability to consider a range of matters, effects and considerations as part of assessing the appropriateness of extending an existing quarry, more so than a Restricted Discretionary Activity status would allow.
104. In my view, this activity status is particularly appropriate given this is for such activity in the GRUZ, and not the bespoke QUARZ, which represents a greater risk of potential adverse effects with surrounding land uses and adjoining sites. Such an activity status allows for a balanced consideration of potential adverse effects, the functional and operational need of an extension as well any potential benefits of extending an existing quarry.
105. In relation to MOE's [400.110] request to add a Restricted Discretionary Activity for educational facilities, I disagree. I concur with the MOE's sentiment that Educational Facilities, particularly schools and early childhood centres, should be provided for where there is potential for a population to support them, subject to such facilities providing a positive contribution to the rural community, and with any reverse sensitivity effects avoided or managed. However, I note that such facilities are already provided for through GRUZ-P4 (Potentially compatible activities) and through GRUZ-R14 (All other activities).
106. I note that it is largely only primary activities (those detailed in GRUZ-P1) and associated rural activities that have standalone activity rules within the GRUZ rule framework. Other activities that are considered to be potentially compatible activities (under GRUZ-P4) fall under the catch-all 'All other activities' rule. In my view, this provides for an appropriate resource consent assessment process for how any potentially compatible activity can demonstrate the matters in GRUZ-P4, the potential effects generated from the activity (both beneficial and adverse) and whether such an activity aligns with the purpose and character of the zone. I note that this is a different treatment to other more densely populated zones i.e. residential or centres zones, where there is a standalone educational facility activity rule and policy reference. However, I consider this difference to be appropriate given the potential need for educational facilities in rural areas differs considerably from urban areas.
107. In regards to MOE's [400.11] request to add a bespoke rule addressing additional infrastructure/educational facilities in the GRUZ, I disagree. In my view, MOE's assertion that 'GRUZ does not have a corresponding activity status for the construction, addition or alteration to buildings and structures associated activities outside the purposes of rural and residential activities' is not a correct assertion, noting that the building and structure rule GRUZ-R19 (Any building or structure activity not otherwise listed in this table) provides for such a circumstance/development proposal. As such, I do not consider a new/bespoke rule for the construction of buildings for additional infrastructure/educational facilities is necessary given GRUZ-R19 already provides for this. I appreciate MOE sought a Restricted Discretionary Activity status, however, I consider this to be neither consistent with the GRUZ rule approach to potentially incompatible activities nor that of many other plans across New Zealand for example

the Auckland Unitary Plan. I consider a Discretionary Activity is necessary to manage any potential adverse effects and ensure such an activity is appropriate for the zone.

108. In relation to WCCERG's [377.398 (supported by M&P Makara Family Trust FS41.20)] I disagree with the relief sought. My rationale for disagreeing is the same as that for rejecting WCCERG's request for an associated policy, as discussed in paragraph 95 above.

### Summary of recommendations

109. **HS7-GRUZ-Rec10:** That no amendments are made to the GRUZ rules as a result of submissions seeking new rule provisions, except as recommended for specific provisions later in this report.
110. **HS7-GRUZ-Rec11:** That submission points seeking new rules be added to the GRUZ are rejected as detailed in Appendix B.

### New standard

111. Meridian Energy Limited (Meridian) [228.112 (opposed by M&P Makara Family Trust FS41.7 and Mākara-Ōhāriu Community Board FS66.4)] considers that the policy intention (of avoiding reverse sensitivity effects) needs to be carried through into the rules for the General Rural Zone by requiring new sensitive activities (a defined term including dwellings) to be located a minimum distance away from existing wind turbines that will protect the amenity values of the sensitive activity. They seek the following rule be added to the chapter:

[New Standard GRUZ-S5:](#)

[1. Minimum setback for sensitive activities](#)

[Setback: no closer than the 40 dBA noise contour in relation to turbines in the existing West Wind and Mill Creek wind farms.](#)

[\[Refer to original submission for attachment of 40 dBA noise contour in relation to turbines in the existing West Wind and Mill Creek wind farms\]](#)

### Assessment

112. In regards to Meridian's (228.112 [opposed by M&P Makara Family Trust FS41.7 and Mākara-Ōhāriu Community Board FS66.4]) submission point seeking a new minimum distance standard for new reverse sensitivity activities from existing wind turbines, I am open to considering whether a minimum setback from existing wind farms would be a way to help give effect to Policy GRUZ-4.4: measures in place to manage reverse sensitivity effects. As noted by Meridian, the Plan establishes a policy and rule framework in the Infrastructure and the Renewable Electricity Generation Chapters which seeks to avoid adverse reverse sensitivity effects for existing regionally significant infrastructure. Setting a specific dBA contour may help assessment of resource consent applications for noise-sensitive activities. I note that the Hearing Panel recommended noise threshold (in Appendix 4 Permitted Noise Standards) for GRUZ activities to noise-sensitive activities in the GRUZ is only 35 dB Laeq (15 mins) in the evenings, so new activities within this noise contour could immediately complain about the noise.
113. Meridian may wish to provide evidence to the Panel about:

- a. Why the proposed noise standard and noise contour is more efficient and effective than the flexibility provided under:
  - GRUZ-P4 (Potentially incompatible activities) seeks to only allow other activities in the GRZ where it can be demonstrated that there are measures in place to manage adverse effects, including reverse sensitivity effects;
  - GRUZ-R4.1 (Residential Activities) limits residential activities in the GRUZ to one residential unit per site otherwise proposals for a greater density of residential development become Non-Complying Activities;
  - GRUZ-R7.2 (Home Business Activities) and GRUZ-R8.2 (Visitor Accommodation) have a matter of discretion detailing whether the business or visitor accommodation proposed will have ‘a reverse sensitivity effect on any lawfully established or permitted activity occurring on an adjoining property’.
- a. The impact of this proposed standard on current lawful activity for adjacent private land-owners and their ability to utilise their land, for example one residential unit per lot in the GRUZ
- b. Without this evidence, I disagree with Meridian’s relief sought in submission point 228.112.

### Summary of recommendations

114. **HS7-GRUZ-Rec12:** That no amendments are made to the GRUZ standards as a result of submissions seeking new standards.
115. **HS7-GRUZ-Rec13:** That submission points seeking new standards be added to the GRUZ is rejected as detailed in Appendix B.

## 3.6 Objectives - General Rural Zone

### 3.6.1 GRUZ-O1 (Purpose)

#### Matters raised by submitters

##### Retain

116. Fire and Emergency New Zealand (FENZ) [273.230], Horokiwi Quarries [271.62], and WCCERG [377.299] seek that the objective be retained as notified.

##### Amend

117. Aggregate and Quarry Association [303.18 and 303.19 (supported by Horokiwi Quarries FS28.3 and opposed by Mākara-Ōhāriu Community Board FS66.3)] consider that the objective excludes quarrying and mining activities. They seek that the objective be amended so that ‘primary production’ replaces ‘rural activities’.
118. Forest and Bird [345.385] seeks that the objective be amended to provide for the need to maintain biodiversity.
119. Ministry of Education [400.112 and 400.113] considers that the objective does not adequately provide for education facilities within the GRUZ. They seek that the objective be amended to

explicitly reference educational facilities.

## Assessment

120. I acknowledge the support from FENZ [273.230], Horokiwi Quarries [271.62], and WCCERG [377.299] for the retention of GRUZ-O1.
121. With regards to Aggregate and Quarry Assoc.'s [303.18 and 303.19] request to amend GRUZ-O1, I disagree with the relief sought. The submitter considers that GRUZ-O1 excludes quarrying and mining activities. In my view, it does not explicitly exclude these activities, rather it is focused *predominantly* on the primary activities enabled and anticipated within the zones being rural activities, informal recreation and other activities that have a functional need for a rural location. In other words, the activities listed within GRUZ-P1 (Enabled activities). However, quarrying and mining activities are acknowledged under GRUZ-P4 as potentially compatible activities. The objective also talks to activities that have a functional need to locate in the zone, which I consider sufficiently addresses quarrying and mining activities, whilst acknowledging these activities need to go through a resource consent to assess whether such activities are appropriate for the GRUZ and the potential impacts they may have on the character and amenity values of the zone.
122. I do not consider that there needs to be explicit reference to quarrying or mining activities in GRUZ-O1 or within a standalone objective given these activities are provided for GRUZ-P4 and they are not the primary activities within GRUZ, not to mention that a separate QUARZ exists and recommended strategic objective SCA-O73 as discussed above in paragraph 94. The proposed change to replace 'rural activities' with 'primary production' is, in my view, inappropriate given the definition of 'rural activities' excludes primary production and the zone is the 'General Rural Zone' not the 'Rural Production Zone'<sup>8</sup>.
123. In relation to Forest and Bird's [345.385] submission point seeking GRUZ-O1 be amended to provide for maintain biodiversity, I disagree with the relief sought. I consider that the best place to add a reference to 'maintaining biodiversity' is in GRUZ-O2 (Character and amenity values) as sought by Forest and Bird's submission point [345.386] and as discussed in paragraph 129 below. I consider GRUZ-O1 speaks to the enabled activities provided within the zone and thus the purpose of the zoning. Whereas I consider GRUZ-O2 addresses the predominant character and amenity values of the zone which includes existing vegetation and natural features, and could also refer to maintaining biodiversity.
124. With regards to MOE's [400.112 and 400.113] request that GRUZ-O1 be amended to explicitly reference 'educational facilities', I disagree with this relief sought. Akin to my rationale in paragraphs 120 and 121 regarding quarrying and mining activities being a potentially compatible activity, educational facilities fall under GRUZ-P4 (Potentially compatible activities) and not GRUZ-P1 (Enabled activities). Accordingly given GRUZ-O1 predominantly addressed primary/anticipated activities including those explicitly referenced and included in GRUZ-P1, I do not consider an explicit reference is needed to 'educational facilities' which is not covered in GRUZ-P1.

