

**OFFICER'S REPORT FOR:**

**Independent Hearing Commissioners:**

**Trevor Robinson (Chair)**

**David McMahon**

**Mark St Clair**

**Julia Williams**

**SUBJECT:**

**Proposed Porirua District Plan: Rural Zones**

**PREPARED BY:**

**Torrey James McDonnell**

**REPORT DATED:**

**14 April 2022**

**DATE OF HEARING:**

**16 to 27 May 2022**

## Executive Summary

1. This report considers submissions received by Porirua City Council (the Council) in relation to the relevant objectives, policies, rules, definitions and maps of the Proposed Porirua District Plan (PDP) as they apply to the rural zones. The report outlines recommendations in response to the issues that have emerged from these submissions.
2. There were a number of submissions and further submissions received on this topic. The submissions received were diverse and sought a range of outcomes. The following are considered to be the key issues in contention in the chapter:
  - Seeking rezoning to Rural Lifestyle Zone (RLZ);
  - Seeking rezoning to Settlement Zone (SETZ);
  - Educational facilities;
  - Emergency service facilities;
  - Golf courses;
  - Activities adjacent to state highways;
  - Quarrying and mining;
  - Relocated residential units;
  - Rural contractor depots;
  - Amendments sought to definitions;
  - Amendments sought to the introduction;
  - Amendments sought to objectives;
  - Amendments sought to policies;
  - Amendments sought to rules; and
  - Amendments sought to standards.
3. This report addresses each of these key issues, as well as any other issues raised by submissions.
4. This topic is also subject to a number of consequential amendments arising from submissions to the whole of the PDP and other chapters.
5. I have recommended some changes to the PDP provisions to address matters raised in submissions and these are summarised below:
  - a. Rezoning of part of 271 Grays Road from GRUZ to RLZ;
  - b. Rezoning of part of Pikarere Farm from GRUZ to RLZ;
  - c. Adding a definition and new rule to enable rural contracting depots;
  - d. Minor amendments to GRUZ-O2 and GRUZ-O4;
  - e. Minor amendments to GRUZ-P5 and GRUZ-P7;

- f. Adding new rules to provide for community corrections activity in GRUZ, RLZ and SETZ;
  - g. Amendments to RLZ-S4 in relation to setbacks;
  - h. Amendments for GRUZ-S7 and RLZ-S7 in relation to fences and visibility splays; and
  - i. Amendment to SETZ-O2 to reflect cultural sites of significance in the zone's character and amenity values.
6. 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.
7. For the reasons set out in the Section 32AA evaluation and 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.

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## Interpretation

8. Parts A and B of the Officer's reports utilise a number of abbreviations for brevity as set out in Table 1 below:

**Table 1: Abbreviations**

Abbreviation	Means
the Act / the RMA	Resource Management Act 1991
the Council	Porirua City Council
the Operative Plan/ODP	Operative Porirua District Plan 1999
the Proposed Plan/PDP	Proposed Porirua District Plan 2020
GWRC	Greater Wellington Regional Council
NES	National Environmental Standard
NES-AQ	National Environmental Standards for Air Quality 2004
NES-CS	National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
NES-ETA	National Environmental Standards for Electricity Transmission Activities 2009
NES-FW	National Environmental Standards for Freshwater 2020
NES-MA	National Environmental Standards for Marine Aquaculture 2020
NES-PF	National Environmental Standards for Plantation Forestry 2017
NES-SDW	National Environmental Standards for Sources of Drinking Water 2007
NES-TF	National Environmental Standards for Telecommunication Facilities 2016
NPS	National Policy Statement
NPS-ET	National Policy Statement on Electricity Transmission 2008
NPS-FM	National Policy Statement for Freshwater Management 2020
NPS-UD	National Policy Statement on Urban Development 2020
NPS-REG	National Policy Statement for Renewable Electricity Generation 2011
NZCPS	New Zealand Coastal Policy Statement 2010
PNRP	Proposed Wellington Natural Resources Plan (Decisions Version) 2019
RPS	Wellington Regional Policy Statement 2013
RMA-EHS	Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021

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

Abbreviation	Means
Dept of Corrections	Ara Poutama Aotearoa the Department of Corrections
DOC	Department of Conservation Te Papa Atawhai
FENZ	Fire and Emergency New Zealand
Foodstuffs	Foodstuffs North Island Limited
Forest and Bird	Royal Forest and Bird Protection Society
GWRC	Greater Wellington Regional Council
Harvey Norman	Harvey Norman Properties (N.Z.) Limited
Heritage NZ	Heritage New Zealand Pouhere Taonga
House Movers Association	House Movers section of the New Zealand Heavy Haulage Association Inc

Kāinga Ora	Kāinga Ora – Homes and Communities
KiwiRail	KiwiRail Holdings Limited
NZDF	New Zealand Defence Force
Oranga Tamariki	Oranga Tamariki – Ministry of Children
QEII	Queen Elizabeth the Second National Trust
RNZ	Radio New Zealand
Survey+Spatial	Survey+Spatial New Zealand (Wellington Branch)
Telco	Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited
Transpower	Transpower New Zealand Ltd
TROTR	Te Rūnanga o Toa Rangatira
Waka Kotahi	Waka Kotahi NZ Transport Agency
WE	Wellington Electricity Lines Limited
Woolworths	Woolworths New Zealand Limited

In addition, references to submissions includes further submissions, unless otherwise stated.



# 1 Introduction

## 1.1 Purpose

9. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on this topic and the related Strategic Objectives and to recommend possible amendments to the PDP in response to those submissions.
10. This report is prepared under section 42A of the RMA. It considers submissions received by the Council in relation to the relevant strategic objectives, objectives, policies, rules, definitions, and maps as they apply to the rural zones in the PDP. The report outlines recommendations in response to the key issues that have emerged from these submissions.
11. This report discusses general issues, the original and further submissions received following notification of the PDP, makes recommendations as to whether or not those submissions should be accepted or rejected, and concludes with a recommendation for changes to the PDP provisions or maps based on the preceding discussion in the report.
12. The recommendations are informed by the evaluation undertaken by the author. In preparing this report the author has had regard to recommendations made in other related Section 42A reports, including the Section 42A Report - Part B Strategic Directions Rural Environment and UFD-O5 prepared by Gina Sweetman, and the Section 42A Report – Part A Overarching Report that addresses the higher order statutory planning and legal context.
13. This report is provided to assist the Hearings Panel in their role as Independent Commissioners. The Hearings Panel may choose to accept or reject the conclusions and recommendations of this report and may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.
14. This report is intended to be read in conjunction with Officers' Report: Part A – Overarching which contains factual background information, statutory context and administrative matters pertaining to the district plan review and PDP.

## 1.2 Author

15. My name is Torrey James McDonnell. My qualifications and experience are set out in Appendix H of this report.
16. My role in preparing this report is that of an expert planner.
17. I was involved in the preparation of the PDP and authored the Section 32 Evaluation Reports for: Hongoeka and Papakāinga; Open Space and Recreation Zones, Rural Zones; Special Purpose Zone (BRANZ) and Hospital Zone; and the Overview to s32 Evaluation.
18. 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 December 2014. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
19. The scope of my evidence relates to this topic. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.

20. 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.
21. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

### **1.3 Supporting Evidence**

22. 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 includes the following:
  - Statement of evidence of Jamie Whittaker on behalf of Porirua City Council (Traffic);
  - All legislation and documents outlined in the s32 evaluation report; and
  - All submissions and further submissions to the Proposed Porirua District Plan.

### **1.4 Key Issues in Contention**

23. A number of submissions and further submissions were received on the provisions relating this topic. The submissions received were diverse and sought a range of outcomes.
24. I consider the following to be the key issues in contention in the chapter:
  - Seeking rezoning of a property to RLZ;
  - Seeking rezoning of a property to SETZ;
  - Educational facilities;
  - Emergency service facilities;
  - Golf courses;
  - Activities adjacent to state highways;
  - Quarrying and mining;
  - Relocated residential units;
  - Rural contractor depots;
  - Amendments sought to definitions;
  - Amendments sought to the Introduction;
  - Amendments sought to objectives;
  - Amendments sought to policies;
  - Amendments sought to rules; and
  - Amendments sought to standards.

25. I address each of these key issues in this report, as well as any other issues raised by submissions.

### **1.5 Procedural Matters**

26. At the time of writing this report there has not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on this topic.
27. I note that Mr Whittaker has declared in his Statement of Evidence that he has had some involvement with the preparation of a submission on this PDP for the Silverwood Corporation Ltd who are seeking a rezoning from GRUZ to FUZ. I consider that this matter is unrelated to the submissions in which he has provided expert evidence on rural road capacity. None of these roads are in the vicinity of the Silverwood property.

## 2 Statutory Considerations

### 2.1 Resource Management Act 1991

28. The PDP has been prepared in accordance with the RMA and in particular the requirements of:
- section 74 Matters to be considered by a territorial authority; and
  - section 75 Contents of district plans.
29. As set out in the Section 32 Evaluation Report Part 1 - Overview to s32 Evaluation, there are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the PDP. These documents are discussed in detail within the Section 32 Evaluation Report Part 2: Rural Zones. There is further discussion in the Section 32 Evaluation Report Part 1 – Overview to the s32 Evaluation on the approach the Council has taken to giving effect to the NPS-UD and NPS-FM. This is also discussed in the Officer's Report: Part A Overarching Report.
30. I have considered whether the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (RMA-EHS) means that any of the submissions on rural zones need to be considered through the required Variation to give effect to that Act and the NPS-UD. I do not consider that any provisions in these chapters would need to form part of the future Variation, given that the focus of the Amendment Act is on giving effect to the intensification policies 3 and 5 of the NPS-UD in the urban environment and introducing the Medium Density Residential Standards into residential zones.

### 2.2 Section 32AA

31. 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).*

32. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to this topic is contained within the assessment of the relief sought in submissions in section 3 of this report, as required by s32AA(1)(d)(ii).

### **2.3 Trade Competition**

33. Trade competition is not considered relevant to the rural provisions of the PDP.
34. There are no known trade competition issues raised within the submissions.

### 3 Consideration of Submissions and Further Submissions

#### 3.1 Overview

35. There were 175 original submission points made on this topic, and 10 further submission points.

##### 3.1.1 Report Structure

36. Submissions on this topic raised a number of issues which have been grouped into sub-topics within this report. Some of the submissions are addressed under a number of topic headings based on the topics contained in the submission. I have considered substantive commentary on primary submissions contained in further submissions as part of my consideration of the primary submission(s) to which they relate.

37. 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.

38. Due to the number of submission points, this evaluation is generic only and may not contain specific recommendations on each submission point, but instead discusses the issues generally. This approach is consistent with Clause 10(2)(a) of Schedule 1 to the RMA. Specific recommendations on each submission / further submission point are contained in Appendix B.

39. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves. Where I agree with the relief sought and the rationale for that relief, I have noted my agreement, and my recommendation is provided in the summary of submission table in Appendix B. Where I have undertaken further evaluation of the relief sought in a submission, the evaluation and recommendations are set out in the body of this report. I have provided a marked-up version of the Chapter with recommended amendments in response to submissions as Appendix A.

40. 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.

##### 3.1.2 Format for Consideration of Submissions

41. For each identified topic, I have considered the submissions that are seeking changes to the PDP in the following format:

- Matters raised by submitters;
- Assessment;
- Summary of recommendations; and
- Section 32AA evaluation.

42. The recommended amendments to the relevant chapters are set out in Appendix A of this report where all text changes are shown in a consolidated manner.

## 3.2 General Submissions

### 3.2.1 Matters raised by submitters

43. Joy Constance Gray [209.4], Trustees of the Blue Cottage Trust [210.6], Trustees of the Ken Gray No. 1 Family Trust & Ken Gray No. 2 Family Trust [211.7], and Milmac Homes Limited [258.6] seek “further other amendments as considered appropriate and necessary to address the concerns regarding the sustainable management and use” of their properties. These submitters all give the following reason:

*Many of the provisions of the Proposed Porirua District Plan that affect the property:*

- a. are unreasonable given the severe impact they will have on the sustainable management and use of the property; and*
- b. are not the result of adequate analysis and evaluation under s32 and s32AA of the RMA; and*
- c. will not enable social and economic wellbeing through the appropriate use and development of the property; and, therefore*
- d. will not meet the foreseeable needs of future generations.*

### 3.2.2 Assessment

44. These submitters seek this relief in addition to various other matters addressed in other parts of s42A reports, including:
- a. rezoning of all or part of their properties (addressed later in this report);
  - b. amendments to minimum lot sizes (addressed in the Section 42A report for Subdivision);
  - c. removal of various overlays (addressed in various other section 42A reports including Natural Hazards, Coastal Environment, Ecosystems and Indigenous Biodiversity, Natural Features and Landscapes).
45. I am unclear which “further other amendments” are being sought, and the Panel may wish to ask these submitters to address this at the Hearing.
46. I consider that the rural zones provide for the sustainable management of resources, as outlined in sections 10 and 11 of the Section 32 Evaluation Report for Rural Zones, subject to amendments made in response to other submissions and outlined in the s32AA analysis in this report.

### 3.2.3 Summary of recommendations

47. I recommend that the submissions from Joy Constance Gray [209.4], Trustees of the Blue Cottage Trust [210.6], Trustees of the Ken Gray No. 1 Family Trust & Ken Gray No. 2 Family Trust [211.7], and Milmac Homes Limited [258.6] be **rejected**.

### 3.3 Submissions seeking rezoning

#### 3.3.1 Matters raised by submitters

48. Fourteen submitters seek rezoning of their properties from one rural zone to another.
49. Ten submitters are seeking rezoning from GRUZ to RLZ: Glenn Johnston [48.1], Mike & Christine Jacobson [61.3], Arama Rochel [66.1], Pamela Meekings-Stewart [100.2], Judgeford Heights Ltd [200.1], David William Ltd [181.1<sup>1</sup>], Pikarere Farm Limited [183.1], Carolyn Vasta and Carole Reus [230.10], Quest Projects Limited [233.18], and Milmac Homes Limited [258.1].
50. Four seek are seeking rezoning from GRUZ to RLZ or SETZ: Jason Alder [232.1, 232.10, 232.17<sup>2</sup>], Graham and Janet Reidy [234.1, 234.18, 234.19], James Mclaughlan [237.1, 237.18], Anita and Fraser Press [253.1, 253.18, 253.19].

#### 3.3.2 Assessment

51. An assessment of each of these sites is included as Appendix C. For this assessment, I have followed a similar multi-criteria analysis methodology to that used by Land Matters in their 2020 report "Rural Residential Zoning Options" produced for PCC<sup>3</sup>. This assessment divided up Porirua's rural area based on rural road catchments and recommended options for rural zoning. I have revisited the assessment based on any nuances at a site-specific level, as well as incorporating any additional reasoning provided by the submitter. Where the opportunities/constraints in the Land Matters report are relevant at a site-specific level I have relied on this analysis.
52. A key input to Land Matter's 2020 analysis and the Section 32 Evaluation for Rural Zones was a Stantec (2020) Rural Road Assessment report, commissioned by Council. This report assessed the capacity of rural roads in Porirua and the suitability for further rural lifestyle development. The suitability of rural roads is a key constraint on development in the rural area. In short, the extent to which additional development can be accommodated without adversely impacting on the safe and efficient functioning of the rural road network, depends on traffic generation and the condition (level of service) of the roads. My analysis has also been informed by the statement of evidence provided by Jamie Whittaker in regard to rural road capacity.
53. Three submissions seek rezoning along roads with known capacity and safety issues. This includes two sites on Murphys Road (Glenn Johnston [48.1] and Jason Alder [232.1, 232.10, 232.17]), and one on Muri Road (Pamela Meekings-Stewart [100.2]). Stantec (2020) found that both of these roads have insufficient capacity for further rural lifestyle development and have a high infrastructure risk rating. I consider that these submitters have not provided sufficient reasoning or evidence in relation to these roading constraints to support relief sought, and as such I consider that rezoning is inappropriate.

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<sup>1</sup> Submission point 181.1 also requests a rezoning to FUZ on part of the site, this is addressed in the Section 42A Report for the Future Urban Zone

<sup>2</sup> Submission points 232.1, 232.10, 232.17 also requests the site be rezoned to FUZ, this is addressed in the Section 42A Report for the Future Urban Zone

<sup>3</sup> See Table 10 on page 49 of the Land Matters report.



54. In regard to the capacity of Muri Road, I note that the Council is undertaking pre-notification engagement on a Draft Structure Plan to rezone the northern portion of the Northern Growth Area Future Urban Zone for a large residential development. This proposal shows an indicative connection to Muri Road (see Appendix D). I consider that this Draft Structure Plan is not relevant to the rezoning request on Muri Road. This is because the Draft Structure plan is indicative only. More technical work is required to understand how site access should be provided for and what upgrades to road capacity are required. The rezoning will be subject to a variation. The engagement material on Council's website that accompanies the Draft Structure Plan sets out the situation as follows:

*Technical assessments are underway to confirm that the site can be appropriately accessed via connections to State Highway 59 and local roads in Pukerua Bay. Traffic modelling will also confirm whether access arrangements need to be coordinated with future development staging.*

*Through future resource consent processes, access and roading arrangements will be supported by expert assessments that confirm that future land uses do not compromise the safety and efficiency of the existing transport network.*

*While the exact location of future access points is not confirmed at this stage, as part of the plan variation process Council will engage with Waka Kotahi to confirm that feasible access can be provided from State Highway 59.*

55. Technical assessments are underway to confirm that the site can be appropriately accessed via connections to State Highway 59 and local roads in Pukerua Bay. Traffic modelling will also confirm whether access arrangements need to be coordinated with future development staging. Through future resource consent processes, access and roading arrangements will be supported by expert assessments that confirm that future land uses do not compromise the safety and efficiency of the existing transport network. While the exact location of future access points is not confirmed at this stage, as part of the plan variation process Council will engage with Waka Kotahi to confirm that feasible access can be provided from State Highway 59.
56. The submission from Judgeford Heights Ltd seeks rezoning of 346A, 346C & 352 Paremata Haywards Road where the only access would be directly onto State Highway 58. Waka Kotahi oppose this rezoning and consider:

*Waka Kotahi oppose the rezoning of 346A, 346C & 352 Paremata Haywards Road, Judgeford from General Rural Zone to Future Urban Zone and Rural Lifestyle Zone. Any rezoning of land which enables more development than currently provided for must ensure that adverse effects (for example, on the transport network) including cumulative effects, are identified and addressed. The effects upon surrounding transport infrastructure of this rezoning have not been addressed.*

57. In my view, this site is not suitable for rezoning to RLZ due to roading constraints. Waka Kotahi opposes the rezoning, and the submitter has not provided detail on how access to the State Highway will be achieved. I note that Ms Sweetman addresses the submitter's request to partially rezone the western part of the site to FUZ in the Section 42A report - Future Urban Zone. Ms Sweetman recommends that the submission be accepted, as part of the site meets the criteria for rezoning to FUZ. I consider that the access issue differs for the FUZ rezoning request to the RLZ request. The FUZ requires a structure plan for a full upzoning to a live industrial zoning under Appendix 11. This structure plan would demonstrate how suitable

access can be obtained to the site for the intended land use, which may include an internal road network with other sites zoned FUZ rather than direct access to the State Highway.

58. Two submissions seek rezoning of properties off Moonshine Road in Judgeford: Mike & Christine Jacobson [61.3] and Carolyn Vasta and Carole Reus [230.10]. I consider that the zoning on Moonshine Road should remain rural for the same reasons outlined in the Section 32 Evaluation for Rural Zones (App 2):
- potential roading capacity issues as identified by Stantec (2020);
  - significant flooding constraints; and
  - potential for reverse sensitivity issues with the BRANZ facility.
59. The Stantec 2020 report says that for the most part Moonshine Road does not meet required road width, and gives the stretch of road from SH58 to Ahoroa Road a medium-high infrastructure risk rating. However, the report notes that with improvements to the SH58 intersection more capacity for rural residential development is possible. Mr Whittaker provides more detail on road capacity in relation to these submissions in his Statement of Evidence, and considers that the only site that he considers has some potential for suitable road access is 1221 Moonshine Road.
60. One submitter says that there has been little evidence of reverse sensitivity with existing properties, but I consider that intensification of rural lifestyle development would likely increase the risk of future issues.
61. On balance, I consider that the zoning on Moonshine Road should remain GRUZ for the above reasons.
62. Quest Projects Limited seeks rezoning of parts of 243 and 271 Grays Road. On balance, I consider that the extension sought by the submitter to the RLZ is appropriate. The submitter has provided a scheme plan of their proposed subdivision to Council as part of a resource consent the submitter has applied for and is currently being assessed (this consent relates to enabling earthworks rather than the subdivision). This scheme plan demonstrates 2ha lots are achievable with building platforms that are outside areas of flood and fault risk (attached as Appendix F).
63. The associated technical reports including natural hazard risk, earthworks and ecological effects are being reviewed by Council as part of this current resource consent application being processed for the site. I consider there is sufficient detail in the information provided to Council as part of this resource consent application to demonstrate that development of an additional area of RLZ is possible under the PDP, and that it would be consistent with the character and amenity values articulated by RLZ-O2. I therefore consider that rezoning would be appropriate. However, the submitter may wish to provide further information in support of their rezoning request at the hearing.
64. Milmac Homes Limited seeks rezoning of a 162ha property on the hills to the east of Paekākāriki Hill Road as RLZ. I consider that the submitter has not provided sufficient reasoning or evidence that would justify an amendment to zoning to RLZ. This property is very steep, and no evidence has been provided demonstrating how the creation of smaller lots might be possible, including suitable access and building platforms. Over half of the site is within SAL006, the steepness of

the site means that significant earthworks would be required which would likely make it challenging to maintain landscape values.

65. I note that the submitter said in their presentation at Hearing Stream 2 that they were looking at developing 5ha lots. This would be possible as a discretionary activity under GRUZ zoning, so I am unsure why RLZ zoning is being sought.
66. Further, the Stantec 2020 report says that there is some capacity for rural residential growth (200 lots) on Paekākāriki Hill Road, but most of this would be taken up with the proposed RLZ zoning as notified (which could yield up to 172 lots). According to the Report, additional intensification would need further assessment of impacts of increased volumes on Paekākāriki Hill Road. Mr Whittaker considers in his evidence that there is insufficient evidence to support rezoning from a road capacity perspective.
67. Three submissions seek rezoning from GRUZ to SETZ on lower Paekākāriki Hill Road<sup>4</sup>. These properties are subject to high hazard risk from multiple hazards, and I consider that they are unlikely to be able to gain consent to create additional residential units in a high hazard area. They are physically separated from Pāuatahanui Village by Grays Road, and do not have the same role, function or character as the Settlement Zone, nor do they have reticulated wastewater services. I consider that the submitters have not provided sufficient reasoning or evidence that would justify an amendment to zoning.
68. The submission from David William Ltd seeks rezoning of the rear of a 277ha site from GRUZ to RLZ. This part of the site is very steep, and has no existing direct road access, except through farm tracks. Access would need to be gained to State Highway 59. I consider that the submitter has not provided sufficient reasoning or evidence that would justify an amendment to zoning.
69. Pikarere Farm Limited and Arama Rochel seek greater rezoning of RLZ on Pikarere Farm. While I agree that the central and southern portion of the Pikarere Farm site could accommodate further rural residential development (see recommended zone amendments in Appendix E), I consider that the northern portion of the Farm adjacent to the Wastewater Treatment Plant should not be rezoned as RLZ due to potential reverse sensitivity effects. This includes all three sites covered by the submission from Arama Rochel.
70. The Treatment Plant is a critical asset for Porirua, Wellington's northern suburbs, and the growing population of both. I consider that there is insufficient evidence provided by these submitters to demonstrate that the northern portion of the Farm adjacent to the Wastewater Treatment Plant would not be subject to potential reverse sensitivity effects should these sites be rezoned RLZ. The Wastewater Treatment Plant (WWTP) is regionally significant infrastructure, and the submitters have not addressed how this rezoning would be consistent with the objectives and policies of the Infrastructure Chapter, particularly INF-O2:

*The function and operation of Regionally Significant Infrastructure is protected from the adverse effects, including reverse sensitivity effects, of subdivision, use and development.*

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<sup>4</sup> Graham and Janet Reidy [234.1, 234.18, 234.19], James Mclaughlan [237.1, 237.18], Anita and Fraser Press [253.1, 253.18, 253.19].

71. I consider that increasing the number of sensitive activities, particularly residential activities, in close proximity to the WWTP could potentially impact the operation and future upgrades of the WWTP by increasing the likelihood of complaints.
72. I note that odour is one type of potential effect that could cause reverse sensitivity effects, others include visual, lighting and noise effects from either the plant located on site, or vehicle movements on and off the site. Potential future upgrades will include increasing the capacity of the existing plant, but also potentially incorporating new technologies that do not exist at the moment. I also note that complaints could occur even if the treatment plant was operating under consent conditions.
73. Pikarere Farm Limited provided in support of its submission an agreement dated 23 April 1986 relating to the sale of the WWTP Site. The submitter asserts that Council is in legal breach of this agreement by retaining rural zoning adjacent to the site. I am unclear how Council is in breach of this agreement. The agreement appears to constrain the ability of Pikarere Farm to subdivide, not the ability of Council to retain current zoning through a District Plan Review. I do not consider that this agreement intends to, or is able to, constrain decision making on the appropriate zoning of these sites in the PDP. Further, the agreement is nearly 40 years old and could not have anticipated the planning issues that need to be considered today.
74. I also do not agree that the fact that the submitter recently gained consent to undertake a five 5ha lot subdivision next to the WWTP is evidence that it would be acceptable to further subdivide this land without the potential for reverse sensitivity effects. The Planner's Report for this subdivision contains a lengthy analysis of the reverse sensitivity issue in regard to odour. It notes that while there have been no complaints, the odour is detectable on the Farm. The assessment considers that the intensity of odours crossing the WWTP site boundary is low to very low under most conditions but not all. The Report concludes that reverse sensitivity effects could be considered less than minor in relation to this proposal. However, this finding is in relation to the identified building platforms for that specific consent, and I consider that there is no evidence that this finding can be extrapolated to other potential building platforms in close proximity to the WWTP.
75. In summary, I consider that it would be inappropriate to rezone the area adjacent to the WWTP as RLZ. I consider that the area on the central/southern portion of Pikarere Farm could accommodate further rural lifestyle development as noted above (and outlined in Appendix E). I consider that rezoning this portion of the site would be consistent with the character and amenity values articulated by RLZ-O2.

### **3.3.3 Summary of recommendations**

76. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** the RLZ boundary as outlined in Appendix E.
77. I recommend for the reasons given in this assessment that the submission from Quest Projects Limited [233.18] be **accepted**.
78. I recommend that the submission from Pikarere Farm Limited [183.1] be **accepted in part**.
79. I recommend that the submissions from Glenn Johnston [48.1], Mike & Christine Jacobson [61.3], Arama Rochel [66.1], Pamela Meekings-Stewart [100.2], David William Ltd [181.1],

Judgeford Heights Ltd [200.1], Jason Alder [232.1, 232.10, 232.17], Carolyn Vasta and Carole Reus [230.10], Graham and Janet Reidy [234.1, 234.18, 234.19], James Mclaughlan [237.1, 237.18], Anita and Fraser Press [253.1, 253.18, 253.19], Milmac Homes Limited [258.1] be rejected.

80. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

### 3.4 Educational facilities

#### 3.4.1 Matters raised by submitters

81. The Ministry of Education [134.24, 134.25] seek that rules GRUZ-R12 and RLZ-R12 relating to educational facilities escalate to discretionary activity status rather than non-complying. The submitter:

*Acknowledges that the primary purpose of the Rural Zone is to provide for rural residential and primary production activities. Notes that the intent of this rule is to provide for small scale home-based childcare. Concerned the non-complying activity status upon non-compliance with the permitted standards which no Ministry managed site would comply with. Currently no schools within the Rural Lifestyle Zone. In future there may be a functional need to locate Educational Facilities in this zone in certain instances. Seeks that the non-complying activity status is changed to discretionary.*

#### 3.4.2 Assessment

82. I do not consider that these activities are appropriate in the GRUZ or RLZ except for in exceptional circumstances. As such, I consider that a non-complying activity status is appropriate. In Porirua, I consider that these activities should be directed toward the urban environment where the infrastructure exists to accommodate them, particularly as these are likely high traffic generating activities.
83. I also note that the activity as defined in the PDP is broader than those facilities operated by the Ministry of Education and includes privately run commercial educational facilities such as child care centres.
84. I do not agree with the reasoning provided by the submitter that schools have a 'functional need' to locate in rural zones, functional need is defined as:

*means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.*

85. Educational facilities can occur in other environments, including the urban environment where this activity is provided for through relevant zone rules (GRZ-R9 and MRZ-R10 for example).

### 3.4.3 Summary of recommendations

86. I recommend for the reasons given in this assessment that the submission from the Ministry of Education [134.24, 134.25] be **rejected**.

## 3.5 Emergency service facilities

### 3.5.1 Matters raised by submitters

87. FENZ [119.2] seeks that the PDP clearly provides for firefighter training activities throughout the district.
88. FENZ [119.60, 119.62] seek that GRUZ-S1, RLZ-S1 and SETZ-S1 are amended to exempt emergency service facilities from the height standard and allow for hose drying towers to be up to 15m in height as a permitted activity. The submitter considers:

*Single-story fire stations are generally a height of 8-9m. In some cases fire stations will have hose drying towers up to 15m. Seeks that the Plan accommodate this height requirement by including an exemption for fire station buildings and associated structures, which provides for the health and safety of the community through enabling the efficient functioning of FENZ.*

### 3.5.2 Assessment

89. I consider that these zones do clearly provide for emergency service facilities, and therefore ancillary activities such as firefighter training activities, through a restricted discretionary activity status. I therefore agree with the submitter on this point. I note that the district-wide chapter TEMP - Temporary Activities would be relevant to firefighter training activities that are intended to have a limited duration and incidence, such as training activities that may take place off-site from a permanent emergency service facility.
90. The permitted height standard proposed in all three rural zones is 10m. A 15m tower would be half again as tall as this standard. The other exemptions listed in the notified standards are for minor exceedances of about a metre for small structures attached to buildings such as antennae and satellite dishes, or for small protrusions such as chimneys and flues. I consider a 15m building or structure would likely have an impact on rural character and amenity, so I consider it is appropriate that it is considered through a restricted discretionary activity consent.
91. The submitter also seeks an exemption for emergency service facilities themselves. I consider this is inappropriate for the reasons outlined above, especially as this exemption is proposed to be unlimited in scale. I note that the submitter says that single storey fire stations are typically 8-9 m, and this is less than the permitted height standard of 10m in all rural zones. A multi-storey building would likely trigger a restricted discretionary activity consent which I consider is appropriate as discussed above.

