



# **WAIRARAPA COMBINED DISTRICT PLAN JOINT COMMITTEE Extraordinary Meeting Agenda**

for the Meeting to be held in  
Waiata House, 27 Lincoln Road  
Masterton

**TUESDAY 7 May at 10.00am**

## **MEMBERSHIP**

David McMahon (Chairperson, Independent Commissioner)

Cr Craig Bowyer (MDC)

Frazer Mailman (MDC)

Cr Brian Deller (CDC)

Cr Robyn Cherry-Campbell (CDC)

Cr Alistair Plimmer (SWDC)

Brian Jephson (SWDC)

Rangitāne o Wairarapa Representative Jo Hayes

Ngāti Kahungunu Representative Kereana Sims

## **AGENDA**

1. APOLOGIES
2. CONFLICTS OF INTEREST (MEMBERS TO DECLARE CONFLICTS, IF ANY) Pages 1-8
  - Conflict of Interests Register is attached
3. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING HELD 14 MARCH 2024 (003/24) Pages 9-17
4. EXTENSION OF FURTHER SUBMISSION PERIOD FOR ONE SUBMITTER AND APPROVAL OF ERRATA TO SUMMARY OF DECISIONS REQUESTED ON PROPOSED WAIRARAPA COMBINED DISTRICT PLAN (004/24) Pages 18-28

# 1

## Wairarapa Combined District Plan Review - Conflict of Interest Register of the Wairarapa Combined District Plan Review Joint Committee Members – As at 7 May 2024

Conflicts of interest exist when a person's duties or responsibilities to Council could be, or could be perceived to be, affected by some other separate interest or duty.

Conflicts of interest can arise from a wide range of circumstances including but not limited to:

- Being an advisor, director, partner, trustee, or beneficiary of another business or organisation;
- Being a member of a club, society, or association;
- Holding or expressing strong political or personal views that might indicate prejudice or predetermination for or against a person or issue;
- Being a close friend or relative of someone who holds these interests (or who could otherwise be personally affected by a decision of the Council).

The register below is a record of potential conflicts of interest and the mitigation measures for managing this conflict or record of no conflict.

Committee Member	Potential Conflict	Discussion	Mitigation/Outcome
Brian Jephson	Sites and Areas of Significance to Māori – Chapter, Schedule and Mapping	A property owner where a Site/Area of Significance to Māori has been identified on this property.	Brian will not participate in any discussions or hearings relating to Sites and Areas of Significance to Māori Chapter, Schedule or Mapping.
Brian Jephson	Coastal Environment and General Rural Zone	A property owner (Palliser Bay Farming Ltd – pastoral farming) where land is within the Coastal Environment and General Rural Zone identified in the District Plan.	Interest noted. No further action required as the Coastal Environment provisions and General Rural Zone provisions apply district-wide with no location specific provisions or specifically identified areas.
Brian Jephson	Various provisions	Memberships: Martinborough Golf Club Ngawi Ratepayers Assn	If the Martinborough Golf Club or the Ngawi Ratepayers Assn make a submission, Brian will not participate in hearing or deliberating on submissions on matters raised in this submission.
Councillor Alistair Plimmer	General Rural Zone	Owner of a family property in the South Wairarapa located in the General Rural Zone.	Interest noted. No further action required as the General Rural Zone provisions apply district-

Committee Member	Potential Conflict	Discussion	Mitigation/Outcome
			wide with no location specific provisions or specifically identified areas.
Councillor Alistair Plimmer	General Residential Zone, General Rural Zone and Sites and Areas of Significance to Māori	Chair of Board of Trustees for St Matthews School. Includes link with Trinity Schools and Rathkeale College.	Interest noted. No further action required as the General Residential Zone and General Rural Zone provisions apply district-wide with no location specific provisions or specifically identified areas.  Regarding the Site and Area of Significance to Māori, if Rathkeale College make a submission, Alistair will not participate in hearing or deliberating on submissions on matters raised in this submission.
Councillor Alistair Plimmer	Various provisions	District Licensing Committee – Chair of South Wairarapa DLC, Wairarapa list member	If the DLC make a submission, Alistair will not participate in hearing or deliberating on submissions on matters raised in this submission.
Councillor Alistair Plimmer	Various provisions	Shareholdings - Fisher and Paykel Healthcare; Infratil Ltd; Mercury NZ Ltd; Smartshare group NZ Top 50 (actual companies unknown); International shares - BHP Group Ltd; Westpac Banking Group	Interest noted. If any of these companies make a submission, Alistair will not participate in hearing or deliberating on submissions on matters raised in this submission.
Councillor Alistair Plimmer	Various provisions	Alistair knows a number of individual submitters	Interest noted. No further action required.
Jo Hayes	Various provisions	On the Governing Body of Rangitāne o Wairarapa Inc	If Rangitāne o Wairarapa Inc make a submission, Jo will not participate in hearing or deliberating on submissions on matters raised in this submission.
Jo Hayes	Various provisions	Membership: Wairarapa Chamber of Commerce	If the Wairarapa Chamber make a submission, Jo will not participate in hearing or deliberating

# 3

Committee Member	Potential Conflict	Discussion	Mitigation/Outcome
			on submissions on matters raised in this submission.
Jo Hayes	Various provisions	Jo is the Rangitāne appointed iwi representative for Masterton District Council	Interest noted. No further action required.
Councillor Craig Bowyer	General Residential Zone	Owner of two residential properties in urban Masterton	Interest noted. No further action required as the General Residential Zone provisions apply district-wide with no location specific provisions or specifically identified areas.
Councillor Craig Bowyer	Various provisions	Memberships: Automobile Association Wairarapa	Interest noted. If AA Wairarapa Chamber make a submission, Craig will not participate in hearing or deliberating on submissions on matters raised in this submission.
Councillor Craig Bowyer	Hood Aerodrome provisions, including Air Noise Boundaries	Owner of a hangar at Hood Aerodrome, Masterton	Interest noted. If any submissions made in relation to Hood Aerodrome, Craig will not participate in hearing or deliberating on submissions on matters raised in this submission.
Councillor Craig Bowyer	Various provisions	Masterton District Licensing Committee Deputy Chair and Wairarapa List Member	If the DLC make a submission, Craig will not participate in hearing or deliberating on submissions on matters raised in this submission.
Frazer Mailman	Change of Zone (Rural to Urban)	Friends with a landowner who wants to subdivide	Interest noted. If the landowner makes a submission, Frazer will not participate in hearing or deliberating on submissions on matters raised in this submission.
Frazer Mailman	Various provisions	Member of the Wairarapa Youth Charitable Trust	If the Wairarapa Youth Charitable Trust make a submission, Frazer will not participate in hearing or deliberating on submissions on matters raised in this submission.