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<sup>8</sup> [National Planning Standards](#), 2019 (updated 2022), name and descriptions, Rural Production Zone

125. However, I note GRUZ-O1 provides for activities that have a functional need to operate in GRUZ and I consider 'educational facilities' fall within this category should there be a functional need for them to be established in the zone.

### Summary of recommendations

126. **HS7-GRUZ-Rec14:** That GRUZ-O1 is retained as notified.

127. **HS7-GRUZ-Rec15:** That submission points relating to GRUZ-O1 are rejected as detailed in Appendix B.

### 3.6.2 GRUZ-O2 (Character and amenity values)

#### Matters raised by submitters

##### Amend

128. Forest and Bird [345.386] seeks that the objective be amended to provide for the need to maintain biodiversity.

#### Assessment

129. In relation to Forest and Bird's [345.386] submission point seeking reference be made in GRUZ-O2 to maintaining biodiversity, I accept in part the relief sought. Having reviewed other second generation district plans across New Zealand<sup>9</sup>, having considered the natural character and amenity values of the zone, and having reviewed the GRUZ policies for references to vegetation/ indigenous biodiversity – GRUZ-P2 (Keeping of goats), GRUZ-P4 (Potentially incompatible activities), GRUZ-P10 (Potentially compatible buildings and structures) and particularly GRUZ-P11 (Vegetation protection), I agree that an amendment is needed to GRUZ-O2 to reference maintaining biodiversity.

### Summary of recommendations

130. **HS7-GRUZ-Rec16:** That GRUZ-O2 is amended as set out below and detailed in Appendix A:

<b>GRUZ-O2</b>	<p><b>Character and amenity values</b></p> <p>Activities and development maintain or enhance the predominant character, <del>and</del> amenity values <u>and biodiversity</u> of the General Rural Zone, including the prevalence of natural features over man-made features, a low density and scale of buildings and structures, and a general absence of urban infrastructure.</p>
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131. **HS7-GRUZ-Rec17:** That submission points relating to GRUZ-O2 are accepted as detailed in Appendix B.

### 3.6.3 GRUZ-O3 (Managing effects)

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<sup>9</sup> Porirua Proposed District Plan, New Plymouth Proposed Plan – Appeals Version, Hutt City Council Draft District Plan, Dunedin City Second Generation District Plan – Appeals Version, and Auckland Unitary Plan

## Matters raised by submitters

### Retain

132. FENZ [273.231] and Ministry of Education [400.114] seek that the objective be retained as notified.

### Amend

133. Forest and Bird [345.387] seek that the objective be amended to provide for to the need to maintain biodiversity.

## Assessment

134. I acknowledge the support from FENZ [273.231] and MOE [400.114] for the retention of GRUZ-O3.

135. In relation to Forest and Bird's [345.387] submission point seeking to provide for maintaining biodiversity in GRUZ-O3, whilst I appreciate the submitters intent, I do not agree with the relief sought as I consider this amendment is not necessary to achieve the intent of what the submitter is seeking. In my view, the amended GRUZ-O2 and GRUZ-O3 provides direction to maintain biodiversity without the need to explicitly reference 'maintaining biodiversity' in GRUZ-O3. GRUZ-O3 speaks to managing adverse effects within the zone, of which applies to any potential adverse effects on the zone's biodiversity.

## Summary of recommendations

136. **HS7-GRUZ-Rec18:** That GRUZ-O3 is retained as notified.

137. **HS7-GRUZ-Rec19:** That submission points relating to GRUZ-O3 are rejected as detailed in Appendix B.

## 3.7 General Rural Zone – Makara Beach and Makara Village Precinct Objectives

### 3.7.1 GRUZ-PREC01-O1 (Purpose)

#### Matters raised by submitters

##### Retain

138. WCCERG [377.400] seeks that the objective be retained as notified.

#### Assessment

139. I acknowledge the support of WCCERG [377.400]. No further assessment is required.

#### Summary of recommendations

140. **HS7-GRUZ-Rec20:** That GRUZ-PREC01-O1 is retained as notified.

141. **HS7-GRUZ-Rec21:** That submission point relating to GRUZ-PREC01-O1 is accepted as detailed in

### **3.7.2 GRUZ-PREC01-O2 (Character and amenity values)**

#### **Matters raised by submitters**

##### Retain

142. WCCERG [377.401] seeks that the objective be retained as notified.

##### **Assessment**

143. I acknowledge the support of WCCERG [377.401]. No further assessment is required.

#### **Summary of recommendations**

144. **HS7-GRUZ-Rec22:** That GRUZ-PREC01-O2 is retained as notified.

145. **HS7-GRUZ-Rec23:** That submission point relating to GRUZ-PREC01-O2 is accepted as detailed in Appendix B.

## **3.8 Policies - General Rural Zone**

### **3.8.1 GRUZ-P1 (Enabled activities)**

#### **Matters raised by submitters**

##### Retain

146. Dep of Corrections [240.26] seeks that GRUZ-P1.2 be retained as notified.

147. WCCERG [377.402] seeks that the policy be retained as notified.

##### Amend

148. Envirowaste [373.27 and 373.28 (opposed by M&P Makara Family Trust FS41.6)] seeks that the policy be amended to enable sites for composting organic waste.

149. FENZ [273.323 and 273.233] seeks that the policy be amended to include emergency service facilities in order to provide for the establishment of fire stations with the GRUZ.

##### **Assessment**

150. I acknowledge the support of Dep of Corrections [240.26] and WCCERG [377.402].

151. In relation to Envirowaste's [373.27 and 373.28] submission point, I disagree with the relief sought for the reasons canvassed in paragraph 56.

152. In regards to the relief sought by FENZ [273.323] and [273.233] to add amend GRUZ-P1 to include reference to 'emergency service facilities', I disagree with the relief sought. Whilst I acknowledge the importance of emergency service facilities, they are not considered to be a primary activity anticipated within the zone as signalled by their Discretionary Activity rule

status (GRUZ-R13), and as such should not be listed within GRUZ-P1. Instead, in my view, these activities fall under the umbrella of ‘potentially compatible activities’ under GRUZ-P4 (Potentially compatible activities). In my view, this provides for an appropriate resource consent assessment process to assess how a proposed new emergency services facility may demonstrate the matters listed in GRUZ-P4 and how such a facility aligns with the purpose and character of the zone.

### Summary of recommendations

153. **HS7-GRUZ-Rec24:** That GRUZ-P1 is retained as notified.
154. **HS7-GRUZ-Rec25:** That submission point relating to GRUZ-P1 are accepted/rejected as detailed in Appendix B.

### 3.8.2 GRUZ-P2 (Keeping of Goats)

#### Matters raised by submitters

##### Retain

155. WCCERG [377.403] seeks that the policy be retained as notified.

##### Amend

156. Forest and Bird [345.388 (opposed by Mākara-Ōhāriu Community Board FS66.6)] seeks that the policy be amended to clarify that goats must be excluded from significant natural areas.
157. Te Kamaru Station Ltd Ratings [362.5 and 362.6 (opposed by M&P Makara Family Trust FS41.10, FS41.11, FS41.12, FS41.13 and Mākara-Ōhāriu Community Board FS66.7)], Te Marama Ltd [337.2 (opposed by M&P Makara Family Trust FS41.8 and Mākara-Ōhāriu Community Board FS66.5)] and Terawhiti Station [411.5 and 411.6 (opposed by Mākara-Ōhāriu Community Board FS66.80)] consider that reference to significant natural areas in the policy does not consider the potential cost to landowners. They seek that the policy be amended to omit reference to significant natural areas.

#### Assessment

158. I acknowledge the support of WCCERG [377.403].
159. In relation to Forest and Bird’s [345.388] submission point seeking to exclude goats from SNAs, I disagree with the relief sought. I consider the suggested change in language to ‘exclude’ would create mis-alignment with that used in the policy framework in the Ecosystems and Indigenous Biodiversity (ECO) chapter which regulates the protection and management of Significant Natural Areas. Instead GRUZ-P2 as notified aligns with the direction given in the ECO chapter and that of the National Policy Statement on Indigenous Biodiversity (NPS-IB).
160. In regards to Te Kamaru Station Ltd Ratings [362.6], Te Marama Ltd [337.], and Terawhiti Stations’ [411.5 and 411.6] submission points seeking to omit reference to SNAs, I disagree with the relief sought. I consider it is necessary to retain the reference to goats being managed to avoid adverse ecological effects within identified SNAs in order to avoid adverse effects on significant indigenous biodiversity within the GRUZ, and to align with the ECO chapter direction



for SNAs. The NPS-IB mandates the protection of SNAs. The relief sought by the submitters would create misalignment between the GRUZ and ECO chapters and would result in the Plan not giving effect to the NPS-IB.

### Summary of recommendations

161. **HS7-GRUZ-Rec26:** That GRUZ-P2 is retained as notified.
162. **HS7-GRUZ-Rec27:** That submission points relating to GRUZ-P2 are accepted/rejected as detailed in Appendix B.

### 3.8.3 GRUZ-P3 (Residential visitor accommodation and home business)

#### Matters raised by submitters

##### Retain

163. WCC ERG [377.404] seeks that the policy be retained as notified.

##### Assessment

164. I acknowledge the support of WCCERG [377.404]. No further assessment is required.

### Summary of recommendations

165. **HS7-GRUZ-Rec28:** That GRUZ-P3 is retained as notified.
166. **HS7-GRUZ-Rec29:** That the submission point relating to GRUZ-P3 is accepted as detailed in Appendix B.