### 3.5.3 Summary of recommendations

92. I recommend for the reasons given in this assessment that the submission from FENZ [119.2] be **accepted**.

93. I recommend that the submission from FENZ [119.60. 119.62] be **rejected**.

### 3.6 Golf Courses

#### 3.6.1 Matters raised by submitters

94. G and Jo Ltd [228.2] seek that entertainment and hospitality activities be a discretionary activity in the RLZ. The submitter considers:

*Entertainment and hospitality activity is to be categorized as non-complying. On the face of it this means that golf courses, ancillary amenities and their facilities necessary to support the use of outdoor, active amenities, will not comply. Interpreted to the letter this means both the Pauatahanui and Judgeford Golf courses for instance will not comply as their viability is critically dependent upon their social and hospitality facilities.*

95. G and Jo Ltd [228.3] consider that the PDP should permit existing recreational uses and associated existing facilities. The submitter considers:

*It is inappropriate that the longstanding recreational use of the land and facilities is not recognised and provided for as a permitted activity. Permitted activity status for recreational activities on the land plus associated ancillary buildings (e.g. clubhouse) is appropriate in view of the significant positive socio-economic effects as well as the substantial scale of capital investment and ongoing operations and maintenance expenditure required.*

*It is inappropriate that the use of the land for recreational activities and ancillary facilities is exposed to the risks associated with having to operate under the limitations of existing use rights under the RMA.*

96. G and Jo Ltd [228.1] seek that the future development and use of walking and cycle trails should be anticipated and provided for as a permitted activity.

#### 3.6.2 Assessment

97. Golf courses and ancillary activities are a discretionary activity under RLZ-R23. An entertainment and hospitality activity that is ancillary to a golf course is therefore already a discretionary activity as sought by the submitter.
98. I consider that entertainment and hospitality activity that is not ancillary to a golf course would likely be inconsistent with the role and function of the rural zones. As outlined in Appendix 1 of the Section 32 Evaluation for Rural Zones, enabling entertainment and hospitality activities in rural zones would potentially compromise the city and local centres hierarchy set out in the strategic objectives. They would also be potentially high traffic generating activities and there is very little capacity on rural roads. For these reasons, I consider that they should be non-complying activities.
99. I do not agree that existing uses need to be provided for as permitted activities. Golf courses and ancillary activities are not necessarily consistent with the purpose, character and amenity values of the RLZ zone (residential living in a rural environment). I consider a discretionary

activity status is appropriate so that new proposals can be managed through a resource consent process to ensure adverse effects can be addressed. Under s10 of the RMA, any lawfully established activity can continue to operate at the same character, intensity and scale if a rule in a Plan changes. The existing activities will be able to continue to operate with the Rural Lifestyle zoning, albeit any proposed increase in character, intensity or scale would require a resource consent.

100. Creating walking and cycle trails would be permitted in any zone outside overlays as long as they met zone-based permitted activity standards for buildings and structures, and district-wide earthworks standards in the EW – Earthworks chapter (public walking tracks are covered by the Infrastructure Chapter).

### **3.6.3 Summary of recommendations**

101. I recommend for the reasons given in the assessment that the submission from G and Jo Ltd [228.1] be **accepted**.
102. I recommend that the submission from G and Jo Ltd [228.2, 228.3] be **rejected**.

## **3.7 Activities adjacent to state highways**

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

103. Waka Kotahi [82.254, 82.257, 82.267] seeks that visitor accommodation and minor residential units not be permitted activities in either the GRUZ or RLZ where a site has direct access to a state highway.
104. Waka Kotahi [82.268] supports a restricted discretionary activity status for any home business that does not comply with the permitted activity status under RLZ-R10. However, the submitter considers that the matters to which Council's discretion is restricted to does not address adverse effects upon the safe, effective and efficient operation of the transport network. The submitter seeks that their submission point on RLZ-P4 be adopted to include an additional criterion related to the "safe, effective and efficient operation of the transport network".
105. The Aggregate and Quarry Association [104.12] is concerned about the increased reverse sensitivity issues that arise with visitor accommodation in a rural zone "especially if the cap is lifted and there is an opportunity for growth".

### **3.7.2 Assessment**

106. The scale of the visitor accommodation is limited by the permitted activity threshold of a maximum number of 10 people per night within residential units, minor residential units or accessory buildings. The activity is also intermittent in nature. The scale of minor residential units is limited to 60m<sup>2</sup> off a shared driveway.
107. I consider that with these permitted activity thresholds, the economic and social benefits of providing for home-based business and minor residential units outweigh what would be an imperceptible impact on the capacity of state highways. The safety of the state highway



network should not be compromised provided the vehicle crossing was legally constructed to district plan standards.

108. I do not consider that RLZ-P4 needs to be amended to include an additional criterion related to the transport network. This is addressed in more detail in section 3.11.3 of the Infrastructure Section 42A Report, which I agree with. Mr Smeaton considers that no changes to RLZ-P4 are necessary “as the safety and efficiency of the transport network is already addressed by relevant objectives and policies in the INF- Infrastructure and TR – Transport chapters”. The Infrastructure Chapter requires different standards for vehicle crossings based on vehicle movements under INF-R23, and the Transport Chapter addresses high trip generating activities under TR-R5. INF-P14 and TR-P1 provide policy guidance as a matter of discretion for non-compliance with these rules which addresses the effects on the transport network.
109. In regard to the submission from the Aggregate and Quarry Association, no submitters have sought an increase in the cap for maximum number of guests per night. I consider that the provisions as notified, including the threshold for visitors, is appropriate as outlined in the Section 32 Evaluation<sup>5</sup> for this topic.

### **3.7.3 Summary of recommendations**

110. I recommend for the reason given in the assessment that the submissions from Waka Kotahi [82.254, 82.257, 82.267, 82.268] and Aggregate and Quarry Association [104.12] be **rejected**.

## **3.8 Quarrying and mining**

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

111. In relation to GRUZ-P5, Stephen Smith [1.1], Nadine Steffens [14.1], Jennifer Blake [17.1], Magdalena Conradie [45.1], John Hungerford [76.5], Sandra Johnston [89.1], Derek and Kristine Thompson [90.2], Graham Twist [93.2], and Victoria and Nick Coad [162.5] seek:
- a. Insert the following objectives and provisions from the Operative District Plan: Objective C11.1, Policies C11.1.1, C11.1.2, C11.2.2.
  - b. The policy should contain specifications around the blast values to be expected within 500 metres of a new quarry activity and that a new quarry activity should not be consented where there are consented, occupied dwellings within 500 metres of a new or any quarry activity.
  - c. Remove the provision for new quarry activities.
  - d. Amend current provisions to ensure a strictly adhered to policy regarding, noise and vibration nuisance and distance from properties as discussed.
  - e. Amend GRUZ-P5 with policies specific to nuisance values such as vibration and noise.

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<sup>5</sup> Sections 5.2.4 and 11.3

112. These submitters consider that the policy is inadequate in its intention to protect residents closer to proposed new quarry activities and it is inconsistent with current ODP provisions.
113. The Gwynn Family Trust [12.2] also seeks that GRUZ-P5 be amended to "provide 500m separation from existing dwellings and add specific requirements on noise, vehicle numbers, noise, vibration etc such that specific measures must be met and adhered to." The submitter considers that quarrying activities are not well enough restricted to protect the environment and the residents.
114. Tiaki and Amanda Pritchard [220.1] seek that:
- Quarrying/mining/extraction to be changed for Lot 14 and Lot 16 DP 88001 to 'non-complying' activities, due to its location within the Taupo Swamp catchment (an outstanding natural wetlands). Specifically, Wairaka Farm.*
- Work should be done between PCC and Government to purchase this specific parcel of land, and retire it into a public reserve for future generations to enjoy.*
115. The submitters consider that:
- The proposed district plan identifies GRUZ as areas suitable for quarrying/extraction/mining activities, with those protected under Significant, or Outstanding status, given some slight protection, making these discretionary activities.*
- The only way it can be guaranteed that Outstanding Natural Areas, and Special Amenity Landscapes are preserved for future generations, is to designate certain activities prohibited – not-allowed.*
116. Lyle and Tracey Davies [10.2] seek that mining and quarrying activities be deemed prohibited activities. The submitters consider that irrespective of zoning, quarry and mining activities should not be permitted in the Judgeford Area, particularly so close to established residential dwellings and SNAs. They raise concerns about amenity values, safety and traffic concerns, and ineffective Council management of large-scale mining operations.
117. Lyle and Tracey Davies [10.5] seek that:
- Council should urgently develop and publicly consult on a policy to ensure that no other Porirua residents are subjected to similar experience of mining activities being established so close to their dwellings. Other inappropriate activities – such as industrial activities – should also be prohibited.*
118. The Judgeford Environmental Protection Society Incorporated [246.3] seeks:
- Provide protective measures in the District Plan, preferably by prohibiting all large-scale mining and extraction activities in Judgeford
  - Ensure that the revised District Plan contains objectives, policies, and methods to control the effects of quarrying
  - Develop a mining and extraction policy that will provide transparency and accountability in Council decision making in future.
  - Mining and quarrying activities should be prohibited activities in Judgeford.

119. Aggregate and Quarry Association [104.8] in general supports new quarrying activities or mining activity in the General Rural Zone where a number of conditions can be demonstrated. The submitter seeks amendments to GRUZ-P5 criteria 4 and 5 so “there is the ability to remedy, mitigate, offset or compensate adverse effects”.
120. Fulton Hogan [262.6] seeks general relief that the PDP appropriately and better provides for the long term use and development of aggregate resources, and considers that this will require:
- the identification and zoning of sites appropriate for the development of aggregate resources within the region
  - development of an appropriate objective, policy and rule framework to enable the use and development of those resources
  - an appropriate assessment criterion to allow the effects of primary production activities (such as quarrying and mining) to be appropriately managed, recognising that not all effects of quarrying and mining activities can be internalised.
121. Fulton Hogan [262.28] seeks various changes to GRUZ-P5 as follows:
- Provide for new or expanded quarrying activities or mining activity in the General Rural Zone where it can be demonstrated that:*
- 1. The siting and scale of buildings and visual screening of buildings maintains the character and amenity values of the Zone;*
  - 2. There are measures to minimise any adverse noise, vibration, access and lighting effects, recognising that some offsite effects may occur;*
  - 3. There are measures to minimise any adverse effects on character and amenity values of the Zone from the movement of vehicles on the site;*
  - 4. Areas of indigenous vegetation are retained where practicable and where doing so will not compromise the effective and efficient extraction of aggregate;*
  - 5. It avoids or mitigates any adverse effects on waterbodies and their margins; and*
  - 6. It internalises adverse environmental effects as far as practicable using industry best practice and management plans, including monitoring and self-reporting.*
122. Fulton Hogan [262.29] also seeks changes to GRUZ-P6 as follows:
- Require any new quarrying activities or mining activities and changes of use on existing quarry sites to require the development of a management plan 5 years prior to the completion of quarrying or mining activities, to demonstrate how the site will be rehabilitated, having particular regard to: ...*
123. The submitter supports provision for site rehabilitation but seeks “clarity that this does not need to occur/be agreed at the outset of the project, but should include conditions requiring these matters to be addressed towards the end of the quarrying activity which is standard practice.”

### 3.8.2 Assessment

124. The ODP provisions requested to be included in the PDP by various submitters are included in Appendix G. These provisions are from the ODP's Noise Chapter which contains an objective (C11.1), two policies (C11.1.1 and C11.1.2) and two environmental outcomes anticipated (C11.2.1 and C11.2.2, of which the submitters seek the latter be included in the PDP).
125. I note that the relevant noise rules and standards sit within their relevant zones within the ODP. Whereas in the PDP the noise rules sit in the Noise Chapter and the noise standards sit in APP1.
126. I consider that the PDP is not too dissimilar from the ODP in relation to the overall policy framework related to noise. Both seek to minimise the adverse effects of noise, including on the residents and the character and amenity values of the relevant zone. There is significant overlap in terms of the provisions requested by the submitters and the PDP, particularly with GRUZ-O2, GRUZ-P5, NOISE-O1, NOISE-P1 and NOISE-P2.
127. For example, Objective C11.1 "minimise the adverse effect of noise on the environment" is broadly similar to matters set out in GRUZ-P5, NOISE-P1 and NOISE-P2 that seek to minimise adverse noise effects. I consider that this matter is best dealt with as a policy than an objective, as it is an action to achieve an objective rather than an objective in itself. In my opinion, GRUZ-O2 and NOISE-O1 are better objectives than C11.1 as they state the desired character and amenity values of the zone and environmental outcome sought for noise respectively. Other overlaps include:
- Policy C11.1.1 is similar to GRUZ-O2, NOISE-O1 and NOISE-P2 as it seeks to protect amenity values of the zone from adverse effects of excessive noise;
  - Policy C11.1.2 is similar to NOISE-P1-2 and NOISE-P2-10 as it seeks to protect public health from excessive noise; and
  - C11.2.2 is an anticipated environmental outcome that residents and the environment are protected from intrusive noise including increased background noise levels. GRUZ-O2 and NOISE-O1 both seek a similar outcome.
128. In summary, I do not consider that adding the objectives and policies as requested by the submitters is necessary as the resource management issue is well addressed by provisions in both the GRUZ and NOISE chapters.
129. I do not consider that it is appropriate to apply a 500m setback through the policy to new quarrying activities. New quarries are a restricted discretionary activity under GRUZ-R19. Under the matters in GRUZ-P5 which form matters of discretion for GRUZ-R19, there is scope to require a range of mitigations to address the effects of a quarrying activity. These mitigations may include requiring setbacks for various aspects of quarrying activities from existing residential units. Further, these setbacks may need to be larger than 500m depending on the scale and location of the activity be addressed.
130. I consider that GRUZ-P5 already has a policy guidance specific to vibration and noise under criterion 2: "2. There are measures to minimise any adverse noise, vibration, access and lighting effects;...". otherwise I am unsure what the submitters mean by the relief sought: "Amend current provision to ensure a strictly adhered to policy regarding, noise and vibration nuisance and distance from properties as discussed." I consider that GRUZ-P5 seeks to manage

relevant potential adverse effects, but the Panel may wish to clarify this submission point further with the submitters at the hearing.

131. Finally, the submitters seek to remove provision for new quarries in the PDP. This relief is also sought by Lyle and Tracy Davies and the Judgeford Environmental Protection Society Incorporated. I consider that it is important that the PDP provides for new quarries. I disagree for the reasons outlined in the Section 32 Evaluation:

- The National Planning Standards have clearly defined that the purpose of a rural zone is to provide for primary production activities, and this lists quarrying and mining as a primary production activity (Section 5.2.1);
- Mineral extraction and processing provide jobs, as well as the raw materials needed for urban development and infrastructure (Section 5.3);
- Porirua's mineral resources are located in the Open Space Zone and the rural zones. These activities are best located in the General Rural Zone due to the ability to mitigate nuisance type effects with larger buffer distances from sensitive activities due to site size and layout (Section 5.3).

132. Further, I consider providing for quarrying in the PDP is consistent with Objective 31 of the RPS:

*The demand for mineral resources is met from resources located in close proximity to the areas of demand.*

133. In regard to the various changes sought by Fulton Hogan to GRUZ-P5, I agree with several of the changes sought. I agree that the intent of the policy is that it applies to both expanded as well as new quarrying activities. I also agree with the removal of criterion 5 for the reason given by the submitter, that this is a regional council function. While District Plans do have the ability to regulate impacts on the margins of waterbodies, I consider that this is now appropriately and adequately addressed by the NES-FW.

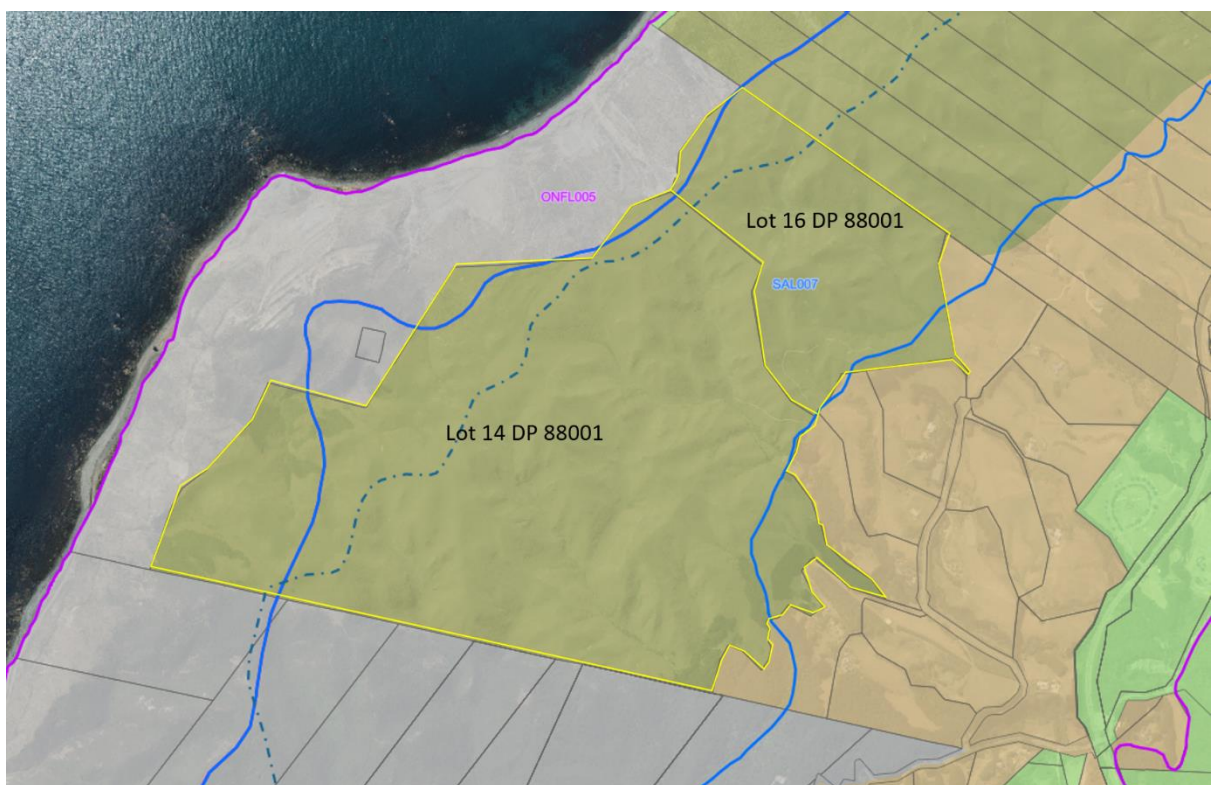
134. However, I do not agree with the other changes sought. The policy intent of criterion 1 is that the visual screening applies to all aspects of quarrying including the quarry itself, not just buildings. I consider that the wording of the criterion be amended to clarify this. In my view, the addition sought "2. There are measures to minimise any adverse noise, vibration, access and lighting effects, recognising that some offsite effects may occur" is unnecessary, as this is implicit in the policy approach to 'minimise' rather than 'avoid'. Likewise, the addition sought "4. Areas of indigenous vegetation are retained where practicable and where doing so will not compromise the effective and efficient extraction of aggregate", the qualifier where practicable already indicates that there are circumstances where this may be impractical.

135. I also do not agree with the amendment sought: "There are measures to minimise any adverse effects on character and amenity values of the Zone from the movement of vehicles on the site". I see this as a significant change, which runs contrary to the policy intent and GRUZ-O2 which seeks to maintain the character and amenity values of the Zone, not just the site where the activity is taking place.

136. The Aggregate and Quarry Association seeks amendments to criteria 4 and 5. I consider that the requested amendments to criterion 5 are unnecessary as it should be deleted as outlined above. The changes sought by the submitter to criterion 4 to apply the effects management hierarchy ("remedy, mitigate, offset or compensate") would effectively require the same level of

protection to that of a SNA under ECO-P2. It is therefore a much higher regulatory bar than 'retain where practicable', and I consider that this is not appropriate for vegetation that has not been identified as significant.

137. I consider that the changes sought to GRUZ-P6 by Fulton Hogan to delay the rehabilitation planning to five years prior to completion of a quarrying activity are not necessary. Quarry operators may not necessarily seek consent for an operating period that long depending on the local market for the aggregate. The Willowbank Quarry for instance only initially sought an 18-month consent to supply aggregate to the Transmission Gully project. I consider that placing a timebound requirement for a rehabilitation plan could be done through a condition of consent under GRUZ-P6 if appropriate, and this may be lesser, or greater than five years.
138. Figure 1 below shows the sites where Tiaki and Amanda Pritchard [220.1] seek that quarrying, mining and extraction be a non-complying activity.



**Figure 1: Locations of sites referred to by Tiaki and Amanda Pritchard [220.1] (highlighted in yellow)**

139. These sites are almost completely covered by the SAL 007 - Hongoeka/Wairaka. The western ends of both sites are partially within the Inland Extent of the Coastal Environment and ONFL 005 – Te Rewarewa. Therefore, within these sites quarrying and mining activities would be a:
- Restricted discretionary activity as a starting point under GRUZ-R19 and GRUZ-R20;
  - Discretionary activity within the coastal environment (CE-R15);
  - Discretionary activity within a SAL (NFL-R9); and
  - Non-complying within an ONFL (NFL-R11).

140. I consider that the above policy framework will appropriately manage any potential adverse effects of these activities within the bounds of the PDP's functions under the RMA. However, the submitter seeks this relief due to their location within the Taupō Swamp catchment. As outlined in section 3.8 of the Section 42A Report for Ecosystems and Indigenous Biodiversity, the NES-FW and PNRP address the effects of activities on waterbodies such as Taupō Swamp as a receiving environment. For example, Chapter 5 of the PNRP manages discharges to land where they may enter water.
141. In regard to the relief sought by Judgeford Environmental Protection Society Incorporated, I disagree with the prohibition of large-scale mining and extraction activities in Judgeford for the reasons listed in the above paragraphs. The use of a prohibited activity status needs to be supported by a robust evidence base and a s32 evaluation to justify it, the submitter has not provided any such evidence/evaluation to justify this activity status. I agree that the PDP should contain objectives, policies, and methods to control the effects of quarrying, and consider that the PDP does this subject to the amendments recommended in Appendix A.
142. Like Lyle and Tracey Davies [10.5], the submitter seeks a Council policy on mining and extraction policy. I assume the submitters are seeking an additional policy or strategy that sits outside the PDP. Fulton Hogan also seeks identification of sites appropriate for the development of aggregate resources. I consider that the relief sought by these submitters sits outside the scope of the PDP, but is potentially something that Council could consider at a regional level as part of a spatial strategy. As outlined above, mining and quarrying is critical to provide for urban growth and having local sources of materials can reduce reliance on other regions and associated transport costs and emissions.

### 3.8.3 Summary of recommendations

143. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend GRUZ-P5** as outlined below and in Appendix A:

GRUZ-P5	Quarrying activities and mining
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Provide for new quarrying activities or mining activity in the General Rural Zone where it can be demonstrated that:

1. The ~~siting, and~~ scale ~~of buildings~~ and visual screening ~~of these activities~~ maintains the character and amenity values of the Zone;
2. There are measures to minimise any adverse noise, vibration, access and lighting ~~effects;~~
3. There are measures to minimise any adverse effects on character and amenity values of the Zone from the movement of ~~vehicles;~~
4. Areas of indigenous vegetation are retained where practicable; ~~and~~
- ~~5. It avoids or mitigates any adverse effects on waterbodies and their margins; and<sup>12</sup>~~
- ~~5. It internalises~~ adverse environmental effects as far as practicable using industry best practice and management plans, including monitoring and self-reporting.

144. I recommend that the submission from The Judgeford Environmental Protection Society Incorporated [246.3] and Fulton Hogan [262.6, 262.28] be **accepted in part**.
145. I recommend that the submissions from Stephen Smith [1.1], Lyle and Tracey Davies [10.2, 10.5], Gwynn Family Trust [12.2], Nadine Steffens [14.1], Jennifer Blake [17.1], Magdalena Conradie [45.1], John Hungerford [76.5], Sandra Johnston [89.1], Derek and Kristine Thompson [90.2], Graham Twist [93.2], Aggregate and Quarry Association [104.8], Victoria and Nick Coad [162.5], Tiaki and Amanda Pritchard [220.1] and Fulton Hogan [262.29] be **rejected**.

### **3.8.3.1 Section 32AA evaluation**

146. In my opinion, the amendments recommended to GRUZ-P5 are more appropriate in terms of achieving the objectives of the PDP than the notified provisions.
147. I consider that the amendments better articulate the policy intent and remove duplication with regards to the management of waterways. This will reduce potential costs related to regulatory uncertainty. The recommended amendments are therefore more efficient than the notified provisions, as there are more benefits without any identified costs.
148. Therefore, the amended provisions are more efficient and effective than the notified provisions in achieving the objectives of the PDP.

## **3.9 Separation of primary production and quarrying**

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

149. Lyle and Tracey Davies [10.6] and Judgeford Environmental Protection Society Incorporated [246.7] seek that if rural zoning is retained in the Judgeford Flats area, the definition of primary production must be amended so as to exclude all broad scale mining / quarrying activities (and any other inappropriate activities) that will have an adverse effect on the amenity and enjoyment of the area.
150. Aggregate and Quarry Association [104.11] does not agree with the separate treatment of quarrying activities from the rest of primary production activities. No reason is given by the submitter for this relief sought.

### **3.9.2 Assessment**

151. The definition of primary production is set by the National Planning Standards, and as such it cannot be amended.
152. However, the PDP seeks to separate the activities of quarrying and mining from other primary production activities in terms of policy approach and activity status. This is because mining and quarrying activities have a range of potential adverse effects that are disproportionately greater than others that fall under the definition such as animal grazing or horticulture. For the same reason, intensive primary production and rural industry were excluded from permitted activity rules for primary production activities in rural zones.

### **3.9.3 Summary of recommendations**

153. I recommend for the reasons given in the assessment that the submission from Lyle and Tracey Davies [10.6] and Judgeford Environmental Protection Society Incorporated [246.7] be **accepted in part**.
154. I recommend that the submission from the Aggregate and Quarry Association [104.11] be **rejected**.



### 3.10 Relocated residential units

#### 3.10.1 Matters raised by submitters

155. House Movers Association [167.4, 167.5, 167.6] seeks addition of new provisions to provide for relocation, removal, and re-siting of dwellings as a permitted activity. The submitter considers that there is no real difference in effect and amenity value terms between the in situ construction of a new dwelling and relocation of a second-hand dwelling, subject to appropriate permitted activity performance standards.

#### 3.10.2 Assessment

156. This activity is covered by the definition of the term 'Construction activity'. Construction activity is a permitted activity in all zones, and as such new provisions are not needed. This issue is addressed more substantially in the Section 42A Report for Definitions s42A (see section 3.3).

#### 3.10.3 Summary of recommendations

157. I recommend for the reasons given in the assessment that the submission from House Movers Association [167.4, 167.5, 167.6] be **rejected**.

### 3.11 Rural contractor depots

#### 3.11.1 Matters raised by submitters

158. Rural Contractors New Zealand Inc [179.2, 179.3] seeks amendments to make rural contractor depots a permitted activity. The submitter considers:

*The definition of "rural industry" would include a rural contractor depot. A restricted discretionary activity resource consent would be required for a rural contractor depot in the General Rural Zone under Rule GRUZ-R18 regardless of scale and associated environmental effects. In many cases, small-scale rural contractor depots are established as a logical business extension of an existing farming operation for seasonal work. Seeks a new rule in the General Rural Zone permitting small-scale rural contractor depots (with a consequential amendment to Rule GRUZ-R18) consistent with other District Plans.*

159. The submitter proposes GRUZ-R18 excludes rural contractor depots, and seeks a new permitted activity rule as follows:

#### **GRUZ-R15A Rural contractor depot**

##### 1. Activity status: Permitted

##### Where:

- a. The maximum number of staff is five (other than persons living on the site)  
b. The rural contractor depot (including associated vehicle access, parking and manoeuvring areas) is located at least 50m from an existing noise-sensitive activity or place of worship on a site under separate ownership.

2. Activity status: Restricted discretionary

Where:

a. Compliance is not achieved with GRUZR15A. a or GRUZ-R15A.b.

Matters of discretion are restricted to:

2. The matters in GRUZ-P4.

160. The submitter seeks a new definition for 'Rural contractor depot' as follows:

*The land and buildings used for the purposes of storing or maintaining machinery, equipment and associated goods and supplies associated with a rural contracting business that directly supports, services or is dependent on primary production.*

### **3.11.2 Assessment**

161. I consider that the activity as defined by the submitter would be appropriate as a permitted activity subject to a threshold for on-site staff.
162. The activity is consistent with the role and function of the GRUZ and aligns with GRUZ-O1: "The General Rural Zone is used primarily for primary production, activities that support primary production, and other activities that require a rural location." (my emphasis).
163. The range of effects for the activity as defined by the submitter is less than other rural industry such as dairy processing plants or sawmills and timber treatment plants. The definition proposed limits the activity to storage and maintenance of goods and supplies for contracting. Having a limit on staff numbers on site would ensure that any large operations would need resource consent. I consider that GRUZ-P4 provides appropriate matters of discretion. Further, a depot would need to comply with NOISE-R1 and associated permitted noise standards.
164. I do not consider consequential amendments are required to policies. This activity would be an appropriate activity under GRUZ-P1.

### **3.11.3 Summary of recommendations**

165. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Add** a new definition for 'Rural contractor depot' as outlined below and in Appendix A;
  - b. **Add** a new rule GRUZ-R16 as outlined below and in Appendix A:

**GRUZ-R16 Rural contractor depot<sup>15</sup>****1. Activity status: Permitted****Where:**

- a. The maximum number of staff is five (other than persons living on the site).

**2. Activity status: Restricted discretionary****Where:**

- a. Compliance is not achieved with GRUZ-R16 a.

