

**BEFORE THE HEARINGS PANEL
AT RANGIORA**

IN THE MATTER of the Resource Management Act
1991 ("**the Act**")

AND

IN THE MATTER of the Resource Management Act 1991
AND

IN THE MATTER of the hearing of submissions on The
Proposed Waimakariri District Plan

Hearing Stream 6: Rural

STATEMENT OF EVIDENCE BY VANCE ANDREW HODGSON

FOR THE NEW ZEALAND PORK INDUSTRY BOARD

AND

HORTICULTURE NEW ZEALAND

22 SEPTEMBER 2023

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SUMMARY STATEMENT

1. This planning evidence addresses the New Zealand Pork Industry Board ("**NZPork**") submission and that of Horticulture New Zealand ("**HortNZ**") on the Waimakariri District Council's ("**WDC**") s42A Report response to the submissions on the Proposed Waimakariri District Plan ("**PDP**"), Hearing Stream 6: Rural.
2. The submissions cover a number of provisions but are centred on five topics: highly productive land, reverse sensitivity, intensive and extensive primary production, artificial crop protection structures, workers accommodation.
3. My suggested amendments to the provisions of the PDP as they relate to those topics are included by provision, in Appendix 1.
4. Highly Productive Land is the natural resource occurring across both the General Rural Zone ("**GRUZ**") and the Rural Living Zone ("**RLZ**") that enables primary production to occur. Notwithstanding that the National Policy Statement for Highly Productive Land 2022 ("**NPS-HPL**") excludes land in the RLZ being defined as Highly Productive Land, in my opinion, its value for food production cannot be ignored.
5. I support the recognition in the proposed plan of the need to manage potential reverse-sensitivity effects in the GRUZ and RLZ. However, amendments are needed to ensure a clear, consistent and effective approach to managing reverse-sensitivity.
6. In my view, worker's accommodation could be provided for in the GRUZ and RLZ, to support primary production and achieve the outcomes sought by the proposed plan.

QUALIFICATIONS AND EXPERIENCE

7. I have set out my experience and qualifications in evidence previously provided to the Hearings Panel at Hearing Streams 1, 2, 5 and do not repeat that here.
8. I reconfirm that while these are not proceedings in the Environment Court, I consider the Environment Court's Code of Conduct for Expert Witnesses relevant, and I agree to comply with it. My qualifications as an expert have been

provided. I confirm that the issues addressed in this brief of evidence are within my area of expertise, except where I state I am relying on what I have been told by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

SCOPE OF EVIDENCE

9. This evidence provides a planning assessment of those provisions on which NZPork and HortNZ submitted and addresses the Section 42A Report, prepared by WDC for Hearing Stream 6: Rural.
10. The submissions focused on the provisions for the rural zones and seek to ensure the provisions enable and support the ongoing primary production activities of pig farming and horticulture in the district, recognising existing activities and making provision for growth and land use change.
11. My evidence addresses the following matters:
 - Highly Productive Land
 - Reverse Sensitivity
 - Intensive and Extensive Primary Production
 - Artificial Crop Protection Structures
 - Workers' Accommodation.
12. My evidence includes recommended amendments to the plan change provisions where appropriate. Appendix 1 includes a list of my suggested amendments to the plan change by provision order for ease of reference.
13. For the submissions of NZPork, I rely on the evidence provided by Ian Barugh and Lynda Murchison.
14. For the submissions of HortNZ, I rely on the industry statement provided by Sarah Cameron for HortNZ.

HIGHLY PRODUCTIVE LAND

General Objectives and Policies for all Rural Zones

Introduction

15. The submission of NZPork [169.34] sought the inclusion of the reference to intensive primary production in the Introduction to the rural zones, as a subset of the definition for primary production. I agree with the s42A report writer¹ that this is a matter of fact and the inclusion of the wording proposed is reasonable. The evidence of NZPork has previously outlined the significance of the Waimakariri District and Canterbury Region for pork production.
16. The s42A report writer accepts in part the submission of HortNZ [295.121] to include additional text within the introductions' description of the RLZ, to recognise that while the sites are smaller, they are still productive and the majority of the district's horticultural operations are within the RLZ. I support the s42A recommended amendments which aligns with the HortNZ evidence about this spatial arrangement. Those activities have established because of a number of factors including the presence of LUC 1, 2 and 3 soils to support fruit and vegetable growing.
17. In addition, the RLZ has until now always been a rural area and despite the pattern of subdivision to 4 hectare lifestyle blocks which has occurred in more recent times, many other commercial farming activities remain in this area and in my view need to be recognised and their ongoing operation provided for. Dr Murchison has referred in her evidence to five of the ten commercial indoor piggeries in Waimakariri District being located within the RLZ and one in the GRUZ but on the zone boundary with the RLZ.
18. The HortNZ submission suggested extending the introduction to acknowledge the significant resource of the LUC 1, 2 and 3 soils in the district that are important for primary production across the GRUZ and RLZ. In my opinion this would be a useful amendment to the introduction. This should not be an issue statement and I have suggested alternative wording which extends the s42A clause 16 amendment:

The purpose of the chapter is to enable a range of primary production activities, including pastoral farming, livestock, intensive primary production [169.34], horticulture and forestry as well as other

¹ Proposed Waimakariri District Plan: Whatitua Taiwhenua - Rural Zones Report:
Paragraph 77

activities that rely on or support the natural resources within rural areas.