# 4

Committee Member	Potential Conflict	Discussion	Mitigation/Outcome
Frazer Mailman	Various provisions	District Licensing Committee – Chair of Masterton DLC, Wairarapa list member	If the DLC make a submission, Frazer will not participate in hearing or deliberating on submissions on matters raised in this submission.
Frazer Mailman	Various provisions	Memberships: Mahunga Golf Club, Masterton Masterton Racing Club	If the Mahunga Golf Club, or Masterton Racing Club, make a submission, Frazer will not participate in hearing or deliberating on submissions on matters raised in this submission.
Frazer Mailman	Various provisions	Other memberships Wairarapa Road Safety Council, Board member Interim Chair Netball Wairarapa	If the Wairarapa Road Safety Council, or Netball Wairarapa, make a submission, Frazer will not participate in hearing or deliberating on submissions on matters raised in this submission.
Frazer Mailman	General Residential Zone	Residential property owner in Masterton	Interest noted. No further action required as the General Residential Zone provisions apply district-wide with no location specific provisions or specifically identified areas.
Councillor Robyn Cherry Campbell	General Residential Zone	Property owner in Carterton	Interest noted. No further action required as the General Residential Zone provisions apply district-wide with no location specific provisions or specifically identified areas.
Councillor Robyn Cherry Campbell	Various provisions	Chair Life Ed Trust Wairarapa, Tararua & Central Hawkes Bay	If the Life Ed Trust Wairarapa, make a submission, Robyn will not participate in hearing or deliberating on submissions on matters raised in this submission.
Councillor Robyn Cherry Campbell	Various provisions	Committee member, Wairarapa Wahine Toa Rugby Club Inc	If the Wairarapa Wahine Toa Rugby Club, make a submission, Robyn will not participate in hearing or deliberating on submissions on matters raised in this submission.
Councillor Robyn Cherry Campbell	Various provision	Board Member Wairarapa Bush Rugby Football Union	If the Wairarapa Bush Rugby Football Union, make a submission, Robyn will not participate in

Committee Member	Potential Conflict	Discussion	Mitigation/Outcome
			hearing or deliberating on submissions on matters raised in this submission.
Councillor Robyn Cherry Campbell	Various provisions	Board Member, Rotary Club of Carterton	If the Rotary Club of Carterton, make a submission, Robyn will not participate in hearing or deliberating on submissions on matters raised in this submission.
Councillor Robyn Cherry Campbell	Various provisions	Shareholdings – Port of Tauranga; Smartpay	Interest noted. If any of these companies make a submission, Robyn will not participate in hearing or deliberating on submissions on matters raised in this submission.
Councillor Brian Deller	General Rural Zone	Property Owner – Lifestyle block Carterton	Interest noted. No further action required as the General Rural Zone provisions apply district-wide with no location specific provisions or specifically identified areas.
Councillor Brian Deller	Settlement Zone	Property Owner - Ngawi	Interest noted. No further action required as the Settlement Zone provisions apply district-wide with no location specific provisions or specifically identified areas.
Councillor Brian Deller	Various provisions	Memberships: Ngawi Sports Fishing Club Ngawi Ratepayers and Residents Association Carterton Lions Club (Past President)	If the any of these clubs or associations make a submission, Brian will not participate in hearing or deliberating on submissions on matters raised in this submission.
Councillor Brian Deller	Various provisions	Wairarapa District Licensing Committee List Member	If the DLC make a submission, Brian will not participate in hearing or deliberating on submissions on matters raised in this submission.
David McMahon	No property ownership within the Wairarapa region	NA	NA
David McMahon	District wide	David is on the register of independent RMA commissioners for WDC, MDC and SWDC and GWRC on	1. No specific upcoming appointments 2. Will screen/manage future appointments during Combined plan submission , hearings

# 6

Committee Member	Potential Conflict	Discussion	Mitigation/Outcome
		<p>plans, plan changes, resource consents and designations. Previous examples –</p> <ul style="list-style-type: none"> <li>• Martinborough and Greytown wastewater consents from GWRC, Private Plan 1 for MDC (Welhom Developments Limited retirement village)</li> <li>• March 2023, GWRC NRRP hearings 2016 -18)</li> </ul>	<p>and deliberations to ensure to ensure no perceived conflicts.</p>
David McMahon	District wide	<p>David's firm (RMG) has clients who have previously, and may from time to time in the future, seek consents from MDC, CDC and SWDC e.g. NPD Ltd, SoHo Group .</p>	<p>No specific projects of relevance. Any such future projects during the plan hearing process will be recorded on the register and an appropriate strategy adopted including no involvement in relevant Plan deliberations and decision making.</p>
Kereana Sims	General Rural Zone	<p>Owner of a family property in the South Wairarapa located in the General Rural Zone.</p>	<p>Interest noted. No further action required as the General Rural Zone provisions apply district-wide with no location specific provisions or specifically identified areas.</p>
Kereana Sims	Māori Purpose Zone	<p>Shareholder in a number of Ahu Whenua trusts in the districts of Masterton, Carterton and South Wairarapa - some the trust land is in the proposed Māori Purpose zone.</p>	<p>If any submissions are made by any of these Ahu Whenua Trusts, Kereana will not participate in hearing or deliberating on submissions on matters raised in these submissions.</p>



Committee Member	Potential Conflict	Discussion	Mitigation/Outcome
Kereana Sims	Various provisions	Kereana is registered with one of the nine Hapu karanga groups, Hurunui-o-Rangi Marae, which make up the Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua claimant community.	If any submissions are made by this group, Kereana will not participate in hearing or deliberating on submissions on matters raised in these submissions.
Kereana Sims	Various provisions	Shareholder by descentance of an original owner in Wairarapa Moana ki Pouakani Inc	If any submissions are made by this group, Kereana will not participate in hearing or deliberating on submissions on matters raised in these submissions.
Kereana Sims	General Residential Zone	Residential property owner in Masterton	Interest noted. No further action required as the General Residential Zone provisions apply district-wide with no location specific provisions or specifically identified areas.
Kereana Sims	General Rural Zone	Property owner Lifestyle block in Masterton	Interest noted. No further action required as the General Rural Zone provisions apply district-wide with no location specific provisions or specifically identified areas.

# 8

Committee Member	Potential Conflict	Discussion	Mitigation/Outcome
Kereana Sims	District Wide	Kereana has provided consultancy advice to Ngāti Kahungunu ki Wairarapa.	No specific upcoming appointments  Will screen/manage future contracts during Combined plan submission , hearings and deliberations to ensure to ensure no perceived conflicts.
Kereana Sims	District Wide	Kereana whakapapas to both iwi in Wairarapa – Ngāti Kahungunu and Rangitāne	Interest noted. No further action required.

**WAIRARAPA COMBINED DISTRICT PLAN JOINT COMMITTEE MEETING**  
**HELD AT THE HURUNUI O RANGI MEETING ROOM, CARTERTON DISTRICT COUNCIL, ON**  
**THURSDAY 14 MARCH 2024 AT 10.00am**

**PRESENT**

David McMahon (Chair), Councillors Craig Bowyer (MDC), Robyn Cherry-Campbell (CDC), Brian Deller (CDC), and Alistair Plimmer (SWDC), Brian Jephson (SWDC), Frazer Mailman (MDC), Ngāti Kahungunu iwi representative Kereana Sims and Rangitāne iwi representative Jo Hayes.

**IN ATTENDANCE**

South Wairarapa District Council: Group Manager Planning and Environment (Russell O'Leary),

Carterton District Council: Planner (Becca Adams)

Masterton District Council: Planning and Consents Manager (Christine Chong), Planner (Alice Falloon), Cat White (Communications Advisor)

Boffa Miskell: Hamish Wesney, Sinead Lynch and on Teams - Charles Horrell and Erica Wheatley.

The Chair opened the meeting and welcomed the new iwi representative for Ngāti Kahungunu, Kereana Sims.

**APOLOGIES**

All members were present.

**CONFLICTS OF INTEREST**

The Register of Interests was discussed. The Chair recommended that members look at the list of submitters and include any relationship with any of the submitters in their declaration. He noted that it was better to include a potential conflict than leave it out.