**Matters of discretion are restricted to:**

1. The matters in GRUZ-P4.

- c. **Amend** the rule title of GRUZ-R18 as outlined below and in Appendix A;

**GRUZ-R1918 Rural industry excluding rural contractor depots<sup>16</sup>****1. Activity status: Restricted discretionary****Matters of discretion are restricted to:**

1. The matters in GRUZ-P4.

166. I recommend that the submission from Rural Contractors New Zealand Inc [179.1, 179.3] be **accepted**.
167. I recommend that the submission from Rural Contractors New Zealand Inc [179.2] be **accepted in part**.

### 3.12 Objectives

#### 3.12.1 SETZ-O2 - Character and amenity values of the Settlement Zone

#### 3.12.2 Matters raised by submitters

168. TROTR [264.110] seeks SETZ-O2 be amended as follows:

*The predominant character and amenity values of the Settlement Zone are maintained, which include:*

1. A strong presence of historic heritage buildings and sites of significance to tangata whenua including wāhi tapu and wāhi tupuna.

#### 3.12.3 Assessment

169. I agree with the requested amendment to SET-O2 as Pāuatahanui Village has both heritage sites and sites of significance to Māori that are an important part of the character of the Zone.

170. Pāuatahanui Village has a long history of Māori occupation. Being a sheltered coastal site there are various pre and post European archaeological sites including midden and terraces. There is also a particularly significant site identified in SCHED6 as SASM-020 Matai-taua Pā. This was a Ngāti Ira pa, and later a fighting pa built by Te Rauparaha during battles with colonial forces in the 1840s.

### 3.12.4 Summary of recommendations

171. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. Amend SETZ-O2 as outlined below and in Appendix A:

SETZ-O2	Character and amenity values of the Settlement Zone
	<p>The predominant character and amenity values of the Settlement Zone are maintained, which include:</p> <ol style="list-style-type: none"> <li>1. A village centre consisting of a cluster of businesses including entertainment and <u>hospitality</u>;</li> <li>2. A low-density residential built form on the lower-lying flats near the Pāuatahanui Inlet <u>foreshore</u>;</li> <li>3. A village surrounded by residential lifestyle and animal grazing on the higher land surrounding the Pāuatahanui Village <u>centre</u>;</li> <li>4. A strong presence of historic heritage buildings and sites and <u>sites of significance to tangata whenua including wāhi tapu and wāhi tupuna<sup>20</sup></u>; and</li> <li>5. A <u>harbour-side</u> setting with high natural values in the Pāuatahanui Wildlife Refuge, and accessibility to valued recreation areas.</li> </ol>

172. I recommend that the submission from TROTR [264.110] be **accepted**.

### 3.12.5 Section 32AA evaluation

173. In my opinion, the amendments to SETZ-O2 are more appropriate in achieving the purpose of the RMA than the notified objective. In particular, I consider that the amendments better reflect the historic and cultural values that contribute to the character of the Zone. Consequently, it is more appropriate than the notified objective in achieving the purpose of the Act.

## 3.13 Policies

### 3.13.1 GRUZ-P3 - Home-based commercial activity

#### 3.13.2 Matters raised by submitters

174. Waka Kotahi [82.250] seeks GRUZ-P3 is amended as follows:

*Enable some home-based commercial activity including visitor accommodation, home business, and childcare services where these activities are compatible with the Zone's character and amenity values, do not adversely affect the transport network and are located within residential units, minor residential units, and accessory buildings.*

175. The reason given by the submitter is as follows:

*Understands that in some instances home-based commercial activities might be appropriate. Seeks for this policy to consider providing for these only where they do not adversely affect the Transport network.*

### **3.13.3 Assessment**

176. I consider that the amendments sought by the submitter to GRUZ-P3 are not necessary, as they would duplicate GRUZ-P7-2 which would be applied if the relevant rules for these activities are breached. I consider that GRUZ-P7-2 provides sufficient policy guidance, subject to amendments recommended in relation to other relief sought by the submitter.

177. I also note that INF-P14 also provides policy guidance where rules/standards are breached for high trip generating activities or vehicle crossings.

### **3.13.4 Summary of recommendations**

178. I recommend for the reasons given in the assessment that the submission from Waka Kotahi [82.250] be **rejected**.

### **3.13.5 GRUZ-R17, GRUZ-R18, GRUZ-R19 and GRUZ-R20**

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

179. Waka Kotahi [82.258, 82.259, 82.260, 82.261] seeks GRUZ-P7 be added as a matter of discretion to these rules as:

*Supports a restricted discretionary status for each activity and the matters to which Council's discretion is restricted to. Considers that the matters to which Council's discretion is restricted to does not address adverse effects upon the safe, effective and efficient operation of the transport network. Seeks that the submission points on GRUZ-P4 and GRUZ-P5 be adopted; and section GRUZ-P7 should be included to ensure that the safe, effective and efficient operation of the transport network is not compromised as a result of the activity.*

### **3.13.7 Assessment**

180. The relief sought referenced by the submitter to GRUZ-P4 and GRUZ-P5 is addressed in more detail in section 3.11.3 of the Infrastructure Section 42A Report. The submitter seeks that these provisions be amended to include an additional criterion related to the transport network. I agree with the recommended response in the Infrastructure Section 42A Report that no changes to these policies are necessary "as the safety and efficiency of the transport network is already addressed by relevant objectives and policies in the INF- Infrastructure and TR – Transport chapters".

181. Further, as discussed in section 3.7 of this report, the Infrastructure Chapter requires different standards for vehicle crossings based on vehicle movements under INF-R23, and the Transport

Chapter addresses high trip generating activities under TR-R5. INF-P14 and TR-P1 provide policy guidance as a matter of discretion for non-compliance with these rules which addresses the effects on the transport network.

182. I therefore do not consider that GRUZ-P7 needs to be referenced as a matter of discretion to provide policy guidance on effects on the transport network for these restricted discretionary activity rules.

### **3.13.8 Summary of recommendations**

183. I recommend for the reasons given in the assessment that the submission from Waka Kotahi [82.258, 82.259, 82.260, 82.261], be **rejected**.

## **3.14 Standards**

### **3.14.1 GRUZ-S2, GRUZ-S3, GRUZ-S4**

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

184. Diane Strugnell [71.8, 71.4, 71.9] seeks the deletion of "Screening, planting, and landscaping of the building or structure; and" from these standards. The submitter considers:

*The discretion in relation to screening, planting and landscaping has previously led to unrealistic and inappropriate demands placed on landowners. Buildings within the rural area are part of the character and as long as design and siting are not inconsistent with the opening statement that "their location, height, scale do not dominate the landscape or compromise the open space qualities". The interpretation of this discretion by Council officers has led to planting that is inconsistent with other requirements such as that for fire safety by restricting vegetation close to a building. It has also been applied inconsistently across different properties within the rural zone. Most people building within the rural zone will choose to add planting and landscaping that is consistent with the characteristics of the site and this should be enabled but not directed.*

#### **3.14.3 Assessment**

185. I consider that screening, planting and landscaping are appropriate methods to mitigate adverse effects of a development, where standards are not complied with. For example, consent was recently granted for a 22m high building in Judgeford, which was subject to extensive conditions of consent including substantial planting requirements to screen the building from adjacent properties.
186. It is possible that the inconsistency referred to by the submitter is a product of the variation in the design, siting and scale of buildings which would require planting and landscaping. If so, this inconsistency would likely be justified.
187. I would also note that there are a far larger range of activities and buildings in the General Rural Zone permitted by the PDP than currently under the ODP. For example, all buildings require resource consent under the ODP as at least a controlled activity. Council will only have

discretion to apply these matters to a subset of new rural buildings where they breach the standards.

#### **3.14.4 Summary of recommendations**

188. I recommend for the reasons given in the assessment that the submission from Diane Strugnell [71.8, 71.4, 71.9] be **rejected**.

#### **3.14.5 RLZ-S4 - Setback**

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

189. Jalna Wilkins [41.1] seeks that the minimum setback in the Rural Lifestyle Zone of 5m be retained, or even increased to 10m. The submitter considers:

*Given current minimum lot size is 5 hectares, and the proposed minimum size is 2 hectares there is absolutely no justification to have a building/structure/water tank/sewage field or anything else as close as 1.5 meters from a neighbouring boundary. There is something wrong if a landowner could not accommodate all their structures within the 50,000 or 20,000m<sup>2</sup> site, without resorting to being on their neighbour's boundary. The Rural lifestyle zone is supposed to support not degrade the rural aspect of an area. Rural life is one of open green space with minimum visual/noise pollution. Having any structure or intrusion closer than 5m, 10m even, would mean the area would be rural in name only and not in lifestyle which is contrary to the rhetoric in the District Plan.*

190. Robert Lee [185.1] seeks that RLZ-S4 be amended so that it only applies to fences or standalone walls. The submitter considers:

*Given the compact and impermeable nature of the soils and subsoils at Motukaraka Point, structures this close to the boundary of neighbouring properties would give rise to significant surface flooding of neighbouring properties from surface runoff from these structures during heavy rain. Furthermore that it be made clear that any building or structure related to sewage disposal, including septic tanks and disposal fields must not encroach on any setback. There is sufficient area within the proposed or existing plot size for such structures and systems to be placed elsewhere within the plot.*

191. Anna Lee [191.1] also seeks RLZ-S4 be amended so that it only applies to fences or standalone walls. The submitter considers:

*The sloping nature of the land behind Motukaraka Point might cause flooding or damage to neighbouring properties, particularly if sewage or septic tank systems are placed too close to the boundary. There have already been issues with flooding through properties on Motukaraka Point and onto the road.*

*Furthermore, placing buildings or structures close to neighbouring properties would not be in keeping with the rural nature of the area.*

192. John and Shirley Cameron [196.2] oppose any rear boundary setback of less than 5m. The submitter considers:

*Farmland on Motukaraka Point generally slopes down to houses below with runoff in wet conditions. The underlying soil is hard yellow clay with little ability to absorb waste or sewage water. A boundary setback of less than 5m would materially impact the rural environment. The impact of roading, housing and hardstand areas would require a very complete facility to handle wastewater and sewage without compromising existing properties.*

193. Jill and Andrew Weeks [254.1] raise the following matters:

*The submission is specific to the Motukaraka Point area. The general standard for the residential properties is a 10 meter setback from a boundary with a road and a 5 meter setback from a side or rear boundary. For properties that front Motukaraka Road, the side and rear boundaries is reduced to 1.5m. This standard excludes up to two rainwater tanks and up to two accessory buildings with a floor area of less than 10 square meters. These changes have a minimal impact on the community living at Motukaraka Point, other than increasing the potential number of additional homes that could be built on the currently undeveloped land at the rear of the existing houses from zero to three. Notes that over many years PCC has resisted further development at the Point, preferring to retain the existing rural nature of the area: a position overwhelmingly supported by the residents of Motukaraka point.*

### 3.14.7 Assessment

194. The intent of the 1.5 m side and rear boundary setback for properties fronting Motukaraka Point was to acknowledge there is a different built form in the area due to the smaller size of sites. There are 18 sites with access to Motukaraka Road that are less than 3000m<sup>2</sup>, with the smallest being 750m<sup>2</sup>. This is set out below.



**Figure 2: Properties fronting Motukaraka Road**



195. Many of these sites have buildings and structures much closer than 5m from their boundaries, as is clear from the aerial photo below.



**Figure 3: Aerial image of Motukaraka Point (taken March 2020)**

196. However, as shown in Figure 3 above, there are a small number of sites affected by the proposed 1.5m setback. I consider that the relatively large number of submissions on the matter give an indication of desired character and amenity values in this area. I consider that the exemptions in RLZ-S4 relating to fences, rainwater tanks and accessory buildings would sufficiently provide for a small level of development for the existing residential-scale sites.
197. While I agree with the relief sought, I do not completely agree with the reasons given by the submitters. Along with rural character, the main reason given by the submitters against a setback is a concern that buildings being close to boundaries would increase flood and wastewater runoff. I am not convinced that this is the case. The minimum lot size in this Zone is 2ha under SUB-S1, however the entire Peninsula is within the Pāuatahanui Special Amenity Landscape which has a minimum lot size of 5ha under SUB-R7. The largest site on the Peninsula is 5.8ha, but this is entirely covered by an historic heritage site (HHS003 - Former Marine Camp & Motukaraka Point). In summary, it is unlikely that much development will be able to take place on the Peninsula without requiring resource consent under these overlays, and it is therefore very unlikely that the hydrology will change in what is a very large catchment that stretches up into the hills.

### **3.14.8 Summary of recommendations**

198. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** RLZ-S4 as outlined below and in Appendix A:

RLZ-S4	Setback
<p>1. Buildings or structures used for residential purposes, <del>except for buildings and structures fronting Motukaraka Road,</del> must not be located within:</p> <ol style="list-style-type: none"> <li>A 10m setback from a boundary with a road; and</li> <li>A 5m setback from a side or rear boundary.</li> </ol> <p>2. Buildings or structures used for non-residential purposes <del>and, buildings and structures fronting Motukaraka Road,</del> must not be located within:</p> <ol style="list-style-type: none"> <li>A 10m setback from a boundary with a road;</li> <li>A 5m setback from a side or rear boundary; or</li> <li>A 10m setback from a boundary of a site in a Residential Zone.</li> </ol> <p>3. <del>Buildings and structures fronting Motukaraka Road must not be located within:</del></p> <ol style="list-style-type: none"> <li><del>A 1.5m setback from a side or rear boundary.<sup>20</sup></del></li> </ol> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> <li>Fences or standalone walls;</li> <li>Up to two rainwater tanks within the side or rear setbacks, each with a maximum diameter of 3.5m and a maximum height of 3m; and</li> <li>Up to two accessory buildings within the side and rear setbacks, with a maximum gross floor area of 10m<sup>2</sup> each.</li> </ul>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>Design and siting of the building or structure;</li> <li>Any shading of, or loss of privacy for, residential units on adjacent sites;</li> <li>Screening, planting, and landscaping of the building or structure; and</li> <li>Whether topographical or other site constraints make compliance with the standard impractical.</li> </ol>

199. I recommend that the submission from John and Shirley Cameron [196.2] be **accepted**.

200. I recommend that the submissions from Jalna Wilkins [41.1], Robert Lee [185.1], Anna Lee [191.1], Jill and Andrew Weeks [254.1], be **accepted in part**.

### 3.14.8.1 Section 32AA evaluation

201. In my opinion, the amendments recommended to RLZ-S4 are more appropriate in terms of achieving the objectives of the PDP than the notified provisions.

202. For the reasons provided in my evaluation, I consider that the amendments better reflect the desired character and amenity values for the Zone, and therefore better provide for social outcomes. Therefore, the amended provisions are more efficient and effective than the notified provisions in achieving the objectives of the PDP.

### 3.14.9 RLZ-S5 – On-site services

#### 3.14.10 Matters raised by submitters

203. Jalna Wilkins [39.1] seeks:

*Add clause to ensure seepage/drainage of to adjacent lower level properties is prevented/mitigated. The development of any RLZ site should include contour information so that Council can ensure measures are put in place to prevent waste water/sewage seepage to neighbouring properties.*

204. The submitter considers:

*This section should be expanded to include consideration to the land contour and the possible impact to neighbours. With waste water and sewage lines disposed to ground, it is important that adjacent lower level neighbouring properties are not adversely affected. Any potential drainage/seepage must be prevented/mitigated.*

#### 3.14.11 Assessment

205. I do not consider that additional provisions are required relating to the discharge of contaminants where they may enter other properties. This is a s30 of the RMA matter and is already regulated by the PNRP under rules R71 to R76.

206. I consider the advice note in the RLZ section is sufficient to alert plan users to these requirements, as well as PCC's bylaw for onsite wastewater systems:

*Wastewater:*

- *All wastewater generated on any land that is not connected to the Council's public sewer network must be treated and be disposed of within the confines of that land, in compliance with Porirua City Council General Bylaw 1991 - Part 25 Wastewater. This Bylaw requires that all on-site wastewater systems within Porirua, such as a septic tank or aerated wastewater treatment system, must be licensed by Porirua City Council.*
- *Any on-site wastewater system must also meet the requirements outlined in Wellington Regional Council's Proposed Natural Resources Plan (PNRP). The PNRP has requirements around discharges to land, including design of systems and setbacks from boundaries and waterways.*

#### 3.14.12 Summary of recommendations

207. I recommend for the reasons given in the assessment that the submission from Jalna Wilkins [39.1] be **rejected**.

### 3.15 Minor Errors

208. I recommend that amendment/s be made to these chapters to fix minor typographical errors. These could have been made after PDP was notified through the RMA process to correct minor

errors<sup>6</sup>, but I recommend the amendment is made as part of the Hearing Panel's recommendations for completeness and clarity. The amendment is set out below.

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<sup>6</sup> Clause 16 of RMA Schedule 1

## 4 Conclusions


209. Submissions have been received in support of and in opposition to the PDP.
210. 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.
211. 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.

### Recommendations:

I recommend that:

1. The Hearing Commissioners accept, accept in part, or reject submissions (and associated further submissions) as outlined in Appendix B of this report; and
2. The PDP is amended in accordance with the changes recommended in Appendix A of this report.

### Signed:

Name and Title		Signature
Report Author	Torrey McDonnell Principal Policy Planner, Porirua City Council	

## Appendix A. Recommended Amendments to Chapters

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

- Text recommended to be added to the PDP is in red and underlined.
- Text recommended to be deleted from the PDP is in red and ~~struckthrough~~.

# Definitions

<b>Rural contractor depot</b>	<u>Means the land and buildings used for the purposes of storing or maintaining machinery, equipment and associated goods and supplies associated with a rural contracting business that directly supports, services or is dependent on primary production.</u> <sup>7</sup>
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## GRUZ - General Rural Zone

The General Rural Zone consists of areas used predominantly for primary production activities, including intensive indoor primary production. The Zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.

The General Rural Zone is characterised by open landscapes interspersed with buildings or structures. Typical land cover includes pasture, crops, forestry and native vegetation. Character and amenity values of the zone include spaciousness, low-density of built form, vegetation cover, and the presence of a productive farming environment.

Where numerous or larger-scale buildings or structures are proposed, their location, height, and scale need to be managed to ensure development does not dominate the landscape or compromise the open space qualities of the rural setting.

### Objectives

#### GRUZ- O1 Purpose of the General Rural Zone

The General Rural Zone is used primarily for primary production, activities that support primary production, and other activities that require a rural location.

#### GRUZ- O2 Character and amenity values of the General Rural Zone

The predominant character and amenity values of the General Rural Zone are maintained, which include:

<sup>7</sup> Rural Contractors New Zealand Inc [179.1]

<ol style="list-style-type: none"> <li>1. A working environment where rural activities generate noise, smells, light overspill and traffic, including heavy vehicles, often on a cyclic and seasonal basis;</li> <li>2. Rugged hill country with a predominance of pasture for grazing and vegetation of varying types, including crops, forestry and native bush;</li> <li>3. A low-density built form with open space between buildings that are predominantly used for rural activities, buildings include barns and sheds, and <u>residential units ancillary to rural activities; generally one residential unit per site and one minor residential unit per site;</u><sup>8</sup> and</li> <li>4. The presence of rural infrastructure, including rural roads and the on-site disposal of wastewater, and a general lack of urban infrastructure, such as street lighting, solid fences and footpaths.</li> </ol>
<b>GRUZ- O3      Adverse effects of activities</b>
<p>The adverse effects of activities taking place in the General Rural Zone are avoided, remedied or mitigated, particularly at zone boundaries.</p>
<b>GRU Z-O4      Recognising benefits of mineral extraction and processing and quarrying activities</b>
<p>The benefits of mineral extraction and processing activities and quarrying activities<sup>9</sup> to the city and the region are recognised and provided for in the General Rural Zone.</p>
<b>GRU Z-O5      Assisting the maintenance and enhancement of water quality</b>
<p>Use and development in the General Rural Zone assist to achieve the maintenance and enhancement of water quality.</p>
<b>Policies</b>
<b>GRU Z-P1      Appropriate activities</b>
<p>Enable primary production activities and ancillary activities that are compatible with the purpose, character and amenity values of the General Rural Zone.</p>
<b>GRU Z-P2      Appropriate buildings</b>
<p>Enable buildings that are compatible with the purpose, character and amenity values of the General Rural Zone.</p>
<b>GRU Z-P3      Home-based commercial activity</b>
<p>Enable some home-based commercial activity including visitor accommodation, home business, and childcare services where these activities are compatible with the Zone's character and amenity values, and are located within residential units, minor residential units, and accessory buildings.</p>
<b>GRU Z-P4      Intensive indoor primary production and rural industry</b>
<p>Provide for intensive indoor primary production and rural industry where it can be demonstrated that:</p>

<sup>8</sup> Porirua City Council [11.63]

<sup>9</sup> Willowbank Trustee Limited [164.19]

1. The site design, layout and scale of the activity is compatible with the character and amenity values of the Zone;
2. There is adequate infrastructure available to service the activity, including on-site servicing where reticulated services are not available;
3. Areas of indigenous vegetation are retained where practicable;
4. It avoids constraining the establishment of activities otherwise anticipated within the General Rural Zone; and
5. There are measures to internalise effects and avoid conflict and potential reverse sensitivity effects on activities anticipated in the Zone, including primary production and residential activity.

**GRUZ-P5 Quarrying activities and mining**

Provide for new quarrying activities or mining activity in the General Rural Zone where it can be demonstrated that:

1. The siting, ~~and~~ scale ~~of buildings~~ and visual screening ~~of these activities~~ maintains the character and amenity values of the Zone;
2. There are measures to minimise any adverse noise, vibration, access and lighting effects;
3. There are measures to minimise any adverse effects on character and amenity values of the Zone from the movement of vehicles;
4. Areas of indigenous vegetation are retained where practicable; ~~and~~
- ~~5. It avoids or mitigates any adverse effects on waterbodies and their margins; and<sup>10</sup>~~
5. It internalises adverse environmental effects as far as practicable using industry best practice and management plans, including monitoring and self-reporting.

**GRU Z-P6 Site rehabilitation**

Require any new quarrying activities or mining activities and changes of use on existing quarry sites to demonstrate how the site will be rehabilitated, having particular regard to:

1. Objectives, methodology and timescales for rehabilitation;
2. The intended end use;
3. The location, gradient and depth of excavation;
4. The availability of clean fill material, including top soil, and consequent timeframes for rehabilitation;
5. The surrounding landform and drainage pattern;
6. The ability to establish complete vegetation cover;
7. The outcomes of any consultation undertaken with mana whenua; and
8. Any adverse effects associated with rehabilitation.

**GRU Z-P7 Potentially inappropriate activities**

Only allow activities that are potentially incompatible with the purpose, character and amenity values of the General Rural Zone, where it can be demonstrated that:

1. The site design, layout and scale of the activity is compatible with the character and amenity values of the Zone;
2. It will not adversely impact the safe, ~~effective~~ and efficient operation of the ~~road transport~~<sup>11</sup> network, and there is suitable loading, manoeuvring and access provided on-site;
3. There is adequate infrastructure available to service the activity, including on-site servicing where reticulated services are not available;
4. Areas of indigenous vegetation are retained where practicable;

<sup>10</sup> Fulton Hogan[262.28]

<sup>11</sup> Waka Kotahi [82.253]



<ol style="list-style-type: none"> <li>5. There are benefits, such as the planting and fencing of erosion-prone land and the protection of areas of indigenous vegetation, wetlands and riparian areas;</li> <li>6. It avoids constraining the establishment of activities otherwise anticipated within the General Rural Zone; and</li> <li>7. There are measures to internalise effects and avoid conflict and potential reverse sensitivity effects on activities anticipated in the Zone, including primary production and residential activity.</li> </ol>
<p><b>GRU Z-P8      Inappropriate activities</b></p>
<p>Avoid activities which:</p> <ol style="list-style-type: none"> <li>1. Are incompatible with the purpose, character and amenity values of the General Rural Zone; or</li> <li>2. May limit or constrain the use of land for primary production.</li> </ol>
<p><b>GRU Z-P9      Effects on adjacent zones</b></p>
<p>Require an adequate separation distance for non-residential activities located on sites in the General Rural Zone that are adjacent to Residential Zones, where these may result in conflict and/or potential reverse sensitivity effects.</p>
<p><b>Rules</b></p>
<p>Note: There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.</p> <p>Rules relating to subdivision, including minimum allotment sizes for each zone, are found in the Subdivision chapter.</p> <p>Wastewater:</p> <ul style="list-style-type: none"> <li>• All wastewater generated on any land that is not connected to the Council's public sewer network must be treated and be disposed of within the confines of that land, in compliance with Porirua City Council General Bylaw 1991 - Part 25 Wastewater. This Bylaw requires that all on-site wastewater systems within Porirua, such as a septic tank or aerated wastewater treatment system, must be licensed by Porirua City Council.</li> <li>• Any on-site wastewater system must also meet the requirements outlined in Wellington Regional Council's Proposed Natural Resources Plan (PNRP). The PNRP has requirements around discharges to land, including design of systems and setbacks from boundaries and waterways.</li> </ul>
<p><b>GRUZ-R1      Buildings and structures, including additions and alterations, excluding fences and standalone walls</b></p>
<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is achieved with: <ol style="list-style-type: none"> <li>i. GRUZ-S1;</li> <li>ii. GRUZ-S2;</li> <li>iii. GRUZ-S3;</li> <li>iv. GRUZ-S4;</li> <li>v. GRUZ-S5; and</li> <li>vi. GRUZ-S6.</li> </ol> </li> </ol>
<p>2. Activity status: <b>Restricted discretionary</b></p>

Where:

- a. Compliance is not achieved with: GRUZ-S1, GRUZ-S2, GRUZ-S3, or GRUZ-S4.

Matters of discretion are restricted to:

1. The matters of discretion of any infringed standard.

**Notification:**

An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.

3. Activity status: **Discretionary**

Where:

- a. Compliance is not achieved with GRUZ-S5 or GRUZ-S6.

**Notification:**

- An application under this rule where compliance is not achieved with GRUZ-S5 is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.
- An application under this rule where compliance is not achieved with GRUZ-S6 is precluded from being publicly notified in accordance with section 95A of the RMA.
- When deciding whether any person is affected in relation to non-compliance with GRUZ-S6 for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Fire and Emergency New Zealand.

**GRUZ-R2 Buildings and Structures, including additions and alterations, within the National Grid Yard**

1. Activity status: **Permitted**

Where:

- a. The building or structure is a non-habitable farm or horticulture structure or building or a stockyard or platform ancillary to milking/dairy sheds (excluding commercial greenhouses, wintering barns, produce packing facilities and milking/dairy sheds);
- b. The building or structure is a fence that is no greater than 2.5m in height and is located no closer than:
- i. 6m from the outer visible edge of a foundation of a National Grid transmission line tower; or
  - ii. 5m from the outer visible edge of a foundation of a National Grid transmission line pole; or
- c. The building or structure is an artificial crop protection structure or crop support structure is no greater than 2.5m in height and is located at least 8m from a National Grid transmission line pole;
- d. The building or structure is an accessory building that is associated with an existing residential activity and is less than 10m<sup>2</sup> in area and 2.5m in height; and
- e. Any alterations to an existing building or structure that is used for a sensitive activity do not increase the building or structure height or footprint.