The General Rural Zone, which encompasses the largest proportion of the rural area of the District is used primarily for primary production. [Clause 16].
Highly Productive Land and Versatile Soils are distributed across the General Rural Zone and Rural Lifestyle Zone.

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.

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, **along with several commercial piggeries and other commercial farming operations.**

19. With those amendments, I consider this a useful introduction that flows to the amendments recommended in the s42A² across RURZ-O1, RURZ-P2 and GRUZ-P2 which are as follows:

RURZ-O1 Rural Environment

An environment with a predominant land use character comprising primary production activities and natural environment values, where rural openness dominates over built form, while recognising: ...

3. the importance of protecting the highly productive and versatile soils that form part of the highly productive land in the District.

RURZ-P2 Rural land

Maintain the availability and life supporting capacity of land in recognition of its importance for

² Proposed Waimakariri District Plan: Whatitua Taiwhenua - Rural Zones Report: Part 3.20

undertaking primary production, and to maintain or enhance natural environment values in Rural Zones, including by:

1. ~~Providing~~ Enabling for primary production activities;
2. ~~providing for~~ Enabling those activities that directly support primary production, or those activities with a functional need to be located within Rural Zones, where:
 - a. adverse effects on versatile soils and highly productive land are minimised;
 - b. the amenity values and character of Rural Zones are maintained; and
 - c. to the extent practicable, adverse effects are internalised within the site where an activity is being undertaken.

GRUZ-P2 Limiting fragmentation of land

Maintain opportunities for land to be used for primary production activities within the zone by limiting further fragmentation of land in a manner that avoids sites being created, or residential units being erected, on sites that are less than 20ha, unless: ...

5. it does not result in the loss of productive capacity of any versatile soils and highly productive land.

20. The s42A report writer also recommends an amendment to RURZ P2(2)(a) as follows:
 - a. adverse effects on versatile soils and highly productive land are ~~minimised~~ avoided;
21. I have concerns with this suggested change and alignment of this with Policy 8 of the NPS-HPL which requires that HPL is protected from inappropriate use and development.
22. Clause 3.9 of the NPS-HPL extends this policy to avoiding inappropriate use and development of HPL that is not land-based primary production. Clause 3.9 then lists exceptions and the overall requirement for territorial authorities to minimise or mitigate actual loss or potential cumulative loss

of HPL and to avoid or otherwise mitigate reverse sensitivity effects.

23. Clause 3.11 of the NPS-HPL provides for the continuation of existing activities on HPL where the loss of HPL is minimised. This clause is particularly important for intensive indoor pig farming as discussed further below.
24. In my opinion, with the exclusion of the s42A recommended change to RURZ P2(2)(a), the package of changes provides better recognition of the highly productive land resource in the policy framework.
25. The purpose of the General Rural Zone as expressed in GRUZ-O1 (and reordered as per NZPork submission 169.42) is as follows:

GRUZ-O1 Purpose of the General Rural Zone

~~Natural and physical resources and~~ Primary production activities which contribute to the District's rural productive economy and rely on the natural and physical resources of the rural environment dominate while fragmentation of land into small rural parcels is restricted.

26. The purpose of the Rural Living Zone as expressed in RLZ-O1 is as follows:

RLZ-O1 Purpose of the Rural Lifestyle Zone

Primary production activities and activities reliant on the natural and physical resources of the rural environment occur while recognising that the predominant character is small rural sites with a more intensive pattern of land use and buildings than the General Rural Zone.

27. Highly Productive Land is the natural resource occurring across both the GRUZ and RLZ that enables primary production to occur. Notwithstanding that the NPS-HPL excludes land in the RLZ being considered Highly Productive Land, in my opinion, its value for food production cannot be ignored.
28. As the panel are aware, the NPS-HPL has raised particular resource management challenges for Intensive Indoor Primary Production and Greenhouses locating or expanding

on Highly Productive Land. In particular with the relationship to the NPS-HPL defined term of 'Land-Based Primary Production'. The National Policy Statement for Highly Productive Land: Guide to implementation March 2023³ sets out the issues as follows:

Land-based primary production is defined in the NPS-HPL as "production, from agricultural, pastoral, horticultural, or forestry activities, that is reliant on the soil resource of the land". This definition is deliberately narrower than the National Planning Standards definition of 'primary production' as there are some activities covered by the primary production definition that do not need to locate on HPL in the same way as agricultural or horticultural activities do. In particular, the following primary production activities in the National Planning Standards definition of primary production do not fall within the scope of the 'land-based primary production' definition:

- **Intensive indoor primary production** – this activity was excluded from the definition of land-based primary production as inherently primary production that occurs predominantly inside buildings (such as intensive pork, poultry or mushroom farming) is not "reliant on the soil resource of the land". The intention is that intensive indoor primary production activities would be encouraged to establish on other rural land that was not HPL. However, refer to guidance on Clause 3.9 – protecting highly productive land from inappropriate subdivision, use and development and Clause 3.9(2)(a) in Table 2 below, as there may be scope for indoor components of a wider land-based primary production activity to be considered 'supporting activities' (as defined in the NPS-HPL) in some circumstances.
- **Hydroponic growing systems** – this activity was excluded from the definition of land-based primary production as hydroponic growing systems occur inside buildings and are not "reliant on the soil

³ [National Policy Statement for Highly Productive Land: Guide to implementation | Ministry for the Environment](#)

resource of the land". However, refer to guidance on Clause 3.9 – protecting highly productive land from inappropriate subdivision, use and development and Clause 3.9(2)(a) in Table 2 below, as there may be scope for indoor components of a wider land-based primary production activity to be considered 'supporting activities' (as defined in the NPS-HPL) in some circumstances. Structures that are erected to protect soil-reliant plants from weather, wind or pests (i.e., covered crops) are land-based primary production because they rely on the soil.

29. The document provides some further guidance to assist with plan making and decision making:

- Determining a supporting activity. For example, an intensive indoor primary production activity or glasshouse may be considered as an integrated part of a wider arable or pastoral farm system through the transfer of nutrients to support the activities of surrounding HPL. Clause (3.9)(2)(a).
- Ensuring rules to enable the maintenance, operation, or upgrade of any existing activities are tailored to enable specific scenarios, where the territorial authority anticipates the need for activities to expand (e.g., enabling existing intensive indoor primary production, as defined in the National Planning Standards) to respond to changing animal-welfare legislation and practices, including the rebuilding and the expansion of a building's footprint. Clause (3.11(1)(a).
- Taking an integrated management approach requires local authorities to think about the rural environment holistically including the role of other primary production activities that are not reliant on the soil resource (such as glasshouses, hydroponic operations, intensive indoor-farming activities, seasonal worker accommodation) and rural industries that support primary production.

30. I also draw the panels' attention to the currently open consultation on potential amendment to the NPS-HPL⁴. That consultation exercise identifies that since the policy was introduced in 2022, two issues have been raised about its restrictions on the use and development of highly productive land for activities that don't rely on soil.
31. The two issues being consulted on are a lack of a clear consent pathway for:
- Construction of new specified infrastructure on HPL in clause 3.9(2)(j)(i). Specified infrastructure can include developments such as solar farms and infrastructure needed at pace, for example to support the recovery after Cyclone Gabrielle.
 - Development and relocation of intensive indoor primary production and greenhouses on HPL.
32. While cognisant of the consultation status of these amendments, there is a need to keep an active watch on the progression of any amendments relative to developing district plan policy and methods.

REVERSE SENSITIVITY AND SENSITIVE ACTIVITIES

33. Reverse-sensitivity means the potential for the operation of an existing lawfully established activity to be compromised, constrained, or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by an existing activity.
34. Defining and then applying a particular objective, policy and rule framework to activities sensitive to the effects of activities (particularly primary production related) is from my experience a common approach in district plans to address reverse sensitivity effects.
35. The Proposed Waimakariri District Plan adopts this approach, with the submissions of NZPork and HortNZ suggesting some changes and amendments to those provisions. These include:

⁴ [Potential amendments to the National Policy Statement for Highly Productive Land | Ministry for the Environment](#)

- a) Amending the definition of 'sensitive activity' to remove the words '*but is not limited to*' and to include, conservation activities, recreation activities, rural tourism, equestrian and ancillary activities and facilities, farmers markets.
 - b) Deleting or changing the activity status for an expanded range of 'sensitive activities'
36. Policy RURZ-P8 is the primary policy for reverse sensitivity, working with the other policies for the rural zones to achieve RURZ-O1 and RURZ-O2. The policy is clear, but I consider that the PDP could be improved to provide a more robust structure to address reverse sensitivity effects in an environment where factors like historical subdivision, the distribution and use of Highly Productive Land and the future of food production require policy and methods to support primary production.

Defining a 'Sensitive Activity'

37. Sensitive activity is defined in the PDP as follows:

means activities and facilities including, but is not limited to, educational facilities, community facility, healthcare facility, childcare facilities, residential units, minor residential units, retirement village, visitor accommodation, community facility, offices and hospitals.

38. Where interpretation is important in understanding the outcome sought by an objective or policy and in determining the activity status of a rule, the definition must be clear. I agree with the submission of HortNZ [295.56] that the words '*but is not limited to*' lacks the certainty required for a definition.
39. Where these terms are included in a definition, I would first expect the definition to have an introductory descriptor. For example, the PDP includes the following:

*STORMWATER INFRASTRUCTURE means all those components of a drainage network between the point of customer collection and the discharge of stormwater into the natural environment. This includes **but is not limited to:** its collection, conveyance, storage or retention or detention,*

treatment, and ancillary structures, facilities and equipment

*WATER SUPPLY means all those components of a network between the point of abstraction from the natural environment and the point of supply to a customer. This includes **but is not limited to:** wells, infiltration galleries, intake structures, open raw water storage ponds/lakes, pressure mains, treatment plants, treated water reservoirs, trunk mains, service mains, rider mains, pump stations, pumps, valves, hydrants, scour lines, service pipes, boundary assemblies, meters, backflow prevention devices and tobies.*

