

## Hearing 13: Natural Character

### Questions from the Hearing Panel

As foreshadowed by paragraph 12 of Minute 1, having read the Section 42A Report and other reports for the above hearing, the Hearing Panel members have questions that they would appreciate being answered by the Section 42A Report author(s) in writing prior to the hearing commencing.

### Sec42A Report

Paragraph or Plan reference	Question
5.4	<p>The report states:</p> <p><i>There is an error with the relationship between NATC-R3 and NATC-REQ3 in that NATC-R2 only refers to GRUZ, while NATC-REQ3 refers to a number of zones being: GRUZ, GRAZ, MPZ, SKIZ and TEZ. However, with the exception of the PAR submission reference to SKIZ, this matter has not been raised in any of the submissions and therefore subsequently raises a scope issue....</i></p> <p><i>It is recommended the Hearings Panel seek the submitters comments regarding the inclusion of GRUZ, GRAZ, MPZ, SKIZ and TEZ in column 1 of NATC-R3 through the hearing process.</i></p> <p>Can you (or the management team) please comment further on this procedural issue, and whether it is sufficient to canvas the submitters who are appearing at the hearing or whether a Minute is required requesting comments from all submitters prior to the hearing.</p>
8.10	<p>Note for Senior Planner:</p> <p>The recommendation to amend the 'Relationship between spatial layers' section will need to also be considered by the wider Panel for Hearing 2.</p>
9.2	Are all surface water bodies and their margins in the district also covered by the SASM chapter?
10.39 – 10.40	The recommended change in NATC-REQ2(1)(c) to exclude less than 10m <sup>2</sup> pump sheds and irrigation structures is not underlined as a change in Appendix 2. In addition, the proposed 10m setback distance discussed is not included in the amended clause. Is it supposed to be?
10.4	Can you comment on whether your recommended amendment (additions/extensions to existing buildings with a maximum floor area of 10m <sup>2</sup> ) could be read in two possible ways - and may potentially enable unlimited area extensions provided the existing building is no more than 10m <sup>2</sup> ?
10.43 and 15.5 and 15.14	The ESAI submission refers to setback requirements from (presumably) artificial lakes and wetlands that are part of residential developments (e.g. stormwater management areas). They are not excluded from the surface water bodies definition. Would these setbacks apply for proposed buildings and structures

Paragraph or Plan reference	Question
	adjacent to artificial lakes and wetlands and is that appropriate, noting the statement in para 15.14 that the PDP objectives were only intended for natural water bodies?
10.60	Can you please check the s32 report and identify where it sets out the reasons (and any cost-benefit analysis) for restrictions on horticultural plantings, woodlots and shelterbelts - for natural character purposes (as opposed to landscape purposes).
10.64	As noted above, this suggested process appears to have natural justice issues, how would this capture people who might otherwise have submitted?
10.7	Is this inconsistency in the structure of the rules something that you would recommend be amended through a subsequent variation?
12.8	What rules would give effect to the new policy you have recommended, if any?
12.8, 12.16 and NATC-P1(5) in Appendix 2	This proposed new policy seeks 'enhancement <u>or</u> environmental mitigation', presumably based on the wording in CRPS Method 4 for Policy 10.3.2. The environmental mitigation in the CRPS is more about focussing mitigating activities where they achieve the best benefits – i.e. in the riparian margins, for development that might occur outside of the riparian margin, or just generally for enhancement initiatives. As worded, proposed new Policy P1(5) could be interpreted as opening the door to environmental mitigation as an option in riparian margins (which is less than preservation and less than enhancement). Is environmental mitigation needed in this policy – it is not discussed in para 12.8, nor in CRPS Policy 10.3.2? Alternatively, could it be worded 'enhancement, including from environmental mitigation...' or similar?
13.3	Is there an inconsistency in the last two sentences – i.e. you are wishing to retain the ability for limited or public notification but the amendment does not provide for this?
13.3	This paragraph recommends changes to NATC-REQ10 re notification, however no changes to this provision are shown in Appendix 2. Should there be?
15.5	The s42A Report addresses the exclusion of artificial watercourses at 15.5 but does not refer to the submissions of HortNZ, only the submission of Federated Farmers. Can you please provide some comment on Hort NZ's submission point.
NATC-REQ3 in Appendix 2	The text is proposed to be changed from 'vegetation plantings' to 'horticultural plantings, woodlots and shelterbelts'. Should the title of NATC-REQ3 also be changed?

## Evidence of Paul Smith

Paragraph or Plan reference	Question
<b>Horticultural plantings referenced in several places, including pp 47 - 49</b>	<p>Your evidence appears to rely at least to some extent on the activity controls in the Landscape Study as the basis for controls for natural character purposes. However, does the Landscape Study not have its focus more on outstanding natural landscapes and features? Does it specifically address natural character?</p> <p>As an associated question, would you not consider that horticultural plantings in a Rural zone can be more acceptable in the context of 'natural character', whereas they could have a more significant effect (and be appropriately subject to greater control) in terms of their effects on outstanding natural landscapes?</p> <p>Does the section 32 Report provide a strong basis for including controls on horticultural plantings?</p>