Note:

- To avoid doubt, GRUZ-R1 also applies.
- Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34:2001, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

	<p>2. Activity status: <b>Non-complying</b></p> <p>Where:</p> <p>a. Compliance is not achieved with GRUZ-R2-1.a, GRUZ-R2-1.b, GRUZ-R2-1.c, GRUZ-R2-1.d, or GRUZ-R2-1.e.</p> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>• An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>• When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower.</li> </ul>
<b>GRUZ-R3 Rainwater tanks</b>	
	1. Activity status: <b>Permitted</b>
<b>GRUZ-R4 Fences and stand-alone walls</b>	
	1. Activity status: <b>Permitted</b>
	<p>Where:</p> <p>a. Compliance is achieved with GRUZ-S7.</p>
	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with GRUZ-S7.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of the infringed standard.</p> <p><b>Notification:</b></p> <p>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
<b>GRUZ-R5 Construction activity</b>	
	1. Activity status: <b>Permitted</b>
<b>GRUZ-R6 Primary production, excluding quarrying activities, mining, intensive indoor primary production and rural industry</b>	
	1. Activity status: <b>Permitted</b>
<b>GRUZ-R7 Rural activity other than primary production</b>	
	1. Activity status: <b>Permitted</b>
<b>GRUZ-R8 Conservation activity</b>	
	1. Activity status: <b>Permitted</b>
<b>GRUZ-R9 Residential activity and residential unit</b>	
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. There is no more than one principal residential unit per site;</p> <p>b. There is no more than one minor residential unit per site; and</p> <p>c. Any minor residential unit shares a driveway with the site's principal residential unit.</p>

	d.
	<p>2. Activity status: <b>Discretionary</b></p> <p>Where compliance is not achieved with:</p> <p>a. GRUZ-R9-1.a, GRUZ-R9-1.b, or GRUZ-R9-1.c.</p> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
<b>GRUZ-R10 Home business</b>	
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. The home business is undertaken within a residential unit, minor residential unit or accessory building;</p> <p>b. There is no more than one staff member who lives off site; and</p> <p>c. No more than 100m<sup>2</sup> of gross floor area per site is used for the home business.</p>
	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with GRUZ-R10-1.a, GRUZ-R10-1.b, or GRUZ-R10-1.c.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in GRUZ-P7.</p>
<b>GRUZ-R11 Visitor accommodation</b>	
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. The visitor accommodation is undertaken within a residential unit, minor residential unit or accessory building; and</p> <p>b. The maximum number of paying visitors per night is 10 people.</p>
	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with GRUZ-R11-1.a or GRUZ-R11-1.b.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in GRUZ-P7.</p>
<b>GRUZ-R12 Educational facility</b>	
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. The activity is undertaken within a residential unit, minor residential unit or accessory building;</p> <p>b. The maximum number of children on-site is four; and</p> <p>c. The hours of operation are between 7.00am and 7.00pm Monday to Friday.</p> <p>Except that GRUZ-R12-1.b and GRUZ-R12-1.c do not apply to any children who are normally resident at the site or who are otherwise guests of the occupants of the site.</p>

	Note: This rule applies to home-based childcare services.
	<p>2. Activity status: <b>Non-complying</b></p> <p>Where:</p> <p>a. Compliance is not achieved with GRUZ-R12-1.a, GRUZ-R12-1.b or GRUZ-R12-1.c.</p>
<b>GRUZ-R13 Activities within the National Grid Yard</b>	
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. The activity is not a sensitive activity.</p>
	<p>2. Activity status: <b>Non-complying</b></p> <p>Where:</p> <p>a. Compliance is not achieved with GRUZ-R13-1.a.</p> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>• An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>• When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower.</li> </ul>
<b>GRUZ-R14 Activities within the Gas Transmission Pipeline Corridor</b>	
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. The activity is not a sensitive activity.</p>
	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with GRUZ-R14-1.a.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in INF-P25.</p> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>• An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>• When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on First Gas Ltd.</li> </ul>
<b>GRUZ-R15 Papakāinga</b>	
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. The site is held under Te Ture Whenua Māori Act 1993;</p> <p>b. The gross floor area of all commercial activities does not exceed 100m<sup>2</sup> per site; and</p> <p>c. The gross floor area of all community facilities does not exceed 200m<sup>2</sup> per site.</p>
	<p>2. Activity status: <b>Restricted discretionary</b></p>

	<p>Where:</p> <p>a. Compliance is not achieved with GRUZ-R15-1.a.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in PK-P2.</p> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
	<p>3. Activity status: <b>Discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with GRUZ-R15-1.b or GRUZ-R15-1.c.</p> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
<b>GRUZ-R16 Rural contractor depot<sup>12</sup></b>	
	<p><u>1. Activity status: Permitted</u></p> <p><u>Where:</u></p> <p><u>a. The maximum number of staff is five (other than persons living on the site).</u></p>
	<p><u>2. Activity status: Restricted discretionary</u></p> <p><u>Where:</u></p> <p><u>a. Compliance is not achieved with GRUZ-R16.a.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. The matters in GRUZ-P4.</u></p>
<b>GRUZ-R1746 Habitable buildings and structures, including additions and alterations, near the Gas Transmission Pipeline Corridor</b>	
	<p>1. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Any habitable building or structure is located within 10m of the Gas Transmission Pipeline Corridor; and</p> <p>b. Any habitable building or structure is located within 30m of any above-ground station forming part of the Gas Transmission Network.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in INF-P25.</p> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>• An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> </ul>

<sup>12</sup> Rural Contractors New Zealand Inc [179.2]

	<ul style="list-style-type: none"> <li>When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on First Gas Ltd.</li> </ul>
<b>GRUZ-R1817</b>	<b>Intensive indoor primary production</b>
	<p>1. Activity status: <b>Restricted discretionary</b></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters in GRUZ-P4.</li> </ol>
<b>GRUZ-R1918</b>	<b>Rural industry <u>excluding rural contractor depots</u><sup>13</sup></b>
	<p>1. Activity status: <b>Restricted discretionary</b></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters in GRUZ-P4.</li> </ol>
<b>GRUZ-R19</b>	<b>Quarrying activities</b>
	<p>1. Activity status: <b>Restricted discretionary</b></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters in GRUZ-P5 and GRUZ-P6.</li> </ol>
<b>GRUZ-R20</b>	<b>Mining activity</b>
	<p>1. Activity status: <b>Restricted discretionary</b></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters in GRUZ-P5 and GRUZ-P6.</li> </ol>
<b>GRUZ-R21</b>	<b>Emergency service facilities</b>
	<p>1. Activity status: <b>Restricted discretionary</b></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters in GRUZ-P7.</li> </ol> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
<b>GRUZ-R22</b>	<b>Community facility</b>
	1. Activity status: <b>Discretionary</b>
<b>GRUZ-R23</b>	<b>Golf courses and ancillary activities</b>
	1. Activity status: <b>Discretionary</b>
<b>GRUZ-R24</b>	<b>Industrial activity</b>
	1. Activity status: <b>Discretionary</b>
<b>GRUZ-R25</b>	<b>Pet animal boarding and breeding</b>
	1. Activity status: <b>Discretionary</b>

<sup>13</sup> Rural Contractors New Zealand Inc [179.3]

<b>GRUZ-R26</b>	<b>Community corrections activity</b>
	<b>1. Activity status: Discretionary<sup>14</sup></b>
<b>GRUZ-R26</b>	<b>Any activity not provided for as a permitted, restricted discretionary, discretionary or non-complying activity</b>
	1. Activity status: <b>Discretionary</b>
<b>GRUZ-R27</b>	<b>Commercial service activity</b>
	1. Activity status: <b>Non-complying</b>
<b>GRUZ-R28</b>	<b>Drive-through activity</b>
	1. Activity status: <b>Non-complying</b>
<b>GRUZ-R29</b>	<b>Entertainment facility</b>
	1. Activity status: <b>Non-complying</b>
<b>GRUZ-R30</b>	<b>Food and beverage activity</b>
	1. Activity status: <b>Non-complying</b>
<b>GRUZ-R31</b>	<b>Hospital and healthcare activity</b>
	1. Activity status: <b>Non-complying</b>
<b>GRUZ-R32</b>	<b>Large format retail activity</b>
	1. Activity status: <b>Non-complying</b>
<b>GRUZ-R33</b>	<b>Major sports facility, excluding golf courses and ancillary activities</b>
	1. Activity status: <b>Non-complying</b>
<b>GRUZ-R34</b>	<b>Office</b>
	1. Activity status: <b>Non-complying</b>
<b>GRUZ-R35</b>	<b>Retirement village</b>
	1. Activity status: <b>Non-complying</b>
<b>GRUZ-R36</b>	<b>Retail activity</b>
	1. Activity status: <b>Non-complying</b>
<b>Standards</b>	
<b>GRUZ-S1</b>	<b>Height</b>
<p>1. All buildings and structures must not exceed a maximum height above ground level of 10m.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> <li>• Solar water heating components provided these do not exceed the height by more than 500mm;</li> </ul>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Design and siting of the building or structure;</li> <li>2. Any shading of, or loss of privacy for, residential units on adjacent sites;</li> <li>3. Screening, planting, and landscaping of the building or structure;</li> </ol>

<sup>14</sup> Dept of Corrections [135.18]



<ul style="list-style-type: none"> <li>• Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height by more than 1m;</li> <li>• Antennas, aerials, and flues provided these do not exceed the height by more than 1m; or</li> <li>• Satellite dishes (less than 1m in diameter) and architectural features (e.g. finials, spires) provided these do not exceed the height by more than 1m.</li> </ul>	<ol style="list-style-type: none"> <li>4. Whether an increase in building or structure height results from a response to natural hazard mitigation; and</li> <li>5. Whether topographical or other site constraints make compliance with the standard impractical.</li> </ol>
<b>GRU      Height in relation to boundary</b> <b>Z-S2</b>	
<p>1. All buildings and structures must be contained beneath a line of 45° measured into the site from any point 3m vertically above ground level along any site boundary.</p> <p>Except:</p> <ul style="list-style-type: none"> <li>• Where adjacent to a shared access in excess of 2.5m in width, the measurement shall be taken from the furthest side.</li> </ul>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Design and siting of the building or structure;</li> <li>2. Any shading of, or loss of privacy for, residential units on adjacent sites;</li> <li>3. Screening, planting, and landscaping of the building or structure;</li> <li>4. Whether an increase in height in relation to boundary results from a response to natural hazard mitigation; and</li> <li>5. Whether topographical or other site constraints make compliance with the standard impractical.</li> </ol>
<b>GRU      Scale of building and structures</b> <b>Z-S3</b>	
<p>1. All buildings and structures on a site must not exceed a maximum gross floor area of:</p> <ol style="list-style-type: none"> <li>a. 350m<sup>2</sup> for a principal residential unit;</li> <li>b. 60m<sup>2</sup> for a minor residential unit;</li> <li>c. 1000m<sup>2</sup> for all other non-residential buildings and structures combined; and</li> <li>d. 1,800m<sup>2</sup> for all buildings in a papakāinga and any other buildings on the site combined.</li> </ol> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> <li>• Accessory buildings with a building footprint less than 10m<sup>2</sup>;</li> <li>• Pergola structures that are not covered by a roof; or</li> <li>• In-ground outdoor swimming pools.</li> </ul>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Design and siting of the building or structure;</li> <li>2. Any shading of, or loss of privacy for, residential units on adjacent sites;</li> <li>3. Screening, planting, and landscaping of the building or structure; and</li> <li>4. Whether topographical or other site constraints make compliance with the standard impractical.</li> </ol>
<b>GRU      Setback</b> <b>Z-S4</b>	
<p>1. Buildings or structures used for residential purposes must not be located within:</p> <ol style="list-style-type: none"> <li>a. A 10m setback from a boundary with a road; and</li> <li>b. A 5m setback from a side or rear boundary.</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Design and siting of the building or structure;</li> <li>2. Any shading of, or loss of privacy for, residential units on adjacent sites;</li> <li>3. Screening, planting, and landscaping of the building or structure; and</li> </ol>

<p>2. Buildings or structures used for non-residential purposes must not be located within:</p> <ol style="list-style-type: none"> <li>A 10m setback from a boundary with a road;</li> <li>A 5m setback from a side or rear boundary; and</li> <li>A 10m setback from a boundary of a site in a Residential Zone.</li> </ol> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> <li>Fences or standalone walls;</li> <li>Up to two rainwater tanks within the side or rear setbacks, each with a maximum diameter of 3.5m and a maximum height of 3m; or</li> <li>Up to two accessory buildings within the side and rear setbacks, with a maximum gross floor area of 10m<sup>2</sup> each.</li> </ul>	<p>4. Whether topographical or other site constraints make compliance with the standard impractical.</p>
<p><b>GRU On-site services</b> <b>Z-S5</b></p>	
<p>1. Where a connection to Council's reticulated <a href="#">water and/or<sup>15</sup></a> wastewater systems is not available, all water supply and wastewater treatment and disposal systems must be contained within the site that the supply or system serves, and be connected to a septic tank or soakage field or an approved alternative means to dispose of sewage in a sanitary manner in accordance with Section 5.2.6 of the Wellington Water Regional Standard for Water Services May 2019.</p> <p>2. Where a connection to Council's reticulated wastewater systems is not available and sewage is to be disposed to ground, that area must not be subject to instability or inundation or used for the disposal of stormwater.</p>	<p>There are no matters of discretion for this standard.</p>
<p><b>GRU Firefighting water supply and access</b> <b>Z-S6</b></p>	
<p>1. All new buildings must comply with New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.</p>	<p>There are no matters of discretion for this standard.</p>
<p><b>GRU Fences and standalone walls</b> <b>Z-S7</b></p>	

<sup>15</sup> Minor correction under clause 16 (for internal consistency of wording, standard addresses both water supply and wastewater disposal)

1. All fences and standalone walls must not exceed a maximum height above ground level of 2m.

2. All fences and standalone walls must not compromise visibility splays and minimum sight distances per INF-Figure 5 & INF-Table 6<sup>16</sup>

Matters of discretion are restricted to:

1. Design and siting of the fence or standalone wall;
2. Any shading of, or loss of privacy for, residential units on adjacent sites where the fence or stand-alone wall is located on their boundary; and
3. Whether topographical or other site constraints make compliance with the standard impractical.

4. The safe and efficient operation of the transport network.<sup>17</sup>

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<sup>16</sup> Waka Kotahi [82.262]

<sup>17</sup> Ibid

# RLZ - Rural Lifestyle Zone

The Rural Lifestyle Zone comprises areas of Porirua City where there is a higher concentration of rural living facilitated through smaller allotment sizes or where there is capacity to accommodate new rural living opportunities.

This Zone is generally located on the periphery of urban areas, and is characterised by open space, rolling/rugged terrain, and vegetated landscapes interspersed by farm buildings, structures and residential units.

Subdivision, use and development in the Zone is expected to provide an appropriate transition from residential areas to the other rural zones, while retaining a sense of spaciousness and prevailing rural character. This reflects the use of land and/or buildings for residential activities and/or small-scale rural production activities in a rural setting. For this reason, rural lifestyle character and amenity are managed through density and the consideration of building locations at the time of subdivision, in addition to the use of building setback controls from boundaries. Rural activities and home businesses and activities that are complementary to the rural use of the site are encouraged.

Rural lifestyle areas, being close to urban areas, can attract other activities that are not appropriate including: general residential living at urban densities, stand-alone retail or commercial activities and industrial activities. Such activities are discouraged from the Rural Lifestyle Zone as they can reduce rural character and amenity, and lead to reverse sensitivity and cumulative adverse effects. They also erode the use and function of the City Centre, Local Centre, Residential, Mixed Use and Industrial Zones.

The role of the Rural Lifestyle Zone is to provide an area for rural lifestyle living, while allowing for the nearby Rural Zone's continued function as a productive working zone that is not compromised by ad-hoc or sporadic rural lifestyle activities.

## Objectives

### RLZ- O1 Purpose of Rural Lifestyle Zone

The Rural Lifestyle Zone is used primarily for a residential lifestyle within a rural environment on lots smaller than those of the General Rural Zone, while still enabling primary production to occur.

### RLZ- O2 Character and amenity values of Rural Lifestyle Zone

The predominant character and amenity values of the Rural Lifestyle Zone are maintained, which include:

1. Low-density residential living on rural lifestyle blocks and small-scale primary production;
2. A diversity of topography and land quality, including open space, rolling/rugged terrain, and vegetated landscapes interspersed by farm buildings, structures and residential units; and
3. A general absence of urban infrastructure.

### RLZ- O3 Adverse effects of activities

The adverse effects of activities taking place in the Rural Lifestyle Zone are avoided, remedied or mitigated, particularly at zone boundaries.

### RLZ- O4 Assisting the maintenance and enhancement of water quality

Use and development in the Rural Lifestyle Zone assist to achieve the maintenance and enhancement of water quality.	
<b>Policies</b>	
<b>RLZ-P1</b>	<b>Appropriate activities</b>
Enable residential lifestyle activities, primary production and ancillary activities that are compatible with the purpose, character and amenity values of the Rural Lifestyle Zone.	
<b>RLZ-P2</b>	<b>Appropriate buildings</b>
Enable buildings that are compatible with the purpose, character and amenity values of the Rural Lifestyle Zone.	
<b>RLZ-P3</b>	<b>Home-based commercial activity</b>
Enable some home-based commercial activity including visitor accommodation, home business, and childcare services where these activities are compatible with the Zone's character and amenity values, and are located within residential units, minor residential units, and accessory buildings.	
<b>RLZ-P4</b>	<b>Potentially inappropriate activities</b>
<p>Only allow activities that are potentially incompatible with the purpose, character and amenity values of the Rural Lifestyle Zone, where it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>1. The site design, layout and scale of the activity is compatible with the character and amenity values of the Zone;</li> <li>2. There is adequate infrastructure available to service the activity, including on-site servicing where reticulated services are not available;</li> <li>3. Areas of indigenous vegetation are retained, where practicable;</li> <li>4. There are benefits, such as the planting and fencing of erosion-prone land and the protection of areas of indigenous vegetation, wetlands and riparian areas;</li> <li>5. It avoids constraining the establishment of activities otherwise anticipated within the Zone; and</li> <li>6. There are measures to internalise effects and avoid conflict and potential reverse sensitivity effects on activities anticipated in the Zone, including primary production and residential activity.</li> </ol>	
<b>RLZ-P5</b>	<b>Inappropriate activities</b>
Avoid activities that are incompatible with the purpose, character and amenity values of the Rural Lifestyle Zone.	
<b>RLZ-P6</b>	<b>Effects on adjacent residential zones</b>
Require an adequate separation distance for non-residential activities located on sites in the Rural Lifestyle Zone that are adjacent to residential zones, where these may result in conflict and/or potential reverse sensitivity effects.	
<b>Rules</b>	
Note: There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters.	

Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

Rules relating to subdivision, including minimum allotment sizes for each zone, are found in the Subdivision chapter.

Wastewater:

1. All wastewater generated on any land that is not connected to the Council's public sewer network must be treated and be disposed of within the confines of that land, in compliance with Porirua City Council General Bylaw 1991 - Part 25 Wastewater. This Bylaw requires that all on-site wastewater systems within Porirua, such as a septic tank or aerated wastewater treatment system, must be licensed by Porirua City Council.
2. Any on-site wastewater system must also meet the requirements outlined in Wellington Regional Council's Proposed Natural Resources Plan (PNRP). The PNRP has requirements around discharges to land, including design of systems and setbacks from boundaries and waterways.

<b>RLZ-R1</b>	<b>Buildings and structures, including additions and alterations, excluding fences and standalone walls</b>
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	1. Activity status: <b>Permitted</b>
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Where:

1. Compliance is achieved with:
  - a. RLZ-S1;
  - b. RLZ-S2;
  - c. RLZ-S3;
  - d. RLZ-S4;
  - e. RLZ-S5; and
  - f. RLZ-S6.

	2. Activity status: <b>Restricted discretionary</b>
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Where:

1. Compliance not achieved with RLZ-S1, RLZ-S2, RLZ-S3, or RLZ-S4.

Matters of discretion are restricted to:

1. The matters of discretion of any infringed standard.

**Notification:**

An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.

	3. Activity status: <b>Discretionary</b>
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Where:

- Compliance not achieved with RLZ-S5 or RLZ-S6.

**Notification:**

- a. An application under this rule where compliance is not achieved with RLZ-S5 is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.
- b. An application under this rule where compliance is not achieved with RLZ-S6 is precluded from being publicly notified in accordance with section 95A of the RMA.
- c. When deciding whether any person is affected in relation to non-compliance with RLZ-S6 for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Fire and Emergency New Zealand.

<b>RLZ-R2</b>	<b>Buildings and structures including additions and alterations, within the National Grid Yard</b>
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. The building or structure is a non-habitable farm or horticulture structure or building or a stockyard or platform ancillary to milking/dairy sheds (excluding commercial greenhouses, wintering barns, produce packing facilities and milking/dairy sheds);</li> <li>b. The building or structure is a fence that is no greater than 2.5m in height and is located no closer than: <ol style="list-style-type: none"> <li>a. 6m from the outer visible edge of a foundation of a National Grid transmission line tower; or</li> <li>b. 5m from the outer visible edge of a foundation of a National Grid transmission line pole; or</li> </ol> </li> <li>c. The building or structure is an artificial crop protection structure or crop support structure is no greater than 2.5m in height and is located at least 8m from a National Grid transmission line pole;</li> <li>d. The building or structure is an accessory building that is associated with an existing residential activity and is less than 10m<sup>2</sup> in area and 2.5m in height; and</li> <li>e. Any alterations to an existing building or structure that is used for a sensitive activity do not increase the building or structure height or footprint.</li> </ol> <p>Note:</p> <ol style="list-style-type: none"> <li>1. To avoid doubt, RLZ-R1 also applies.</li> <li>2. Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34:2001, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.</li> </ol>
	<p>2. Activity status: <b>Non-complying</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with RLZ-R2-1.a, RLZ-R2-1.b, RLZ-R2-1.c, RLZ-R2-1.d, or RLZ-R2-1.e.</li> </ol> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>• An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>• When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower.</li> </ul>
<b>RLZ-R3</b>	<b>Rainwater tanks</b>
	1. Activity status: <b>Permitted</b>
<b>RLZ-R4</b>	<b>Fences and standalone walls</b>
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is achieved with RLZ-S7.</li> </ol>

	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>• Compliance is not achieved with RLZ-S7.</li> </ul> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters of discretion of the infringed standard.</li> </ol> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
<b>RLZ-R5</b>	<b>Construction activity</b>
	1. Activity status: <b>Permitted</b>
<b>RLZ-R6</b>	<b>Primary production, excluding quarrying activities, mining activity, intensive indoor primary production and rural industry</b>
	1. Activity status: <b>Permitted</b>
<b>RLZ-R7</b>	<b>Rural activities other than primary production</b>
	1. Activity status: <b>Permitted</b>
<b>RLZ-R8</b>	<b>Conservation activity</b>
	1. Activity status: <b>Permitted</b>
<b>RLZ-R9</b>	<b>Residential activity and residential unit</b>
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>• There is no more than one principal residential unit per site;</li> <li>• There is no more than one minor residential unit per site; and</li> <li>• Any minor residential unit shares a driveway with the site's principal residential unit.</li> </ul>
	<p>2. Activity status: <b>Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>Compliance not achieved with RLZ-R9-1.a, RLZ-R9-1.b or RLZ-R9-1.c.</li> </ol> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
<b>RLZ-R10</b>	<b>Home business</b>
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>The home business is undertaken within a residential unit, minor residential unit or accessory building;</li> <li>There is no more than one staff member who lives off site; and</li> </ol>



	c. No more than 100m <sup>2</sup> of gross floor area per site is used for the home business.
	2. Activity status: <b>Restricted discretionary</b> Where: 1. Compliance not achieved with RLZ-R10-1.a, RLZ-R10-1.b or RLZ-R10-1.c. Matters of discretion are restricted to: a. The matters in RLZ-P4.
<b>RLZ-R11</b>	<b>Visitor accommodation</b>
	1. Activity status: <b>Permitted</b> Where: a. The visitor accommodation is undertaken within a residential unit, minor residential unit or accessory building; and b. The maximum number of paying visitors per night is ten people.
	2. Activity status: <b>Restricted discretionary</b> Where: a. Compliance not achieved with RLZ-R11-1.a or RLZ-R11-1.b. Matters of discretion are restricted to: a. The matters in RLZ-P4.
<b>RLZ-R12</b>	<b>Educational facility</b>
	1. Activity status: <b>Permitted</b> Where: 1. The activity is undertaken within a residential unit, minor residential unit or accessory building; 2. The maximum number of children on site is four; and 3. The hours of operation are between 7.00am to 7.00pm Monday to Friday. Except that RLZ-R12-1.b and RLZ-R12-1.c do not apply to any children who are normally resident at the site or who are otherwise guests of the occupants of the site.
	2. Activity status: <b>Non-complying</b> Where: a. Compliance is not achieved with RLZ-R12-1.a, RLZ-R12-1.b or RLZ-R12-1.c.
<b>RLZ-R13</b>	<b>Activities within the National Grid Yard</b>
	1. Activity status: <b>Permitted</b> Where: a. The activity is not a sensitive activity.
	2. Activity status: <b>Non-complying</b> Where: 1. Compliance is not achieved with RLZ-R13-1.a.

	<p><b>Notification:</b></p> <ol style="list-style-type: none"> <li>a. An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>b. When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower.</li> </ol>
<b>RLZ-R14</b>	<b>Activities within the Gas Transmission Pipeline Corridor</b>
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. The activity is not a sensitive activity.</li> </ol>
	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with GRUZ-R14-1.a.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>a. The matters in INF-P25.</li> </ol> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>• An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>• When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on First Gas Ltd.</li> </ul>
<b>RLZ-R15</b>	<b>Papakāinga</b>
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. The site is held under Te Ture Whenua Māori Act 1993;</li> <li>b. The gross floor area of all commercial activities does not exceed 100m<sup>2</sup> per site; and</li> <li>c. The gross floor area of all community facilities does not exceed 200m<sup>2</sup> per site.</li> </ol>
	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with RLZ-R15-1.a.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters in PK-P2.</li> </ol> <p><b>Notification:</b></p> <p>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
	<p>3. Activity status: <b>Discretionary</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>• Compliance is not achieved with RLZ-R15-1.b or RLZ-R15-1.c.</li> </ul>

	<p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
<b>RLZ-R16</b>	<b>Buildings and structures, including additions and alterations, within the National Grid Pāuatahanui Substation Yard</b>
	<p>1. Activity status: <b>Controlled</b></p> <p>Where:</p> <p style="padding-left: 20px;">a. Compliance is <del>acheived</del> <u>achieved</u><sup>18</sup> with RLZ-R1.</p> <p>Matters of control are reserved to:</p> <p style="padding-left: 20px;">a. The matters in INF-P24.</p> <p><b>Notification:</b></p> <ol style="list-style-type: none"> <li>1. An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>2. When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower.</li> </ol>
	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p style="padding-left: 20px;">a. Compliance is not achieved with RLZ-R16-1.a.</p> <p>Matters of discretion are restricted to:</p> <p style="padding-left: 20px;">a. The matters in INF-P24; and</p> <p style="padding-left: 20px;">b. The matters of discretion of any infringed standard.</p> <p><b>Notification:</b></p> <ol style="list-style-type: none"> <li>1. An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>2. When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower.</li> </ol>
<b>RLZ-R17</b>	<b>Activities within the National Grid Pāuatahanui Substation Yard</b>
	<p>1. Activity status: <b>Controlled</b></p> <p>Matters of control are reserved to:</p> <ul style="list-style-type: none"> <li>• The matters in INF-P24.</li> </ul> <p><b>Notification:</b></p> <ol style="list-style-type: none"> <li>1. An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>2. When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower.</li> </ol>

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<sup>18</sup> Minor correction under clause 16 (typographical error)

<b>RLZ-R18</b>	<b>Habitable buildings and structures, including additions and alterations, near the Gas Transmission Pipeline Corridor</b>
	<p>1. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>Any habitable building or structure is located within 10m of the Gas Transmission Pipeline Corridor; and</li> <li>Any habitable building or structure is located within 30m of any above-ground station forming part of the Gas Transmission Network.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters in INF-P25.</li> </ol> <p><b>Notification:</b></p> <ol style="list-style-type: none"> <li>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on First Gas Ltd.</li> </ol>
<b>RLZ-R19</b>	<b>Emergency service facilities</b>
	<p>1. Activity status: <b>Restricted discretionary</b></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters in RLZ-P4.</li> </ol> <p><b>Notification:</b></p> <p>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
<b>RLZ-R20</b>	<b>Rural industry</b>
	1. Activity status: <b>Discretionary</b>
<b>RLZ-R21</b>	<b>Pet animal boarding and breeding</b>
	1. Activity status: <b>Discretionary</b>
<b>RLZ-R22</b>	<b>Community facility</b>
	1. Activity status: <b>Discretionary</b>
<b>RLZ-R23</b>	<b>Golf courses and ancillary activities</b>
	1. Activity status: <b>Discretionary</b>
<b>RLZ-R24</b>	<b>Industrial activity</b>
	1. Activity status: <b>Discretionary</b>
<b>RLZ-R25</b>	<b>Sport and recreation facility</b>

	1. Activity status: <b>Discretionary</b>
<b>RLZ-R26</b>	<b>Community corrections activity</b>
	1. Activity status: <b>Discretionary</b> <sup>19</sup>
<b>RLZ-R26</b>	<b>Any activity not provided for as a permitted, controlled, restricted discretionary, discretionary or non-complying activity</b>
	1. Activity status: <b>Discretionary</b>
<b>RLZ-R27</b>	<b>Commercial service activity</b>
	1. Activity status: <b>Non-complying</b>
<b>RLZ-R28</b>	<b>Drive-through activity</b>
	1. Activity status: <b>Non-complying</b>
<b>RLZ-R29</b>	<b>Food and beverage activity</b>
	1. Activity status: <b>Non-complying</b>
<b>RLZ-R30</b>	<b>Hospital and healthcare activity</b>
	1. Activity status: <b>Non-complying</b>
<b>RLZ-R31</b>	<b>Intensive indoor primary production</b>
	1. Activity status: <b>Non-complying</b>
<b>RLZ-R32</b>	<b>Large format retail activity</b>
	1. Activity status: <b>Non-complying</b>
<b>RLZ-R33</b>	<b>Major sports facility, excluding golf courses and ancillary activities</b>
	1. Activity status: <b>Non-complying</b>
<b>RLZ-R34</b>	<b>Mining</b>
	1. Activity status: <b>Non-complying</b>
<b>RLZ-R35</b>	<b>Office</b>
	1. Activity status: <b>Non-complying</b>
<b>RLZ-R36</b>	<b>Quarrying activities</b>

<sup>19</sup> Dept of Corrections [135.18]

	1. Activity status: <b>Non-complying</b>
<b>RLZ-R37</b>	<b>Retail activity</b>
	1. Activity status: <b>Non-complying</b>
<b>RLZ-R38</b>	<b>Retirement village</b>
	1. Activity status: <b>Non-complying</b>
<b>Standards</b>	
<b>RLZ-S1</b>	<b>Height</b>
<p>1. All buildings and structures must not exceed a maximum height above ground level of 10m.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> <li>• Solar water heating components provided these do not exceed the height by more than 500mm;</li> <li>• Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height by more than 1m;</li> <li>• Antennas, aerials, and flues provided these do not exceed the height by more than 1m; or</li> <li>• Satellite dishes (less than 1m in diameter) and architectural features (e.g. finials, spires) provided these do not exceed the height by more than 1m.</li> </ul>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Design and siting of the building or structure;</li> <li>2. Any shading of, or loss of privacy for, residential units on adjacent sites;</li> <li>3. Screening, planting, and landscaping of the building or structure;</li> <li>4. Whether an increase in building or structure height results from a response to natural hazard mitigation; and</li> <li>5. Whether topographical or other site constraints make compliance with the standard impractical.</li> </ol>
<b>RLZ-S2</b>	<b>Height in relation to boundary</b>
<p>1. All buildings and structures must be contained beneath a line of 45° measured into the site from any point 3m vertically above ground level along any site boundary.</p> <p>Except:</p> <ul style="list-style-type: none"> <li>• Where adjacent to a shared access in excess of 2.5m in width, the measurement shall be taken from the furthest side.</li> </ul>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Design and siting of the building or structure;</li> <li>2. Any shading of, or loss of privacy for, residential units on adjacent sites;</li> <li>3. Screening, planting, and landscaping of the building or structure;</li> <li>4. Whether an increase in height in relation to boundary results from a response to natural hazard mitigation; and</li> <li>5. Whether topographical or other site constraints make compliance with the standard impractical.</li> </ol>
<b>RLZ-S3</b>	<b>Scale of buildings and structures</b>
<p>1. All buildings and/or structures on a site must not exceed a maximum gross floor area of:</p> <ol style="list-style-type: none"> <li>a. 350m<sup>2</sup> for a principal residential unit;</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Design and siting of the building or structure;</li> </ol>

- b. 60m<sup>2</sup> for a minor residential unit;
- c. 500m<sup>2</sup> for all other non-residential buildings and structures combined; and
- d. 1,200m<sup>2</sup> for all buildings in a papakāinga and any other buildings on the site combined.