40. Examples from other plans I have been involved in where the term is described include:

The Partially Operative Selwyn District Plan:

Sensitive Activity, means any:

- *residential activity*
- *visitor accommodation*
- *community facility*
- *educational facility*

The Proposed New Plymouth District Plan (Appeals Version):

Sensitive Activities, means the use of land and buildings for:

- *living activities;*
- *educational facilities;*
- *community facilities;*
- *major healthcare activities;*
- *visitor accommodation; or*
- *residential visitor accommodation*

Central Hawke's Bay Proposed District Plan (Appeals Version):

Sensitive Activity, activities which are sensitive to noise, dust, the use and storage of hazardous substances, spray residue, odour or visual effects of nearby activities. Includes residential activities, marae, urupā, visitor accommodation, camping grounds, rest homes, retirement villages, day care facilities, educational facilities, community facilities, health care facilities and hospitals

41. The s42A report writer is concerned⁵ that deleting the words 'but is not limited to' would unduly constrain any other potential activity that may in the future establish in an area where they could be considered as a sensitive activity and references examples of a funeral home or crematorium. I understand those particular examples to have a discretionary activity status pursuant to GRUZ-R28 and RLZ-R29, highlighting the potential for reverse sensitivity issues.
42. In my opinion the plan is better structured and the rules more certain if it has a definitive listing of sensitive activities that relate to the methods.

Visitor Accommodation

43. NZPork sought the deletion or change in activity status for visitor accommodation.
44. In my opinion it is reasonable to expect demand for and a plan to provide for visitor accommodation in the rural environment. However, I do not take the same comfort as the s42A report writer⁶ who is of the opinion "*that within the GRUZ zone visitor accommodation is likely to be situated on working farms more so than 4ha lifestyle properties. Given the limit of a maximum number of 8 people, and people are choosing to stay in a rural environment, it is unlikely that reverse sensitivity will occur.*"
45. The activity is proposed as a permitted activity in both the GRUZ and RLZ pursuant to rules GRUZ-R7 and RLZ-R7 where primary production occurs. If primary production is to remain across these zones, then it is my opinion that this defined

⁵ Proposed Waimakariri District Plan: Whatitua Taiwhenua - Rural Zones Report: Paragraph 982

⁶ Proposed Waimakariri District Plan: Whatitua Taiwhenua - Rural Zones Report: Paragraph 350

sensitive activity should be subject to greater controls. While I agree it is reasonable to expect and provide for these activities in the rural environment, I am also aware that visitors expectations on amenity can differ such that the weekend away in the rural environment might conflict with early morning sounds or the smells and sights of primary production.

46. As identified by the s42A report writer, RURZ-P3 provides for local support activities where they have a design, scale, intensity and built form consistent with the character and amenity values of the zone, and RURZ-P7 providing for retail activities and the selling of services. Both policies also require that these activities do not limit or constrain the operation of primary production.
47. The control on the maximum number of people (8), is a useful method but still brings a gathering of people. Physical separation from key primary production activities is an additional method that can be used and aligns with RURZ-P8.
48. My recommendation is that rather than delete or change the activity status of visitor accommodation activities, a reciprocal setback should be applied between sensitive activities and the activities of intensive primary production to minimise the potential for reverse sensitivity. I therefore support the s42A recommendation that seeks to change GRUZ-BFS5 and RLR-BFS5 (*Separation distances to and from intensive indoor primary production or intensive outdoor primary production activity or quarrying activities*) for that purpose and discuss that further below.
49. In my opinion it would also be appropriate to amend GRUZ-BFS4 and RLZ-BFS4 (Building and Structures setbacks) to apply a minimum 20m setback from internal boundaries for any building or structure associated with any sensitive activity, where another setback such as GRUZ-BFS5 and RLR-BFS5 is not specified. The 3m proposed yard for building or structures not associated with a residential unit or minor residential unit is in my opinion an insufficient standard.
50. While I acknowledge that visitor accommodation is to be undertaken within a residential unit or minor residential unit such that the 20m setback would apply, there is the potential for other building or structures associated with

other sensitive activities to locate in close proximity to primary production.

Conservation Activities

51. Both HortNZ [295.147] and NZPork [169.47] sought the deletion or change in activity status for conservation activities.
52. The s42A report writer considers this and concludes that *"excluding these activities from the rural environment as they may bring people into that environment is not sufficient justification to prevent an activity, which will restore ecosystems, through the provision of ecological services will increase agricultural production and community wellbeing. The proposed amendment is also inconsistent with Policies 8 and 13 of the NPS-IB, Policy 9.3.4 of the RPS and Policies RURZ-P4 and ECO-P4 of the Proposed Plan"*.⁷
53. I don't disagree with the benefits these activities might bring, nor the alignment with the broader policy framework referenced. However, my reading of the activity definition is that there is the potential for a very diverse range of activities that may introduce people (and buildings or structures) on a temporary or permanent basis into the rural environment and potentially conflict with primary production.
54. I do not reach the same conclusion as the s42A report writer⁸ that these activities generally occur intermittently for short periods on any one day, as against being permanent or occurring on every day across a week.
55. Plant nurseries and ancillary environmental research and education activities for example, would I assume have some permanency. GRUZ-R13 and RLZ-R13 permit retail sales (with a 10m yard setback and maximum GFA of 50m²), which provides for permanency and encourages people to gather. The activity is also considered 'rural tourism' within that definition.