### 3.8.4 GRUZ-P4 (Potentially compatible activities)

#### Matters raised by submitters

##### Retain

167. Aggregate and Quarry Association (303.20 [opposed by Mākara-Ōhāriu Community Board FS66.9 and supported by Horokiwi FS28.4]) and WCC ERG (377.405) seek that the policy be retained as notified.

##### Amend

168. Envirowaste [373.29 and 373.30 (opposed by Mākara-Ōhāriu Community Board FS66.10)] seeks that clause 5 be amended to refer to organic composting. They consider that this will promote a sustainable consenting pathway for the processing of organic food waste.
169. MOE [400.115 and 400.116] considers that the policy does not adequately provide for education facilities within the GRUZ. They seek that the policy be amended to explicitly reference educational facilities.

##### Assessment

170. I acknowledge the support of Aggregate and Quarry Association [303.20 (opposed by Mākara-Ōhāriu Community Board FS66.9 and supported by Horokiwi FS28.4)] and WCC ERG [377.405].

171. In relation to Envirowaste's [373.29 and 373.30] submission point, I disagree with the relief sought for the reasons canvassed in paragraph 59.
172. In relation to MOE's [400.115 and 400.116]'s request to explicitly reference educational facilities in GRUZ-P4, I disagree with the relief sought. Unlike in some other zones in the District Plan, for example the City Centre Zone, GRUZ-P4 does not contain a list of potentially compatible activities. Instead, it contains a list of matters that activities in the GRUZ must demonstrate in order to be considered potentially compatible activities and to be able to occur within the GRUZ. Explicitly referencing educational facilities would thus not be in accordance with the policy structure.

### Summary of recommendations

173. **HS7-GRUZ-Rec30:** That GRUZ-P4 is retained as notified.
174. **HS7-GRUZ-Rec31:** That the submission points relating to GRUZ-P4 are accepted/rejected as detailed in Appendix B.

### 3.8.5 GRUZ-P5 (Quarrying and mining site rehabilitation)

#### Matters raised by submitters

##### Retain

175. Aggregate and Quarry Association [303.21], Taranaki Whānui ki te Upoko o te Ika [389.95], and WCCERG [377.406] seek that the policy be retained as notified.

##### Amend

176. Horokiwi [271.63] consider that the policy is unclear on how it would be applied if the change of use was to a permitted activity and seek that the policy be amended so that it does not apply to changes of use on an existing quarry or mining site.

#### Assessment

177. I acknowledge the support of Aggregate and Quarry Association [303.21], Taranaki Whānui ki te Upoko o te Ika [389.95], and WCCERG [377.406].
178. In respect of the amendment sought by Horowiki Quarries [271.63] to amend GRUZ-P5 to not apply to a change of use, I disagree. In paragraphs 102-104 of this report, I have clarified that, in my view, GRUZ-R12 (Quarrying or mining activities) applies to both new activities or expanding quarries. As such, I consider it is essential that GRUZ-P5 (Quarrying and mining site rehabilitation) still applies to an extension of existing quarrying activities. In my view, given an already operational quarry will be expanding upon their existing activities and footprint, I think it is entirely appropriate that through the resource consent process, the operator demonstrates, through either a new or updated detailed management plan, how the site will be rehabilitated. This will assist Council in understanding potential adverse effects and intended future use of the site.

### Summary of recommendations

179. **HS7-GRUZ-Rec32:** That GRUZ-P5 is retained as notified.

180. **HS7-GRUZ-Rec33:** That the submission points relating to GRUZ-P5 are accepted/rejected as detailed in Appendix B.

### 3.8.6 GRUZ-P6 (Incompatible activities)

#### Matters raised by submitters

##### Retain

181. WCCERG [377.407] seeks that the policy be retained as notified.

#### Assessment

182. I acknowledge the support of WCCERG [377.407] for GRUZ-P6 to be retained as notified. No further assessment is required.

#### Summary of recommendations

183. **HS7-GRUZ-Rec34:** That GRUZ-P6 is retained as notified.
184. **HS7-GRUZ-Rec35:** That the submission point relating to GRUZ-P6 is accepted as detailed in Appendix B.

### 3.8.7 GRUZ-P7 (Rural buildings and structures)

#### Matters raised by submitters

##### Amend

185. Te Kamarau Station Ltd Ratings [362.7 (opposed by Mākara-Ōhāriu Community Board FS66.12)], Te Marama Ltd [337.3 (opposed by Mākara-Ōhāriu Community Board FS66.11)] and Terawhiti Station [411.7 and 411.8 (opposed by Mākara-Ōhāriu Community Board FS66.13 and FS66.14)] consider that the rural character of Makara is compromised by industrial infrastructure. They seek that reference to building scale and location be omitted from the policy as what causes it to be compromised or inconsistent within the Rural Design Guide is subjective.

#### Assessment

186. In relation to Te Kamarau Station Ltd Ratings [362.7 (opposed by Mākara-Ōhāriu Community Board FS66.12)], Te Marama Ltd [337.3 (opposed by Mākara-Ōhāriu Community Board FS66.11)] and Terawhiti Stations' [411.7 and 411.8 (opposed by Mākara-Ōhāriu Community Board FS66.13 and FS66.14)] submission point seeking GRUZ-P7 is amended with regards to building scale and location, I disagree with the relief sought.
187. In my view, given the character and amenity values of the GRUZ, I consider it is inappropriate to remove the design considerations from this policy. In my opinion, existing infrastructure assets is not sufficient evidence for an argument that the GRUZ's amenity values are already being compromised, I consider this in itself instead being a subjective view. I do not consider that existing infrastructure takes away from the need to maintain these values of the GRUZ with regards to future land use and building activity proposals. I also note that GRUZ-P5 applies to the whole zone, not just Makara.

## Summary of recommendations

188. **HS7-GRUZ-Rec36:** That GRUZ-P7 is retained as notified.
189. **HS7-GRUZ-Rec37:** That the submission points relating to GRUZ-P7 are accepted/rejected as detailed in Appendix B.

### 3.8.8 GRUZ-P8 (New Residential Buildings)

#### Matters raised by submitters

##### Delete

190. Te Kamarau Station Ltd Ratings [362.8 (opposed by M&P Makara Family Trust FS41.25)], Te Marama Ltd [337.4 (opposed by M&P Makara Family Trust FS41.22)] and Terawhiti Station [411.9 (opposed by Mākara-Ōhāriu Community Board FS66.15 and M&P Makara Family Trust FS41.29)] seek that the rule be deleted in its entirety.

#### Assessment

191. In relation to Te Kamarau Station Ltd Ratings [362.8 (opposed by M&P Makara Family Trust FS41.25)], Te Marama Ltd [337.4 (opposed by M&P Makara Family Trust FS41.22)] and Terawhiti Stations' [411.9 (opposed by Mākara-Ōhāriu Community Board FS66.15 and M&P Makara Family Trust FS41.29)] submission point seeking GRUZ-P8 be deleted, I disagree with the relief sought.
192. I note that the submitters raised concerns with limiting the number of residential unit per one allotment to one unit makes sense for some smaller lots, such as in Makara Beach where lots are c.800sqm. However, in the submitters consider 'it would make more sense to locate buildings together (i.e. next to the road) for larger lots (e.g. lots of 40 hectares+ in size) rather than spreading buildings across the landscape for the sake of restricting dwellings to "one unit per allotment"'.
193. In my view, I consider that this allotment limit is appropriate for the anticipated density of the GRUZ and recognises the character values of the zone and anticipated activities. Higher densities are allowed in more compact urban parts of the District. In my view, it is unnecessary and unjustifiable to increase density in the GRUZ and not provide policy direction regarding 'design, external appearance, siting and associated site landscaping of any new unit'. I note that the submitter has not provided any evidence or S32AA for why deleting this policy or amending the management of density in the zone as per their suggestion is a more efficient and effective measure or gives better effect to the zone's purpose.
194. I also note that submitter's suggestion to state in the plan where properties are allowed to be built within site's provides less flexibility than the notified policy, rural design guide and consenting pathway allows and would be more restrictive.

## Summary of recommendations

195. **HS7-GRUZ-Rec38:** That GRUZ-P8 is retained as notified.
196. **HS7-GRUZ-Rec39:** That the submission points relating to GRUZ-P8 are accepted/rejected as

detailed in Appendix B.

### **3.8.9 GRUZ-P9 (Residential additions, alterations, accessory buildings, and structures)**

#### **Matters raised by submitters**

##### Amend

197. Te Kamarau Station Ltd Ratings [362.9], Te Marama Ltd [337.5], and Terawhiti Station [411.11 and 411.12] consider that scale and location are subjective, and that they be omitted from the policy.

#### **Assessment**

198. In relation to Te Kamarau Station Ltd Ratings [362.9], Te Marama Ltd [337.5], and Terawhiti Stations' [411.11 and 411.12] submission point seeking the reference to scale and location be omitted from GRUZ-P9, I disagree with the relief sought. I consider that the design guide and resource consent processes ensure sufficient review of the proposed building design and the scale of effects from the proposed development. This ensures that the end outcome is in keeping with the zone's character and amenity values, and does not cause adverse bulk, dominance and visual effects.

#### **Summary of recommendations**

199. **HS7-GRUZ-Rec40:** That GRUZ-P9 is retained as notified.
200. **HS7-GRUZ-Rec41:** That the submission points relating to GRUZ-P9 are accepted/rejected as detailed in Appendix B.

### **3.8.10 GRUZ-P10 (Potentially compatible buildings and structures)**

#### **Matters raised by submitters**

##### Amend

201. Forest and Bird (345.389) seek that's 'where practicable' be deleted from GRUZ-P10.4.

##### Delete

202. Te Kamarau Station Ltd Ratings (362.10), Te Marama Ltd (337.6 [opposed by M&P Makara Family Trust FS41.23), and Terawhiti Station (411.13) seek that the policy be deleted in its entirety.