This standard does not apply to:

- Accessory buildings with a building footprint less than 10m<sup>2</sup>;
- Pergola structures that are not covered by a roof; and
- In-ground outdoor swimming pools.

- 2. Any shading of, or loss of privacy for, residential units on adjacent sites;
- 3. Screening, planting, and landscaping of the building or structure; and
- 4. Whether topographical or other site constraints make compliance with the standard impractical.

#### RLZ- S4      Setback

1. Buildings or structures used for residential purposes, ~~except for buildings and structures fronting Motukaraka Road,~~ must not be located within:

- a. A 10m setback from a boundary with a road; and
- b. A 5m setback from a side or rear boundary.

2. Buildings or structures used for non-residential purposes ~~and, buildings and structures fronting Motukaraka Road,~~ must not be located within:

- a. A 10m setback from a boundary with a road;
- b. A 5m setback from a side or rear boundary; or
- c. A 10m setback from a boundary of a site in a Residential Zone.

~~3. Buildings and structures fronting Motukaraka Road must not be located within:~~  
~~a. A 1.5m setback from a side or rear boundary.<sup>20</sup>~~

This standard does not apply to:

- Fences or standalone walls;
- Up to two rainwater tanks within the side or rear setbacks, each with a maximum diameter of 3.5m and a maximum height of 3m; and
- Up to two accessory buildings within the side and rear setbacks, with a maximum gross floor area of 10m<sup>2</sup> each.

Matters of discretion are restricted to:

- 1. Design and siting of the building or structure;
- 2. Any shading of, or loss of privacy for, residential units on adjacent sites;
- 3. Screening, planting, and landscaping of the building or structure; and
- 4. Whether topographical or other site constraints make compliance with the standard impractical.

<sup>20</sup> John and Shirley Cameron [196.2], Jalna Wilkins [41.1], Robert Lee [185.1], Anna Lee [191.1], Jill and Andrew Weeks [254.1]

<b>RLZ- S5</b>	<b>On-site services</b>
<p>1. Where a connection to Council's reticulated <a href="#">water and/or</a><sup>21</sup> wastewater systems is not available, all water supply and wastewater treatment and disposal systems must be contained within the site that the supply or system serves, and be connected to a septic tank or soakage field or an approved alternative means to dispose of sewage in a sanitary manner in accordance with Section 5.2.6 of the Wellington Water Regional Standard for Water Services May 2019.</p> <p>2. Where a connection to Council's reticulated wastewater systems is not available and sewage is to be disposed to ground, that area must not be subject to instability or inundation or used for the disposal of stormwater.</p>	There are no matters of discretion for this standard.
<b>RLZ- S6</b>	<b>Firefighting water supply and access</b>
<p>1. All new buildings must comply with New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.</p>	There are no matters of discretion for this standard.
<b>RLZ- S7</b>	<b>Fences and standalone walls</b>
<p>1. All fences and standalone walls must not exceed a maximum height above ground level of 2m.</p> <p><a href="#">2. All fences and standalone walls must not compromise visibility splays and minimum sight distances per INF-Figure 5 &amp; INF-Table 6</a><sup>22</sup></p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Design and siting of the fence or standalone wall;</li> <li>2. Any shading of, or loss of privacy for, residential units on adjacent sites where the fence or stand-alone wall is located on their boundary; and</li> <li>3. Whether topographical or other site constraints make compliance with the standard impractical.</li> </ol> <p><a href="#">4. The safe and efficient operation of the transport network.</a><sup>23</sup></p>

<sup>21</sup> Porirua City Council [11.64]

<sup>22</sup> Waka Kotahi [82.270]

<sup>23</sup> Ibid



# SETZ - Settlement Zone

The Settlement Zone applies to the Pāuatahanui Village. Along with residential activity, the Zone enables business activity within existing business premises located within Pāuatahanui Village in a way that reinforces the amenity values, vibrancy and character of Pāuatahanui Village. These include a range of neighbourhood scale service, entertainment and convenience businesses.

Development potential within the Pāuatahanui Village is limited by the following factors:

1. Small land parcels which limit the scale of possible redevelopment;
2. The community's desire to retain the historic heritage [and sites of significance to tangata whenua including wāhi tapu and wāhi tupuna<sup>24</sup>](#), amenity values and character of the Village;
3. Limited space for car parking to support business activities; and
4. Exposure to natural hazard risks including flooding/inundation of low-lying land, sea level rise, and tsunamis.

There is scope for further residential growth on the higher land surrounding the Village at a scale that maintains rural character and amenity values, as long as all water supply and wastewater treatment and disposal systems are contained within the site of any new buildings.

Pāuatahanui Village has a long history of human settlement. There are also several historic sites and buildings dating from the 19th century that contribute to the character of Pāuatahanui Village. Archaeological sites include the former Pāuatahanui Pā site of Ngāti Ira, which was later fortified as a gun-fighter's pā during the 1846 Battle Hill conflict under the supervision of Ngāti Toa chief, Te Rangiahaeata.

The Pāuatahanui Wildlife Refuge also contributes to the character of the Village. It is situated nearby between the eastern-most end of Pāuatahanui Inlet and the Village. This is a natural estuarine wetland habitat managed by the Department of Conservation, which supports a variety of indigenous wildlife.

## Objectives

### SETZ- Purpose of the Settlement Zone O1

The Settlement Zone accommodates both small-scale business and residential activities and maintains a rural village character.

### SETZ- Character and amenity values of the Settlement Zone O2

<sup>24</sup> TROTR [264.109]

The predominant character and amenity values of the Settlement Zone are maintained, which include:

1. A village centre consisting of a cluster of businesses including entertainment and hospitality;
2. A low-density residential built form on the lower-lying flats near the Pāuatahanui Inlet foreshore;
3. A village surrounded by residential lifestyle and animal grazing on the higher land surrounding the Pāuatahanui Village centre;
4. A strong presence of historic heritage buildings and sites and [sites of significance to tangata whenua including wāhi tapu and wāhi tupuna<sup>25</sup>](#); and
5. A harbour-side setting with high natural values in the Pāuatahanui Wildlife Refuge, and accessibility to valued recreation areas.

**SETZ- O3      Assisting the maintenance and enhancement of water quality**

Use and development in the Settlement Zone assist to achieve the maintenance and enhancement of water quality.

**Policies**

**SETZ- P1      Appropriate activities**

Enable activities that are compatible with the purpose, character and amenity values of the Settlement Zone, including small-scale village business activities, residential lifestyle activities, and animal grazing.

**SETZ- P2      Appropriate buildings**

Enable buildings that are compatible with the purpose, character and amenity values of the Settlement Zone.

**SETZ- P3      Home-based commercial activity**

Enable some home-based commercial activity including visitor accommodation, home business, and childcare services where these activities are compatible with the Zone's character and amenity values, and are located within residential units, minor residential units, and accessory buildings.

**SETZ- P4      Commercial activities**

Allow for commercial activities including retail activity, commercial service activity, entertainment and hospitality facilities, and healthcare activity where they are located within a building that accommodates an existing commercial activity.

**SETZ- P5      Potentially inappropriate activities**

Only allow activities that are potentially incompatible with the purpose, character and amenity values of the Settlement Zone, where it can be demonstrated that:

1. The site design, layout and scale of the activity is compatible with the character and amenity values of the Zone;

<sup>25</sup> TROTR [264.110]

2. There is adequate infrastructure available to service the activity, including on-site servicing where reticulated services are not available;
3. Areas of indigenous vegetation are retained where practicable;
4. There are benefits, such as the planting and fencing of erosion-prone land and the protection of areas of indigenous vegetation, wetlands and riparian areas;
5. It avoids constraining the establishment of activities otherwise anticipated within the Zone; and
6. There are measures to internalise any adverse effects and avoid conflict and potential reverse sensitivity effects on activities anticipated in the Zone, including residential activity.

**SETZ-  
P6      Inappropriate activities**

Avoid activities which are incompatible with the purpose, character and amenity values of the Settlement Zone.

**Rules**

Note: There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

Rules relating to subdivision, including minimum allotment sizes for each zone, are found in the Subdivision chapter.

Wastewater:

1. All wastewater generated on any land that is not connected to the Council's public sewer network must be treated and be disposed of within the confines of that land, in compliance with Porirua City Council General Bylaw 1991 - Part 25 Wastewater. This Bylaw requires that all on-site wastewater systems within Porirua, such as a septic tank or aerated wastewater treatment system, must be licensed by Porirua City Council.
2. Any on-site wastewater system must also meet the requirements outlined in Wellington Regional Council's Proposed Natural Resources Plan (PNRP). The PNRP has requirements around discharges to land, including design of systems and setbacks from boundaries and waterways.

**SETZ-  
R1      Buildings and structures, including additions and alterations, excluding fences and standalone walls**

1. Activity status: **Permitted**

Where:

1. Compliance is achieved with:
  - a. SETZ-S1;
  - b. SETZ-S2;
  - c. SETZ-S3;
  - d. SETZ-S4
  - e. SETZ-S5; and
  - f. SETZ-S6.

2. Activity status: **Restricted discretionary**

Where:

1. Compliance is not achieved with SETZ-S1, SETZ-S2, SETZ-S3 or SETZ-S4.

Matters of discretion are restricted to:

	<ul style="list-style-type: none"> <li>The matters of discretion of any infringed standard.</li> </ul> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
	<p>3. Activity status: <b>Discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with SETZ-S5 or SETZ-S6.</p> <p><b>Notification:</b></p> <p>a. An application under this rule where compliance is not achieved with SETZ-S5 is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</p> <p>b. An application under this rule where compliance is not achieved with SETZ-S6 is precluded from being publicly notified in accordance with section 95A of the RMA.</p> <p>c. When deciding whether any person is affected in relation to non-compliance with SETZ-S6 for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Fire and Emergency New Zealand.</p>
	<p><b>SETZ-R2      Rainwater tanks</b></p>
	<p>1. Activity status: <b>Permitted</b></p>
	<p><b>SETZ-R3      Fences and standalone walls</b></p>
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>1. Compliance is achieved with SETZ-R7.</p>
	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with SETZ-S7.</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>The matters of discretion of the infringed standard.</li> </ul> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
	<p><b>SETZ-R4      Construction activity</b></p>
	<p>1. Activity status: <b>Permitted</b></p>
	<p><b>SETZ-R5      Animal grazing</b></p>
	<p>1. Activity status: <b>Permitted</b></p>
	<p><b>SETZ-R6      Conservation activity</b></p>
	<p>1. Activity status: <b>Permitted</b></p>

<b>SETZ-R7</b>	<b>Residential activity and residential units</b>
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. There is no more than one principal residential unit per site;</li> <li>b. There is no more than one minor residential unit per site; and</li> <li>c. Any minor residential unit shares a driveway with the site's principal residential unit.</li> </ul>
	<p>2. Activity status: <b>Discretionary</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>• Compliance is not achieved with SETZ-R7-1.a, SETZ-R7-1.b or SETZ-R7-1.c.</li> </ul> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
<b>SETZ-R8</b>	<b>Home business</b>
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. The home business is undertaken within a residential unit, minor residential unit or accessory building;</li> <li>b. There is no more than one staff member who lives off-site; and</li> <li>c. No more than 100m<sup>2</sup> of total gross floor area per site is used for the home business.</li> </ul>
	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>• Compliance is not achieved with SETZ-R8-1.a, SETZ-R8-1.b or SETZ-R8-1.c.</li> </ul> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>a. The matters in SETZ-P5.</li> </ul>
<b>SETZ-R9</b>	<b>Visitor accommodation</b>
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. The visitor accommodation is undertaken within a residential unit, minor residential unit, or accessory building; and</li> <li>b. The maximum number of all guests per night is 10 people.</li> </ul>
	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>1. Compliance not achieved with SETZ-R9-1.a or SETZ-R9-1.b.</li> </ul> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>b. The matters in SETZ-P5.</li> </ul>
<b>SETZ-R10</b>	<b>Educational facility</b>

	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. The activity is undertaken within a residential unit, minor residential unit or accessory building;</li> <li>b. The maximum number of children on-site is four; and</li> <li>c. The hours of operation are between 7.00am to 7.00pm Monday to Friday.</li> </ol> <p>Except that SETZ-R10-1.b and SETZ-R10-1.c do not apply to any children who are normally resident at the site or who are otherwise guests of the occupants of the site.</p> <p>Note: This rule applies to home-based childcare services.</p>
	<p>2. Activity status: <b>Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with SETZ-R10-1.a, SETZ-R10-1.b, or SETZ-R10-1.c.</li> </ol>
<b>SETZ-R11 Commercial service activity</b>	
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. The activity is undertaken within a building where there is an existing commercial activity occurring as at 28 August 2020.</li> </ol>
	<p>2. Activity status: <b>Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. Compliance is not achieved with SETZ-R11-1.a.</li> </ol>
<b>SETZ-R12 Entertainment facility</b>	
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. The activity is undertaken within a building where there is an existing commercial activity occurring as at 28 August 2020.</li> </ol>
	<p>2. Activity status: <b>Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with SETZ-R12-1.a.</li> </ol>
<b>SETZ-R13 Food and beverage activity</b>	
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. The activity is undertaken within a building where there is an existing commercial activity occurring at 28 August 2020.</li> </ol>
	<p>2. Activity status: <b>Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance not achieved with SETZ-R13-1.a.</li> </ol>

<b>SETZ-R14</b>	<b>Healthcare activity</b>
	1. Activity status: <b>Permitted</b> Where: a. The activity is undertaken within a building where there is an existing commercial activity occurring as at 28 August 2020.
	2. Activity status: <b>Discretionary</b> Where: a. Compliance is not achieved with SETZ-R14-1.a.
<b>SETZ-R15</b>	<b>Office</b>
	1. Activity status: <b>Permitted</b> Where: a. The activity is undertaken within a building where there is an existing commercial activity occurring as at 28 August 2020.
	2. Activity status: <b>Discretionary</b> Where: • Compliance is not achieved with SETZ-R15-1.a.
<b>SETZ-R16</b>	<b>Retail activity</b>
	1. Activity status: <b>Permitted</b> Where: a. The activity is undertaken within a building where there is an existing commercial activity occurring as at 28 August 2020.
	2. Activity status: <b>Discretionary</b> Where: a. Compliance is not achieved with SETZ-R16-1.a.
<b>SETZ-R17</b>	<b>Papakāinga</b>
	1. Activity status: <b>Permitted</b> Where: 1. The site is held under Te Ture Whenua Māori Act 1993; 2. The gross floor area of all commercial activities does not exceed 100m <sup>2</sup> per site; and 3. The gross floor area of all community facilities does not exceed 200m <sup>2</sup> per site.
	2. Activity status: <b>Restricted discretionary</b> Where: • Compliance is not achieved with SETZ-R17-1.a.  Matters of discretion are restricted to: a. The matters in PK-P2.

	<p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
	<p>3. Activity status: <b>Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with SETZ-R17-1.b or SETZ-R17-1.c.</li> </ol> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
<p><b>SETZ-R18      Activities within the Gas Transmission Pipeline Corridor</b></p>	
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. The activity is not a sensitive activity.</li> </ol>
	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with SETZ-R18-1.a.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>a. The matters in INF-P25.</li> </ol> <p><b>Notification:</b></p> <ol style="list-style-type: none"> <li>1. An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>2. When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on First Gas Ltd.</li> </ol>
<p><b>SETZ-R19      Buildings and structures, including addition and alterations, within the National Grid Pāuatahanui Substation Yard</b></p>	
	<p>1. Activity status: <b>Controlled</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>• Compliance is achieved with SETZ-R1.</li> </ul> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters in INF-P24.</li> </ol> <p><b>Notification:</b></p> <ol style="list-style-type: none"> <li>1. An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>2. When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower.</li> </ol>
	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. Compliance is not achieved with SETZ-R21-1.a.</li> </ol>



	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters in INF-P24.</li> </ol> <p><b>Notification:</b></p> <ol style="list-style-type: none"> <li>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower.</li> </ol>
<b>SETZ-R20</b>	<b>Activities within the National Grid Pāuatahanui Substation Yard</b>
	<p>1. Activity status: <b>Controlled</b></p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>The matters in INF-P24.</li> </ul> <p><b>Notification:</b></p> <ol style="list-style-type: none"> <li>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower.</li> </ol>
<b>SETZ-R21</b>	<b>Habitable buildings and structures, including additions and alterations, near the Gas Transmission Pipeline Corridor</b>
	<p>1. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>Any habitable building or structure is located within 10m of the Gas Transmission Pipeline Corridor; and</li> <li>Any habitable building or structure is located within 30m of any above-ground station forming part of the Gas Transmission Network.</li> </ul> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters in INF-P25.</li> </ol> <p><b>Notification:</b></p> <ol style="list-style-type: none"> <li>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on First Gas Ltd.</li> </ol>
<b>SETZ-R22</b>	<b>Emergency service facilities</b>
	<p>1. Activity status: <b>Restricted discretionary</b></p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>The matters in SETZ-P5.</li> </ul> <p><b>Notification:</b></p> <p>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>

SETZ-R23	Community facility
	1. Activity status: <b>Discretionary</b>
SETZ-R24	Drive-through activity
	1. Activity status: <b>Discretionary</b>
SETZ-R25	Primary production, excluding animal grazing, quarrying activities, mining activity, intensive indoor primary production and rural industry
	1. Activity status: <b>Discretionary</b>
SETZ-R26	Pet animal boarding and breeding
	1. Activity status: <b>Discretionary</b>
<u>SETZ-R27</u>	<u>Community corrections activity</u>
	<u>1. Activity status: <b>Discretionary</b></u> <sup>26</sup>
SETZ-R27	Any activity not provided for as a permitted, controlled, restricted discretionary or non-complying activity
	1. Activity status: <b>Discretionary</b>
SETZ-R28	Industrial activity
	1. Activity status: <b>Non-complying</b>
SETZ-R29	Intensive indoor primary production
	1. Activity status: <b>Non-complying</b>
SETZ-R30	Hospital
	1. Activity status: <b>Non-complying</b>
SETZ-R31	Large format retail activity
	1. Activity status: <b>Non-complying</b>
SETZ-R32	Mining
	1. Activity status: <b>Non-complying</b>
SETZ-R33	Quarrying activities
	1. Activity status: <b>Non-complying</b>

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<sup>26</sup> Dept of Corrections [135.18]

<b>SETZ- R34</b>	<b>Retirement village</b>	
		1. Activity status: <b>Non-complying</b>
<b>SETZ- R35</b>	<b>Rural industry</b>	
		1. Activity status: <b>Non-complying</b>
<b>Standards</b>		
<b>SETZ- S1</b>	<b>Height</b>	
<p>1. All buildings and structures must not exceed a maximum height above ground level of 8m.</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> <li>1. Solar water heating components provided these do not exceed the height by more than 500mm;</li> <li>2. Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height by more than 1m;</li> <li>3. Antennas, aerials, and flues provided these do not exceed the height by more than 1m; or</li> <li>4. Satellite dishes (less than 1m in diameter) and architectural features (e.g. finials, spires) provided these do not exceed the height by more than 1m.</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>a. Design and siting of the building or structure;</li> <li>b. Any shading of, or loss of privacy for, residential units on adjacent sites;</li> <li>c. Screening, planting, and landscaping of the building or structure;</li> <li>d. Whether an increase in building or structure height results from a response to natural hazard mitigation; and</li> <li>e. Whether topographical or other site constraints make compliance with the standard impractical.</li> </ol>	
<b>SETZ- S2</b>	<b>Height in relation to boundary</b>	
<p>1. All buildings and structures must be contained beneath a line of 45° measured into the site from any point 3m vertically above ground level along any site boundary.</p> <p>Except:</p> <ol style="list-style-type: none"> <li>a. Where adjacent to a shared access in excess of 2.5m in width, the measurement shall be taken from the furthest side.</li> </ol>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>d. Design and siting of the building or structure;</li> <li>e. Any shading of, or loss of privacy for, residential units on adjacent sites;</li> <li>f. Screening, planting, and landscaping of the building or structure;</li> <li>g. Whether an increase in height in relation to boundary results from a response to natural hazard mitigation; and</li> <li>h. Whether topographical or other site constraints make compliance with the standard impractical.</li> </ol>	
<b>SETZ- S3</b>	<b>Building coverage</b>	
<p>1. The maximum coverage of buildings and structures must not exceed 30% of net site area or 350m<sup>2</sup>, whichever is the lesser; and</p> <p>2. Any minor residential unit must not exceed a maximum gross floor area of 60m<sup>2</sup>.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Design and siting of the building or structure;</li> <li>2. Any shading of, or loss of privacy for, residential units on adjacent sites;</li> </ol>	

<p>This standard does not apply to:</p> <ol style="list-style-type: none"> <li>1. Accessory buildings with a building footprint less than 10m<sup>2</sup>;</li> <li>2. Pergola structures that are not covered by a roof; or</li> <li>3. In-ground outdoor swimming pools.</li> </ol>	<ol style="list-style-type: none"> <li>3. Screening, planting, and landscaping of the building or structure; and</li> <li>4. Whether topographical or other site constraints make compliance with the standard impractical.</li> </ol>
<p><b>SETZ-      Setback</b> <b>S4</b></p>	
<ol style="list-style-type: none"> <li>1. Buildings or structures must not be located within: <ol style="list-style-type: none"> <li>1. A 5m setback from a boundary with a road; and</li> <li>2. A 1.5m setback from a side or rear boundary.</li> </ol> </li> </ol> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> <li>• Fences and standalone walls;</li> <li>• Up to two rainwater tanks within the side or rear setbacks, each with a maximum diameter of 3.5m and a maximum height of 3m; and</li> <li>• Up to two accessory buildings within the side and rear setbacks, with a maximum gross floor area of 10m<sup>2</sup> each.</li> </ul>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Design and siting of the building or structure;</li> <li>2. Any shading of, or loss of privacy for, residential units on adjacent sites;</li> <li>3. Screening, planting, and landscaping of the building or structure; and</li> <li>4. Whether topographical or other site constraints make compliance with the standard impractical.</li> </ol>
<p><b>SETZ-      On-site services</b> <b>S5</b></p>	
<ol style="list-style-type: none"> <li>1. Where a connection to Council's reticulated <a href="#">water and/or</a><sup>27</sup> wastewater systems is not available, all water supply and wastewater treatment and disposal systems must be contained within the site that the supply or system serves, and be connected to a septic tank or soakage field or an approved alternative means to dispose of sewage in a sanitary manner in accordance with Section 5.2.6 of the Wellington Water Regional Standard for Water Services May 2019.</li> <li>2. Where a connection to Council's reticulated wastewater systems is not available and sewage is to be disposed to ground, that area must not be subject to instability or inundation or used for the disposal of stormwater.</li> </ol>	<p>There are no matters of discretion for this standard.</p>
<p><b>SETZ-      Firefighting water supply and access</b> <b>S6</b></p>	

<sup>27</sup> Porirua City Council [11.65]

1. All new buildings must comply with New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.	There are no matters of discretion for this standard.
<b>SETZ- S7 Fences and standalone walls</b>	
1. All fences and standalone walls must not exceed a maximum height above ground level of 2m.	Matters of discretion are restricted to: <ol style="list-style-type: none"> <li>1. Design and siting of the fence or standalone wall;</li> <li>2. Any shading of, or loss of privacy for, residential units on adjacent sites where the fence or stand-alone wall is located on their boundary; and</li> <li>3. Whether topographical or other site constraints make compliance with the standard impractical.</li> </ol>

## **Appendix B. Recommended Responses to Submissions and Further Submissions**

The recommended responses to the submissions made on this topic are presented in Table B 1 below.

Table B 1: Recommended responses to submissions and further submissions

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
<b>General submissions</b>							
264.64	Te Rūnanga o Toa Rangatira	General - GRUZ	Retain as notified.	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
264.65	Te Rūnanga o Toa Rangatira	General - RLZ	Retain as notified.	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
78.1	Tim and Nadine Green	General - RLZ	Retain.	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
231.31	John Carrad	General - RLZ	Retain the RLZ	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
98.1	Michael Duggan	Pāuatahanui	[Not specified, refer to original submission]  While no specific decision sought, the submitter raised the following matter(s): In favour of the proposed PCC District Plan change as it relates to the Pāuatahanui area	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
74.1	Pauatahanui Residents Association	Rural Zones	Amend rural zoning giving consideration to Pauatahanui residents' submissions.	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
264.66	Te Rūnanga o Toa Rangatira	General - SETZ	Retain as notified subject to the amendments in other submission points	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
209.4 <sup>28</sup>	Joy Constance Gray	General	Amendments as considered appropriate and necessary to address the concerns regarding the sustainable management and use of Pt Lot 2 DP 85726, including the minimum allotment size of 40 hectares in the General Rural Zone if that zoning is retained for some or all of the property.	3.2	Reject	See body of report	No
210.6	Trustees of the Blue Cottage Trust	General	Such further other amendments as considered appropriate and necessary to address the concerns regarding the sustainable management and use of Lot 6 DP 28478.	3.2	Reject	See body of report	No
211.7	Trustees of the Ken Gray No. 1 Family Trust & Ken Gray No. 2 Family Trust	General	Such further other amendments as considered appropriate and necessary to address the concerns regarding the sustainable management and use of Lot 1-2 DP 1408, Lot 1 DP 89872, Lot 3 DP 332721 and Lot 2 DP 408158.	3.2	Reject	See body of report	No
258.6	Milmac Homes Limited	General	Such further amendments as considered appropriate and necessary to address the submitter's concerns regarding the sustainable management and use of the submitter's property, including the minimum allotment size of 40 hectares in the General Rural Zone if that zoning is retained for some or all of the property.  [Refer to original submission for full decision requested]	3.2	Reject	See body of report	No
<b>Submissions supporting rezoning of land</b>							
20.1	PHR Limited	General	[Not specified, refer to original submission]	N/A	Accept	Agree with submitter	No

<sup>28</sup> Support – Milmac Homes Ltd [FS59.33]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>While no specific decision sought, the submitter raised the following matter(s):</p> <p>Supports the proposed re-zoning of 46 Paekakariki Hill Road from Rural to Settlement Zone for the following reasons:</p> <ul style="list-style-type: none"> <li>The proposed Settlement Zoning of the subject site aligns with the current use of the land and surrounding sites;</li> </ul> <p>The proposed Settlement Zoning allows for more efficient use of the subject site.</p>				
78.2	Tim and Nadine Green	Retain RLZ zoning	Retain Rural Lifestyle Zoning along Bradey Road, Pauatahanui.	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
<b>Submissions seeking rezoning</b>							
48.1	Glenn Johnston	Rezoning	Change the lower part (1st km approx) of Murphys Road to Rural lifestyle zone.	3.3	Reject	See body of report	No
61.3	Mike & Christine Jacobson	Rezoning	<p>Create a new Special Purpose Zone allowing more intensive rural subdivision (or extend the Rural Lifestyle Zone) to the north and east of the FUZ Judgeford Flats after careful consideration of where and how that can be done:</p> <ul style="list-style-type: none"> <li>without adversely impacting the roading network and the environment (in particular the Moonshine and Pauatahanui Streams and Pauatahanui inlet downstream);</li> <li>in a way that enables a more vibrant community in the area with opportunities to both live and work (with benefits of reducing travel and carbon footprint in an area not well served by public transport); and</li> </ul> <p>in a way that enables and promotes environmental restoration including riparian plantings, native and amenity plantings, and wildlife corridors.</p>	3.3	Reject	See body of report	No
66.1	Arama Rochel	Rezoning	<p>Amend zoning of lots 3, 4 and 5 of Pikarere Farm from Rural Zone to Rural Lifestyle Zone (or any other decision that would satisfy concerns that the zone reflects the future potential of the land).</p> <p>[Refer to original submission for full decision requested, including attachments.]</p>	3.3	Reject	See body of report	No
100.2	Pamela Meekings-Stewart	Rezoning	<p>Amend zoning of 144 Muri Road from General Rural Zone to Rural Lifestyle Zone for part of the property not covered by the requested redraw of SNA004.</p> <p>[Refer to original submission for full decision requested, including attachments]</p>	3.3	Reject	See body of report	No
200.1	Judgeford Heights Ltd <sup>29</sup>	Rezoning	<p>Amend zoning at 346A, 346C &amp; 352 Paremata Haywards Road, Judgeford from General Rural Zone to Future Urban Zone and Rural Lifestyle Zone.</p> <p>[Refer to original submission for full decision requested, including attachment]</p>	3.3	Reject	See body of report	No
181.1	David William Ltd	Rezoning	<p>Amend.</p> <p>The Rural Lifestyle Zone be reclassified as Future Urban Zone</p> <p>The General Rural Zone be reclassified as Rural Lifestyle Zone</p>	3.3	Reject	See body of report	No

<sup>29</sup> Oppose – Waka Kotahi [FS36.20]; GWRC [FS40.120]



Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
183.1	Pikarere Farm Limited	Rezoning	In relation to Pikarere Farm, a Plan attached to the submission shows the areas of the farm that should be zoned Rural Lifestyle and include: <ul style="list-style-type: none"> <li>The land adjoining the Treatment Plan currently proposed by the City to be zoned General Rural;</li> <li>The area proposed by the City to be zoned Rural Lifestyle; and</li> <li>An area to the southern end of the farm extending the area to be zoned Rural Lifestyle.</li> </ul> <p>[Refer to original submission for full decision requested, including attachments]</p>	3.3	Accept in part	See body of report	Yes
230.1	Carolyn Vasta and Carole Reus	Rezoning	Amendment to the planning maps to provide an improved extent of the Rural Lifestyle Zone (RLZ) for the properties at 1221 Moonshine Road and 1249B Moonshine Road, Judgeford. In the alternative provide for the properties to become part of the Future Urban Zone (FUZ)	3.3	Reject	See body of report	No
230.10	Vasta and Reus, Carolyn and Carole	Rezoning	Retain the RLZ and extend it to properties at 1221 Moonshine Road and 1249B Moonshine Road, Judgeford.	3.3	Reject	See body of report	No
232.1	Jason Alder	Rezoning	Amend the planning maps to: <ul style="list-style-type: none"> <li>Provide an improved extent of the Rural Lifestyle Zone (RLZ) or Settlement Zone (SETZ) for the property [272A Belmont Road, Judgeford (Lot 3 DP 33209 (RoT 547236))]</li> <li>In the alternative the land can be added to the Future Urban Area (FUZ) which is adjoining</li> </ul> <p>[Refer to original submission for full decision requested]</p>	3.3	Reject	See body of report	No
232.10	Jason Alder	General	Retain the RLZ and SETZ and extend one or other over the submitters land [272A Belmont Road, Judgeford (Lot 3 DP 33209 (RoT 547236))] (alternatively add the land to the FUZ).	3.3	Reject	See body of report	No
232.17	Jason Alder	Rezoning	Retain the RLZ and SETZ and extend one or other over the submitters land [272A Belmont Road, Judgeford (Lot 3 DP 33209 (RoT 547236))] (alternatively add the land to the FUZ).	3.3	Reject	See body of report	No
233.1	Quest Projects Limited	Rezoning	Amendment to the planning maps to provide an improved extent of the RLZ for the area identified on the attached map. <p>[Refer to original submission for full reason, including attachment]</p>	3.3	Accept	See body of report	Yes
233.18	Quest Projects Limited	Rezoning	Retain the RLZ and extend it to the parts of the submitters land interest in accordance with its plan attached. <p>[Refer to original submission for full reason, including attachment]</p>	3.3	Accept	See body of report	Yes
234.1	Graham and Janet Reidy	Rezoning	Amend the planning maps to provide an improved extent of the Rural Lifestyle Zone (RLZ) or Settlement Zone (SETZ) for its property [119 Paekākāriki Hill Road, Pāuatahanui, Pt Lot 1 DP 29219 (CT WN44D/686)].	3.3	Reject	See body of report	No
234.18	Graham and Janet Reidy	Rezoning	Retain the RLZ and extend it to 119 Paekākāriki Hill Road, Pāuatahanui (Pt Lot 1 DP 29219 (CT WN44D/686))	3.3	Reject	See body of report	No
234.19	Graham and Janet Reidy	General	Retain the SETZ and extend it to 119 Paekākāriki Hill Road, Pāuatahanui (Pt Lot 1 DP 29219 (CT WN44D/686))	3.3	Reject	See body of report	No
237.1	James Mclaughlan	Rezoning	Amend planning maps to provide an improved extent of the Rural Lifestyle Zone or Settlement Zone for 63 Paekakariki Hill Road, Pauatahanui.	3.3	Reject	See body of report	No
237.18	James Mclaughlan	Rezoning	Retain the RLZ and extend it to 63 Paekakariki Hill Road, Pauatahanui.	3.3	Reject	See body of report	No
253.1	Anita and Fraser Press	Rezoning	Amend the planning maps to provide an improved extent of the Rural Lifestyle Zone (RLZ) or Settlement Zone (SETZ) for the property at 139 Paekākāriki Hill Road, Pāuatahanui (Lot 3 DP 33209 (CT WN17B/265))	3.3	Reject	See body of report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
253.18	Anita and Fraser Press	Rezoning	Retain the RLZ and extend it to the land. [139 Paekākāriki Hill Road, Pāuatahanui (Lot 3 DP 33209 (CT WN17B/265))]	3.3	Reject	See body of report	No
253.19	Anita and Fraser Press	General	Retain the SETZ and extend it to the land. [139 Paekākāriki Hill Road, Pāuatahanui (Lot 3 DP 33209 (CT WN17B/265))]	3.3	Reject	See body of report	No
258.1	Milmac Homes Limited	Rezoning	The property [Paekakariki Hill Road (Lot 2 85726)] should be zoned Rural Lifestyle Zone and not General Rural Zone.	3.3	Reject	See body of report	No
<b>Community corrections activities</b>							
135.18	Dept of Corrections	Multiple zones	Amend the rules to include community corrections activities as a Discretionary Activity in all zones other than City Centre, Mixed Use, Local Centre and General Industrial zones.	N/A	Accept	Agree with the submitter.  (Note I consider no s32AA analysis is required as this is already a discretionary activity under the catch all rules in each zone: GRUZ-R26, RLZ-R26 and SETZ-R27).	Yes
<b>Educational facilities</b>							
134.24	Ministry of Education	GRUZ-R12	Amend the rule as follows: GRUZ-R12 Educational facility 1. Activity status: Permitted Where: a. The activity is undertaken within a residential unit, minor residential unit or accessory building; b. The maximum number of children on-site is four; and c. The hours of operation are between 7.00am and 7.00pm Monday to Friday. Except that GRUZ-R12-1.b and GRUZ-R12-1.c do not apply to any children who are normally resident at the site or who are otherwise guests of the occupants of the site. Note: This rule applies to home-based childcare services. 2. Activity status: <del>Non-complying</del> <u>Discretionary</u> Where: a. Compliance is not achieved with GRUZ-R12-1.a, GRUZ-R12-1.b or GRUZ-R12-1.c.	3.4	Reject	See body of report	No
134.25	Ministry of Education	RLZ-R12	Amend the rule as follows: RLZ-R12 Educational facility 1. Activity status: Permitted Where: a. The activity is undertaken within a residential unit, minor residential unit or accessory building; b. The maximum number of children on site is four; and c. The hours of operation are between 7.00am to 7.00pm Monday to Friday. Except that RLZ-R12-1.b and RLZ-R12-1.c do not apply to any children who are normally resident at the site or who are otherwise guests of the occupants of the site. 2. Activity status: <del>Non-complying</del> <u>Discretionary</u> Where: a. Compliance is not achieved with RLZ-R12-1.a, RLZ-R12-1.b or RLZ-R12-1.c.	3.4	Reject	See body of report	No
134.26	Ministry of Education	SETZ-R10	Retain as proposed	N/A	Accept	Agree with submitter	No
<b>Emergency service facilities</b>							

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
119.1	FENZ	General	Seeks amendments to sections, as outlined in the Table contained in Appendix A to the submission.  [Refer to original submission for full decision requested, including attachment]	N/A	Accept in part	Accept in part, where relevant s42A officers are in agreement <sup>30</sup>	
119.2	FENZ	General	Seeks that the PPDP clearly provides for firefighter training activities throughout the district.	3.5	Accept	Agree with submitter	No
119.59	FENZ	GRUZ-R21	Retain as proposed.	N/A	Accept	Agree with submitter	No
119.60	FENZ	GRUZ-S1	Amend standard as follows: 1. All buildings and structures must not exceed a maximum height above ground level of 10m. This standard does not apply to: <ul style="list-style-type: none"> <li>Solar water heating components provided these do not exceed the height by more than 500mm;</li> <li>Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height by more than 1m;</li> <li>Antennas, aerials, and flues provided these do not exceed the height by more than 1m; or</li> <li>Satellite dishes (less than 1m in diameter) and architectural features (e.g. finials, spires) provided these do not exceed the height by more than 1m; or</li> </ul> <u>Emergency service facilities and hose drying towers up to 15m associated with emergency service facilities.</u>	3.5	Reject	See body of report	No
119.61	FENZ	RLZ-R19	Retain as proposed.	N/A	Accept	Agree with submitter	No
119.62	FENZ	RLZ-S1	Amend standard as follows: 1. All buildings and structures must not exceed a maximum height above ground level of 10m. This standard does not apply to: <ul style="list-style-type: none"> <li>Solar water heating components provided these do not exceed the height by more than 500mm.</li> <li>Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height by more than 1m.</li> <li>Antennas, aerials, and flues provided these do not exceed the height by more than 1m; or</li> <li>Satellite dishes (less than 1m in diameter) and architectural features (e.g. finials, spires) provided these do not exceed the height by more than 1m.</li> </ul> <u>Emergency service facilities and hose drying towers up to 15m associated with emergency service facilities.</u>	3.5	Reject	See body of report	No
119.63	FENZ	SETZ-R22	Retain as proposed.	N/A	Accept	Agree with submitter	No
119.64	Fire and Emergency New Zealand	SETZ-S1	Amend standard as follows: SETZ-S1 Height 1. All buildings and structures must not exceed a maximum height above ground level of 8m. This standard does not apply to: <ul style="list-style-type: none"> <li>Solar water heating components provided these do not exceed the height by more than 500mm;</li> <li>Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height by more than 1m;</li> <li>Antennas, aerials, and flues provided these do not exceed the height by more than 1m.</li> <li>Satellite dishes (less than 1m in diameter) and architectural features (e.g. finials, spires) provided these do not exceed the height by more than 1m.</li> </ul> <u>Emergency service facilities and hose drying towers up to 15m associated with emergency service facilities.</u>	3.5	Reject	See body of report	No

<sup>30</sup> Note: this is a high-level submission point taken from the fourth paragraph on page 6 of the submission under the heading "FENZ seeks the following decision from the local authority".

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
<b>Golf courses</b>							
228.1	G and Jo Ltd	General	The future development and use of walking and cycle trails should be anticipated and provided for as a permitted activity.	3.6	Accept	NZTA are constructing walking and cycle trails adjacent to new highways, Battle Hill have them and the intention is to create the same on the Pauatahanui Golf Course and forest land so the network can be extended.	No
228.2	G and Jo Ltd	General	Consider allowing entertainment and hospitality as a discretionary activity in Rural Lifestyle zones knowing that users of recreational activities want facilities attached.	3.6	Reject	See body of report	No
228.3	G and Jo Ltd	General	The District Plan should permit the existing recreational uses and associated existing facilities.	3.6	Reject	See body of report	No
<b>Activities adjacent to state highways</b>							
82.255	Waka Kotahi NZ Transport Agency	GRUZ-R10	Retain as notified.	N/A	Accept	Agree with submitter	No
82.256	Waka Kotahi NZ Transport Agency	GRUZ-R10	Retain as notified.	N/A	Accept	Agree with submitter	No
82.257	Waka Kotahi NZ Transport Agency	GRUZ-R11	Amend provision 1. Activity status: Permitted Where: a. The visitor accommodation is undertaken within a residential unit, minor residential unit or accessory building; and b. The maximum number of paying visitors per night is 10 people. <u>c. The site does not have direct access to a state highway.</u> 2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with GRUZ-R11-1.a, <del>or</del> GRUZ-R11-1.b, <u>or GRUZ-R11-1.c.</u>	3.7	Reject	See body of report	No
104.12	Aggregate and Quarry Association	GRUZ-R11	[Not specified, refer to original submission]  While no specific decision sought, the submitter raised the following matter(s): Concerned about the increased reverse sensitivity issues that arise with this activity in a rural zone especially if the cap is lifted and there is an opportunity for growth.	3.7	Reject	See body of report	No
82.268	Waka Kotahi NZ Transport Agency	RLZ-R10	Adopt submission on RLZ-P4. [Refer to original submission for full decision requested, including attachments]	3.7	Reject	See body of report	No
82.269	Waka Kotahi NZ Transport Agency	RLZ-R11	Amend provision: 1. Activity status: Permitted Where: a. The visitor accommodation is undertaken within a residential unit, minor residential unit or accessory building; and b. The maximum number of paying visitors per night is ten people. <u>c. The site does not have direct access to a state highway.</u> 2. Activity status: Restricted discretionary Where: Compliance not achieved with RLZ-R11-1.a or RLZ-R11-1.b or RLZ-R11-1.c.	3.7	Reject	See body of report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
164.31	Willowbank Trustee Limited	GRUZ-R9	Retain as proposed.	N/A	Accept	Agree with submitter	No
82.254 <sup>31</sup>	Waka Kotahi NZ Transport Agency	GRUZ-R9	Amend provision: 1. Activity status: Permitted Where: a. There is no more than one principal residential unit per site; b. There is no more than one minor residential unit per site; and c. Any minor residential unit shares a driveway with the site's principal residential unit. d. <u>There is no more than one residential unit per site where the site has direct access to a state highway.</u> 2. Activity status: Discretionary Where compliance is not achieved with: a. GRUZ-R9-1.a, GRUZ-R9-1.b, or GRUZ-R9-1.c, or GRUZ-R9-1.d.	3.7	Reject	See body of report	No
82.267	Waka Kotahi NZ Transport Agency	RLZ-P9	Amend provision: 1. Activity status: Permitted Where: a. There is no more than one principal residential unit per site; b. There is no more than one minor residential unit per site; and c. Any minor residential unit shares a driveway with the site's principal residential unit. d. There is no more than one residential unit per site where the site has direct access to a state highway. 2. Activity status: Discretionary Where: a. Compliance not achieved with RLZ-R9-1.a, RLZ-R9-1.b or RLZ-R9-1.c or RLZ-R9-1.d.	3.7	Reject	See body of report	No
<b>Quarrying and mining</b>							
1.1	Stephen Smith	GRUZ-P5	<ul style="list-style-type: none"> <li>The Proposed Plan should contain these clear statements: Objective C11.1, Policies C11.1.1, C11.1.2, C11.2.2. In particular C11.2.2 about providing greater protection to rural zones is not included. This policy in particular should be carried through.</li> <li>The policy should contain specifications around the blast values to be expected within 500 metres of a new quarry activity and that a new quarry activity should not be consented where there are consented, occupied dwellings within 500 metres of a new or any quarry activity.</li> <li>Remove the provision for new quarry activities. Amend current provision to ensure a strictly adhered to policy regarding, noise and vibration nuisance and distance from properties as discussed.</li> <li>Amend GRUZ-P5 with policies specific to nuisance values such as vibration and noise.</li> </ul>	3.8	Reject	See body of report	No
14.1	Nadine Steffens	GRUZ-P5	As above	3.8	Reject	See body of report	No
17.1	Jennifer Blake	GRUZ-P5	As above	3.8	Reject	See body of report	No
45.1	Magdalena Conradie	GRUZ-P5	As above	3.8	Reject	See body of report	No
76.5	John Hungerford	GRUZ-P5	As above	3.8	Reject	See body of report	No

<sup>31</sup> Oppose – Kainga Ora [FS65.344]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
89.1	Sandra Johnston	GRUZ-P5	As above	3.8	Reject	See body of report	No
90.2	Derek and Kristine Thompson	GRUZ-P5	As above	3.8	Reject	See body of report	No
93.2	Graham Twist	GRUZ-P5	As above	3.8	Reject	See body of report	No
162.5	Victoria and Nick Coad	GRUZ-P5	As above	3.8	Reject	See body of report	No
10.2	Lyle and Tracey Davies	GRUZ-P5	Mining and quarrying activities should be deemed prohibited activities. Irrespective of zoning, quarry and mining activities should not be permitted in the Judgeford Area, particularly so close to established residential dwellings and SNA areas.	3.8	Reject	See body of report	No
10.5	Lyle and Tracey Davies	Consultation	Council should urgently develop and publicly consult on a policy to ensure that no other Porirua residents are subjected to similar experience of mining activities being established so close to their dwellings. Other inappropriate activities – such as industrial activities – should also be prohibited.	3.8	Reject	See body of report	No
12.2	Gwynn Family Trust	GRUZ-P5	Amend Quarry rules GRUZ-P5 to provide 500m separation from existing dwellings and add specific requirements on noise, vehicle numbers, noise, vibration etc such that specific measures must be met and adhered to.	3.8	Reject	See body of report	No
246.3	Judgeford Environmental Protection Society Incorporated	GRUZ-P5	Council should: <ul style="list-style-type: none"> <li>• Provide protective measures in the District Plan, preferably by prohibiting all large-scale mining and extraction activities in Judgeford</li> <li>• Ensure that the revised District Plan contains objectives, policies, and methods to control the effects of quarrying</li> <li>• Develop a mining and extraction policy that will provide transparency and accountability in Council decision making in future.</li> <li>• Mining and quarrying activities should be prohibited activities in Judgeford.</li> </ul>	3.8	Accept in part	See body of report	No
104.7	Aggregate and Quarry Association	GRUZ-O4	[Not specified, refer to original submission]  While no specific decision sought, the submitter raised the following matter(s): Support that the benefits of mineral extraction and processing activities to the city and the region are recognised and provided for in the General Rural Zone.	N/A	Accept	Agree with submitter	No
104.8	Aggregate and Quarry Association	GRUZ-P5	Amend criteria 4 and 5 so there is the ability to remedy, mitigate, offset or compensate.	3.8	Reject	See body of report	No
220.1	Tiaki and Amanda Pritchard	General	Quarrying/mining/extraction to be changed for Lot 14 and Lot 16 DP 88001 to 'non-complying' activities, due to its location within the Taupo Swamp catchment (an outstanding natural wetlands). Specifically, Wairaka Farm. Work should be done between PCC and Government to purchase this specific parcel of land, and retire it into a public reserve for future generations to enjoy.	3.8	Reject	See body of report	No
262.3	Fulton Hogan	General	[Not specified, refer to original submission].  While no specific decision sought, the submitter raised the following matter(s): Supportive of the proposed policy setting that the General Rural Zone is primarily for primary production, which includes quarrying and mining.	N/A	Accept	Agree with submitter	No
262.6	Fulton Hogan	Aggregate resources	[No specific reason given beyond decision requested - refer to original submission]  While no specific decision sought, the submitter raised the following matter(s):	3.8	Reject	See body of report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>Seeks general relief that the PPDP appropriately and better provides for the long term use and development of aggregate resources.</p> <p>This will require:</p> <ul style="list-style-type: none"> <li>the identification and zoning of sites appropriate for the development of aggregate resources within the region</li> <li>development of an appropriate objective, policy and rule framework to enable the use and development of those resources</li> <li>an appropriate assessment criterion to allow the effects of primary production activities (such as quarrying and mining) to be appropriately managed, recognising that not all effects of quarrying and mining activities can be internalised.</li> </ul> <p>Considers that the quarry known as Willowbank Quarry is an important asset for the future of Porirua City and the wider Wellington Region. The Wellington Region has significant aggregate resource constraints, both with quantity and quality of rock available for concrete production and civil infrastructure development. The quarry is therefore considered a key local source of aggregate which will support the development of regionally significant infrastructure in the region. The quarry has appropriate aggregate resources to qualify as regionally significant and should be specifically provided for as such.</p> <p>Provisions for quarrying activities should make appropriate provision for the transport of aggregate from the quarries to where it is to be used.</p>				
262.28	Fulton Hogan	GRUZ-P5	<p>Amend policy as follows: Provide for new <u>or expanded</u> quarrying activities or mining activity in the General Rural Zone where it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>The siting and scale of buildings and visual screening <u>of buildings</u> maintains the character and amenity values of the Zone;</li> <li>There are measures to minimise any adverse noise, vibration, access and lighting effects, <u>recognising that some offsite effects may occur</u>;</li> <li>There are measures to minimise any adverse effects on character and amenity values of the Zone from the movement of vehicles <u>on the site</u>;</li> <li>Areas of indigenous vegetation are retained where practicable <u>and where doing so will not compromise the effective and efficient extraction of aggregate</u>;</li> <li><del>It avoids or mitigates any adverse effects on waterbodies and their margins; and</del></li> <li>It internalises adverse environmental effects as far as practicable using industry best practice and management plans, including monitoring and self-reporting.</li> </ol>	3.8	Accept in part	See body of report	Yes
262.29	Fulton Hogan	GRUZ-P6	<p>Amend the policy as follows: Require any new quarrying activities or mining activities and changes of use on existing quarry sites <u>to require the development of a management plan 5 years prior to the completion of quarrying or mining activities</u>, to demonstrate how the site will be rehabilitated, having particular regard to: ...</p>	3.8	Reject	See body of report	No
164.24	Willowbank Trustee Limited	GRUZ-P6	Retain as proposed.	3.8	Reject	See body of report	No
164.34	Willowbank Trustee Limited	GRUZ-R19	Retain as proposed.	N/A	Accept	Agree with submitter	No
262.30	Fulton Hogan	GRUZ-R19	Retain as proposed.	N/A	Accept	Agree with submitter	No
<b>Separation of primary production and quarrying</b>							

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
10.6	Lyle and Tracey Davies	Primary production	If rural zoning is retained in the Judgeford Flats area, the definition of primary production must be amended so as to exclude all broad scale mining / quarrying activities (and any other inappropriate activities) that will have an adverse effect on the amenity and enjoyment of the area.	3.9	Accept in part	See body of report	No
104.11	Aggregate and Quarry Association	GRUZ-R6	[Not specified, refer to original submission]  While no specific decision sought, the submitter raised the following matter(s): Do not agree with the separate treatment of quarrying activities from the rest of primary production.	3.9	Reject	See body of report	No
246.7	Judgeford Environmental Protection Society Incorporated	Primary production	If rural zoning is retained, the definition of primary production must be amended consistent with MBIE and other's definitions so as to exclude all broad scale mining / quarrying activities (and any other inappropriate activities) that will have an adverse effect on the amenity and enjoyment of the area.	3.9	Accept in part	See body of report	No
<b>Relocated residential units</b>							
167.4 <sup>32</sup>	House Movers Association	New Provision	Expressly provide for relocation, removal, and re-siting of dwellings as a permitted activity subject to the same zone standards as in situ dwellings. Accompany the permitted activity classification with the following performance standards in addition to the zone performance standards which currently apply to "Construction Activity": <u>a. Any relocated building complies with the relevant standards for Permitted Activities in the District Plan;</u> <u>b. Any relocated dwelling must have been previously designed, built and used as a dwelling;</u> <u>c. A building inspection report shall accompany the building consent for the building/dwelling (refer Schedule 1). The report is to identify all reinstatement work required to the exterior of the building/dwelling;</u> <u>d. The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site;</u> <u>e. All work required to reinstate the exterior of any relocated building/dwelling, including the siting of the building/dwelling on permanent foundations, shall be completed within 12 months of the building being delivered to the site.</u> A non-notified restricted discretionary activity status for relocated buildings that do not comply with the performance standards, with the following assessment criteria: <u>Restricted Discretionary Activity</u> <u>(on a non-notified, non-service basis)</u> <u>Where an activity is not permitted by this Rule, Council will have regard to the following matters when considering an application for resource consent:</u> <u>i) Proposed landscaping;</u> <u>ii) the proposed timetable for completion of the work required to reinstate the exterior of the building and connections to services.</u> Provides a suggested pre-inspection report which may either be a non-statutory form, or prescribed into the plan, or to similar effect [Refer to original submission, including appendices]. Any further or consequential amendments to give effect to this submission in accordance with the reasons for this submission and the relief sought.	3.10	Reject	See body of report	No
167.5 <sup>33</sup>	House Movers Association	New Provision	As above	3.10	Reject	See body of report	No

<sup>32</sup> Oppose – Kāinga Ora [FS65.342]

<sup>33</sup> Oppose – Kāinga Ora [FS65.351]



Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
167.6 <sup>34</sup>	House Movers Association	New Provision	As above	3.10	Reject	See body of report	No
<b>Rural contractor depots</b>							
179.1	Rural Contractors New Zealand Inc	New definition	Include the following definition for "Rural contractor depot":  <u>The land and buildings used for the purposes of storing or maintaining machinery, equipment and associated goods and supplies associated with a rural contracting business that directly supports, services or is dependent on primary production.</u>	3.11	Accept	See body of report	Yes
179.2 <sup>35</sup>	Rural Contractors New Zealand Inc	New Provision	Include the following new permitted activity rule: <b>GRUZ-R15A Rural contractor depot</b> <u>1. Activity status: Permitted</u> <u>Where:</u> <u>a. The maximum number of staff is five (other than persons living on the site)</u> <u>b. The rural contractor depot (including associated vehicle access, parking and manoeuvring areas) is located at least 50m from an existing noise-sensitive activity or place of worship on a site under separate ownership.</u> <u>2. Activity status: Restricted discretionary</u> <u>Where:</u> <u>a. Compliance is not achieved with GRUZR15A. a or GRUZ-R15A.b.</u> <u>Matters of discretion are restricted to:</u> <u>1. The matters in GRUZ-P4.</u>	3.11	Accept in part	See body of report	Yes
179.3	Rural Contractors New Zealand Inc	GRUZ-R18	Amend GRUZ-R18 as follows: <b>GRUZ-R18 Rural industry, excluding a rural contractor depot</b> <u>1. Activity status: Restricted discretionary</u> <u>Matters of discretion are restricted to:</u> <u>1. The matters in GRUZ-P4.</u>	3.11	Accept	See body of report	Yes
<b>Definitions</b>							
104.1	Aggregate and Quarry Association	Primary production	[Not specified, refer to original submission]  While no specific decision sought, the submitter raised the following matter(s): Support the use of NPS definitions used for the following: primary production, quarry, quarrying activities, cleanfill area, and cleanfill material.	N/A	Accept	Agree with submitter	No
104.6	Aggregate and Quarry Association	General	[Not specified, refer to original submission].  While no specific decision sought, the submitter raised the following matter(s): Support the use of the term 'primary production activities' in this section. This is preferable to the term 'rural activities' because quarrying and mining are specified in the definition of primary production activities and so it is clearer.	N/A	Accept	Agree with submitter	No
164.3	Willowbank Trustee Limited	Primary production	Retain as proposed.	N/A	Accept	Agree with submitter	No

<sup>34</sup> Oppose – Kāinga Ora [FS65.357]<sup>35</sup> Oppose in part – Waka Kotahi [FS36.19]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
262.9	Fulton Hogan	Primary production	Retain as proposed.	N/A	Accept	Agree with submitter	No
262.34	Fulton Hogan	General	Use of the definition 'primary production activities' rather than 'rural activities'.	N/A	Accept	Agree with submitter	No
<b>Introduction</b>							
264.109	Te Rūnanga o Toa Rangatira	Introduction	Amend the introduction: Development potential within the Pāuatahanui Village is limited by the following factors: 1. Small land parcels which limit the scale of possible redevelopment; 2. The community's desire to retain the historic heritage <u>and sites of significance to tangata whenua including wāhi tapu and wāhi tupuna</u> , amenity values and character of the Village. Archaeological sites include the former Matai Taua Pā which became the fortified Pā of Ngāti Toa chief, Te Rangihaeata and part of the Crown's campaign to undermine Ngāti Toa's leadership in the Wellington region culminating in the 1846 Battle Hill conflict.	N/A	Accept	Agree with submitter	No
<b>Objectives</b>							
60.101	Transpower New Zealand Ltd	GRUZ-O1	Retain	N/A	Accept	Agree with submitter	No
164.17	Willowbank Trustee Limited	GRUZ-O1	Retain as proposed.	N/A	Accept	Agree with submitter	No
262.25	Fulton Hogan	GRUZ-O1	Retain as proposed.	N/A	Accept	Agree with submitter	No
11.63	Porirua City Council	GRUZ-O2	Amend the policy as follows: The predominant character and amenity values of the General Rural Zone are maintained, which include: 1. A working environment where rural activities generate noise, smells, light overspill and traffic, including heavy vehicles, often on a cyclic and seasonal basis; 2. Rugged hill country with a predominance of pasture for grazing and vegetation of varying types, including crops, forestry and native bush; 3. A low-density built form with open space between buildings that are predominantly used for rural activities, buildings include barns and sheds, <u>and residential units ancillary to rural activities; and generally one residential unit per site and one minor residential unit per site; and</u> 4. The presence of rural infrastructure, including rural roads and the on-site disposal of wastewater, and a general lack of urban infrastructure, such as street	N/A	Accept	Agree with submitter  In my opinion, for the reasons provided by the submitter, the amendments to GRUZ-O1 are more appropriate in achieving the purpose of the RMA than the notified objective. In particular, I consider that the amendments will better articulate the outcomes sought by the objective. Consequently, it is more appropriate than the notified objective in achieving the purpose of the Act.	Yes
71.3	Diane Strugnell	GRUZ-O2	[Not specified, refer to original submission]  While no specific decision sought, the submitter raised the following matter(s):  Porirua has very limited space for primary production activities. The presence of these activities is an important backdrop to the city landscape and also is "an enabler" of the rural lifestyle blocks. Without the presence of rural services and knowledge for the larger rural blocks, it would be much more difficult for the rural lifestyle blocks to retain their services and character.	N/A	Accept	Agree with submitter	No
164.18	Willowbank Trustee Limited	GRUZ-O2	Retain as proposed.	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
164.19	Willowbank Trustee Limited	GRUZ-O4	Amend: GRUZ-O4	N/A	Accept	Agree with submitter	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			Recognising the benefits of mineral extraction and processing <u>and quarrying activities</u> The benefits of mineral extraction and processing activities <u>and quarrying activities</u> to the city and region are recognised and provided for in the General Rural Zone.			In my opinion, for the reasons provided by the submitter, the amendments to GRUZ-04 are more appropriate in achieving the purpose of the RMA than the notified objective. In particular, I consider that the amendments will better articulate the outcomes sought by the objective. Consequently, it is more appropriate than the notified objective in achieving the purpose of the Act.	
262.26	Fulton Hogan	GRUZ-04	Retain as proposed.	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
20.2	PHR Limited	SETZ-01	Objective SETZ-01 be confirmed as notified	N/A	Accept	Agree with submitter	No
264.110	Te Rūnanga o Toa Rangatira	SETZ-02	Amend SETZ-02: SETZ-02 The predominant character and amenity values of the Settlement Zone are maintained, which include: 1. A strong presence of historic heritage buildings and <u>sites of significance to tangata whenua including wāhi tapu and wāhi tupuna.</u>	3.13	Accept	See body of report	Yes
20.3	PHR Limited	SETZ-02	Objective SETZ-02 be confirmed as notified	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
<b>Policies</b>							
20.4	PHR Limited	SETZ-P1	Policy SETZ-P1 be confirmed as notified	N/A	Accept	Agree with submitter	No
20.5	PHR Limited	SETZ-P2	Policy SETZ-P2 be confirmed as notified.	N/A	Accept	Agree with submitter	No
262.27	Fulton Hogan	GRUZ-P1	Retain as proposed.	N/A	Accept	Agree with submitter	No
164.20	Willowbank Trustee Limited	GRUZ-P1	Retain as proposed.	N/A	Accept	Agree with submitter	No
164.21	Willowbank Trustee Limited	GRUZ-P2	Retain as proposed.	N/A	Accept	Agree with submitter	No
82.250	Waka Kotahi	GRUZ-P3	Amend provision: Enable some home-based commercial activity including visitor accommodation, home business, and childcare services where these activities are compatible with the Zone's character and amenity values, <u>do not adversely affect the transport network</u> and are located within residential units, minor residential units, and accessory buildings.	3.13	Reject	See body of report	No
164.22	Willowbank Trustee Limited	GRUZ-P4	Retain as proposed.	N/A	Accept	Agree with submitter	No
164.23	Willowbank Trustee Limited	GRUZ-P5	Retain as proposed.	N/A	Accept	Agree with submitter	No
104.9	Aggregate and Quarry Association	GRUZ-P6	[Not specified, refer to original submission]  While no specific decision sought, the submitter raised the following matter(s):	N/A	Accept	Agree with submitter	No