⁷ Proposed Waimakariri District Plan: Whatitua Taiwhenua - Rural Zones Report: Paragraph 392

⁸ Proposed Waimakariri District Plan: Whatitua Taiwhenua - Rural Zones Report: Paragraph 981

56. Hort NZ [295.127] requested that policy RURZ-P4 Conservation Activities is amended from ~~enabling~~ conservation activities to “provide for” conservation activities, while supporting habitat restoration. I support the suggestion given the expansive range of activities that may be provided for within controls. I would also extend the control, consistent with my previous recommendation to apply a reciprocal setback between clearly defined sensitive activities and intensive primary production.

Recreational Activities

57. Both HortNZ [295.148] and NZPork [169.48] sought the deletion or change in activity status for recreational activities.
58. I agree with the s42A report writer that recreational activities may be appropriate in a rural environment and that some recreational activities can have a functional need to locate there.
59. These activities have a permitted activity status where they meet the following definition:
- Any activity that involves the active or passive enjoyment of sports, recreation or leisure, whether competitive or non-competitive, casual or organised, and whether a charge is made for admission or participation or not.*
60. GRUZ-R14 excludes motorised recreational activities with the s42A recommending this exclusion is removed from RLZ-R14. There are no other limitations on matters such as the number of people, hours of operation, traffic or setbacks (with the exception of a 3m setback for buildings and structures pursuant to GRUZ-BFS4 and RLZ-BFS4, while I understand noise would be managed through NOISE-R19.
61. As proposed, I see this activity an uneasy fit in the rural zones and an area where conflict with primary production is likely. Those conflicts extend to animal welfare, biosecurity, safety, noise, fires, fireworks, people, traffic. This is an activity that could introduce people into the rural environment seeking active or passive recreational enjoyment and that expectation could clash with a primary production activity.

62. Applying a sensitive activity setback provides a layer of control but I consider the activity should be subject to consenting where the appropriateness of the activity could be considered on its merits and where conditions of consent might need to be imposed to manage effects.
63. I agree with the s42A report writer⁹ that RURZ-O2 provides a functional need test for non-primary production activities in rural zones. However, I disagree that RURZ-P3 might lead to the determination of a permitted activity status for all recreational activities with the definition proposed.
64. In my opinion the permitted activity status conflicts with the purpose of the zones and RURZ objectives and policies and a restricted discretionary activity status is more appropriate. As I read the objective and policy suite, the focus is on ensuring primary production activities are enabled and not limited or constrained by other activities. A recreational activity adjoining primary production could have that affect.
65. The s42A report writer helpfully identifies that recreational activities are included in the definition of community facility¹⁰. These are sensitive activities by definition, highlighting the point that a more nuanced planning response is required to achieve RURZ-P8 (1) and (2).

Rural Tourism

66. Both HortNZ [295.148] and NZPork [169.48] sought the deletion or change in activity status for rural tourism.
67. Again, I am of the opinion that this should be a consented activity (restricted discretionary) in the rural zones given the range of activities the definition supports and potential conflicts with primary production.
68. GRUZ-R15 and RLZ-R15 provide some useful controls that could be extended if the activity was also included as a sensitive activity but given the issues and reverse sensitivity examples raised by both HortNZ and NZPork, the permitted activity pathway is in my opinion problematic for achieving the purpose of the zones.

⁹ Proposed Waimakariri District Plan: Whatitua Taiwhenua - Rural Zones Report: Paragraph 658

¹⁰ Proposed Waimakariri District Plan: Whatitua Taiwhenua - Rural Zones Report: Paragraph 981

69. People visiting the rural environment for recreation and tourism are undoubtedly there because of the attributes of the rural environment. However, the expectations of amenity and character can differ and that can influence sensitivity and lead to conflict. Furthermore, these activities can themselves affect primary production operationally and in terms of reverse sensitivity.
70. A restricted discretionary activity status provides for a thorough assessment of effects and appropriateness of conditions if necessary.

Built Form Standards

71. As notified the PWDP proposed separation distances to and from intensive indoor primary production and intensive outdoor primary production. (GRUZ-BFS5, RLZ-BFS5). The standard was supported by NZPork [169.63], who suggested this should be extended to all sensitive activities rather than just applying to any new residential unit or minor residential unit or accessory building used for overnight accommodation.
72. I agree with NZPork and the s42A report writer¹¹ that this would be an appropriate amendment. I highlight again the importance of a clear definition for 'sensitivity activity' that can have no ambiguity given its reference in the amended rules. The amendment as expressed in the s42A to read:

1. Any new ~~residential unit or minor residential unit or accessory building used for overnight accommodation~~ sensitive activity shall be set back a minimum of:...