#### **Assessment**

203. With regard to Forest and Bird's [345.389] submission point seeking 'where practicable' be removed from GRUZ-P10, I disagree with the relief sought. I consider 'where practicable' is important to provide some consideration for case-by-case resource consent consideration if not all vegetation can be retained. In my view, it reflects that in some circumstances it may not be possible to retain the full extent of SNAs on certain sites. This is reflected in the ECO chapter which manages SNAs.

204. In relation to Te Kamarau Station Ltd Ratings (362.10), Te Marama Ltd (337.6 [opposed by M&P

Makara Family Trust FS41.23), and Terawhiti Stations' (411.13) request to delete GRUZ-P10 in its entirety, I disagree with the relief sought. I consider that GRUZ-P10 provides necessary direction for resource consent process considerations. In my view, it is important that potentially compatible developments or activities are considered on a casebycase basis and the matters listed provide necessary direction to processing planners when undertaking this assessment.

### Summary of recommendations

205. **HS7-GRUZ-Rec42:** That GRUZ-P10 is retained as notified.
206. **HS7-GRUZ-Rec43:** That the submission points relating to GRUZ-P10 are accepted/rejected as detailed in Appendix B.

### 3.8.11 GRUZ-P11 (Vegetation retention)

#### Matters raised by submitters

##### Retain

207. Director-General of Conservation [385.85], Forest and Bird [345.390], and WCC ERG [377.408] seek that the policy be retained as notified.

##### Amend

208. FENZ [273.234 and 273.235] seeks that the policy be amended to allow for the removal of vegetation as a preventative measure where it poses a fire risk to property and life.
209. Te Kamaru Station Ltd Ratings [362.11], Te Marama Ltd [337.7], and Terawhiti Station [411.14 and 411.15] consider that the policy is subjective and arbitrary, as it is unclear what qualifies exotic trees such as macrocarpa or Norfolk Pine as protected species.

#### Assessment

210. I acknowledge the support of the Director-General of Conservation [385.85], Forest and Bird [345.390] and WCCERG [377.408] for GRUZ-P11 to be retained as notified.
  211. In relation to the relief sought by FENZ [273.234 and 273.235] to amend GRUZ-P5 to refer to fire risk and health and safety, I disagree. In my view, it is unnecessary to put such wording into the policy and could act as a deterrent for achieving the retention of existing (otherwise unprotected) vegetation. In my view it is unnecessary to place this within a policy, as regardless there is nothing preventing an applicant making such an argument that existing vegetation on their site poses a fire and/or health and safety risk if deemed important in a particular context.
  212. In relation to Te Kamaru Station Ltd Ratings [362.11], Te Marama Ltd [337.7], and Terawhiti Stations' [411.14 and 411.15] submission points seeking the policy be amended to delete reference to visually prominent trees being protected, I disagree with the relief sought. I consider that it is important to retain the policy as notified and refer to 'visually prominent trees that may not otherwise be protected' as existing vegetation provides an important contribution to the character, amenity values, landscape values and sense of place of the zone, as well as providing important habitat for fauna. I also note that this policy 'encourages' the retention of
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existing vegetation, it is not a 'require' policy. It also aligns with GRUZ-O2 (Character and amenity values) and the RDG.

### Summary of recommendations

- 213. **HS7-GRUZ-Rec44:** That GRUZ-P11 is retained as notified.
- 214. **HS7-GRUZ-Rec45:** That the submission points relating to GRUZ-P11 are accepted/rejected as detailed in Appendix B.

### 3.8.12 GRUZ-PREC01-P1 (Residential buildings and structures)

#### Matters raised by submitters

##### Retain

- 215. WCCERG [377.409] seeks that the policy be retained as notified.

#### Assessment

- 216. I acknowledge the support of WCCERG [377.409] for GRUZ-PREC01-P1 to be retained as notified.

### Summary of recommendations

- 217. **HS7-GRUZ-Rec46:** That GRUZ-PREC01-P1 is retained as notified.
- 218. **HS7-GRUZ-Rec47:** That the submission point relating to GRUZ-PREC01-P1 is accepted as detailed in Appendix B.

## 3.9 Rules - General Rural Zone

### 3.9.1 GRUZ-R1 (Rural activities)

#### Matters raised by submitters

##### Retain

- 219. WCCERG [377.409] seeks that the rule be retained as notified.

#### Assessment

- 220. I acknowledge the support of the WCCERG [377.409] for GRUZ-R1 to be retained as notified. No further assessment is required.

### Summary of recommendations

- 221. **HS7-GRUZ-Rec48:** That GRUZ-R1 is retained as notified.
- 222. **HS7-GRUZ-Rec49:** That the submission point relating to GRUZ-R1 is accepted as detailed in Appendix B.

### 3.9.2 GRUZ-R2 (Keeping of goats)

#### Matters raised by submitters

##### Retain

223. WCC ERG [377.411] seeks that the rule be retained as notified.

##### Amend

224. Forest and Bird [345.391] seek that the rule be amended so that a controlled activity status applies where goats are kept outside of significant natural areas. Within significant natural areas they seek a restricted discretionary activity status. They further seek that the matters of discretion refer to the ECO policies.

##### Delete

225. Te Kamaru Station Ltd Ratings [362.12], Te Marama Ltd [337.8], and Terawhiti Station [411.16 (opposed by M&P Makara Family Trust FS41.15)] seek that the rule be deleted in its entirety.

#### Assessment

226. I acknowledge the support of WCCERG [377.411] to retain GRUZ-R2 as notified.

227. In relation to the relief sought by Forest and Bird [345.391] I disagree. Whilst I appreciate the intent of their submission points and the need to protect SNAs, I consider the relief they are seeking is more appropriately dealt with through the ECO chapter which houses the policy and rule framework for protecting SNAs. I also note that whilst there are a few exceptions, the overall intent of the drafting style for the notified PDP was to avoid having a different chapter's provisions cross-referenced within another chapter's provisions.

228. Instead, the 'other relevant District Plan provisions' section in all chapters serves the purpose of alerting plan users to other applicable chapters' provisions which they need to consider as part of a resource consent proposal. As such, I do not agree with cross-referencing the ECO chapter.

229. As referred to in Minute 38 and subsequently Minute 40 from the IHP in December 2023, although it was originally envisaged that the ECO Chapter would be considered in the Stream 8 hearing, this is not likely to be the case. As noted by the IHP, Council is considering its response to the NPSIB, which took effect in early August 2023. Council as noted in Minute 40 is considering notifying a variation in 2024 to address the NPSIB. This is an additional reason why I do not agree with the relief sought by Forest and Bird to reference the ECO chapter and to provide strong directions around SNAs in GRUZ-R2.

230. In relation to the relief sought by Te Kamaru Station Ltd Ratings [362.12], Te Marama Ltd [337.8], and Terawhiti Stations' [411.16 (opposed by M&P Makara Family Trust FS41.15)], I disagree with this. I consider it is necessary to have a rule for the keeping of goats in the GRUZ to be able to manage adverse effects, particularly on SNAs. Without such a rule and management of goats, I consider that the keeping of goats for livestock could cause significant damage to vegetation and habitats.

231. I note that GRUZ-R2 is a Controlled Activity which provides an enabling rule framework.



However, it is important to have matters of control to ensure that there are sufficient measures in place to control and manage goats to avoid impacts upon native vegetation. GRUZ-R8 in association with GRUZ-S8 provides a clear framework for the management of goats as livestock within the GRUZ.

### Summary of recommendations

232. **HS7-GRUZ-Rec50:** That GRUZ-R2 is retained as notified.
233. **HS7-GRUZ-Rec51:** That the submission points relating to GRUZ-R2 are accepted/rejected as detailed in Appendix B.

### 3.9.3 GRUZ-R3 (Cleanfill areas)

#### Matters raised by submitters

##### Retain

234. WCCERG [377.412] seeks that the rule be retained as notified.

##### Assessment

235. I acknowledge the support of the WCCERG [377.412] for GRUZ-R3 to be retained as notified. No further assessment is required.

### Summary of recommendations

236. **HS7-GRUZ-Rec52:** That GRUZ-R3 is retained as notified.
237. **HS7-GRUZ-Rec53:** That the submission point relating to GRUZ-R3 is accepted as detailed in Appendix B.

### 3.9.4 GRUZ-R4 (Residential activity)

#### Matters raised by submitters

##### Retain

238. Dept of Corrections (240.27) seeks that the rule be retained as notified.

##### Amend

239. Te Kamaru Station Ltd Ratings [362.13 (opposed by M&P Makara Family Trust FS41.27)], Te Marama Ltd [337.9 (opposed by M&P Makara Family Trust FS41.24)], and Terawhiti Station [411.17 and 411.18 (opposed by M&P Makara Family Trust FS41.16)] considers that larger buildings should be located together rather than spreading building across the landscape for the sake of restricting dwelling to 'one unit per allotment'. They seek that the rule be redrafted to reflect this.

