

BEFORE THE FAR NORTH DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the submissions and further submission made by Bentzen Farm Limited, Setar Thirty Six Limited, The Shooting Box Limited, Matauri Trustee Limited, P S Yates Family Trust, and Mataka Residents Association

AND

IN THE MATTER Hearing One: Strategic Direction and Part 1 /General / Miscellaneous Topics.

**SUPPLEMENTARY EVIDENCE OF PETER RAYMOND HALL
(PLANNER)**

**ON BEHALF OF BENTZEN FARM LIMITED (SETAR THIRTY SIX
LIMITED, MATAURI TRUSTEE LIMITED, P S YATES FAMILY TRUST,
AND MATAKA RESIDENTS ASSOCIATION**

31 May 2024

1.0 INTRODUCTION

- 1.1 In my planning evidence presented to the Hearing Panel on 27 May 2024, I attached recommended amendments to the Strategic Directions Chapter – Rural Environment, Strategic Directions Chapter – Natural Environment and to the General Approach Chapter (Sites Subject to Multiple Provisions section)¹.
- 1.2 In response to questions from the Hearing Panel, I undertook to provide by 31 May 2024, further refinements to the recommended wording I had attached to my evidence in relation to the new strategic policy sought for non-primary production activities in the rural environment and in relation to the application of overlays where an overlay only applies to part of a site.
- 1.3 This Supplementary Statement of Evidence has at **Attachment 1** my further revised wording, and sets out below a summary of the planning rationale for these revisions.

2.0 REVISIONS TO PROPOSED AMENDMENTS

Amendments to General Approach Chapter

- 2.1 I had proposed an amendment to the Sites Subject to Multiple Provisions section of the General Approach Chapter to clarify the application of overlay provisions where overlays apply only in part to a site (as is typically the case). This was to ensure that the overlay provisions only applied to the part of the site so mapped.
- 2.2 In response to questions from the Panel, I have revised the wording I previously provided to provide greater clarity that the provisions relating to that overlay only apply to the portion of the site mapped as the overlay (refer **Attachment 1**).

¹ Statement of Evidence Peter Raymond Hall (Planner) dated 13 May 2024 on Hearing 1 on behalf of Bentzen Farm Limited, Setar Thirty Six Limited, The Shooting Box Limited, Matauri Trustee Limited, P S Yates Family Trust, and Mataka Residents Association

- 2.3 As I confirmed to the Panel in response to questions, without clarity here there is the risk that the overlay provisions could be interpreted as applying to the entirety of a site, rather than just to the mapped part.
- 2.4 I have retained the original Proposed Plan wording here also because that deals with a different issue; namely overlay, zone or precinct controls that “*reference a proportion or percentage of the site*”.
- 2.5 For overlays at least, it is not clear to me what controls this original Proposed Plan wording would apply to; however that will no doubt be a matter which is discussed further at Hearing 4 on Overlays.

New Strategic Objective – Rural Environment

- 2.6 Reflecting on the questions from the Panel, I have also revised the wording I had proposed to my recommended new Strategic Objective SD-RE-O3, dealing with non-primary production activities in rural areas.
- 2.7 In doing this I reviewed the related zone objectives and policies in the Rural Production Zone, Rural Lifestyle Zone, Rural Residential Zone and Settlement Zone – all of which are part of the Rural Environment in the Proposed Plan and all of which provide in some way for non-primary production activities.
- 2.8 The key policy concept in these zones is to provide for other “compatible activities”. So for example in the Rural Production Zone, “*compatible activities that support primary production activities*”², in the Rural Lifestyle Zone and Rural Residential Zone, activities that are “*compatible with the rural character and amenity of the zone*”³ and also in the Rural Lifestyle Zone, activities that do not “*compromise the effective and efficient operation of primary production activities*”⁴.

² Policy RPROZ-P2

³ Objectives RLZ-O1 and RRZ-O1

⁴ Objective RLZ-O4

- 2.9 Based on this I recommend the further refinements to my wording as at **Attachment 1**, which limit the provision for non-primary production activities in the objective to those activities that are compatible with rural character and amenity and with primary production activities.
- 2.10 I considered further my response also at the hearing on another concept being those activities that “derive particular benefit from a rural location”; however on reflection I consider this is captured by the concept of compatible activities I outline above.
- 2.11 The remainder of my recommended revisions remain the same as in my 13 May 2024 Evidence and are included at **Attachment 1** also for completeness.

Peter Raymond Hall

31 May 2024

Attachment 1 (Supplementary Evidence)

Section 42A Report Writing Officer’s recommended amendments to the provisions of the Proposed District Plan are shown in blue underline and strikeout.

Amendments recommended in the Primary Evidence of Peter Hall on behalf of the submitters¹ (13 May 2024) are shown in red underline and strikeout.

Further Amendments recommended in the Supplementary Evidence of Peter Hall on behalf of the submitters (31 May 2024) are shown in green underline and strikeout.

1. Amendments to General Approach Chapter

Applications Subject to Multiple Provisions

...

Where a rule for an overlay, zone or precinct controls an activity by reference to a proportion or percentage of the site, the control will be limited to that part of the site to which the overlay or zone applies.

[Add as a new paragraph for clarity]

Where an overlay is shown on the Planning Maps, the overlay provisions relating to that overlay only apply to the portion of a site covered by mapped as that the overlay.

.....

2. Amendments to Strategic Direction Chapter – Rural Environment

Overview

This Chapter sets out the overarching direction for the district’s rural environment.

~~For the purposes of preparing, changing, interpreting and implementing the District Plan all other objectives and policies in all other chapters of this District Plan are to be read and achieved in a manner consistent with these strategic objectives.~~

Objectives	
SD-RE-O1	Primary production activities are able to operate efficiently and effectively and the contribution they make to the economic and social well-being and prosperity of the district is recognised.
SD-RE-O2	Protection of highly productive land from inappropriate development to ensure its production potential for generations to come.
<u>SD-RE-O3</u>	<u>The importance of non-primary production activities in the rural environment to the social, economic and cultural well-being of the district is recognised and provided for, where those non-primary production activities are compatible with rural character and amenity and with primary production activities.</u>

¹ Bentzen Farm Limited, Setar Thirty Six Limited, The Shooting Box Limited, Matauri Trustee Limited, P S Yates Family Trust, and Mataka Residents Association

3. Amendments to Strategic Direction Chapter – Natural Environment

Overview

This Chapter sets out the overarching direction for the district’s natural environment, including environmental prosperity.

~~For the purposes of preparing, changing, interpreting and implementing the District Plan all other objectives and policies in all other chapters of this District Plan are to be read and achieved in a manner consistent with these strategic objectives.~~

Natural Environment (Environmental prosperity)

Objectives	
SD- NEEP- O1	A culture of stewardship in the community that increases the district's biodiversity and environmental sustainability.
SD- NEEP- O2	Collaborative relationships with iwi and hapū in order to support tangata whenua to carry out their obligation and responsibility as kaitiaki.
SD- NEEP- O3	Active management of ecosystems to protect, maintain and increase indigenous biodiversity for future generations.
SD- NEEP- O4	Land use practices reverse <u>mitigate</u> climate change by enabling carbon storage and reducing carbon emissions.
SD- NEEP- O5	The natural character of the coastal environment and outstanding natural features and landscapes are managed to ensure their long-term protection for future generations, including their restoration.
SD- NEEP- O6	Areas of significant indigenous vegetation and significant habitats of indigenous fauna are protected for current and future generations.