INTENSIVE AND EXTENSIVE PRIMARY PRODUCTION

73. My experience with various district and regional plan change processes in recent years is that resource management responses to intensive primary production activity are changing to provide more clarity for plan interpretation and administration, and to manage associated environmental effects.

¹¹ Proposed Waimakariri District Plan: Whatitua Taiwhenua - Rural Zones Report: Paragraph 494

74. Plan consistency is developing and there has been a need for change, as plans have moved past unrepresentative and emotive definitions like factory farming for various intensive primary production activities. As described by Mr Barugh for NZPork, I also understand that there is a difference in activity and effect from intensive indoor and outdoor pig farming activity and that it is helpful in plans to define and provide provisions for both.
75. The developing approach has largely been driven out of Canterbury which is the key pork production region of New Zealand; where a variety of intensive primary production activity occurs, along with outdoor free-range systems.
76. Reflective of New Zealand pig farming practice, the structure I see developing in planning frameworks generally nests as follows:

Primary Production	Intensive Primary Production	Intensive Indoor Primary Production
		Intensive Outdoor Primary Production (Pig Farming)
	Outdoor free-range pig farming	

77. I explain the structure as follows:

Primary Production

78. Primary Production is defined in the National Planning Standards 2019.

Primary Production means:

(a) any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and

(b) includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a);

(c) includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but

(d) excludes further processing of those commodities into a different product.

Intensive Primary Production

79. Intensive Primary Production is then a subset of Primary Production to provide a nesting pathway to Intensive Indoor and Intensive Outdoor activity.
80. I do not consider that a definition of Intensive Primary Production is required in the PDP.

Intensive Indoor Primary Production

81. Intensive Indoor Primary Production is defined in the National Planning Standards 2019.

Intensive Indoor Primary Production means:

primary production activities that principally occur within buildings and involve growing fungi or keeping or rearing livestock (excluding calf-rearing for three months in any calendar year) or poultry.

Intensive Outdoor Primary Production

82. Intensive Outdoor Primary Production is not defined in the National Planning Standards 2019 and for pig farming it is important to do so to ensure reverse sensitivity protections are in place.
83. Intensive Outdoor Primary Production (Pig Farming) relies on the outdoor environment to assist with the growth and husbandry of animals along with buildings and enclosures to contain and house animals. However, this Primary Production activity does not *principally occur within buildings* and falls outside of the definition of Intensive Indoor Primary Production.
84. Intensive Outdoor Primary Production (Pig Farming) is an intensive activity. It would typically rely on regular feed source for the livestock substantially provided from off-site sources rather than the productive capacity of the land to produce grass and animal food crops. Another characteristic of Intensive Outdoor Primary Production,

largely resulting from the import of feed and stock density, can be difficult in maintaining pasture and groundcover.

Outdoor free-range pig farming

85. Outdoor free-range pig farming is livestock farming as it is traditionally recognised, outdoors, grass and feed crop fed animals, some imported feed, animal shelters and stocking rates that maintain ground cover.
86. In pig farming, the shelters are often mobile to assist with maintaining pasture and groundcover, and as part of rotational grazing or arable rotation.
87. From a land use perspective, the effects are the same as that of other extensive livestock farming (sheep, beef, lamb, dairy, deer). It does not need the same reverse sensitivity protections as intensive primary production.
88. Providing a definition around this activity can assist plan interpretation and administration. The Canterbury Regional Air Plan does this (to distinguish from intensive primary production and to clarify permitted activity status under that plan).

Canterbury Air Regional Plan Te mahere ā-rohe mō te hau o Waitaha October 2017

4 Definitions and Interpretation

Intensive pig farming

means the keeping, rearing or breeding for any purpose of more than 25 pigs that have been weaned, or more than six sows, where the predominant productive processes are carried out within buildings or closely fenced outdoor runs or where the stocking density precludes the permanent maintenance of vegetation cover but excludes extensive pig farming.

Extensive pig farming

means the keeping of pigs outdoors on land at a stock density which ensures permanent vegetation cover is maintained and in accordance with any relevant industry codes of practice, and where no fixed buildings are used for the continuous housing of animals.

89. The submission of NZPork suggested the definition might also assist interpretation and administration of the PDP. As I read the definition suite, the activity would fall within the definition of Primary Production and Agriculture and a separate definition is not required. This is pastoral farming of livestock where grass cover is maintained, and supplementary feed produced within the site and/or imported as is the case with other pastoral activities.
90. Mr Ian Barugh sets out the industry developed guidelines for maintaining permanent pasture or ground cover and provides evidence on the adoption and effectiveness of good management practice as a code of practice for the pork industry. As I understand it, the maintenance of permanent pasture or ground cover is a critical qualifier that supports the broader sustainability outcomes the industry seeks and directly responds to the actual or potential effects of pig farming.
91. I do not support the s42A recommendation to include a definition of Extensive Pig Farming and to include this in the definition of Intensive Outdoor Primary Production.