##### Assessment

240. I acknowledge the support of Dept of Corrections [240.27] for GRUZ-R4 to be retained as notified.

241. In relation to the relief sought by Te Kamaru Station Ltd Ratings [362.13 (opposed by M&P Makara Family Trust FS41.27)], Te Marama Ltd [337.9 (opposed by M&P Makara Family Trust FS41.24)], and Terawhiti Station [411.17 and 411.18 (opposed by M&P Makara Family Trust FS41.16)] to amend GRUZ-R4's clause limiting residential activities to one unit per allotment, I disagree for the following reasons:

- a. I consider that one residential unit per site is appropriate for the GRZ and reflects the anticipated density within the zone, the rural environment and character, as well as the purpose of the zone under GRUZ-O1 which 'predominantly provides for rural activities, complemented by informal outdoor recreation and other activities that have a functional need for a rural location'.
- b. The restricted density reflects the City's Spatial Plan direction and the District Plan's compact city strategic objective, where provision for rural lifestyle development is limited. This is achieved through the limit of one residential unit per allotment, associated with subdivision controls that discourage the fragmentation of land. In my view, if a greater density limit/allotment control was enabled this would no longer align with the purpose and nature of the zone, nor the description of the GRUZ in the National Planning Standards, and would be more akin to density and residential activities enabled through a Rural Lifestyle Zone.
- c. Retaining this one allotment limit ensures that GRUZ land is retained within the District and urban sprawl is restricted, thus giving effect to the Spatial Plan and District Plan's goals of a compact city. This also reflects the extensive engagement as part of the Planning for Growth programme to inform the spatial planning framework for the city, and the strong public consensus and support for the growth scenario that sought a compact city centre and more suburban centre growth, instead of more greenfield growth in rural areas like Ohariu, which were strongly opposed.
- d. I also consider that the submitter is conflating two separate issues in their justification for recommending the allotment limit is removed, in that they are talking about limiting the number of dwellings and using a justification that it would make more sense to locate buildings together rather than spreading buildings across the landscape for the sake of the one allotment limit. In my view, a limit on number of units is a separate issue to where residential units can be located.

### Summary of recommendations

242. **HS7-GRUZ-Rec54:** That GRUZ-R4 is retained as notified.

243. **HS7-GRUZ-Rec55:** That the submission points relating to GRUZ-R4 be accepted/rejected as detailed in Appendix B.

### 3.9.5 GRUZ-R5 (Recreation activity)

#### Matters raised by submitters

##### Amend

244. Te Kamaru Station Ltd Ratings [362.14], Te Marama Ltd [337.10], and Terawhiti Station [411.19] seek that the activity status for the rule be permitted. [Inferred decision] They seek that GRUZ-R5.2 be deleted in its entirety.

## Assessment

245. In regards to the relief sought by Te Kamaru Station Ltd Ratings [362.14], Te Marama Ltd [337.10], and Terawhiti Station [411.19] to delete the clauses in GRUZ-R5 which restrict permitted recreation activities to only those that are informal recreation activities and where participation does not incur a fee, I disagree. I note that no explanation was provided by any of the submitters to support their recommended amendment. In my view, the narrowed permitted activity focus of GRUZ-R5 is appropriate as it aligns with the purpose and primary activities enabled within the zone.
246. Informal, free recreation is enabled under GRUZ-O1 (Purpose) and GRUZ-P1 (Enabled activities), alternative recreation activities are not, and in my view are considered to be potentially compatible activities which need to demonstrate how they provide for the associated matters in GRUZ-P4 (Potentially compatible activities) i.e. how they are compatible with the character and amenity values of the zone.
247. In my view, this is appropriate as formal recreation activities can potentially have greater adverse effects within the zone and may not align with the purpose and character of the zone. For example, formal activities will likely require permanent buildings and structures, supporting transport infrastructure and services etc. and in turn generate greater transport, noise, visual and landscape effects. Such infrastructure and effects could potentially be of an inappropriate scale, location and effect, and not align with what is anticipated within the GRUZ. This is compared to informal recreational activities such as the Skyline walk which requires minimal associated infrastructure and effects generated are limited.

## Summary of recommendations

248. **HS7-GRUZ-Rec56:** That GRUZ-R5 is retained as notified.
249. **HS7-GRUZ-Rec57:** That the submission points relating to GRUZ-R5 be rejected as detailed in Appendix B.

### 3.9.6 GRUZ-R6 (Conservation activity)

#### Matters raised by submitters

##### Retain

250. WCC ERG [377.413] seeks that the rule be retained as notified.

## Assessment

251. I acknowledge the submission point from WCCERG [377.413] to retain GRUZ-R6 as notified. No further assessment needed.

## Summary of recommendations

252. **HS7-GRUZ-Rec58:** That GRUZ-R6 is retained as notified.
253. **HS7-GRUZ-Rec59:** That the submission point relating to GRUZ-R6 is accepted as detailed in Appendix B.

### 3.9.7 GRUZ-R7 (Home business)

#### Matters raised by submitters

##### Retain

254. WCCERG [377.414] seeks that the rule be retained as notified.

##### **Assessment**

255. I acknowledge the submission point from WCCERG [377.414] to retain GRUZ-R6 as notified. No further assessment needed.

#### Summary of recommendations

256. **HS7-GRUZ-Rec60:** That GRUZ-R7 is retained as notified.

257. **HS7-GRUZ-Rec61:** That the submission point relating to GRUZ-R7 is accepted as detailed in Appendix B.

### 3.9.8 GRUZ-R8 (Visitor accommodation)

#### Matters raised by submitters

##### Retain

258. WCC ERG [377.415] seeks that the rule be retained as notified.

##### Amend

259. Te Kamaru Station Ltd Ratings [362.15 (opposed by M&P Makara Family Trust FS41.28)], Te Marama Ltd [337.11], and Terawhiti Station [411.10 (opposed by M &P Makara Family Trust FS41.30 and Mākara-Ōhāriu Community Board FS66.16)] seek that the maximum occupancy be amended from 10 to 20 guests per night.

##### **Assessment**

260. I acknowledge WCCERG's [377.415] support to retain GRUZ-R8 as notified.

261. In relation to the relief sought by Te Kamaru Station Ltd Ratings [362.15 (opposed by M&P Makara Family Trust FS41.28)], Te Marama Ltd [337.11], and Terawhiti Station [411.10 (opposed by M &P Makara Family Trust FS41.30 and Mākara-Ōhāriu Community Board FS66.16)] to amend the visitor accommodation maximum occupancy limit from 10 guests per night to 20 guests per night, I disagree. The limit of 10 guests per night is consistent with numerous zone chapter approaches across the PDP<sup>10</sup>, as such providing a consistent plan wide approach.

262. I note the submitter has not provided any rationale or justification for why a limit of 20 guests per night is more appropriate, efficient or effective, nor an assessment of the potential effects

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<sup>10</sup> Lincolnshire Farm (DEV2-R28), Upper Stebbings and Glenside West (DEV3-R12), LLRZ (LLRZ-R3), MRZ (MRZ-R6), HRZ (HRZ-R6).

of an increased limit. I also consider that a limit of 10 guests per night effectively aligns with and reflects the purpose, density and character of the GRUZ.

### **Summary of recommendations**

263. **HS7-GRUZ-Rec62:** That GRUZ-R8 is retained as notified.
264. **HS7-GRUZ-Rec63:** That the submission point relating to GRUZ-R8 is accepted as detailed in Appendix B.

### **3.9.9 GRUZ-R10 (Intensive indoor primary production)**

#### **Matters raised by submitters**

##### Retain

265. WCCERG [377.416] seeks that the rule be retained as notified.

#### **Assessment**

266. I acknowledge the submission point from WCCERG [377.416] to retain GRUZ-R10 as notified. No further assessment needed.

### **Summary of recommendations**

267. **HS7-GRUZ-Rec64:** That GRUZ-R10 is retained as notified.
268. **HS7-GRUZ-Rec65:** That the submission point relating to GRUZ-R10 is accepted as detailed in Appendix B.

### **3.9.10 GRUZ-R11 (Pet animal boarding and breeding and day-care)**

#### **Matters raised by submitters**

##### Retain

269. WCC ERG [377.417] seeks that the rule be retained as notified.

#### **Assessment**

270. I acknowledge the submission point from WCCERG [377.417] to retain GRUZ-R11 as notified. No further assessment needed.

### **Summary of recommendations**

271. **HS7-GRUZ-Rec66:** That GRUZ-R11 is retained as notified.
272. **HS7-GRUZ-Rec67:** That the submission point relating to GRUZ-R11 is accepted as detailed in Appendix B.

### **3.9.11 GRUZ-R12 (Quarrying or mining activities)**

## Matters raised by submitters

### Retain

273. Aggregate and Quarry Association [303.22] and WCC ERG [377.418] seek that the rule be retained as notified.

### Amend

274. Horokiwi Quarries [271.64 and 271.65] seeks clarification if the rule applies to all quarry activities, regardless of whether they are new or an extension. If the rule applies to new quarries, they seek that the rule be retained as notified.

## Assessment

275. I acknowledge the submission point from Aggregate and Quarry Association [303.22] and WCCERG [377.418] to retain GRUZ-R12 as notified.

276. In relation to the relief sought by Horokiwi Quarries [271.64 and 271.65] for clarification to be provided in GRUZ-R12 as to whether it relates to only new activities or extensions, I agree in-part as I consider the rule heading does not provide the necessary clarity and an amendment is needed to provide this. I consider that GRUZ-R12 relates to both new quarrying or mining activities and expansions to existing quarrying or mining activities. I consider that it is appropriate that a Discretionary Activity therefore applies to both new activities or expansions as these activities are considered potentially compatible activities, rather than primary activities, within the GRUZ. Sufficient assessment is therefore required through the consent process for extensions as well as new activities.

## Summary of recommendations

277. **HS7-GRUZ-Rec68:** That GRUZ-R11 be amended as set out below and detailed in Appendix A:

<b>GRUZ-R12</b>	<b><u>New or extended</u> quarrying or mining activities</b>
	1. Activity status: <b>Discretionary</b>

278. **HS7-GRUZ-Rec69:** That the submission points relating to GRUZ-R11 are accepted as detailed in Appendix B.

### 3.9.12 GRUZ-R13 (Emergency service facility)

## Matters raised by submitters

### Retain

279. FENZ [273.236] seeks that the rule be retained as notified.

## Assessment

280. I acknowledge the submission point from FENZ [273.236] to retain GRUZ-R13 as notified.

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### Summary of recommendations

281. **HS7-GRUZ-Rec70:** That GRUZ-R13 is retained as notified.
282. **HS7-GRUZ-Rec71:** That the submission point relating to GRUZ-R13 is accepted as detailed in Appendix B.