The following updates were provided:

Frazer Mailman advised he was a Member of the Wairarapa Youth Charitable Trust.

Jo Hayes advised that she was no longer on the Rangitāne Tu Mai Ra Trust but was now on Rangitāne o Wairarapa Inc (Rangitāne Runanga) and was the iwi appointed representative for Masterton District Council.

Kereana Sims advised that she provided consultancy advice to Ngāti Kahungunu ki Wairarapa.

**CONFIRMATION OF MINUTES OF PREVIOUS MEETING – 5 OCTOBER 2023**

Moved Councillor Robyn Cherry-Campbell

Seconded Frazer Mailman

**That the minutes of the Wairarapa Combined District Council Joint Committee meeting held on 5 October 2023 be confirmed as a correct record of that meeting.**

CARRIED

## **ACCEPTANCE OF LATE SUBMISSIONS AND APPROVAL OF SUMMARY OF DECISIONS REQUESTED ON THE PROPOSED WAIRARAPA COMBINED DISTRICT PLAN**

The report seeking the Joint Committee's decision on whether to accept the late submissions set out and to approve the public notification of the summary of Decisions Requested on the Proposed District Plan was presented by the Manager Planning and Regulatory Carterton District Council. A presentation summarising the number of submissions and submission points by topic was provided [See Minutes Attachment 1].

The recommendations were taken in parts.

Moved Councillor Robyn Cherry-Campbell

Seconded Councillor Alistair Plimmer

**That the Wairarapa Combined District Plan Joint Committee:**

**1) Receives the information.**

CARRIED

Moved Brian Jephson

Seconded Frazer Mailman

**That the Wairarapa Combined District Plan Joint Committee:**

**2) Accepts the late submissions as listed in Attachment 1 of this report into the Proposed District Plan process.**

CARRIED

Moved Councillor Brian Deller

Seconded Councillor Robyn Cherry-Campbell

**That the Wairarapa Combined District Plan Joint Committee:**

**3) Approves the Summary of Decisions Requested on the Proposed Wairarapa Combined District Plan as contained in Attachment 2 for public notification pursuant to Clause 7 of Schedule 1 of the Resource Management Act 1991.**

CARRIED

Moved Frazer Mailman

Seconded Councillor Alistair Plimmer

**That the Wairarapa Combined District Plan Joint Committee:**

**4) Approves the Chair of the Joint Committee to be able to make any minor changes and edits to the Summary of Decisions Requested, as required, prior to public notification of the Summary.**

CARRIED

Moved Brian Jephson

Seconded Councillor Alistair Plimmer

**That the Wairarapa Combined District Plan Joint Committee:**

**5) Agrees that the date for public notification of the Summary of Decisions Requested is 22 March 2024 and the date for close of further submissions on the Proposed District Plan is 23 April 2024.**

CARRIED

## **APPOINTMENT OF DEPUTY CHAIR**

The report providing the opportunity for the Joint Committee to appoint a Deputy Chairperson was presented by the Manager Planning and Regulatory Carterton District Council.

The recommendations were taken in parts.

Moved David McMahon

Seconded Robyn Cherry-Campbell

**That the Wairarapa Combined District Plan Joint Committee:**

**1) Receives the information.**

CARRIED

Moved Councillor Bowyer

Seconded Jo Hayes

**That the Wairarapa Combined District Plan Joint Committee:**

**2) Resolves that System B of the procedures as set out in Clause 25 Schedule 7 of the Local Government Act 2002 be adopted for the election of the Deputy Chair of the Joint Committee for the Wairarapa Combined District Plan.**

CARRIED

Councillor Plimmer nominated Councillor Cherry-Campbell to be appointed as Deputy Chair of the Committee. No other nominations were received.

Moved Councillor Alistair Plimmer

Seconded Brian Jephson

**That the Wairarapa Combined District Plan Joint Committee:**

**3) Appoints Councillor Robyn Cherry-Campbell as the Deputy Chair of the Joint Committee for the Wairarapa Combined District Plan.**

CARRIED

**The meeting closed at 10.25am**

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# PROPOSED DISTRICT PLAN SUBMISSIONS SUMMARY



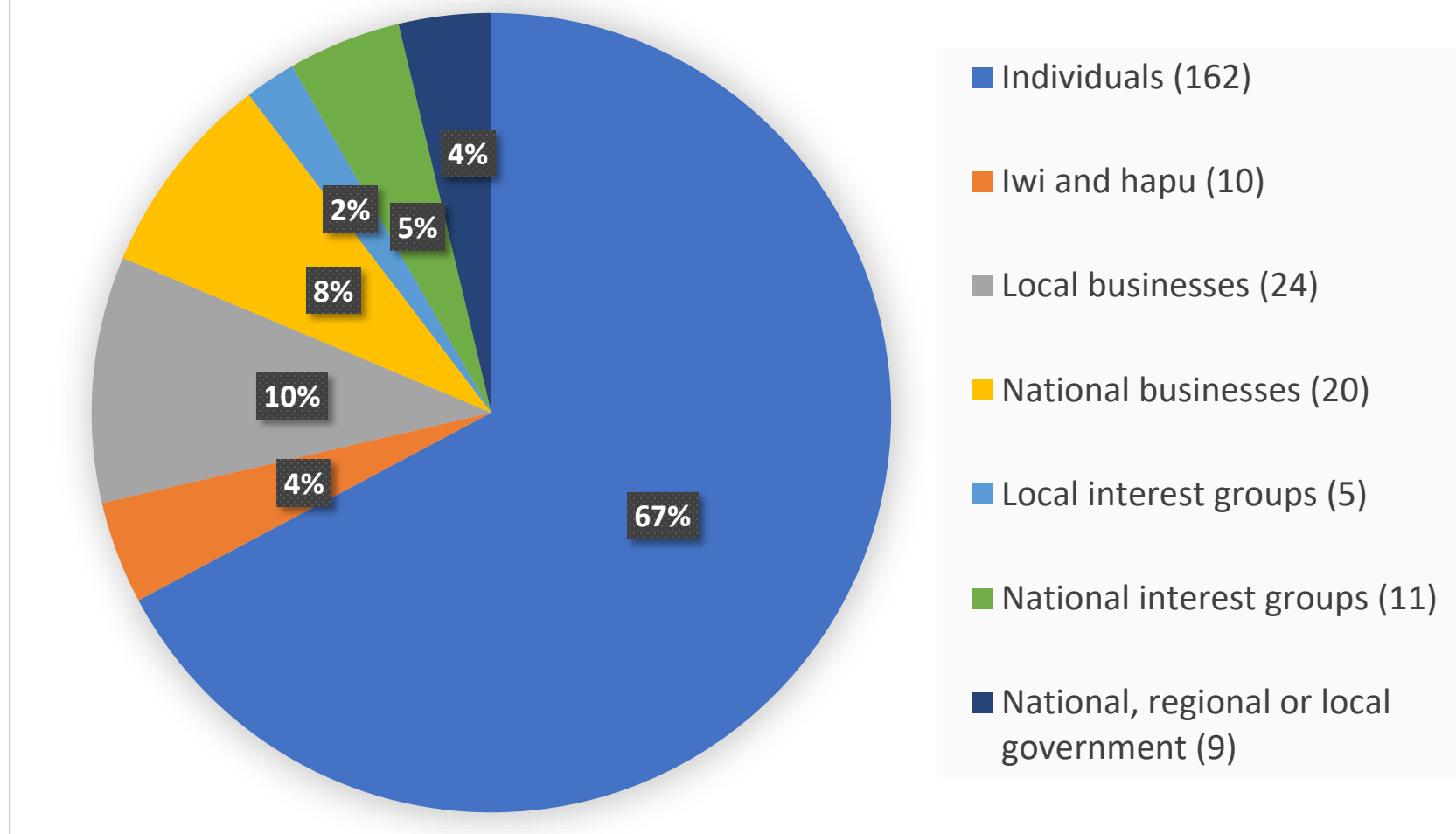
WAIRARAPA  
COMBINED  
DISTRICT PLAN  
**REVIEW**