Activity Status and Standards for Intensive Primary Production

92. The submission NZPork supported the restricted discretionary activity status for Intensive Indoor Primary Production and Intensive Outdoor Primary Production in both the GRUZ and RLZ pursuant to rules GRUZ-R18 and RLZ-R19. I agree that this is an appropriate resource management response in this district.
93. The most appropriate method to manage potential reverse sensitivity effects between primary production and activities sensitive to the effects of primary production in rural zones is to separate activities. This is the direction provided through RURZ-P8. To the extent practical, effects should be internalised, but not all effects of primary production can be, and those effects can also be characteristic of that environment.
94. The s42A recommendation is rather than retain the as-notified broad restricted discretionary activity for intensive primary production in the GRUZ and RLZ, minimum setback standards are introduced with a non-complying activity status where these are not met.

Intensive indoor primary production and Intensive outdoor primary production

Activity status: RDIS

Where:

1. 20m from any sensitive activity where it is located on the same site; and
2. 300m from any sensitive activity where it is located on a site in different ownership.

Setback distances shall be measured from the building footprint of any permanent building, enclosure or yard in which animals or poultry are held, or any area of the site where compost is produced, stored or used.

Matters of discretion are restricted to:

RURZ-MD1 - Natural environment values

RURZ-MD2 - Housing of Animals

RURZ-MD3 - Character and amenity values of the activity.

95. I support the recommendation.
96. I highlight again the need for a clear definition of 'sensitive activity' as the rule relies on this.
97. The 300m separation aligns with the proposed Built Form Standards in the GRUZ and RLZ *Separation Distances to/from Intensive Indoor and Outdoor Primary Production*. I am unsure what the 20m internal separation requirement achieves.
98. I do not support the s42A recommended non-complying activity status where the RDIS standards are not met. Nor do I support the corresponding change recommended to RURZ-P8(3) from policy of ~~ensuring~~ to requiring adequate separation distances between existing sensitive activities and new intensive indoor primary production activities, intensive outdoor primary production activities.
99. These are primary production activities in a rural environment, where achieving a 20m internal setback or 300m external setback from sensitive activities may not always be achievable, or necessary. Furthermore, as set out in the evidence of NZPork, these activities can be subject to

system change by government regulation. There is a current proposal to change animal welfare code changes and a non-complying activity adds uncertainty to gaining consent.

100. MPI is currently reviewing the Code of Welfare for Pigs through the National Animal Welfare Advisory Committee (NAWAC). Relying on information from NZ Pork (Mr Barugh) I understand that the review is likely to result in changes to the minimum space requirements for housing pigs. A final option has yet to be determined but NZPork is anticipating there will be some change. If the minimum standards change, then some indoor piggeries, will need to expand their current building footprint to comply with the new regulations. It is likely those farmers will require resource consents for an expanded building area as it will be larger than that proposed in their original resource consent application or their existing use right.
101. As Dr Murchison noted in her evidence, over half the indoor pig farms in Waimakariri District are located within or adjoining the proposed RLZ. In my view, to achieve the purpose of the Act, the proposed plan provisions need to enable those existing primary production activities to continue and expand their building footprint to comply with new standards in the Code for Animal Welfare
102. A discretionary activity status would enable a robust assessment of effects and relevant objectives and policies for new and changes to existing farms. Non-complying activity status for a primary production activity that cannot meet the setbacks not in keeping with the purpose of the rural zones and does not implement the objectives and policies.

ARTIFICIAL CROP PROTECTION STRUCTURES

103. The submissions of HortNZ [295.138], [295.139], [295.173] and [295.174] sought a specific rule structure for Artificial Crop Protection Structures. The submission suggested a permitted activity with standards and a restricted discretionary activity status for non-compliance.

104. The s42A report¹² has helpfully considered the submission against the proposed rule structure for these structures and concludes that the new rule proposed by the submission does not necessarily provide any greater degree of efficiency. I agree and have discussed this with HortNZ.
105. The concern of HortNZ has largely fallen from plans that do not provide sufficient methods to enable these structures or address the proximity of sensitive activities. In my opinion this plan does. These structures are part of primary production (a permitted activity) and the Built Form Standards sufficient to enable the activity and manage potential effects through bulk and location controls governing height and setbacks. As clarified in the evidence of HortNZ, these are not buildings that might be considered in the context of building coverage or impervious surface controls.
106. In terms of the relationship with sensitive activities, As previously discussed, I note the built form standards for buildings and structures apply a 20m setback for any residential unit or minor residential unit from any internal boundary. In my opinion this should apply to any buildings and structures associated with a sensitive activity (where no other setback is specified in the particular rules for those activities). I consider there is scope in the submissions of both HortNZ and NZPork who asked for the definition of sensitivity activity to be expanded and more protection of primary production from potential reverse sensitivity effects. The amendment I suggest to read:

GRUZ-BFS4/RLZ-BFSS4 Building and structure setbacks

1. Any residential unit or minor residential unit shall be set back a minimum of:

a. 20m from any road boundary (except for any fence); and

b. 20m from any internal boundary (except for a fence).

1x Where no other specified standard applies, any building or structure associated with a sensitive activity shall be set back a minimum of:

¹² Proposed Waimakariri District Plan: Whatitua Taiwhenua - Rural Zones Report: Paragraph 211

a. 20m from any internal boundary (except for a fence).