### 3.9.13 GRUZ-R15 (Repair and maintenance of buildings and structures)

#### Matters raised by submitters

##### Retain

283. FENZ [273.237] seeks that the rule be retained as notified.

#### Assessment

284. I acknowledge the submission point from FENZ [273.237] to retain GRUZ-R15 as notified.

### Summary of recommendations

285. **HS7-GRUZ-Rec72:** That GRUZ-R15 is retained as notified.
286. **HS7-GRUZ-Rec73:** That the submission point relating to GRUZ-R15 is accepted as detailed in Appendix B.

### 3.9.14 GRUZ-R16 (Demolition or removal of a building or structure)

#### Matters raised by submitters

##### Retain

287. FENZ [273.238] seeks that the rule be retained as notified.

##### Amend

288. GWRC [351.66 and 351.267] seeks to include a rule requirement that permitted activity status is subject to building and demolition waste being disposed of at an approved facility.

#### Assessment

289. I acknowledge the submission point from FENZ [273.238] to retain GRUZ-R16 as notified.
290. I disagree with the amendment sought by GWRC [351.66 and 351.267] relating to the requirement for disposal of building waste at approved facilities. As I addressed in Hearing Stream 2<sup>11</sup>, it would be an impractical requirement to enforce given the difficulties of tracking waste from the many demolition projects that occur across the city. In addition, the Solid Waste Management and Minimisation Bylaw 2020 deals with construction waste and all persons undertaking demolition are required to comply with this.

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<sup>11</sup> Wellington City Council, Proposed District Plan [S42A Hearing Stream 2 – Part 2 – High Density Residential Zone](#)

### Summary of recommendations

291. **HS7-GRUZ-Rec74:** That GRUZ-R16 is retained as notified.
292. **HS7-GRUZ-Rec75:** That the submission points relating to GRUZ-R16 are accepted/rejected as detailed in Appendix B.

### 3.9.15 GRUZ-R17 (Construction, alteration or addition to buildings and structures associated with rural activities)

#### Matters raised by submitters

##### Retain

293. FENZ [273.239] seeks that the rule be retained as notified.

##### Amend

294. Meridian [228.113] seeks that the rule be amended to include new relief sought standard GRUZ-S5 as a required standard.

#### Assessment

295. I acknowledge the submission point from FENZ [273.239] to retain GRUZ-R17 as notified.
296. I disagree with the amendment sought by Meridian [228.113] relating to amending GRUZ-R17 to reference a new standard the submitter posed through a separate submission point [228.112]. In paragraph 112-113 I detail why I do not support including Meridian's proposed standard into the chapter, and consequentially why I am not supporting Meridian's associated change to GRUZ-R17.

### Summary of recommendations

297. **HS7-GRUZ-Rec76:** That GRUZ-R17 is retained as notified.
298. **HS7-GRUZ-Rec77:** That the submission points relating to GRUZ-R17 are accepted/rejected as detailed in Appendix B.

### 3.9.16 GRUZ-R18 (Construction, alteration or addition to buildings and structures)

#### Matters raised by submitters

##### Retain

299. FENZ [273.240] seeks that the rule be retained as notified.

##### Amend

300. Investore Property Ltd [405.57 and 405.58] seeks to remove the Design Guide as a matter of discretion and replace it with the specific design outcomes that are sought.



301. Meridian [228.114] seeks that the rule be amended to include new relief sought standard GRUZ-S5 as a required standard.

**Assessment**

302. I acknowledge the submission point from FENZ [273.240] to retain GRUZ-R18 as notified.

303. I agree in part with the relief sought by Investore Property Ltd [405.57 and 405.58] but only in so far as I agree with the suggestion to remove the RDG as a matter of discretion from GRUZ-R18. I do not agree to replace it with design outcomes as sought by the submitter. As I discuss further below, I consider that referring to design guides in GRUZ’s policy framework and then having GRUZ-R18’s matter of discretion being ‘the matters in’ the associated policies containing the design guides, the best approach to ensuring development fulfils the intent of the design guide.

304. GRUZ policies GRUZ-P8 (New residential buildings) and GRUZ-P10 (Potentially compatible buildings and structures) refer to the Rural Design Guide. GRUZ-P8 refers to new residential buildings being ‘consistent with’ the RDG and GRUZ-P10 seeks that buildings and structures have ‘regard to’ the RDG. GRUZ-R18 has a matter of discretion linking to GRUZ-P8, whereas GRUZ-P10 is more appropriately considered through GRUZ-R19 (Any building or structure activity not otherwise listed in this table).

305. In my view, replacing reference to a design guide with ‘design outcomes that are sought’ would not be a valuable exercise as it would effectively only duplicate the existing design guide content as a matter of discretion, making for a long and detailed list of matters of discretion. I do not see the merit of copying the RDG’s content verbatim into the rule. I note that similar submission points were raised during Hearing Stream 4 and the Wrap-up ISPP Hearing. The Residential Design Guide and Centres and Mixed Use Design Guide went through an expert conferencing process and the guides an extensive design guide review led by Boffa Miskell. One of the focus areas of both processes was to ensure that there was not unnecessary duplication between the Guides and the PDP. I discuss this process further with regards to potential amendments to the RDG to ensure consistency in structure of the guide with other design guides on the back of the design guide review process.

306. I disagree with the amendment sought by Meridian [228.114] relating to amending GRUZ-R18 to reference a new standard the submitter posed through a separate submission point [228.112]. In paragraph 112-113 I detail why I do not support including Meridian’s proposed standard into the chapter, and consequentially why I am not supporting Meridian’s associated change to GRUZ-R18.

**Summary of recommendations**

307. **HS7-GRUZ-Rec78:** That GRUZ-R18 is amended as set out below and detailed in Appendix A:

<b>GRUZ-R18</b>	<b>Construction, addition or alteration to residential buildings and structures</b>
	<p>2. Activity status: <b>Restricted Discretionary</b></p> <p>Where:</p>

- a. Compliance with any of the relevant requirements of GRUZ-R18.1 cannot be achieved.

Matters of discretion are:

1. The matters in Policy GRUZ-P1, GRUZ-P8, GRUZ-P9, and GRUZ-P11.
2. The extent and effect of non-compliance with any standard not being met as specified in the associated assessment criteria for the infringed standards;
- ~~3. The Rural Design Guide;~~
- ~~4. 3.~~ Whether the proposal makes adequate provision for services including water supply, stormwater run-off control and wastewater treatment; and
- ~~5.~~ Where a proposal is located near an existing urban area or an existing residential subdivision, whether services could be undergrounded.

308. **HS7-GRUZ-Rec79:** That the submission points relating to GRUZ-R18 are accepted/rejected as detailed in Appendix B.

### **3.9.17 GRUZ- PREC01-R1 (Construction, addition or alteration to residential buildings or structures in the Makara Beach and Makara Village Precinct)**

#### **Matters raised by submitters**

##### Retain

309. FENZ [273.240] seeks that the rule be retained as notified.

#### **Assessment**

310. I acknowledge the submission point from FENZ [273.240] to retain GRUZ-PREC01-R1 as notified. No further assessment is needed other than I note an error in processing submission points, in that two separate FENZ submission points have both been allocated the number 273.240 (their submission on GRUZ-R18 and GRUZ-PREC01-R1).

#### **Summary of recommendations**

311. **HS7-GRUZ-Rec80:** That GRUZ-PREC01-R1 is retained as notified.
312. **HS7-GRUZ-Rec81:** That the submission point relating to GRUZ-PREC01-R1 is accepted/rejected as detailed in Appendix B.

## **3.10 Standards - General Rural Zone**

### **3.10.1 GRUZ-S1 (Maximum height)**

#### **Matters raised by submitters**

## Retain

313. WCC ERG [377.419] seeks that the standard be retained as notified.

## Amend

314. FENZ [273.241 and 273.242] seeks that the standard be amended to exempt emergency service facilities up to 9m in height and hose drying towers up to 15m in height. They consider that amendments sought will enable the efficient functioning of FENZ in establishing and operating fire stations.

315. MOE [400.117 and 400.118] seeks that a maximum building height limit of 8m be required under the standard for buildings and structures associated with other activities.

316. Te Kamaru Station Ltd Ratings [362.16], Te Marama Ltd [337.12], and Terawhiti Station [411.20] seek that the maximum height limit for buildings and structures associated with rural activities be increased from 8m to 10m.

## **Assessment**

317. I acknowledge the submission point from WCCERG [377.419] seeking to retain GRUZ-S1 as notified.

318. I agree with the relief sought by MOE [400.117 and 400.118] to add a maximum building height limit of 8m for buildings and structures associated with other activities. MOE's submission points have highlighted a gap in GRUZ-S1 (Maximum height) in that it contains maximum height limits for the following activities only:

- Residential buildings and structures outside the Makara Beach and Makara Village Precinct;
- Residential buildings and structures within the Makara Beach and Makara Village Precinct; and
- Buildings and structures associated with rural activities.

319. It does not provide a maximum height limit for any other buildings and structures associated with other activities in the GRUZ, which are provided for through GRUZ-P10 (Potentially compatible buildings and structures) and GRUZ-R19 (Any building or structure activity not otherwise listed in this table). As such there is a gap that needs to be addressed through an amendment to GRUZ-S1's height limit table. In my view, allowing for 8m as sought by MOE is appropriate given this is the height limit enabled for other buildings within the GRUZ.

320. I disagree with the relief sought by Te Kamaru Station Ltd Ratings [362.16], Te Marama Ltd [337.12], and Terawhiti Station [411.20] that the maximum height limit for buildings and structures associated with rural activities be increased from 8m to 10m on the basis that the submitters have not provided any S32AA assessment or analysis to justify why this height limit is more appropriate, efficient or effective than the 8m in the notified PDP. Nor have they provided any analysis of the potential adverse effects that could be enabled from this extra height, such as modelling GRUZ site development scenarios. It is not clear why for rural activities

an extra 2m in height allowance is required.