*Te Mahere  
Rautaki  
a-rohe o  
Wairarapa*

## SUBMISSIONS RECEIVED SUMMARY

- **241** submissions received
- For context:
  - 528 submissions received on first Wairarapa Combined District Plan in 2006
  - 497 submissions received on Proposed Wellington City District Plan in 2022
  - 123 submissions received on Central Hawkes Bay District Plan in 2021
- **3757** submission points
- Majority of submitters want to be heard

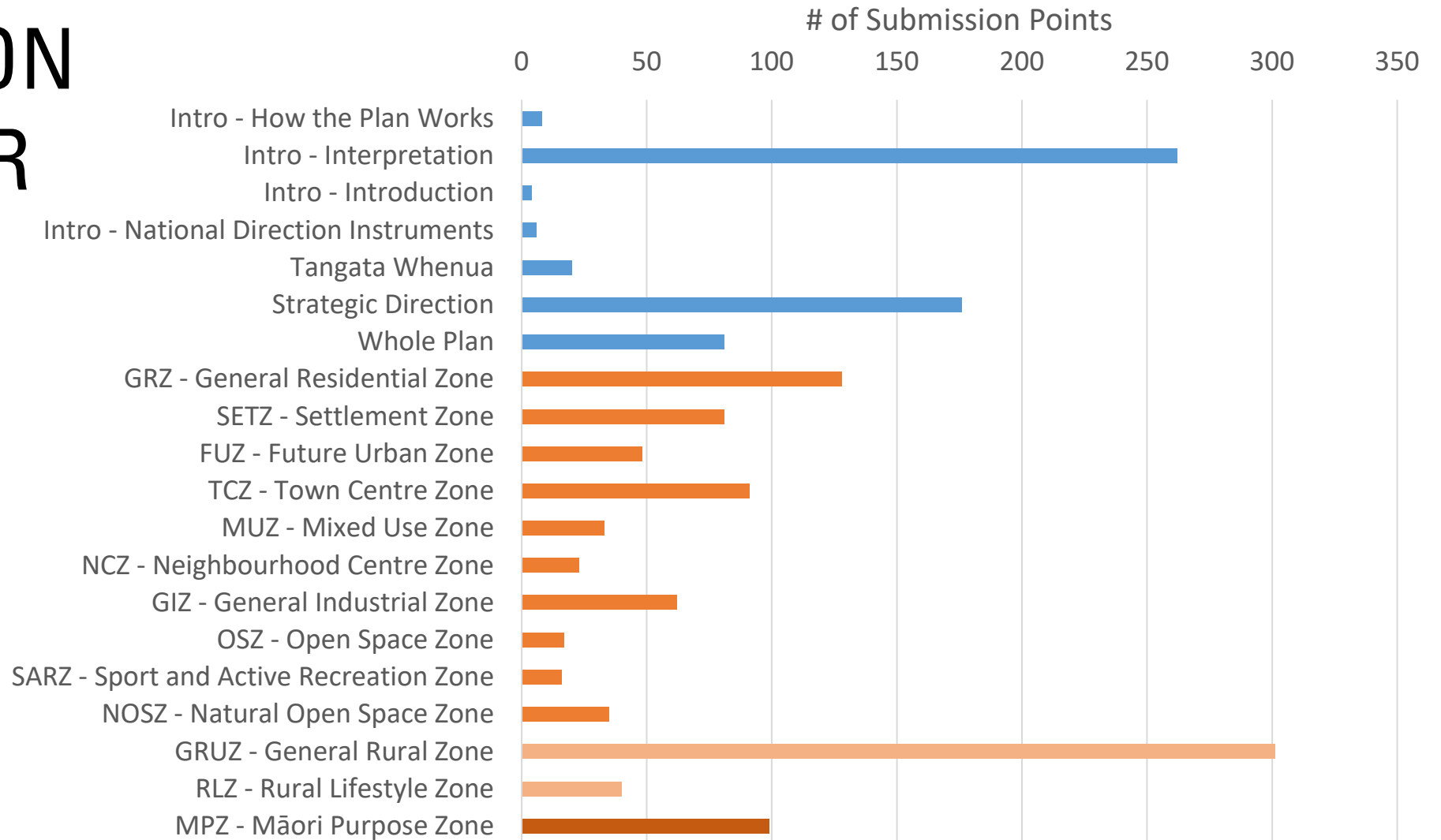
# WHO DID WE RECEIVE SUBMISSIONS FROM?