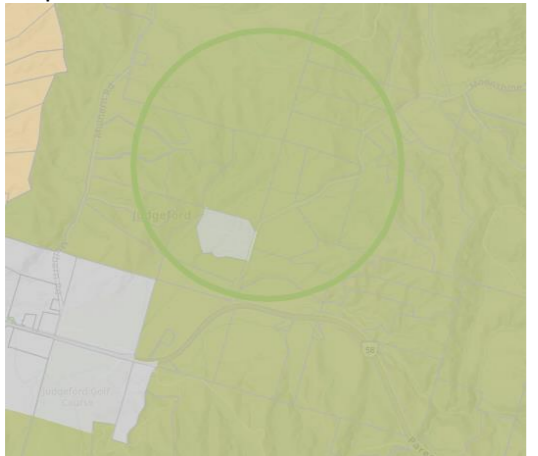
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			If the site is to be rehabilitated to be primary production-based activity land, the land use zone will not change				
104.10	Aggregate and Quarry Association	GRUZ-P7	[Not specified, refer to original submission]  While no specific decision sought, the submitter raised the following matter(s): Support the inclusion of this reverse sensitivity policy.	N/A	Accept	Agree with submitter	No
82.253	Waka Kotahi	GRUZ-P7	Amend provision: "2. It will not adversely impact the safe, <u>effective</u> and efficient operation of the <del>road</del> <u>transport network</u> , and there is suitable loading, manoeuvring and access provided on-site."	N/A	Accept	Agree with submitter	Yes
164.25	Willowbank Trustee Limited	GRUZ-P8	Retain as proposed.	N/A	Accept	Agree with submitter	No
164.26	Willowbank Trustee Limited	GRUZ-P9	Retain as proposed.	N/A	Accept	Agree with submitter	No
<b>Rules</b>							
164.27	Willowbank Trustee Limited	GRUZ-R1	Retain as proposed.	N/A	Accept	Agree with submitter	No
164.28	Willowbank Trustee Limited	GRUZ-R4	Retain as proposed.	N/A	Accept	Agree with submitter	No
164.29	Willowbank Trustee Limited	GRUZ-R6	Retain as proposed.	N/A	Accept	Agree with submitter	No
164.30	Willowbank Trustee Limited	GRUZ-R7	Retain as proposed.	N/A	Accept	Agree with submitter	No
82.258	Waka Kotahi	GRUZ-R17	Adopt Waka Kotahi submission on GRUZ-P4 and GRUZ-P7; and amend provision: Matters of discretion are restricted to: The matters in GRUZ-P4 <u>and</u> GRUZ-P7. [Refer to original submission for full decision requested, including attachments]	3.13	Reject	See body of report	No
164.32	Willowbank Trustee Limited	GRUZ-R17	Retain as proposed.	N/A	Accept	Agree with submitter	No
164.33	Willowbank Trustee Limited	GRUZ-R18	Retain as proposed.	N/A	Accept	Agree with submitter	No
82.259	Waka Kotahi NZ Transport Agency	GRUZ-R18	Adopt Waka Kotahi submission on GRUZ-P4 and GRUZ-P7; and amend provision: Matters of discretion are restricted to: The matters in GRUZ-P4 <u>and</u> GRUZ-P7. [Refer to original submission for full decision requested, including attachments]	3.13	Reject	See body of report	No
82.260	Waka Kotahi	GRUZ-R19	Adopt Waka Kotahi submission on GRUZ-P5 and GRUZ-P7; and amend provision: Matters of discretion are restricted to: The matters in GRUZ-P5, <u>and</u> GRUZ-P6 <u>and</u> GRUZ-P7.	3.13	Reject	See body of report	No
82.261	Waka Kotahi	GRUZ-R20	Adopt Waka Kotahi submission on GRUZ-P5 and GRUZ-P7; and amend provision: Matters of discretion are restricted to: The matters in GRUZ-P5, <u>and</u> GRUZ-P6 <u>and</u> GRUZ-P7. [Refer to original submission for full decision requested, including attachments]	3.13	Reject	See body of report	No
20.6	PHR Limited	SETZ-R1	[Not specified, refer to original submission]  While no specific decision sought, the submitter raised the following matter(s): Supports the proposed rules contained within SET-R1	N/A	Accept	Agree with submitter	No
<b>Standards</b>							
71.8	Diane Strugnell	GRUZ-S2	Amend: Matters of discretion are restricted to:	3.14	Reject	See body of report	No


Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<ol style="list-style-type: none"> <li>1. Design and siting of the building or structure;</li> <li>2. Any shading of, or loss of privacy for, residential units on adjacent sites;</li> <li>3. <del>Screening, planting, and landscaping of the building or structure; and</del></li> </ol> Whether topographical or other site constraints make compliance with the standard impractical.				
71.4	Diane Strugnell	GRUZ-S3	Amend: Matters of discretion are restricted to: <ol style="list-style-type: none"> <li>1. Design and siting of the building or structure;</li> <li>2. Any shading of, or loss of privacy for, residential units on adjacent sites;</li> <li>3. <del>Screening, planting, and landscaping of the building or structure; and</del></li> </ol> Whether topographical or other site constraints make compliance with the standard impractical.	3.14	Reject	See body of report	No
71.9	Diane Strugnell	GRUZ-S4	Amend: Matters of discretion are restricted to: <ol style="list-style-type: none"> <li>1. Design and siting of the building or structure;</li> <li>2. Any shading of, or loss of privacy for, residential units on adjacent sites;</li> <li>3. <del>Screening, planting, and landscaping of the building or structure; and</del></li> </ol> Whether topographical or other site constraints make compliance with the standard impractical.	3.14	Reject	See body of report	No
82.262	Waka Kotahi	GRUZ-S7	Amend provision: <u>2. All fences and standalone walls must not compromise visibility splays and minimum sight distances per INF-Figure 5 &amp; INF-Table 6</u> Matters of discretion are restricted to: <u>4. The safe and efficient operation of the transport network.</u>	N/A	Accept	Agree with submitter	Yes
41.1	Jalna Wilkins	RLZ-S4	Retain the minimum setback in the Rural Lifestyle Zone at 5m, or even increase to 10m.	3.14	Accept in part	See body of report	Yes
185.1	Robert Lee	RLZ-S4	That this provision be amended to only specify "Fences or standalone walls".	3.14	Accept in part	See body of report	Yes
191.1	Anne Lee	RLZ-S4	Amend the provision so that it only applies to fences or standalone walls.	3.14	Accept in part	See body of report	Yes
196.2	John and Shirley Cameron	RLZ-S4	Oppose any rear boundary setback of less than 5m.	3.14	Accept	See body of report	Yes
254.1	Jill and Andrew Weeks	RLZ-S4	[Not specified, refer to original submission]  While no specific decision sought, the submitter raised the following matter(s):  The submission is specific to the Motukaraka Point area. The general standard for the residential properties is a 10 meter setback from a boundary with a road and a 5 meter setback from a side or rear boundary. For properties that front Motukaraka Road, the side and rear boundaries is reduced to 1.5m. This standard excludes up to two rainwater tanks and up to two accessory buildings with a floor area of less than 10 square meters. These changes have a minimal impact on the community living at Motukaraka Point, other than increasing the potential number of additional homes that could be built on the currently undeveloped land at the rear of the existing houses from zero to three. Notes that over many years PCC has resisted further development at the Point, preferring to retain the existing rural nature of the area: a position overwhelmingly supported by the residents of Motukaraka point. Opposes the proposition to reduce the minimum plot size for development from 5 hectares to 2 hectares.	3.14	Accept in part	See body of report	Yes
39.1	Jalna Wilkins	RLZ-S5	Add clause to ensure seepage/drainage of to adjacent lower level properties is prevented/mitigated. The development of any RLZ site should include contour information so that	3.14	Reject	See body of report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			Council can ensure measures are put in place to prevent waste water/sewage seepage to neighbouring properties.				
254.3	Jill and Andrew Weeks	RLZ-S5	[Not specified, refer to original submission]  While no specific decision sought, the submitter raised the following matter(s):  The core standard specifies that "...all water supply and wastewater treatment and disposal systems must be contained within the site that the supply or system serves, and be connected to a septic tank or soakage field or an approved alternative means to dispose of sewage in a sanitary manner..." The nature of the unimproved land at Motukaraka Point is that it slopes and drains from the Grays Road boundary towards the existing housing stock. PCC has, in the past, addressed run-off and flooding issues from the Reserve into 33 Motukaraka Point by installing a drainage ditch at the boundary of the Reserve. Interprets from the Standard that if there is to be any future development, PCC will ensure that all soakage fields and septic tanks are sited in a manner that ensures that the run-off is contained within the section and that it does not leak into the adjoining properties. Given the slope of the land, this would most likely preclude the siting of such facilities anywhere near the existing homes and require that they be sited towards the northern end of the land. Appreciates as a long-term resident in the rural lifestyle zone the efforts that are made to both "move with the times" and to vigorously protect the rurality of the community.	3.14	Accept	Agree with submitter	No
11.64	Porirua City Council	RLZ-S5	Amend the standard as follows: <b>On-site services</b> 1. Where a connection to Council's reticulated <u>water and/or</u> wastewater systems is not available, all water supply and wastewater treatment and disposal systems must be contained within the site that the supply or system serves, and be connected to a septic tank or soakage field or an approved alternative means to dispose of sewage in a sanitary manner in accordance with Section 5.2.6 of the Wellington Water Regional Standard for Water Services May 2019.	N/A	Accept	Agree with submitter	Yes
82.270	Waka Kotahi NZ Transport Agency	RLZ-S7	Amend provision: <u>2. All fences and standalone walls must not compromise visibility splays and minimum sight distances per INF-Figure 5 &amp; INF-Table 6</u>  - Matters of discretion are restricted to: <u>4. The safe and efficient operation of the transport network.</u>	3.14	Accept	Agree with submitter	Yes
20.7	PHR Limited	SETZ-S3	Standard SETZ-S3 to be confirmed as notified	N/A	Accept	Agree with submitter	Yes
11.65	Porirua City Council	SETZ-S5	Amend the standard as follows: <b>On-site services</b> 1. Where a connection to Council's reticulated <u>water and/or</u> wastewater systems is not available, all water supply and wastewater treatment and disposal systems must be contained within the site that the supply or system serves, and be connected to a septic tank or soakage field or an approved alternative means to dispose of sewage in a sanitary manner in accordance with Section 5.2.6 of the Wellington Water Regional Standard for Water Services May 2019.	N/A	Accept	Agree with submitter	Yes

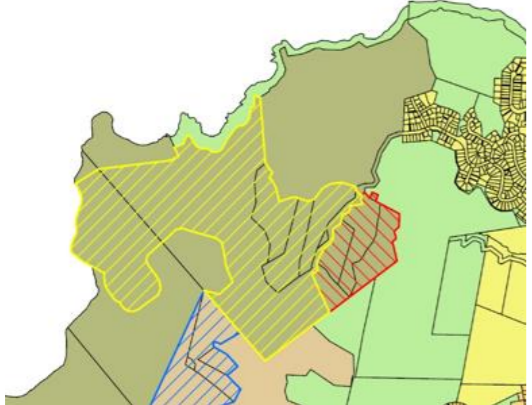

## Appendix C. Analysis of submissions seeking rezoning

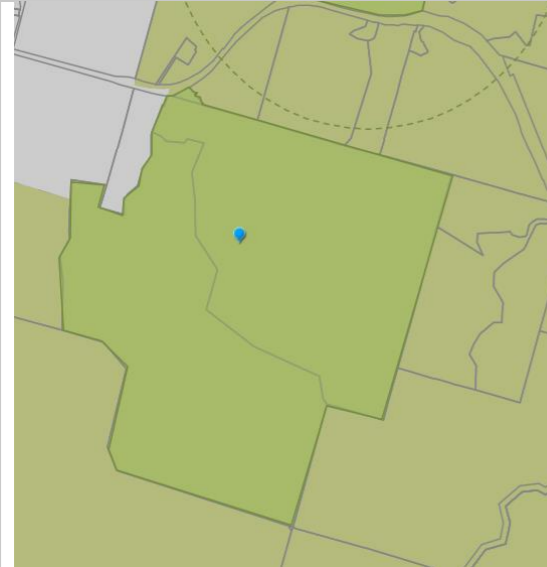
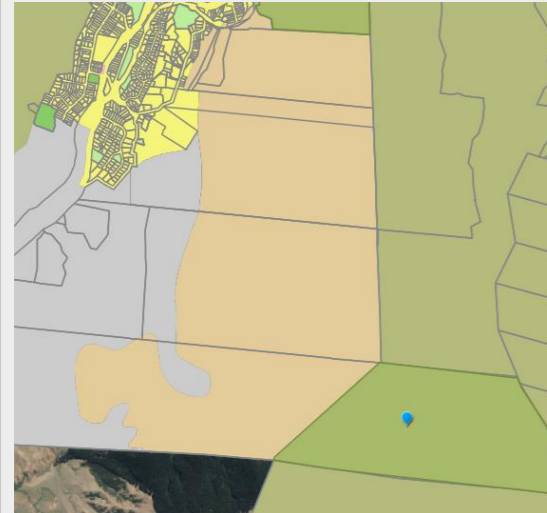
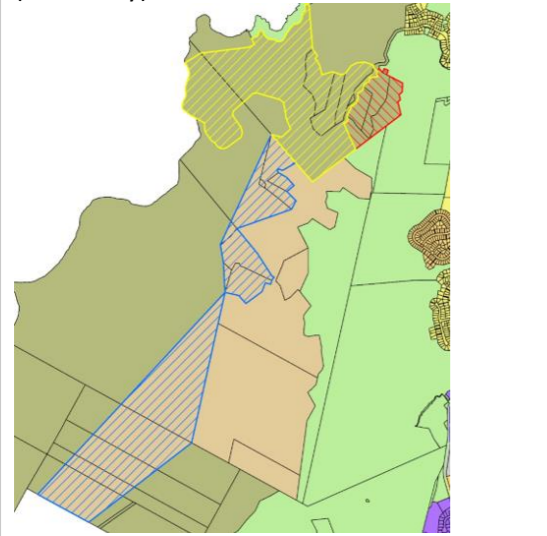
Table 1: Submissions seeking rezoning to RLZ


Relief sought by submitter and site location	Summary of reasons for decision requested by submitter	Size and potential # of lots with 2ha min lot size	Zoning in Growth Strategy 2048	Proximity to urban areas	Protection of natural/environmental values	Sufficient rural road capacity?	Natural hazard risk	Suitability for other land use	Overall assessment
<p>Glenn Johnston [48.1] seeks rezoning of "1st km approx of Murphys Road" (Judgeford).</p> <p>All sites with road frontage to the first km of Murphys Road are mapped as below:</p> 	<p>Submitter considers:</p> <p>"There is no zone change proposed for Murphys Road, with the primary reason being that the roading is capable of supporting extra traffic if the area is subdivided. This is understandable for the top part read of Murphys Rd, however the flat area for the first 1 km does not have the same issues. A new entrance to Murphys Rd from SH 58 is planned shortly and upgrading the first section of the road at that time would improve access and allow for more traffic.</p> <p>There has recently been a large increase in rates due to roading on rural roads. Increasing the number of properties on Murphys would help alleviate rate by spreading the costs over more properties."</p>	33 ha or 16 2ha lots	To remain rural	OK – 3km or 3 minute drive to nearest centre (Pauatahanui Village)	No environmental overlays present on site	No – Murphy Road carriageway too narrow. Roundabout planned as part of SH58 upgrades.	Flood risk identified on north-east portion of proposed rezoning (both stream corridor and ponding). Moonshine Fault Rupture Zone partially covers southern end of proposed rezoning.	Limited suitability for other, non-rural uses on steeper country due and access constraints	<p><b>I recommend site remains zoned GRUZ</b></p> <p>The submitter has not provided sufficient reasoning or evidence that would justify an amendment to zoning.</p> <p>This site is not suitable for RLZ due to roading constraints, regardless of the intersection upgrade the road is too narrow as outlined in Stantec (2020) PCC Rural Road Assessment.</p>
<p>Mike &amp; Christine Jacobson [61.3] seek RLZ zoning to "the north and east of the FUZ Judgeford Flats"</p> <p>Map below shows this indicative area:</p> 	<p>Submitter considers:</p> <p>-An earlier draft of the PDP considered this area suitable for RLZ and did not include a FUZ on Judgeford Flats. Not clear why RLZ zoning was abandoned.</p> <p>- Little evidence that the existing activities at BRANZ create or suffer from effects of nearby houses.</p> <p>- There is zero provision for some of the people working in that hub to be able to live in the vicinity on rural lifestyle sized properties</p> <p>- There are no impediments to that in the way of adverse effects, such as effects on the roading network.</p>	Exact spatial extent not identified by submitter so number of lots cannot be calculated	Part rural-residential, part rural	OK – 5km or 5 minute drive to nearest centre (Pauatahanui Village)	SNA identified in north-eastern corner of proposed rezoning	Identified as some capacity as far as the intersection with Ahoroa Road.	Flood risk through proposed rezoning (both stream corridor overland flow and ponding). Moonshine Fault Rupture Zone partially covers southern end of proposed rezoning.	Limited suitability for other non-rural uses. Proximity to BRANZ (an important employer for the District) likely to lead to potential reverse sensitivity issues for residential use.	<p><b>I recommend site remains zoned GRUZ</b></p> <p>I consider that the zoning should not change for the reasons outlined in the Section 32 Evaluation for Rural Zones (App 2):</p> <ul style="list-style-type: none"> <li>• Potential roading capacity issues as identified by Stantec (2020);</li> <li>• significant flooding constraints; and</li> <li>• potential for reverse sensitivity issues with BRANZ facility.</li> </ul> <p>I note that the Stantec 2020 report says Moonshine Road does not meet required road</p>

									<p>width, and gives the stretch of road from SH58 to Ahoroa road a medium-high infrastructure risk rating. However, it does note that with improvements to the SH58 intersection more capacity for rural residential development is possible.</p> <p>The submitter says that there has been little evidence of reverse sensitivity with existing properties, but I consider that intensification of rural lifestyle development would likely increase the risk of future issues.</p>
<p>Carolyn Vasta and Carole Reus [230.1, 230.10] seek RLZ zoning for 1221 Moonshine Road and 1249B Moonshine Road, Judgeford.</p> 	<p>Submitter considers: The RLZ will provide for opportunities for people to live in a rural setting but within a small allotment size. The submitter requests the RLZ be retained but extended over the submitters land Growth Strategy 2048 and Proposed District Plan shows some areas around for the properties at 1221 Moonshine Road and 1249B Moonshine Road, Judgeford as FUZ. Wishes to enjoy the same amenity as the surrounding areas so not to be left as an ‘island’ of General Rural Zoned land. A 1ha minimum and 2ha average has been a feature of earlier versions of the draft District Plan and should be reinstated in the Proposed Plan. The NH provisions have the potential to ‘taint’ applications for subdivision and development envisaged by the Proposed District Plan and consistency in activity status and planning framework will better implement the objectives for the RLZ. The property is at a major planned junction with State Highway 58 (roundabout) with Moonshine Road. There is an option to include the properties in the FUZ for future employment</p>	<p>Approx. 5ha or two lots</p>	<p>Part rural-residential, part rural</p>	<p>OK – 5km or 5 minute drive to nearest centre (Pauatahanui Village)</p>	<p>SNA identified in north-eastern corner of proposed rezoning</p>	<p>Identified as some capacity as far as the intersection with Ahoroa Road.</p>	<p>Flood risk on the majority of the site (both stream corridor, overland flow and ponding). Moonshine Fault Rupture Zone covers a small area in the western end of the property.</p>	<p>Limited suitability for other non-rural uses. Proximity to BRANZ (an important employer for the District) likely to lead to potential reverse sensitivity issues for residential use.</p>	<p><b>I recommend site remains zoned GRUZ</b></p> <p>I consider that the zoning should not change for the reasons outlined in the Section 32 Evaluation for Rural Zones (App 2):</p> <ul style="list-style-type: none"> <li>• potential roading capacity issues as identified by Stantec (2020);</li> <li>• significant flooding constraints</li> <li>• potential for reverse sensitivity issues with BRANZ facility.</li> </ul> <p>I note that the Stantec 2020 report says Moonshine Road does not meet required road width and gives the stretch of road from SH58 to Ahoroa Road a medium-high infrastructure risk rating. However, it does note that with improvements to the SH58 intersection more capacity for rural residential development is possible.</p> <p>The submitter says that there has been little evidence of reverse sensitivity with existing properties, but I consider that intensification of rural lifestyle</p>



	land in the area in a similar manner to BRANZ.								development would likely increase the risk of future issues.
<p>Arama Rochel [66.1] seeks RLZ zoning for Lots 3, 4 and 5 of Pikarere Farm (red area)</p> <p>Note rezoning also sought by Pikarere Farm Ltd [183.1] (blue and yellow area)</p> 	<p>Submitter considers:</p> <ul style="list-style-type: none"> <li>-Re-zoning of these properties will be consistent with purposes of surrounding and/or developing rural residential properties.</li> <li>-Suitability of surrounding locality /area including natural and cultural values.</li> <li>-Facilitating more housing and job creation and/or apprenticeship opportunities.</li> </ul>	15 ha or 7 two hectare lots	To remain rural	Good – well connected to Titahi Bay through existing road network	Eastern portion identified as SAL; some SNAs across the site; some high coastal character areas and sites of significance to Māori; easier topography across central part of the site.	Yes	Low – no significant risks	Unlikely to be suitable for residential /employment due to topography. Wastewater treatment plant presents potential reverse sensitivity issues at the northern end of the farm.	<p><b>I recommend site remains zoned GRUZ</b></p> <p>The submitter has not provided sufficient reasoning or evidence that would justify an amendment to zoning.</p> <p>This site is not suitable for RLZ due to reverse sensitivity constraints.</p>
<p>Pamela Meekings-Stewart [100.2] seeks RLZ zoning on 144 Muri Road for part of the property not covered by the requested redraw of SNA004 (Pukerua Bay)</p> 	<p>Submitter considers:</p> <ul style="list-style-type: none"> <li>- rezoning would allow for 2 or 3 small lots to be sold off to compensate for loss of income from SNA coverage.</li> <li>-Roading capacity issues - 130 Muri Road and other addresses on Muri Road are RLZ and four new dwellings are being erected at this time which strongly contradicts this assessment</li> </ul>	Approx 52 ha or 26 two hectare lots	To remain rural	Good – close to Pukerua Bay	Yes, significant – ONL over northern part, a number of SNAs, identified stream.	No – Muri Road from Sea Vista Drive to end of seal has no additional capacity	Low – no significant risks identified	Topography and natural/envir onmental values unlikely to be suitable for urban residential/ employment use.	<p><b>I recommend site remains zoned GRUZ</b></p> <p>The submitter has not provided sufficient reasoning or evidence that would justify an amendment to zoning.</p> <p>This site is not suitable for RLZ due to roading constraints.</p>
<p>Judgeford Heights Ltd [200.1] seeks RLZ zoning for 346A, 346C &amp; 352 Paremata Haywards Road (Judgeford)</p>	<p>Submitter considers:</p> <ul style="list-style-type: none"> <li>-There is legal and physical access to SH58 for efficient road access</li> <li>-Land is suitable for rural lifestyle purposes and can meet PDP objectives and policies including allowing for rural residential lifestyle while still allowing for primary production and maintaining rural character.</li> </ul>	Approx 110ha or 55 2ha lots	To remain rural	OK – relatively good connection to Pāuatahanui Village through to the start of Moonshine Road	Two SNA on site, SNA156 covers two gullies in the centre of the site.	Access directly on to SH58. Waka Kotahi opposes this rezoning and considers: “The effects upon surrounding	Flood risk identified on northern portion of proposed rezoning (both stream corridor and ponding).	Limited suitability for other, non-rural uses on steeper country due and access constraints.	<p><b>I recommend site remains zoned GRUZ</b></p> <p>The submitter has not provided sufficient reasoning or evidence that would justify an amendment to zoning.</p> <p>This site is not suitable for RLZ due to roading constraints.</p>

	<p>-reverse sensitivity effects from the FUZ can be mitigated by the site’s topography.</p>					<p>transport infrastructure of this rezoning have not been addressed”.</p>			<p>Waka Kotahi opposes the rezoning, and the submitter has not provided detail on how access to the State Highway will be achieved.</p>
<p>David William Ltd [181.1] seeks RLZ zoning for 310 State Highway 1 (Pukerua Bay)</p> 	<p>Submitter considers: “... re-zoning the current General Rural Zone to Rural Lifestyle Zone would also better benefit the topography of the land.”</p>	<p>Approx 110ha or 55 2ha lots</p>	<p>To remain rural</p>	<p>OK – relatively close to Plimmerton/ Mana and Pukerua Bay</p>	<p>Western half of site within SAL006, eastern half of site partially covered by SNA201</p>	<p>Access directly on to SH59, likely through a local road network in the Northern Growth Area.</p>	<p>The Ohariu Fault runs through the eastern portion of the site.</p>	<p>Limited suitability for other, non-rural uses on steeper country due and access constraints.</p>	<p><b>I recommend site remains zoned GRUZ</b></p> <p>The submitter has not provided sufficient reasoning or evidence that would justify an amendment to zoning.</p> <p>This site is not suitable for RLZ due to roading constraints and topography.</p>
<p>Pikarere Farm Limited [183.1] seeks RLZ zoning for various areas on Pikarere Farm (Titahi Bay)</p> 	<p>Submitter considers:</p> <ul style="list-style-type: none"> <li>-The proposed zoning has not been determined on correct planning principles but to create a buffer zone for the Treatment Plant.</li> <li>-Refers to attachments including an email and report which make it clear the purposes of the proposed zoning is due to the presence of the Treatment Plant.</li> <li>-Refers to a 1986 agreement between the City and Pikarere Farm, regarding the City acquiring the Treatment plant site and how the agreement provided for the establishment of a buffer zone</li> </ul>	<p>Approx 210ha or 105 lots</p>	<p>To remain rural</p>	<p>Good – well connected to Titahi Bay through existing road network</p>	<p>Eastern portion identified as SAL; some SNAs across the site; some high coastal character areas and sites of significance to Maori; easier topography across central part of the site.</p>	<p>Yes</p>	<p>Low – no significant risks</p>	<p>Unlikely to be suitable for residential /employment due to topography. Wastewater treatment plant presents potential reverse sensitivity issues at the northern end of the farm.</p>	<p><b>I recommend a partial rezoning to RLZ</b></p> <p>The central/southern portion of the site is free of constraints and has suitable roading access and would be suitable for RLZ (see blue area in Appendix E).</p> <p>However, the submitter has not provided sufficient reasoning or evidence that would justify an amendment to zoning on the northern portion of the site adjacent to the Wastewater Treatment Plant (see yellow area in Appendix E).</p>

	<p>between the Treatment Plant and the farm.</p> <p>-With regard to the agreement and also resource consent on adjoining land, (including in relation to "reverse sensitivity") that the City would be legally in breach of the 1986 agreement.</p> <p>-The adjoining area is no different in nature of qualities to the other areas proposed to be zoned Rural Lifestyle and should be zoned Rural Lifestyle.</p> <p>-This is a very important issue for Pikarere Farm and it's future.</p>								<p>This portion of the site is not suitable for RLZ due to reverse sensitivity constraints.</p>
<p>Quest Projects Limited [233.1, 233.18] seeks RLZ zoning on the following parts of 243 and 271 Grays Road, (Pāuatahanui):</p> 	<p>Generally supported the draft Growth Strategy 2048. The Proposed District Plan would benefit from some amendment to give effect to that document. The Growth Strategy 2048 shows an area of the subject land at 243 and 271 Grays Road, Pāuatahanui and Paekākāriki Hill Road as rural residential. The property is one of the largest catchments flowing into the Inlet and a partial change of land use will enable enhancement of water quality. A master plan for the property would set out the methods to achieve that end result. The RLZ will provide for opportunities for people to live in a rural setting but within a small allotment size. Requests the RLZ retained but extended in accordance with the submitters plan.</p>	<p>Additional area sought to be rezoned as RLZ is approx 76ha or 38 additional lots</p>	<p>To remain rural</p>	<p>OK – western end close to Camborne, and eastern close to Pāuatahanui Village. Good cycle and walking access with walkway almost completed. However, Grays Road has relatively frequent flooding which closes road</p>	<p>Yes – area entirely covered by Special Amenity Landscape (Pāuatahanui and Kakaho), some SNAs, as well as areas of high coastal character. Rural lifestyle could maintain landscape and rural character values.</p>	<p>Yes – rural arterial routes required to be 7-8m wide which Grays Road is in all but one area.</p>	<p>High hazard areas present – the Ohariu fault line runs through Kakaho Valley, area prone to flood risk and coastal hazards. Future road costs likely to be substantial as very low lying, floods multiple times per year.</p>	<p>Urban land use constrained by presence of Pāuatahanui Special Amenity Landscape, natural hazard risk, and road capacity.</p>	<p><b>I recommend site be rezoned as RLZ</b></p> <p>On balance, I consider that the extension sought by the submitter to the RLZ is appropriate.</p> <p>The submitter has provided a scheme plan that demonstrates 2ha lots are achievable with building platforms that are outside areas of flood and fault risk. I note that this would be a restricted discretionary activity under SUB-R7 as the lots sizes are less than the 5ha, and the effects on landscape values would need to be addressed.</p> <p>This subdivision would also result in an esplanade reserve 20m either side of the Kakaho Stream that would be vested to Council. With Council's Riparian Planting Programme<sup>36</sup>, this could become a significant environmental and recreational asset for the City.</p>

<sup>36</sup> The 2021-2051 Long Term Plan allocates \$600,000 for a riparian planting programme. This funding will be spent improving riparian margins on both public and private land.