321. In relation to the relief sought by FENZ [273.241 and 273.242] that the standard be amended to exempt emergency service facilitates up to 9m in height and hose drying towers up to 15m in height, I disagree. Should FENZ propose an activity which breaches the standard a resource consent can be applied for as a restricted discretionary activity. I do not consider that these types of activities occur often enough to warrant a specific carve out and consider that an assessment under a resource consent application is appropriate.

### Summary of recommendations

322. **HS7-GRUZ-Rec82:** That GRUZ-S1 is amended as set out below and in Appendix A:

GRUZ-S1		Maximum height
Building or structure	Limit	Assessment criteria where the standard is infringed:  <ol style="list-style-type: none"> <li>1. Effects on rural character and amenity;</li> <li>2. Dominance, privacy and shading effects on adjoining properties;</li> <li>3. The ability to mitigate adverse effects through screening, planting and landscaping;</li> <li>4. Whether topographical or other site constraints make compliance with the standard impractical;</li> <li>5. Whether the form and scale of the building or structure is compatible with other buildings in the vicinity of the site; and</li> <li>6. The extent to which the additional height is necessary to support a rural or residential activity.</li> </ol>
1. Residential buildings and structures outside the Makara Beach and Makara Village Precinct	5m or the height of the existing residential building, whichever is the greater, up to a maximum of 8m	
2. Residential buildings and structures within the Makara Beach and Makara Village Precinct	8m or 3.5m for accessory buildings	
3. Buildings and structures associated with rural activities	8m	
<u>4. Buildings and structures associated with other activities</u>	<u>8m</u>	
This standard does not apply to fences or standalone walls.		

323. **HS7-GRUZ-Rec83:** That the submission points relating to GRUZ-S1 be accepted/rejected as detailed in Appendix B.

### 3.10.2 GRUZ-S2 (Maximum gross floor areas)

#### Matters raised by submitters

## Retain

324. WCCERG [377.420] seeks that the standard be retained as notified.

## Amend

325. Ministry of Education [400.119 and 400.120] seeks that the standard be amended as follows:

Building or structure

3. Buildings and structures associated with other activities

Limit

a. maximum gross floor area of 400m<sup>2</sup> for a single building or structure; or

b. an aggregated total of 800m<sup>2</sup> gross floor area for all buildings and structures on the site.

## **Assessment**

326. I acknowledge the submission point from WCCERG [377.420] seeking to retain GRUZ-S2 as notified.

327. I agree in-part with the relief sought by MOE [400.119 and 400.120] seeking that a maximum gross floor area is required under GRUZ-S2 for buildings and structures associated with other activities. MOE's submission points have highlighted a gap in GRUZ-S2 (Maximum gross floor area) in that it contains limits for the following activities only:

- Residential buildings and structures outside the Makara Beach and Makara Village Precinct; and
- Buildings and structures associated with rural activities.

328. It does not provide a maximum gross floor area limit for any other buildings and structures associated with other activities in the GRUZ, of which are provided through GRUZ-P10 (Potentially compatible buildings and structures) and GRUZ-R19 (Any building or structure activity not otherwise listed in this table). As such there is a gap that needs to be addressed through an amendment to GRUZ-S2's limit table. However, in my view, allowing for maximum gross floor area akin to that provided for Residential buildings and structures outside the Makara Beach and Makara Village Precinct is more appropriate than the limit MOE are seeking (the limit for rural activities). This is because the activities MOE are addressing are not enabled/primary activities under P1 anticipated within the zone, instead they are potentially compatible activities. As such I consider there is less of a precedence for providing the same gross floor area as anticipated rural activities within the GRUZ.

329. I also note that MOE has not provided any S32AA assessment or evidence as to why this limit is appropriate for the GRUZ or what the potential effects may be of such developments upon adjoining property owners as well as the zone's character, landscape and amenity values. It may be that such a limit is inappropriate within the GRUZ given it is not a primary activity.

330. Therefore, I recommend that GRUZ-S2 is amended to provide a gross floor area limit at the same limit for Residential buildings and structures outside the Makara Beach and Makara Village Precinct (400m<sup>2</sup>). I further recommend that a clarification is provided here to clarify 'on the site' at both GRUZ-S2.1 and GRUZ-S2.3.

331.

## Summary of recommendations

332. **HS7-GRUZ-Rec84:** That GRUZ-S2 be amended as follows:

GRUZ-S2		Maximum gross floor area
Building or structure	Limit	Assessment criteria where the standard is infringed:
1. Residential buildings and structures outside the Makara Beach and Makara Village Precinct	400m <sup>2</sup> combined gross floor area for all buildings and structures, <u>on the site.</u>	
2. Buildings and structures associated with rural activities	1. Maximum gross floor area of 400m <sup>2</sup> for a single building or structure; or 2. An aggregated total of 800m <sup>2</sup> gross floor area for all buildings and structures on the site.	
3. <u>Buildings and structures associated with other activities</u>	<u>400m<sup>2</sup> combined gross floor area for all buildings and structures, on the site.</u>	
This standard does not apply to up to two rainwater tanks being a maximum diameter of 3.5m and a maximum height of 3m.		

333. **HS7-GRUZ-Rec85:** That the submission points relating to GRUZ-S2 are accepted/rejected as detailed in Appendix B.

### 3.10.3 GRUZ-S4 (Minimum boundary setbacks for residential buildings)

#### Matters raised by submitters

##### Retain

334. Rimu Architects Limited [318.32] and WCCERG [377.42] seek that the standard be retained as notified.

##### **Assessment**

335. I acknowledge the submission points from Rimu Architects Limited [318.32] and WCC ERG [377.42] to retain GRUZ-S4 as notified. No further assessment is needed.

#### Summary of recommendations

336. **HS7-GRUZ-Rec86:** That GRUZ-S4 is retained as notified.

337. **HS7-GRUZ-Rec87:** That the submission points relating to GRUZ-S4 are accepted as detailed in Appendix B.

### 3.10.4 GRUZ-S5 (Minimum boundary setbacks for rural buildings)

#### Matters raised by submitters

##### Retain

338. WCC ERG (377.422) seeks that the standard be retained as notified.

##### Amend

339. Ministry of Education (400.121 and 400.122) seeks that the standard be amended so that minimum boundary setbacks are required under standard for buildings and structures associated with other activities.

#### Assessment

340. I acknowledge the submission point from WCC ERG [377.422] to retain GRUZ-S5 as notified. No further assessment is needed.

341. I agree with the relief sought by MOE [400.121 and 400.122] seeking that a setback is required under GRUZ-S5 for buildings and structures associated with other activities. MOE’s submission points have highlighted a gap in GRUZ-S2 (Maximum gross floor area).

342. Therefore, I recommend the relief sought is granted and consider the setback limits specified in the standard are appropriate to apply to non-residential buildings.

#### Summary of recommendations

343. **HS7-GRUZ-Rec88:** That GRUZ-S5 is amended as follows:

<b>GRUZ-S5</b>		<b>Minimum boundary setbacks for rural buildings <u>and non-residential buildings</u></b>
<b>Rural Building or structure</b>	<b>Setback</b>	Assessment criteria where the standard is infringed: <ol style="list-style-type: none"> <li>1. Effects on rural character and amenity;</li> <li>2. Dominance, privacy or shading effects on adjacent properties;</li> </ol>

1. Buildings under 50m <sup>2</sup> in area	3m minimum from all yards.	3. The ability to mitigate adverse effects through screening, planting and landscaping; 4. Whether topographical or other site constraints make compliance with the standard impractical; and 5. Whether the form and scale of the building or structure is compatible with other buildings in the vicinity of the site.
2. Buildings over 50m <sup>2</sup> in area	6m minimum from all yards.	
This standard does not apply to up to two rainwater tanks in a side or rear yard, being a maximum diameter of 3.5m and a maximum height of 3m.		

344. **HS7-GRUZ-Rec89:** That the submission points relating to GRUZ-S5 are accepted/rejected as detailed in Appendix B.

### 3.10.5 GRUZ-S6 (Height in relation to boundary within the Makara Beach and Makara Village Precinct)

#### Matters raised by submitters

##### Retain

345. WCC ERG (377.423) seeks that the standard be retained as notified.

##### Amend

346. FENZ (273.243 and 273.244) seeks that the standard be amended to exempt emergency service facilities up to 9m in height and hose drying towers up to 15m in height. They consider that amendments sought will enable the efficient functioning of FENZ in establishing and operating fire stations.

#### Assessment

347. I acknowledge the submission point from WCC ERG [377.423] to retain GRUZ-S5 as notified. No further assessment is needed.

348. In relation to the relief sought by FENZ [273.243 and 273.244] that the standard be amended to exempt emergency service facilities up to 9m in height and hose drying towers up to 15m in height, I disagree. Should FENZ propose an activity which breaches the standard a resource consent can be applied for as a restricted discretionary activity. I do not consider that these types of activities occur often enough to warrant a specific carve out and consider that an assessment under a resource consent application is appropriate.

#### Summary of recommendations

349. **HS7-GRUZ-Rec90:** That GRUZ-S6 is retained as notified.

350. **HS7-GRUZ-Rec91:** That the submission points relating to GRUZ-S6 are accepted/rejected as detailed in Appendix B.



### 3.10.6 GRUZ-S7 (Fences and standalone walls)

#### Matters raised by submitters

##### Amend

351. FENZ (273.245 and 273.246) seeks that the standard be amended to ensure that the erection of fences and walls will not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.

##### **Assessment**

352. In response to FENZ [273.246] I agree that an amendment to ensure walls and structures do not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities is appropriate. This is to ensure the safety of the public.