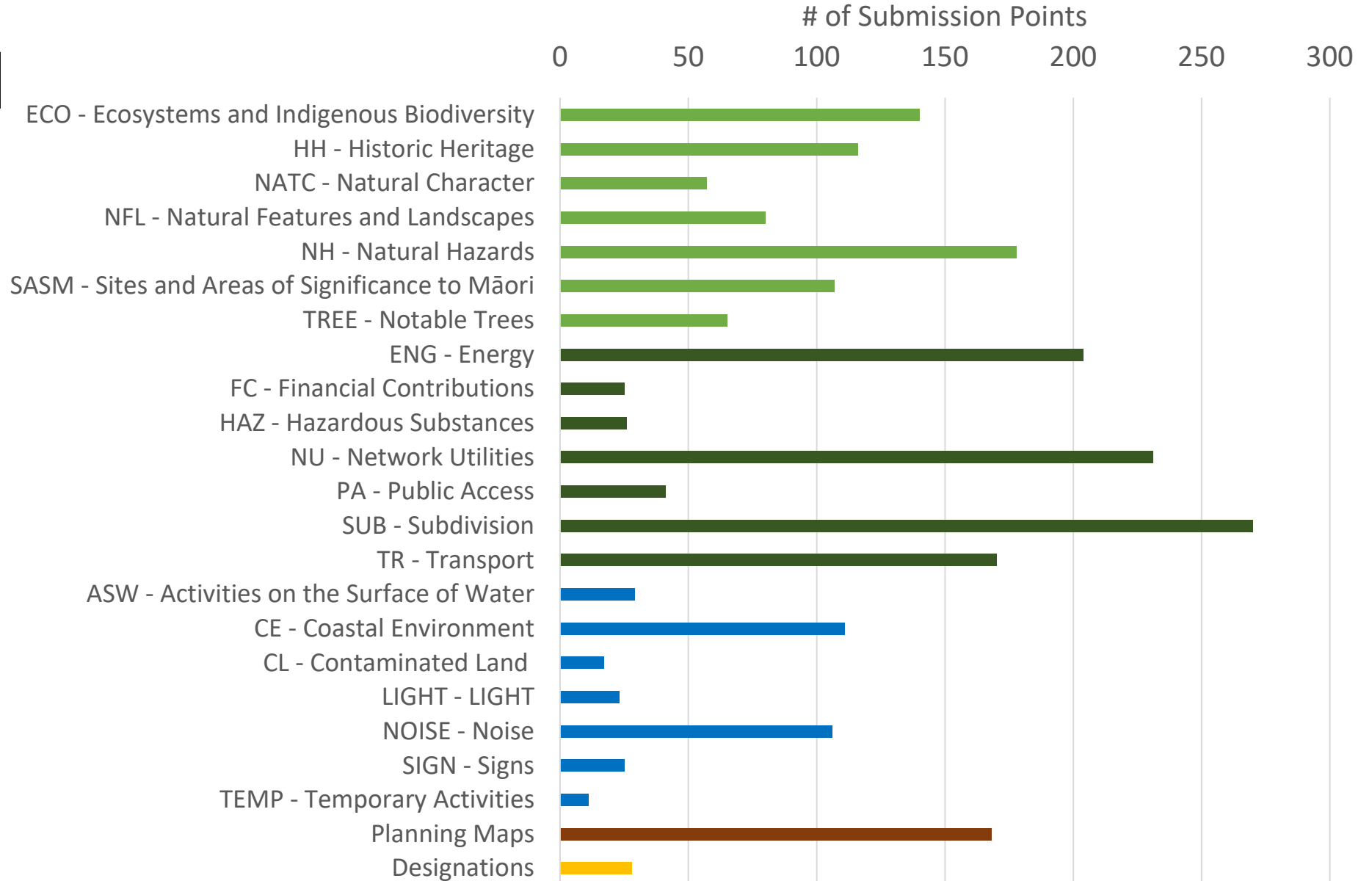


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# SUBMISSION POINTS PER CHAPTER

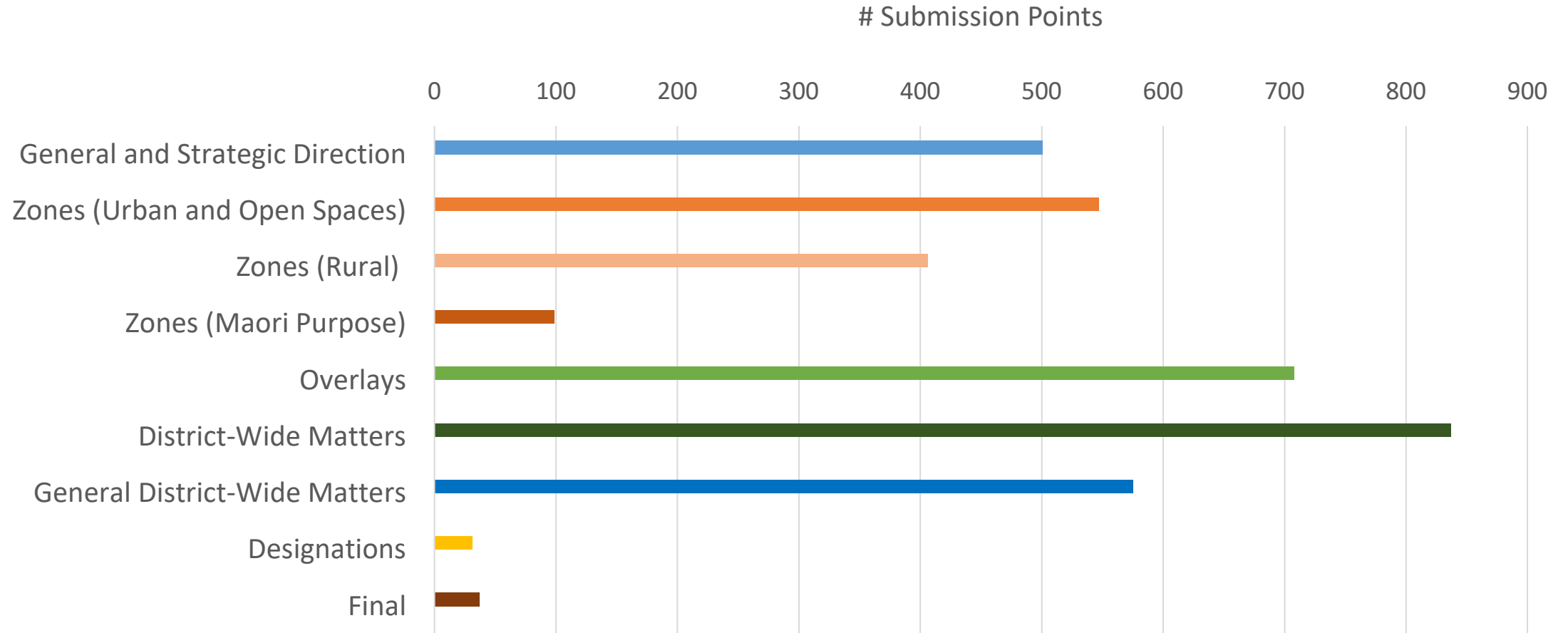


# SUBMISSION POINTS PER CHAPTER



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# SUBMISSION POINTS PER HEARING



<b>To:</b>	Joint Committee for the Wairarapa Combined District Plan
<b>From:</b>	Nick Eagle, Acting Planning Manager, South Wairarapa District Council Solitaire Robertson, Manager, Planning and Regulatory, Carterton District Council Christine Chong, Planning Manager, Masterton District Council
<b>Endorsed by:</b>	Russell O’Leary, Group Manager Planning and Environment, South Wairarapa District Council Geoff Hamilton, Chief Executive, Carterton District Council Karen Yates, General Manager – Strategy and Development, Masterton District Council
<b>Date:</b>	7 May 2024
<b>Subject:</b>	Extend Further Submission Period for East Leigh Ltd and Approval of Errata to Summary of Decisions Requested on Proposed Wairarapa Combined District Plan
<b>DECISION</b>	
<b>Recommendation:</b>	
That the Joint Committee:	
<ol style="list-style-type: none"> <li>1) Receives the information.</li> <li>2) Retrospectively approves a time extension to East Leigh Ltd to make a further submission on the Proposed District Plan no later than 2 May 2024.</li> <li>3) Approves the Errata to the Summary of Decisions Requested on the Proposed Wairarapa Combined District Plan as contained in Appendix 1 for public notification pursuant to Clause 7 of Schedule 1 of the Resource Management Act 1991.</li> <li>4) Agrees that the date for public notification of the Errata to the Summary of Decisions Requested is 15 May 2024 and the date for close of further submissions on the Errata is 29 May 2024.</li> </ol>	

## Purpose

This report:

1. Seeks the Joint Committee retrospective approval to extend the time for East Leigh Ltd to make a further submission on the Proposed Wairarapa Combined District Plan (the ‘Proposed District Plan’); and
2. Seeks the Joint Committee approval to publicly notify an Errata to the Summary of Decisions Requested on the Proposed District Plan under Clause 7 of Schedule 1 of the Resource Management Act 1991 (‘RMA’ or ‘the Act’).

## Context

The statutory process for preparing a District Plan is set out in Schedule 1 of the RMA.

The Councils have delegated to the Wairarapa Combined District Plan Joint Committee all functions, powers, and duties under Schedule 1 of the RMA. The Terms of Reference for the Joint Committee states the responsibilities of the Joint Committee include (emphasis added with underline):

*The Committee will act as the governance advisory through the review period of the District Plan project and in preparing a new plan and act as the hearings panel for the submissions to the formal notification process.*

The Proposed District Plan was publicly notified on 11 October 2023 and open for submissions. Submissions closed on 19 December 2023. 242 submissions were received on the Proposed District Plan.