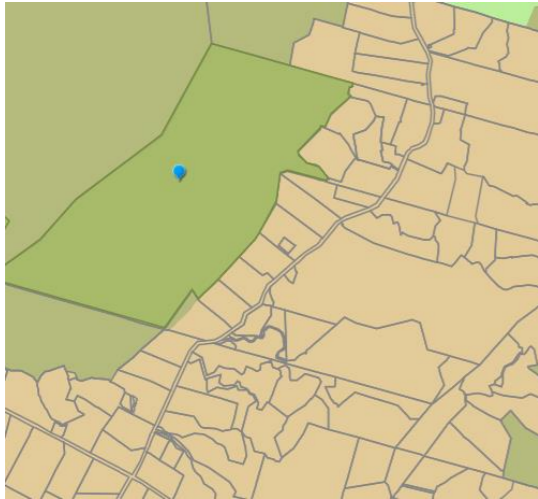


									However, I note that Grays Road floods with some regularity, there is a risk that with an increase in residents there will be an increased pressure on Council to upgrade the road.
<p>Milmac Homes Limited [258.1] seeks RLZ zoning for Paekākāriki Hill Road (Lot 2 85726)</p> 	<p>The submitter does not give any specific reason why the property should be rezoned as RLZ, or why it should not be zoned as GRUZ.</p>	<p>162ha or 81 lots</p>	<p>To remain rural</p>	<p>OK – southern section close to Pāuatahanui Village. Opportunity to improve walking and cycling access through linking esplanade reserves</p>	<p>There is one SNA on the property (SNA193). The western half of the property is within the Kakaho Special Amenity Landscape. Rural lifestyle could maintain landscape and rural character values.</p>	<p>The section of Paekākāriki Hill Road from Jones deviation to Battle Hill has a medium-high infrastructure risk rating and at 6m width is narrow but two-way traffic is possible</p>	<p>No natural hazards identified in property in PDP.</p>	<p>Topography unlikely to be suitable for urban residential/employment use.</p>	<p><b>I recommend site remains zoned GRUZ</b></p> <p>I consider that the submitter has not provided sufficient reasoning or evidence that would justify an amendment to zoning to RLZ. This property is very steep and no evidence has been provided demonstrating how the creation of smaller lots might be possible, including suitable access and building platforms. I note that the submitter said in their presentation at Hearing Stream 2 that they were looking at developing 5ha lots, this would be possible as a discretionary activity under GRUZ zoning so I am unsure why RLZ zoning is being sought.</p> <p>Further, the Stantec 2020 report says that there is some capacity for rural residential growth (200 lots) on Paekākāriki Hill Road, but most of this would be taken up with the proposed RLZ zoning as notified (which could yield up to 172 lots). According to the Report, additional intensification would need further assessment of impacts of increased volumes on Paekākāriki Hill Road.</p>

Table 2: Submissions seeking rezoning to RLZ or SETZ

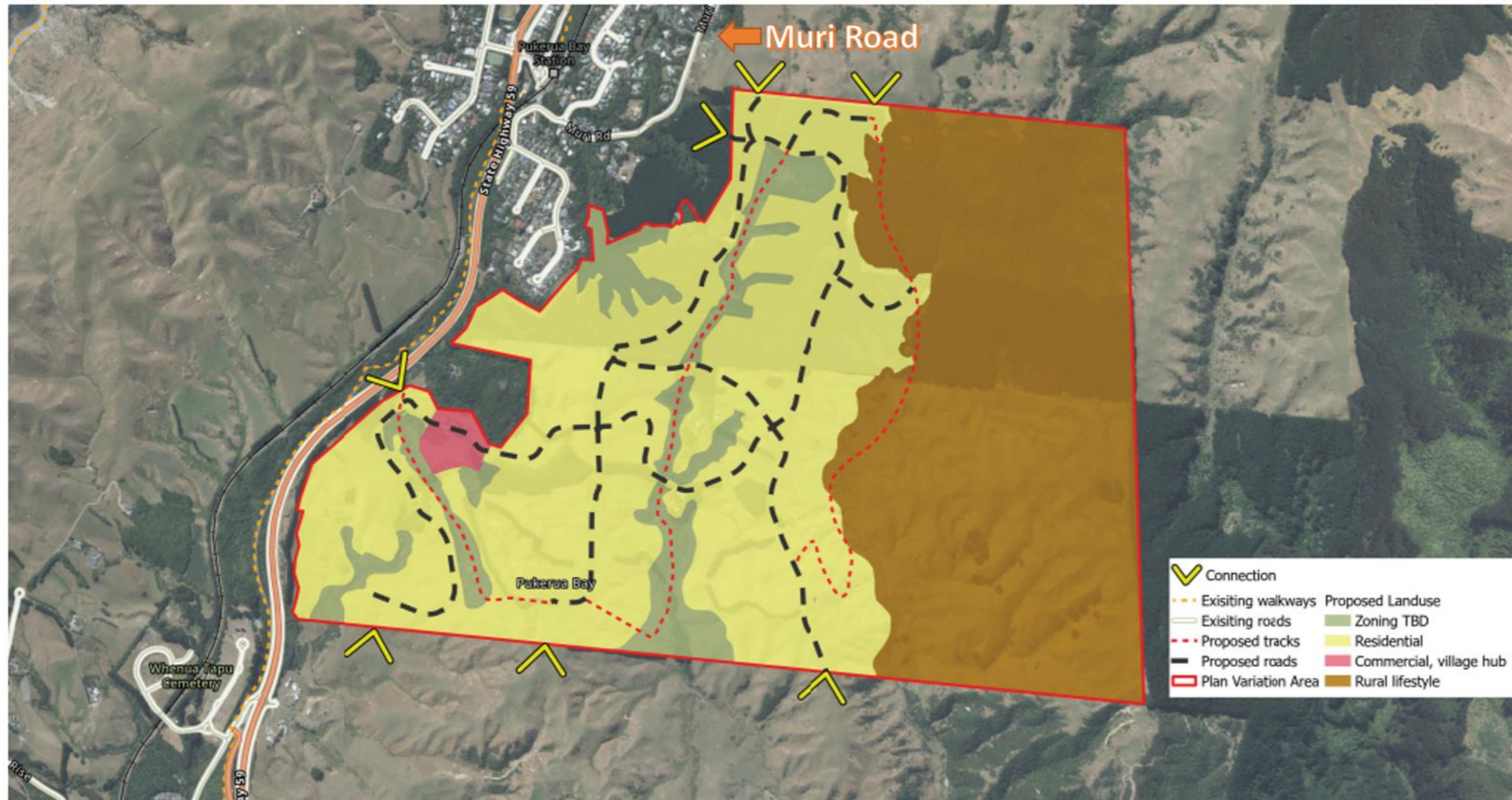
Relief sought by submitter and site location	Summary of reasons for decision requested by submitter	Size and potential # of lots with 2ha min lot size	Zoning in Growth Strategy 2048	Proximity to urban areas	Protection of natural/environmental values	Sufficient rural road capacity?	Natural hazard risk	Suitability for other land use	Overall assessment
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<p>Jason Alder [232.1, 232.10, 232.17] seeks that 272A Belmont Road, Judgeford is rezoned to either RLZ or SETZ.</p>	<p>Submitter considers: The Growth Strategy 2048 and Proposed District Plan show the area around the subject land as FUZ. Seeks to enjoy the same amenity proposed for the surrounding areas so not to be left as General Rural Zoned land. The RLZ and SETZ will provide for opportunities for people to live in a rural setting but within a small allotment size.</p>		<p>To remain rural</p>	<p>OK – 5km or 8 minute drive to nearest centre (Pauatahanui Village)</p>	<p>No environmental overlays present on site</p>	<p>No, Murphys Road carriageway is too narrow.</p>	<p>Stream corridor through middle of site and Moonshine fault rupture zone runs across western half of site.</p>	<p>Potentially could be amalgamated through joint venture with Judgeford Hills FUZ.</p>	<p><b>I recommend site remains zoned GRUZ</b></p> <p>The submitter has not provided sufficient reasoning or evidence that would justify an amendment to zoning.</p> <p>This site is not suitable for RLZ or SETZ due to roading constraints. Murphy's Road is too narrow to safely accommodate traffic generated by additional lots. If suitable access can be secured these areas could be reconsidered in the future.</p>
<p>Graham and Janet Reidy [234.1, 234.18, 234.19] seek that 119 Paekākāriki Hill Road, Pāuatahanui is rezoned to either RLZ or SETZ.</p>	<p>The Growth Strategy 2048 and Proposed District Plan shows the area around the subject land as rural residential. Seeks to enjoy the same amenity proposed by Council for the surrounding areas so not to be left as an 'island' of General Rural Zoned land. The RLZ will provide for opportunities for people to live in a rural setting but within a small allotment size. The submitter requests the RLZ be retained but extended over the submitters land.</p>	<p>Approx 4.8 ha or 2 lots</p>	<p>Rural residential medium term (although Growth Strategy Spatial Framework Map is not at a property-scale and the area adjacent to the Grays Road/Paekākāriki Hill Road intersection is only partially within this area)</p>	<p>OK – southern section close to Pāuatahanui Village. Opportunity to improve walking and cycling access through linking esplanade reserves</p>	<p>Property within Inland Extent of Coastal Environment and Pauatahanui Special Amenity Landscape</p>	<p>Yes, Paekakariki Hill Road has sufficient capacity to Jones Deviation</p>	<p>Property subject to high hazard risk:</p> <ul style="list-style-type: none"> <li>• Flood hazard ponding</li> <li>• Coastal hazard – current inundation</li> <li>• Tsunami hazard – 1:100yr extent</li> </ul>	<p>Topography unlikely to be suitable for urban residential/employment use.</p>	<p><b>I recommend site remains zoned GRUZ</b></p> <p>This property is subject to high hazard risk from multiple hazards, and the Natural Hazards Chapter seeks to avoid establishing hazard sensitive activities in these areas. The property is physically separated from Pāuatahanui Village by Grays Road, and do not have the same role, function or character as the Settlement Zone, nor do they have reticulated wastewater services. I consider that the submitters have not provided sufficient reasoning or evidence that would justify an amendment to zoning.</p>
<p>James Mclaughlan [237.1, 237.18] seeks that 63 Paekakariki Hill Road, Pauatahanui is rezoned to either RLZ or SETZ.</p>	<p>Growth Strategy 2048 and Proposed District Plan shows the area around 63 Paekakariki Hill Road as rural residential.</p> <p>Wishes to enjoy the same amenity proposed by Council for the surrounding areas so not to be left as an 'island' of General Rural Zoned land. A 1ha minimum and 2ha average has been a feature of earlier</p>	<p>Approx 0.7ha or 0 lots</p>	<p>Rural residential medium term (although Growth Strategy Spatial Framework Map is not at a property-scale and the area adjacent</p>	<p>OK – southern section close to Pāuatahanui Village. Opportunity to improve walking and cycling access through linking</p>	<p>Property within Inland Extent of Coastal Environment and Pauatahanui Special Amenity Landscape</p>	<p>Yes, Paekakariki Hill Road has sufficient capacity to Jones Deviation</p>	<p>Property subject to high hazard risk:</p> <ul style="list-style-type: none"> <li>• Flood hazard ponding</li> <li>• Coastal hazard – current inundation</li> </ul>	<p>Topography unlikely to be suitable for urban residential/employment use.</p>	<p><b>I recommend site remains zoned GRUZ</b></p> <p>This property is subject to high hazard risk from multiple hazards, and the Natural Hazards Chapter seeks to avoid establishing hazard sensitive activities in these areas. The property is physically separated from Pāuatahanui Village by Grays Road, and do not have the same role, function or</p>

	<p>versions of the draft District Plan and should be reinstated in the Proposed Plan. The NFL and NH provisions have the potential to 'taint' applications for subdivision and development envisaged by the Proposed District Plan and consistency in activity status and planning framework will better implement the objectives for the RLZ or Settlement Zone. The RLZ will provide for opportunities for people to live in a rural setting but within a small allotment size. Request the RLZ is retained but extended in accordance with this submission plan.</p>		<p>to the Grays Road/Paekākāriki Hill Road intersection is only partially within this area)</p>	<p>esplanade reserves</p>			<ul style="list-style-type: none"> <li>• Tsunami hazard – 1:100yr extent</li> </ul>		<p>character as the Settlement Zone, nor do they have reticulated wastewater services. I consider that the submitters have not provided sufficient reasoning or evidence that would justify an amendment to zoning.</p>
<p>Anita and Fraser Press [253.1, 253.18, 253.19] seek that 139 Paekākāriki Hill Road, Pāuatahanui is rezoned to either RLZ or SETZ.</p> 	<p>The Growth Strategy 2048 and Proposed District Plan shows the area around the subject land [139 Paekākāriki Hill Road, Pāuatahanui (Lot 3 DP 33209 (CT WN17B/265))] as rural residential. Seeks to enjoy the same amenity proposed by Council for the surrounding areas so not to be left as an 'island' of General Rural Zoned land. The RLZ will provide for opportunities for people to live in a rural setting but within a small allotment size. The SETZ will provide for opportunities for people to live in a rural setting but within a small allotment size</p>	<p>Approx 4ha or 2 lots</p>	<p>Rural residential medium term (although Growth Strategy Spatial Framework Map is not at a property-scale and the area adjacent to the Grays Road/Paekākāriki Hill Road intersection is only partially within this area)</p>	<p>OK – southern section close to Pāuatahanui Village. Opportunity to improve walking and cycling access through linking esplanade reserves</p>	<p>Property within Inland Extent of Coastal Environment and Pauatahanui Special Amenity Landscape</p>	<p>Yes, Paekakariki Hill Road has sufficient capacity to Jones Deviation</p>	<p>Property subject to high hazard risk:</p> <ul style="list-style-type: none"> <li>• Flood hazard ponding</li> <li>• Coastal hazard – current inundation</li> <li>• Tsunami hazard – 1:100yr extent</li> </ul>	<p>Topography unlikely to be suitable for urban residential/ employment use.</p>	<p><b>I recommend site remains zoned GRUZ</b></p> <p>This property is subject to high hazard risk from multiple hazards, and I consider that they are unlikely to be able to gain consent to create additional residential units in a high hazard area. The property is physically separated from Pauatahanui Village by Grays Road, and do not have the same role, function or character as the Settlement Zone, nor do they have reticulated wastewater services. I consider that the submitters have not provided sufficient reasoning or evidence that would justify an amendment to zoning.</p>

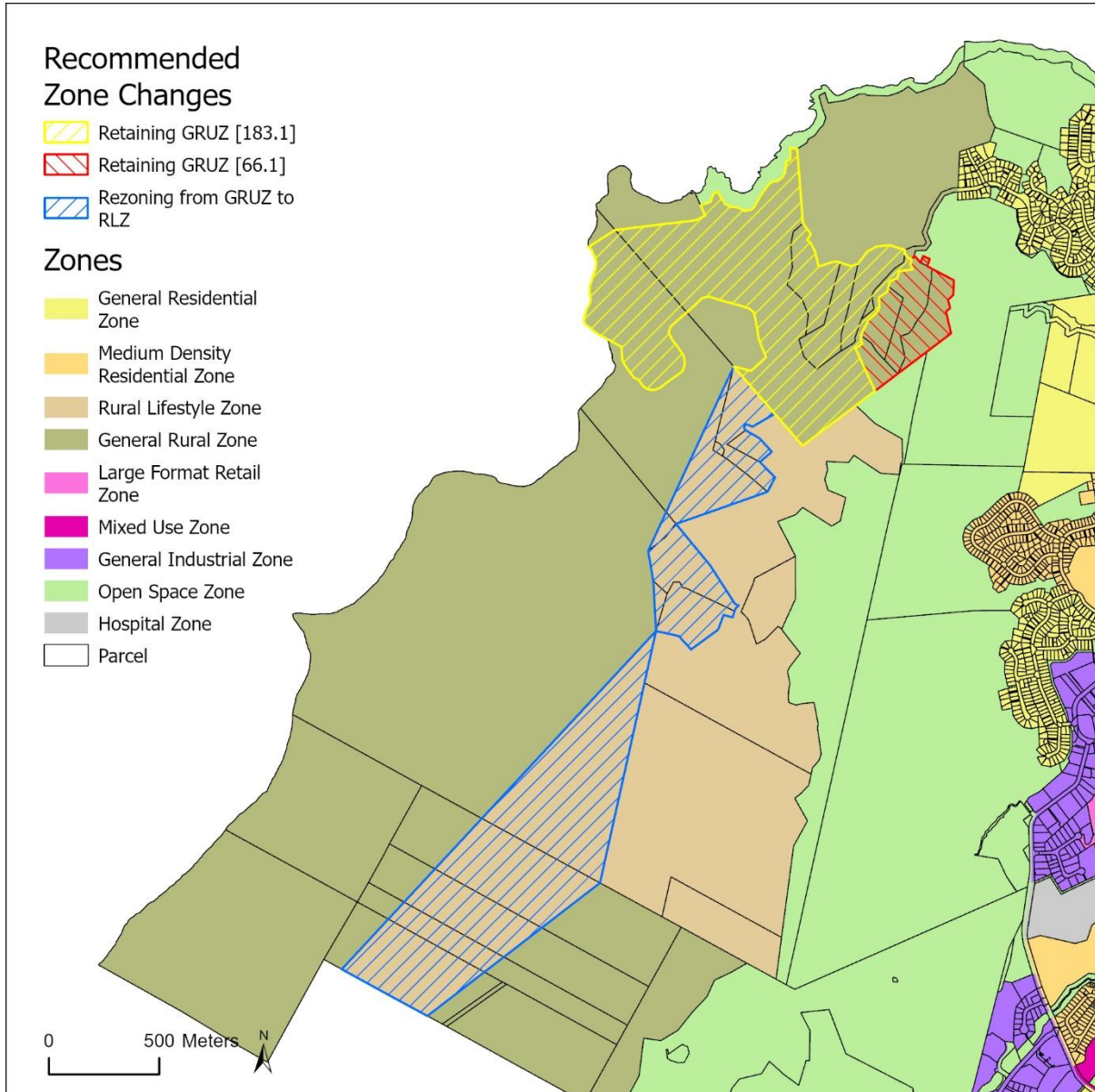
### Appendix D. Draft Structure Plan for Northern Growth Area – transport connections

This map was adapted from the Information Boards that accompany the Draft Structure Plan on Councils website: <https://porirua.govt.nz/your-council/city-planning-and-reporting/district-plan/proposed-district-plan/variation-proposed-district-plan/northern-growth-area/>



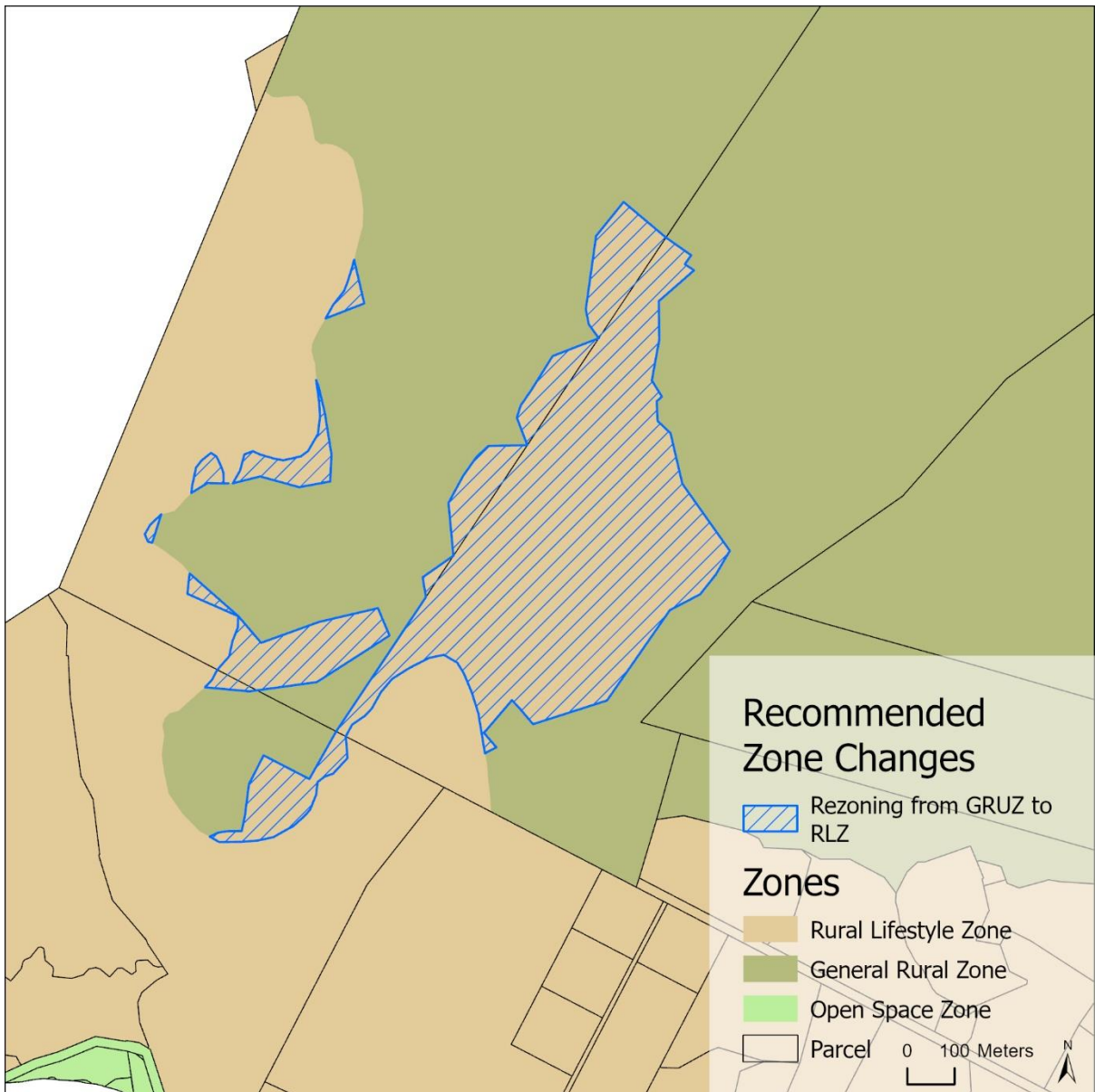
# Appendix E. Recommended amendments to RLZ

## Pikarere Farm - Pikarere Farm Limited and Arama Rochel

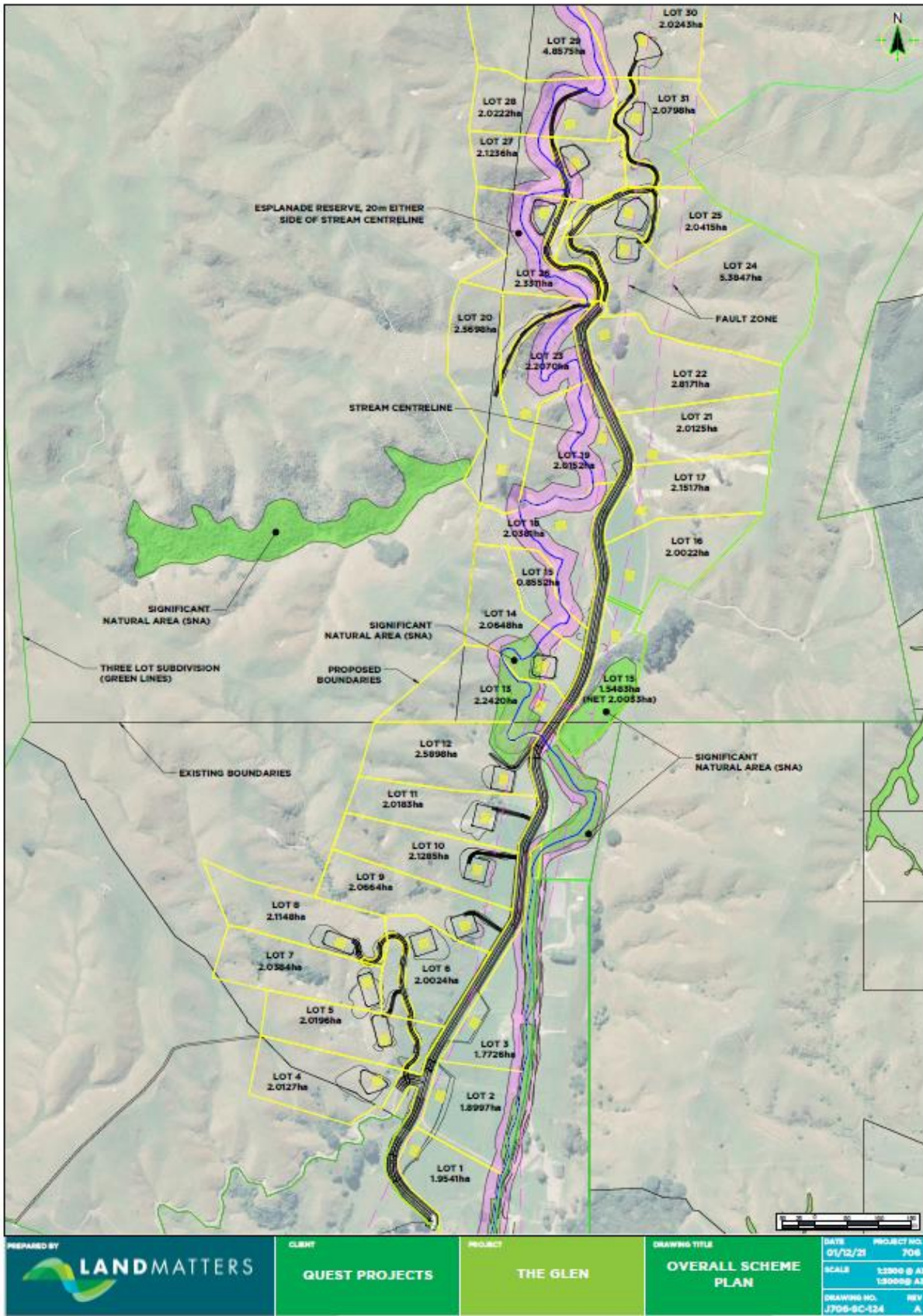




Kakaho Valley - Quest Projects Limited



## Appendix F. Quest Projects Scheme Plan for the Kakaho Valley



## Appendix G. Operative District Plan excerpt – Chapter C11 Noise

### C11 NOISE

C11 does not apply to the Plimmerton Farm Zone, which contains zone-specific noise provisions.

Environmental noise is a recognised health and environmental issue. Effective control of noise emissions is necessary in order to protect people and the environment from unreasonable noise levels which have the ability to produce health-related problems such as annoyance induced stress. It is also necessary to provide for an adequate standard of amenity throughout the City. The emission of noise is an intrinsic part of most activities. The effect of noise can vary considerably depending on the type of noise, whether it is a hum, an intermittent noise etc. The provisions in the Plan seek to control the adverse effects of noise without unduly constraining commercial and industrial activities. The noise provisions in the Plan are in addition to general statutory requirements in the RMA relating to noise

#### C11.1 Objective

**TO MINIMISE THE ADVERSE EFFECT OF NOISE ON THE ENVIRONMENT.**

##### Explanation

There is a community interest in noise and its effects on the environment. This objective seeks to promote the minimising of nuisance, health and amenity effects of noise.

#### C11.1.1 Policy

**To protect the natural and physical environment from unreasonable noise in order to maintain and enhance the amenity values of the environment.**

##### Explanation

This policy seeks to avoid the loss of amenity through the cumulative increase in noise levels over time.

##### Method of Implementation

**Noise standards** have been established for each of the seven zones. These standards seek to minimise the level of control on activities within those zones while ensuring that the overall quality of the environment is protected. To achieve this the standards have been set at the point where the noise impacts on the environment e.g. the boundary of an Industrial Zone with a Suburban Zone. In the Rural Zone the standards have been established to protect the amenity of the rural environment, and the amenity of residences within the Rural Zone, while not constraining rural activities e.g. ploughing, which can generate quite high noise levels but are an essential part of the sustainable management of the area. This has been achieved through setting the point at which noise is measured at a nominal distance of 20m from a residential building in the Rural Zone.

## C11.1.2 Policy

**To promote health by ensuring environmental noise does not exceed a reasonable level.**

## Explanation

This policy deals with the risk to public health in terms of annoyance, sleep interference, and disruption of conversation as a result of noise levels which are unacceptably high.

Method of Implementation

The methods of implementation vary according to the nature of the noise source. Where the noise source is traffic the design of buildings should recognise this and the most appropriate method of implementation is to ensure that intending developers are aware of the noise environment and are able to take this into account in the design of sites and buildings. This information can be provided through the **Project Information Memoranda (PIM) and Land Information Memoranda (LIM)** processes under the Building Act 1991 and Local Government, Official Information and Meetings Act 1987 respectively. **Noise standards** have been established based on the expected traffic noise in any part of the City. These standards seek to ensure that the noise from activities does not increase the level of disturbance from traffic noise. These standards work in parallel to the general zoning provisions to ensure that the need to protect living environments from noise does not unduly constrain commercial and industrial activities elsewhere in the City.

The **RMA also provides for the control of excessive noise**, which is generally of an occasional nature, e.g. parties, through provisions which allow a very quick response to such situations.

Principal Reasons

Annoyance levels increase with activity interference from noise intrusion, requiring that noise which interferes with peace and comfort of any person is prevented before existing situations worsen. Noise effects can be cumulative if exposures are repeated daily, resulting in annoyance related problems if the person cannot recover over a quiet night's sleep. The immediate problem of sleep disturbance often results from traffic noise and high background noise levels. Single event noise emissions are also frequent causes of interference. Eradicating noise levels completely is impossible due to existing land uses. Realistic levels of noise emissions must be applied while not adversely effecting the health of residents.

## C11.2 Environmental Outcomes Anticipated

The following environmental outcomes are anticipated:

- C11.2.1 A wide range of activities is able to operate with a minimum of control in appropriate parts of the City.
- C11.2.2 Residents in the Suburban and Rural Zones receive a high level of protection from intrusive noise, and from the gradual degradation of the environment from increased background noise levels.

## Appendix H. Report Author's Qualifications and Experience

### Torrey McDonnell – Principal Policy Planner, Porirua City Council

I hold the following qualifications:

- Bachelor of Science (Majoring in Geography), Otago University
- Master of Planning, Otago University
- New Zealand Certificate in Te Reo Māori (Level 4), Te Wānanga o Aotearoa

I have 12 years' experience working as a planner for local and central government organisations.

My work experience includes working as a planner for the Transit New Zealand Otago/Southland regional office (consent processing and plan advocacy), and as a Senior Analyst for the Ministry for the Environment (developing national direction under the RMA).

I have been employed by the Porirua City Council since May 2017 as a Principal Policy Planner within the Environment and City Planning Team.

I am a full member of the New Zealand Planning Institute.