#### Summary of recommendations

353. **HS7-GRUZ-Rec92:** That GRUZ-S7 is amended as follows:

GRUZ-S7	Fences and standalone walls
<p>1. Any fence or standalone wall, or combination of these structures, must not: <del>exceed:</del></p> <ul style="list-style-type: none"> <li>a. <del>Exceed a</del> maximum height of 2m above ground level where located within 1m of any site boundary; <del>and</del></li> <li>b. <del>Exceed the</del> height in relation to boundary standard in GRUZ-S6 if located in the Makara Beach and Makara Village Precinct; <del>and</del></li> <li>c. <u>Obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shutoff valves, or other emergency response facilities.</u></li> </ul> <p>This standard does not apply to fencing for the keeping of goats which is provided in GRUZ-S8.</p>	<p>Assessment criteria where the standard is infringed:</p> <ul style="list-style-type: none"> <li>1. Effects on rural character and amenity;</li> <li>2. Dominance effects on adjoining properties;</li> <li>3. The ability to mitigate adverse effects through screening, planting and landscaping;</li> <li>4. Whether topographical or other site constraints make compliance with the standard impractical; and</li> <li>5. The extent to which the additional height is necessary to support a rural or residential activity.</li> </ul>

354. **HS7-GRUZ-Rec93:** That the submission point relating to GRUZ-S7 is accepted/rejected as detailed in Appendix B.

#### Section 32AA Evaluation

355. In my opinion, the amendment to GRUZ-S7 is more appropriate in achieving the objectives of

the plan than the notified provisions. I consider that:

- a. The proposed additions will:
  - iv. Result in the chapter ensuring that fences and standalone walls do not hinder the response from emergency agencies, particularly FENZ. This is beneficial for the health and safety of the general public.
- b. The changes are therefore more efficient and effective than the notified provisions in achieving the objectives of the plan.
- c. The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions.

### 3.10.7 GRUZ-S8 (Fencing requirements for the keeping of goats)

#### Matters raised by submitters

##### Amend

356. Forest and Bird (345.392) seek that the standard be amended so that the matters of discretion refer to the ECO policies.

##### Delete

357. Te Kamaru Station Ltd Ratings (362.17 [opposed by M&P Makara Family Trust FS41.14]), Te Marama Ltd (337.13 [opposed by M&P Makara Family Trust FS41.9]), and Terawhiti Station (411.21 and 411.22 [opposed by M&P Makara Family Trust FS41.17 and FS41.18]) seek that the standard be deleted in its entirety.

#### Assessment

358. In response to Te Kamaru Station Ltd Ratings (362.17 [opposed by M&P Makara Family Trust FS41.14]), Te Marama Ltd (337.13 [opposed by M&P Makara Family Trust FS41.9]), and Terawhiti Station (411.21 and 411.22 [opposed by M&P Makara Family Trust FS41.17 and FS41.18]), I disagree with the request to delete the standard. This standard is required to give direction to plan users about the control and management of goats. Left unchecked, goats can have a detrimental effect on biodiversity and the wider natural environment.
359. In response to Forest and Bird [345.392], I consider it inappropriate to refer to the ECO policies. Matters to do with the ECO chapter are addressed within that chapter and do not need to be repeated here.

#### Summary of recommendations

360. **HS7-GRUZ-Rec94:** That GRUZ-S8 is retained as notified.
361. **HS7-GRUZ-Rec95:** That the submission points relating to GRUZ-S8 are accepted/rejected as detailed in Appendix B.

## 3.11 Rural Design Guide

### 3.11.1 General matters

## Matters raised by submitters

### Retain

362. Te Kamaru Station Ltd Ratings (362.18) and Te Marama Ltd (337.14) seek that the Design Guide be retained as notified.
363. Terawhiti Station (411.23) seeks that G30 be retained as notified.

### Amend

364. GWRC (351.13) seeks to strengthen reference to the Design Guide to require consistency with, or appropriate consideration of, its guidelines.
365. GWRC (351.334 [opposed by RVA FS126.66 and Ryman FS128.66, and supported by WCC ERG FS112.20]) seeks to apply ratings for freshwater matters equally between the Rural Design Guide and the Urban Design Guide.
366. GWRC (351.341) seeks that the Design Guide be amended to include mention of on-site wastewater system installation, discharge fields, treatment/maintenance, and potential adverse effects.
367. M&P Makara Family Trust (159.10) seeks that the Design Guide be amended to name specific areas, clarify areas by map, or use more explicit locational wording instead of referring to “buildings in centres or central areas”.
368. M&P Makara Family Trust (159.11) seeks that where “providing roof gardens and vegetation on surfaces which would typically be covered by cladding or other external materials” is mentioned in the Design Guide, practical provision for the collection of rainwater from roof surfaces must be an over-riding consideration in the Rural Zone.
369. M&P Makara Family Trust (159.12) seeks that the Design Guide be amended to adjust the recommendation “Place services underground where possible, otherwise use simple utilitarian timber posts”.
370. Meridian (228.121 and 228.122) seeks that the Design Guide be amended to include a statement clarifying that it does not apply to renewable electricity generation activities (including renewable electricity generation investigation activities and upgrading of renewable electricity generation activities) in the General Rural Zone.
371. Wellington City Council (266.179) seeks to amend G26, G27, and G28 in the Design Guide to reference natural wetland.
372. McIndoe Urban Ltd [135] submitted that all design guides are amended to provide greater clarity, eliminate repetition, and remove reference to detailed technical requirements. In their submission, McIndoe Urban Ltd sought that the same level of scrutiny and refinement that they provided to the Residential Design Guide and the Centres and Mixed Use Design Guide is applied to all design guides in the plan.

## Assessment

373. I acknowledge the submission points from Te Kamaru Station Ltd Ratings [362.18], Te Marama Ltd [337.14], and Terawhiti Station [411.23] to retain GRUZ-S5 as notified. No further assessment is needed.

374. In relation to the relief sought by GWRC [351.334], I do not consider this is a matter that needs to be addressed given the recommendation below to remove the point system, in keeping with previous decisions made on urban design guides.
375. In relation to the relief sought by GWRC [351.341], I disagree with the relief being sought. I consider that this is a matter best dealt with by the matters of discretion throughout the rural chapter. I do not consider this to be a design matter that the Rural design Guide needs to manage.
376. In relation to M&P Makara Family Trust [159.10], it is unclear what the submitter is referring to as there are no references to 'buildings in centres or central areas' in the Rural Design Guide. In addition, it is unnecessary to use maps and more specific locational wording given the Rural Design Guide applies across the entire rural zone. I recommend this submission point is rejected.
377. In relation to M&P Makara Family Trust [159.11], it is again unclear what the submitter is referring to as there is no such sentence in the Rural Design Guide. Notwithstanding, I consider G24 already adequately captures dealing with roof water and do not consider this amendment is required.
378. In relation to M&P Makara Family Trust [159.12], G43 does not refer to timber posts. Therefore, I consider the relief sought is already achieved. No further discussion or consideration is required.
379. In relation to Meridian [228.121 and 228.122], the Renewable Electricity Generation Chapter already addresses renewable electricity generation activities, noting its exclusion from the Rural Design Guide is not necessary.
380. In relation to Wellington City Council [266.179], I agree with the requested amendment given the distinction in the definitions for natural wetlands and constructed wetlands. The request will also result in consistency with the NPS-FM 2022. I recommend the change is made.
381. In response to McIndoe Urban Limited [135], I agree that the Rural Design Guide should be amended to provide greater clarity and elimination of repetition. Therefore, I recommend that the Rural Design Guide is amended to be consistent with the Residential and Centres and Mixed-Use Design Guide which have been through comprehensive review in previous hearing streams. This includes amending the introduction, removing the point-based system, and amending the guidelines so they are clearer in what they are seeking.

### Summary of recommendations

382. **HS7-GRUZ-Rec96:** That Rural Design Guide is amended as specified in Appendix A.
383. **HS7-GRUZ-Rec97:** That the submission points relating to the Rural Design Guide are accepted/rejected as detailed in Appendix B.

### Section 32AA Evaluation

384. In my opinion, the amendments to the Rural Design Guide are more appropriate in achieving the objectives of the plan than the notified provisions. I consider that:
- a. The proposed amendments will:
    - i. Bring the Rural Design Guide into keeping with the NPS-FM 2022, through reference to specific natural wetlands.

- ii. Result in the Rural Design Guide being consistent with recommendations made in previous hearing streams on design guides. This will ultimately result in a more consistent set of Design Guides throughout the Plan.
  - iii. Result in the Rural Design Guide being clearer in its intent and providing more flexibility as to the guidelines that may be appropriate to specific proposals. This allows an assessment by both an applicant and the council to determine relevance of specific guidelines.
- b. The changes are therefore more efficient and effective than the notified provisions in achieving the objectives of the plan.
  - c. The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions.

## **5.0 Conclusion**

385. This report has provided an assessment of submissions received in relation to the General Rural Zone Chapter and the Rural Design Guide.
386. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the PDP should be amended as set out in Appendix A of this report.
387. For the reasons set out in the Section 32AA evaluation included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
- a. Achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives; and
  - b. Achieve the relevant objectives of the PDP, in respect to the proposed provisions

### **5.1 Recommendations**

388. I recommend that:
- a. The Independent Hearing Panel accept, accept in part, or reject submissions (and associated further submissions) as outlined in Appendix B of this report; and
  - b. The PDP is amended in accordance with the changes recommended in Appendix A of this report.

## **Appendix A: Recommended Amendments to the General Rural Zone, Rural Design Guide and Definitions Nesting Table**

Where I recommend changes in response to submissions, these are shown as follows:

Text recommended to be added to the PDP is underlined.

Text recommended to be deleted from the PDP is ~~struck through~~.

**Appendix B: Recommended Responses to Submissions and Further Submissions on the General Rural Zone and Rural Design Guide**