On 22 March 2024, the Summary of Decisions Requested was publicly notified and further submissions were invited. The period for further submissions closed on 23 April 2024.

Near the end of this further submission period, an original submitter (East Leigh Ltd) contacted the Councils advising they had not received notice of the availability of the Summary of Decisions Requested and the invitation to make a further submission. In checking the notification list of submitters, East Leigh Ltd were included on the list to be notified. However, there is no record of an email notification being sent to East Leigh Ltd. This system error to send East Leigh Ltd a notification email is being investigated. In the correspondence received from East Leigh Ltd, they requested an extension to 2 May 2024 to make a further submission.

In addition, during the further submission period, it was identified an original submission received from Ben Foreman had inadvertently not been included in the Summary of Decisions Requested.

Lastly, during the further submission period, three submitters contacted the Councils requesting corrections or amendments to the Summary of Decisions Requested in relation to their submissions.

## **Legal Requirement – Extending Further Submission Period**

The Joint Committee has delegation to determine the further submission period and/or whether late further submissions should be accepted into the Proposed District Plan process.

When publicly notifying a Summary of Decisions Requested under Clause 7 of Schedule 1 of the RMA, Councils are required to state the closing date for further submissions in the public notice. Clause 7 states the time period for making further submissions is “no later than 10 working days after the day on which the public notice is given”. The Joint Committee determined to extend the length of this further submission period under Sections 37 and 37A of the RMA to provide people with additional time to make further submissions.

Sections 37 and 37A of the RMA provide Councils with the power to waive or extend timeframes set in the RMA. In this case relating to East Leigh Ltd, this power relates to extending the time period for making a further submission by the closing date of 23 April 2024. In making its decision to extend this time period, Section 37A of the RMA requires the Councils to take into account:

- The interests of any person who, in its opinion, may be directly affected by the extension or waiver; and

- The interests of the community in achieving adequate assessment of the effects of the Proposed District Plan; and
- Its duty under section 21 to avoid unreasonable delay.

## **Analysis and Advice – Extending Further Submission Period**

Clause 7(2) of Schedule 1 of the RMA requires the Councils to serve a copy of the public notice notifying the availability of the Summary of Decisions Requested on all person who made submissions on the Proposed District Plan. This notification of submitters took place on 22 March 2024 via email or letter, depending on the method of communication selected by each submitter in their submission.

As noted earlier in the report, due to a system error, an email with this notification was not sent to East Leigh Ltd. East Leigh Ltd became aware of the availability of the Summary of Decisions Requested themselves when visiting the District Plan Review website and contacted the Councils requesting an extension of time to make a further submission. East Leigh Ltd requested an extension until 2 May 2024.

Given these circumstances, and taking into account the matters in Section 37A of the RMA (listed above) to extend the timeframe for the closing of further submissions, it is considered:

- The only persons directly affected by extending this timeframe for East Leigh Ltd is East Leigh Ltd themselves. If the notification email had been sent, East Leigh Ltd would have had the same opportunity to make a further submission. No other persons have been identified as directly affected by extending the timeframe;
- Any further submission from East Leigh Ltd can be included in the further submissions for the upcoming hearings and decisions on submissions by the Hearing Panel.
- This extension of time for East Leigh Ltd does not cause any delay in the process.

## **Recommendation – Extending Further Submission Period**

For these reasons, it is recommended that East Leigh Ltd be approved a time extension to lodge a further submission no later than 2 May 2024. As it wasn't possible to convene a meeting of the Joint Committee before that time, retrospective approval is now being sought to the extension of time. East Leigh Limited made a further submission within the extended period.

## **Legal Requirement – Notifying Errata to the Summary of Decisions Requested and inviting Further Submissions on the Errata**

Following the closing of submissions on the Proposed District Plan, the next step in the process under Schedule 1 of the RMA is to summarise the decisions requested in the submissions, and to publicly notify the availability of this summary and invite further submissions.

The public notice for advertising the availability of the decisions requested must include:

- Where the summary of the decisions requested and the submissions themselves can be inspected;
- The fact that no later than 10 working days after the day on which the public notice is given, certain persons may make a further submission on the Proposed District Plan; and
- The date of the last day for making further submissions (as calculated under the above point); and
- The limitations on the content and form of a further submission.

The public notice must also be sent to all persons who made a submission on the Proposed District Plan.

On notification of the Summary of Decisions Requested, there is then an opportunity for the following persons to make further submissions (in accordance with Clause 8 of Schedule 1 of the RMA 1991):

- a) Any person representing a relevant aspect of the public interest;
- b) Any person that has an interest in the Proposed District Plan greater than the interest that the general public has;
- c) The Wairarapa District Councils.

Further submissions must be limited to supporting or opposing matters raised in a submission made on the Proposed District Plan. A further submission cannot raise or address any new matters not covered in submissions. The further submission must be made in a form prescribed in the RMA (referred to as Form 6).

The person making the further submission must send a copy to the Councils and also the person who made the submission their further submission relates to.

As set out above, the period for making further submissions is no more than 10 working days. Similar to waiving the timeframe for late submissions above, the Councils have discretion under Section 37 of the RMA to extend the period for making further submissions. In applying this discretion, the Councils must take into account the matters listed above for late submissions.

## **Analysis and Advice – Notifying Errata to the Summary of Decisions Requested and inviting Further Submissions on the Errata**

As noted at the start of this report, during the further submission period, it was identified an original submission received from Ben Foreman had inadvertently not been included in the Summary of Decisions Requested. In addition, three submitters contacted the Councils requesting corrections to the Summary of Decisions Requested in relation to their submissions. The details of these corrections are summarised in the erratum in Appendix 1.

As the Summary of Decisions Requested needs to be a complete and accurate record of the submissions received on the Proposed District Plan, it is recommended an erratum on the Summary is publicly notified as attached in Appendix 1, and that further submissions are invited on the erratum.

As outlined in the previous section of this report, the RMA prescribes the process and requirements for publicly notifying the summary and inviting further submissions which also applies to the erratum.

All submitters on the Proposed District Plan will be sent an email notifying them of the availability of the erratum. In addition, the public notice will be placed in the local newspaper (Wairarapa Times-Age), and posts will be made on the three Council websites and social media.

The erratum will be made available on the District Plan Review website ([www.wairarapaplan.co.nz](http://www.wairarapaplan.co.nz)) and will be available for viewing at the three Council offices and libraries.

In terms of the date for public notification of the erratum and closing of further submissions, the only statutory requirement is the maximum period of 10 working days between the notification and further submissions closing. The Council has discretion under Section 37 of the RMA to extend the period for making further submissions but must take into account the same matters listed above for late submissions. The timeframe can be extended by no more than twice the period (i.e. no more than 20 working days in total for the further submission period).

Given the errata relates to corrections for three submissions and the omission of a single submission in the recently notified Summary, Council officers consider the default 10 working day further submission period is appropriate. This 10 working day period should provide persons who can make further submissions sufficient time to read the erratum and determine if they will make a further submission, and if so, the content of the further submission.

The earliest the erratum could be notified following the Committee meeting is one week after the meeting to confirm placement of the public notice in the local newspaper. It is suggested 15 May 2024 is the earliest notification date for the erratum, with 10 working days later being 29 May 2024 for closing of further submissions.

## Options Considered – Notifying Errata and inviting Further Submissions

A summary of the options considered is included in the table below.

