

Hearing Stream 12B

Questions from the Hearing Panel

Having read the Section 42A Report, the Hearing Panel has questions that they would appreciate being answered by the Section 42A Report author at the hearing, both verbally and written.

This is in the interests of running an efficient hearing.

Please note this list of questions is not exhaustive. The Panel members may well ask additional questions during the course of the hearing.

Paragraph or Plan reference	Question
Para 52	You have referred to the Rural Character Assessment, which itself notes the difference in rural character of lots between 4 and 10ha and those above 10ha. Is this not therefore only relevant to the General Rural Zone, rather than the Rural Lifestyle Zone?
Para 77	<p>You state:</p> <p style="text-align: center;"><i>Chapter 15 (Soils) addresses versatile soils, which the CRPS defines as LUC 1 and 2 only. Objective 15.2.1 seeks the maintenance of soil quality, including productive capacity. Section 3.2.4 above outlines how the NPS-HPL applies to LUC 1, 2 and 3 soils within the GRUZ and as such the provisions of Chapter 15, as they relate to versatile soils, are superseded by the NPS-HPL. Therefore, within the District, Chapter 15 only applies to LUC 1 and 2 soils located outside the GRUZ. Thus Chapter 15 is not of relevance to the GRUZ rezone submissions addressed in this report.</i></p> <p>Please explain how the NPS-HPL “supersedes” the RPS, and how you have defined supersede in this instance? Please further explain your conclusion that Chapter 15 of the RPS only applies to LUC 1 and 2 soils located outside the GRUZ.</p> <p>If your assessment of the RPS being superseded is wrong, what are the implications for your assessment? In answering this, you may want to refer back to evidence the Panel received during Hearing Stream 6.</p>
Para 90	<p>At para 61 you acknowledge that because the NPS-HPL came into effect approximately 1 year after the notification of the PDP, submissions have not addressed the provisions of the NPS. You have not assessed these submissions because of this lack of assessment. Given most of these submitters are lay people who have not used professionals to prepare their submissions, has Council approached these submitters and advised them of the change in legislation and what is now expected?</p> <p>Furthermore, is it not possible to carry out a desk top study of these areas against at least some of the criteria in clause 3.10 to ascertain whether it would be appropriate to carry a more detailed assessment? The Odgers</p>

Paragraph or Plan reference	Question
	<p>submission, for example, would appear to raise some valid reasons for a more detailed assessment of these submissions.</p> <p>The Odgers submission also raised the interesting point of land that has consent to be subdivided down to the RLZ minimum, but has not yet been given effect to, and has not been zoned RLZ even though it adjoins RLZ. Is there scope to address this anomaly in the higher order documents?</p>
Para 120	<p>You infer here that 4ha allotments would not support primary production. Is this consistent with the approach taken in the s42A report for the Rural zone? For example, para 84 of that report recommends the following amendment to the 'Introduction of the rural zones Chapter' as follows:</p> <p><i>The Rural Lifestyle Zone, recognises that this area comprises the densest rural settlement pattern in the District. This rural area is defined by its fine grained pattern of settlement and human induced characteristics. The zone provisions retain the focus of the zone by providing for primary production activities and other rural activities, while recognising that the predominant character is derived from smaller sites. <u>While the sites are smaller than the GRUZ, they are still productive and the majority of the District's horticultural operations are within the RLZ. [295.121]</u></i></p>
Paras 144 – 149	<p>Please provide comment on whether there are any elements of the requested rezonings that have merit, such as their location surrounded by small-sized lots. Particularly, if there is limited ability to undertake primary production activities without generating adverse effects on, or reverse sensitivity effects from, sensitive activities, and taking into account Zone setback requirements.</p>
Para 206	<p>In your assessment of the RPS you have referred to Chapters 5 and 12. Please explain why you have not considered Chapter 10, Beds of Rivers and Lakes and their Riparian Zones. If you do think it is relevant, please provide an assessment against it.</p>