Option		Advantages	Disadvantages
1	10 Working Day Further Submission Period (no time extension)  - Notified: 15 May 2024  - Further Submissions Closed: 29 May 2024	<ul style="list-style-type: none"> <li>• Follows the standard time period under the RMA.</li> <li>• Provides minimum time period to review erratum and prepare further submissions.</li> </ul>	<ul style="list-style-type: none"> <li>• Some persons may consider the 10 working day period too short to read errata and prepare further submissions.</li> </ul>



Option		Advantages	Disadvantages
2	<p>20 Working Day Further Submission Period (use time extension)</p> <p>- Notified: 15 May 2024</p> <p>- Further Submissions Closed: 13 June 2024</p>	<ul style="list-style-type: none"> <li>• Longer further submission period provides more time for people to read errata and prepare further submissions.</li> </ul>	<ul style="list-style-type: none"> <li>• Slightly later closing date for further submissions may influence the timing for the commencement of the hearings. However, this delay is likely to be low risk and potentially inconsequential in the context of the entire plan-making process.</li> </ul>

### **Recommended Option – Notifying Errata and inviting Further Submissions**

Option 1 is recommended. The standard further submission period provides sufficient opportunity for persons who are able to make further submissions to have sufficient time to provide feedback.

### **Summary of Considerations – all matters**

#### **Strategic, Policy and Legislative Implications**

The District Plan Review is a statutory requirement and the RMA requires that the District Plan is reviewed every 10 years.

The Proposed District Plan broadly supports the objectives of Masterton District Council’s Parks & Open Space Strategy, Climate Action Plan, He Hiringa Tangata, He Hiringa Whenua, and the South Wairarapa Spatial Plan. It also supports the objectives of the Wairarapa Economic Development Strategy, and GWRC’s Regional Policy Statement and Natural Resources Plan.

#### **Significance, Engagement and Consultation**

Developing the Proposed District Plan has been assessed as Significant under the Councils’ Significance and Engagement Policies.

If the Committee accepts the recommendations set out in this report, the persons who are able to make further submissions will be invited to make further submissions on the erratum.

A summary of the public notification and communication methods are described earlier in this report.

#### **Communications/Engagement**

Refer above.

## **Financial Considerations**

Public notification of the errata and invitation for further submissions involves staff time in preparing the publicity material and responding to enquiries. Other costs include placing the public notice in local newspaper and printing the summary and submissions. Funding for the Proposed District Plan phase is budgeted for in the Councils' Long Term Plans as part of the District Plan Review.

## **Implications for Māori**

The District Plan Review and Proposed District Plan have been developed working collaboratively with representatives from Rangitāne o Wairarapa and Ngāti Kahungūnu ki Wairarapa. This includes hui to understand what needs to change in the District Plan and how the provisions can better integrate consideration of mana whenua values.

This supports the Councils' statutory obligations in relation to Te Tiriti o Waitangi and the Resource Management Act 1991.

Submitters on the Proposed District Plan include iwi entities and representatives of Māori land.

## **Environmental/Climate Change Impact and Considerations**

The Proposed District Plan recognises climate change in its strategic objectives, and plan provisions have been developed in a way that seeks to reduce the impacts of climate change and the effects of activities on climate change.

## **Next Steps**

The erratum and invitation for further submissions on the erratum will be publicly notified. The further submission period is recommended to be 10 working days as set out in the RMA. Following closing of further submissions, the Joint Committee will issue directions for hearings to enable submitters to speak to their submissions.

## Appendix 1: Errata to Summary of Decisions Requested on the Proposed Wairarapa Combined District Plan

On 22 March 2024, Carterton, Masterton and South Wairarapa District Councils publicly notified the Summary of Decisions Requested on the Proposed Wairarapa Combined District Plan and invited further submissions.

During and after the close of the further submission period, the District Councils were made aware of some omissions and minor errors in the Summary documents.

The District Councils now give notice of an Errata to the Summary of Decision Requested and calls for further submissions on the submission points in this Errata. The Errata table below contains the omitted and correctly summarised submission points. This Errata is available to view on the Proposed District Plan webpage.

This notification only applies to submission points identified in this Errata. Further submissions are therefore limited to matters in support of or in opposition to a matter raised in the Errata table.

All other parts of the Summary of Decisions Requested Reports remain unchanged and should be read in conjunction with the Errata.

The further submission period on this Errata runs from **<insert date>** closing 5pm on **<insert date>**. The following persons may make a further submission:

- a) Any person representing a relevant aspect of the public interest;
- b) Any person who has an interest in the Proposed District Plan greater than the interest that the general public has; and
- c) The local authority itself.

Submitter	Submission Point	Plan Section	Plan Provision	Position	Summary of Reasons	Original Summary of Decision Requested	Corrected Summary of Decision Requested	Notes regarding the correction
Horticulture New Zealand	S221.018	Interpretation	Definitions	Oppose	Buildings associated with primary production and rural industry activities pose minimal risk to human life and safety. People do not sleep at primary production businesses, which means they are more alert to hazards than people in residential dwellings. In addition, primary production involved fewer people on more land than urban activities. The Building Code has Building Importance categories, and non-habitable buildings are importance level 1 (the lowest) as they are buildings which pose low risk to human life or the environment, or a low economic cost.  Unnecessary restrictions on where horticulture can operate is a risk to local food supply. Horticultural businesses need to operate close to their ancillary activities like packhouses and greenhouses due to the perishable nature of fresh produce.	Amend definition of 'Potentially hazard sensitive activities' as follows: Means activities that are potentially sensitive to natural hazards, which are: a) Buildings associated with primary production; b) Commercial activities; <b>or</b> c) Industrial activities. <del>;-or</del> d) Rural industry activities.	Amend definition of 'Potentially hazard sensitive activities' as follows: Means activities that are potentially sensitive to natural hazards, which are: <del>a) Buildings associated with primary production;</del> b) Commercial activities; <b>or</b> c) Industrial activities. <del>;-or</del> d) <del>Rural industry activities.</del>	Decision Requested column to show correct strike through for text requested to be deleted.
Horticulture New Zealand	S221.116	NOISE – Noise	NOISE-S2	Support in part	The proposed rule for frost protection fans is consistent with other rules in district plans. Provisions are sought below for noise insulation in new residential dwellings which is also consistent with rules in other district plans. See discussion in the section on Frost Protection Devices (Frost Fans) of this submission.	Retain NOISE-S2 as notified.	Retain NOISE-S2 frost protection devices provisions.	Decision Requested column corrected to state request only relates to frost protection device provisions.
Horticulture New Zealand	S221.130	GRUZ – General Rural Zone	GRUZ-P3	Support	The listed activities and values are supported.	Retain GRUZ-P3 as notified.	Retain GRUZ-P3(c), (d) and (h) as notified.	Decision Requested column corrected to state the specific clauses the submitter seeks retention of.
Horticulture New Zealand	S221.136	GRUZ – General Rural Zone	New provision request	Support in part	A separate rule for artificial crop protection structures and crop support structures is needed since they have specific requirements. There is potential for horticulture to expand in Wairarapa, and	Insert a new rule for artificial crop protection structures: <b>GRUZ-RX - Artificial Crop Protection Structures and Crop Protection Structures Activity Status: Permitted 1.</b> <b>The establishment of a new, or expansion of an existing artificial crop protection</b>	Insert a new rule for artificial crop protection structures: <b>GRUZ-RX – Artificial Crop Protection Structures and Crop Support Structures Activity Status: Permitted</b>	Decision Requested column corrected to improve formatting to make the relief sought easier to read and understand.

Submitter	Submission Point	Plan Section	Plan Provision	Position	Summary of Reasons	Original Summary of Decision Requested	Corrected Summary of Decision Requested	Notes regarding the correction
					artificial crop protection is likely to expand in the future due to climate change pressures.	<b>structure or crop support structure. Where: a. The height of the structure does not exceed 6m; and Either:b. Green or black cloth is used on any vertical faces within 30m of a property boundary, including a road boundary, except that a different colour may be used if written approval of the owner(s) of the immediately adjoining property or the road controlling authority (in the case of a road) is obtained and provided to the Council; or c. the structure is setback 3m from the boundary Activity status when compliance not achieved: Restricted Discretionary When compliance with GRUZ-RX 1) is not achieved: Matters of discretion: 1. Assessment of the potential glare on neighbouring properties (or road users) from the colour of the cloth.</b>	<p><b>1. The establishment of a new, or expansion of an existing artificial crop protection structure or crop support structure. Where:</b></p> <p><b>a. The height of the structure does not exceed 6m; and</b></p> <p><b>Either</b></p> <p><b>b. Green or black cloth is used on any vertical faces within 30m of a property boundary, including a road boundary, except that a different colour may be used if written approval of the owner(s) of the immediately adjoining property or the road controlling authority (in the case of a road) is obtained and provided to the Council; or</b></p> <p><b>c. The structure is setback 3m from the boundary.</b></p> <p><b>Activity status when compliance not achieved: Restricted Discretionary When compliance with GRUZ-RX1) is not achieved:</b></p> <p><b>Matters of discretion:</b></p> <p><b>1. Assessment of the potential glare on neighbouring properties (or road users) from the colour of the cloth.</b></p>	Also, rule title corrected to refer to 'crop support structures' rather than 'crop protection structures'.
Alan Flynn	S243.001	Planning Maps	General District-Wide Matters	Oppose	Considers the variance from the New Zealand standards adds unnecessary controls and cost to an additional 668ha of rural and urban land, including 69 residential dwellings in the Masterton and Carterton districts. These properties should not have reverse sensitivity controls applied as they are outside the area specified in NZS 6805:1992 Airport Noise Management and Land Use Planning Standard. The requested amendments align with this New Zealand Standard.	Amend the planning maps: Amend the Outer Air Noise Boundaries be set to 55Ldn, and the Air Noise Boundaries be set at 65 Ldn for Chester Road Helicopters and Hood Aerodrome. Amend the Outer Air Noise and Air Noise Boundaries to factor in additional modelling based on reasonable forecasted growth of fixed wing and helicopter movements.	Amend the planning maps: Amend the Outer Air Noise Boundaries be set to 55Ldn, and the Air Noise Boundaries be set at 65 Ldn for Hood Aerodrome. Amend the Outer Air Noise and Air Noise Boundaries to factor in additional modelling based on reasonable forecasted growth of fixed wing and helicopter movements.	Original summary of decision requested incorrectly referred to Chester Road helicopters. This submission point solely relates to Hood Aerodrome.
Greater Wellington Regional Council	S94.005	Planning Maps	<del>Zones</del> <b>Precincts</b>	Support in part	The submitter supports the efforts to provide for intensification through the medium density residential precinct in Masterton. The submitter notes that a lot of this area overlaps with the flood hazard mapping, so in reality there may be a limit to how much the densities in this area will be permitted to increase by the natural hazards rule framework of the Proposed District Plan.  The submitter seeks that a risk-based approach to natural hazards is taken, and therefore seek that other suitable locations in Masterton are also identified for the medium density residential precinct. MDC is required to give effect to the objectives and policies of the NPS-UD, including to enable heights and	Amend to identify areas in central Carterton and Featherston suitable for intensification, and extend the Medium Density Residential Precinct to cover these areas. See original submission (Attachment 2) with suggestions of potentially suitable locations for the medium density residential precinct in Masterton and Carterton. Support the Featherston masterplan which identifies suitable areas for medium density.	Amend to identify areas in central Carterton and Featherston suitable for intensification, and extend the Medium Density Residential Precinct to cover these areas. See original submission (Attachment 2) with suggestions of potentially suitable locations for the medium density residential precinct in Masterton and Carterton. Support the Featherston masterplan which identifies suitable areas for medium density.	Submission point incorrectly coded to Zones and not Precincts.

Submitter	Submission Point	Plan Section	Plan Provision	Position	Summary of Reasons	Original Summary of Decision Requested	Corrected Summary of Decision Requested	Notes regarding the correction
					<p>densities in appropriate locations according to Policy 5 of the NPS-UD.</p> <p>RPS Change 1 seeks an emphasis on intensification and reductions in transport emissions, and this direction applies to the Wairarapa towns. Featherston, Carterton and other parts of Masterton have good access to the train network in close proximity to town centres, rapid population growth, and changing demographics seeking smaller homes, which make them appropriate for higher densities in suitable areas.</p> <p>The S32 report (page 67) states that the medium density residential precinct was not expanded to Carterton due to its additional complexity in the rule framework without much benefit. The submitter does not feel this is adequate justification for why greater intensification has not been enabled in suitable parts of Carterton.</p> <p>The submitter acknowledges that the Featherston master planning process is underway, however maintain their view that the medium density precinct should also apply in Featherston.</p>			
Greater Wellington Regional Council	S94.006	Planning Maps	<del>Zones</del> <b>Precincts</b>	Oppose	<p>The submitter notes that the Low Density Residential Precinct is justified in two different ways in the Section 32 report; to manage infrastructure servicing constraints, and to maintain the low density character values of Greytown, Martinborough and parts of Masterton. The submitter notes that character is distinct from heritage; and if the Councils consider that heritage protections or character precinct provisions are necessary, this should be done through alternative and less all encompassing means.</p> <p>Applying a low density residential precinct is not the most effective and efficient way to manage infrastructure servicing constraints; the rule frameworks in the subdivision and zones chapters should manage this. The proposed approach artificially constrains the potential for existing urban areas to be able to respond to demand for housing and business demand where infrastructure capacity can be provided in a coordinated, safe and efficient way.</p>	Amend to consider whether all of Greytown and Martinborough's existing towns qualify for a low density residential precinct, and considerably reduce the extents in Martinborough, Greytown and Masterton.	Amend to consider whether all of Greytown and Martinborough's existing towns qualify for a low density residential precinct, and considerably reduce the extents in Martinborough, Greytown and Masterton.	Submission point incorrectly coded to Zones and not Precincts.
Ben Foreman	S291.001	Planning Maps	Zones	Amend	Opposed to the zoning pattern around Solway that creates a rural-residential divide, as reverse sensitivity effects between the zones creates dangers for stock on neighbouring land that remains in rural use.	N/A	Seeks that the land at 75 Solway Crescent is rezoned from General Rural to General Residential Zone.	Submission inadvertently omitted in original Summary of Decisions Requested.
Ben Foreman	S291.002	Planning Maps	Zones	Amend	There is an inconsistency between the maps showing a roundabout outside 75 Solway Crescent where none exists. The roundabout	N/A	Correct the maps to show the current road alignment with no roundabout outside 75 Solway Crescent.	Submission inadvertently omitted

Submitter	Submission Point	Plan Section	Plan Provision	Position	Summary of Reasons	Original Summary of Decision Requested	Corrected Summary of Decision Requested	Notes regarding the correction
					shown on the maps also cuts into the submitter's property.			in original Summary of Decisions Requested.