WORKERS' ACCOMMODATION

107. Policy RURZ-P5 and Rules GRUZ-R4 / RLZ-R4 provide for minor residential units on a site that is subservient to any residential unit on the site, as a permitted activity in the GRUZ and RLZ.
108. Both NZPork and HortNZ supported these provisions but requested separate policy and rules to provide for permanent and seasonal workers' accommodation. The primary concern being that the maximum GFA standard of 90m² constrained the provision of workers accommodation of a size for that accommodates that use.
109. The s42A report writer recommends rejecting the submissions for reasons that centre on a lack of need and concerns that minor dwellings might lead to or encourage further land fragmentation.
110. Addressing the issue of need, I refer to the industry evidence of both NZPork and HortNZ that show this is an ancillary activity that typically supports primary production.
111. For the pig farming sector, the need largely relates to the volume of work and animal husbandry requirements. Having workers live onsite ensures 24hour availability of staff, minimises the animal welfare risks, and inefficiency associated with an employee living offsite. As is the case with many farm workers situations, it is reasonable to expect there may be an associated household of partners and children.
112. For the horticultural sector, the need can vary from permanent to seasonal employee requirements and a range of accommodation styles. Workers can live offsite but there are production efficiencies and advantages in providing accommodation on the site of production activity.
113. The PDP is a plan for current and future land use with RURZ-O1 and RURZ-O2 clearly establishing the important place for primary production and those activities that directly support primary production in the district's future. These are worthy objectives.

114. I note there are drivers for change that support a transition within the primary production sector to improve efficiency, sustainability, and the drive to lower emissions. This trend is occurring internationally as consumers across the world demand higher requirements in areas like sustainability, climate change, food traceability and animal welfare practices.
115. I understand from information provided by NZPork, that pig farming is potentially an option in mixed farming systems for farmers wanting to reduce their biogenic methane emissions without losing production.
116. The evidence of HortNZ sets out how diversification to horticulture presents an opportunity to reduce emissions while increasing food production.
117. The s42A report (para 206) suggests the drivers and conditions for growth in Horticulture do not exist in the district. In my opinion achieving RURZ-O1 and RURZ-O2 and providing flexibility for land use change, leads to a need to ensure district plans methods support all aspects of the primary production systems and supporting activities. Workers' accommodation is a necessary supporting activity.
118. The provision for workers' accommodation has the potential to undermine the residential density standards set in the plan change if that accommodation becomes surplus to requirements and is subdivided and sold as a principal residential unit. This could then effectively introduce more sensitive activities into the rural environment and not achieve the purpose of the Act or the objectives of the rural zone.
119. My recommendation is to provide for workers' accommodation where there is a functional need to house employees on site and provided appropriate mitigation measures are put in place to avoid the workers' accommodation unit(s) being subdivided and sold separately from the main residential unit.
120. In my view there is sufficient scope in the submissions to amend GRUZ-R4 and RLZ-R4 to add a new provision for workers' accommodation that does not comply with the 90m² maximum GFA as a restricted discretionary activity. I also recommend adding additional matters of discretion to the rule pertaining to: the functional need for workers'

accommodation on-site; and the measures proposed to prevent workers' accommodation being subdivided and sold as a primary residential unit(s) if it is longer required.

CONCLUSION

121. The PDP proposes a new planning framework for the rural environment of the Waimakariri District which introduces a General Rural Zone and Rural Lifestyle Zone.
122. I support proposed changes that elevate and strengthen the proposed plans policy approach to Highly Productive Land noting that this natural resource occurs across both the GRUZ and RLZ and is valued for food production for current and future generations.
123. I support the recognition in the plan change of the need to manage potential reverse-sensitivity effects in the General Rural Zone and Rural Living Zone and have suggested amendments to ensure a clear, consistent and effective approach to managing reverse-sensitivity.
124. In my view, worker's accommodation could be provided for in the General Rural Zone and Rural Living Zone, to support primary production and achieve the outcomes sought by the proposed plan.

APPENDIX 1 – PROPOSED AMENDMENTS TO PLAN CHANGE PROVISIONS

The provisions in the Proposed Waimakariri District Plan are shown in **green text** with amendments as recommended in the S42A Report are shown in **strikeout** and **blue italics**. Amendments recommended in this evidence are shown with deleted text is shown as **strikeout** and new text as **underlined in black**.

Provision	Proposed Plan including amendments in S42A Report	As Recommended in this Evidence
<p>General Objectives and Policies for all Rural Zone</p> <p>Introduction</p>	<p>The purpose of the chapter is to enable a range of primary production activities, including pastoral farming, livestock, <u>intensive primary production</u>, horticulture and forestry as well as other activities that rely on or support the natural resources within rural areas.</p> <p><u>The General Rural Zone, which encompasses the largest proportion of the rural area of the District is used primarily for primary production.</u></p> <p>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.</u></p>	<p>The purpose of the chapter is to enable a range of primary production activities, including pastoral farming, livestock, <u>intensive primary production</u>, horticulture and forestry as well as other activities that rely on or support the natural resources within rural areas.</p> <p><u>The General Rural Zone, which encompasses the largest proportion of the rural area of the District is used primarily for primary production.</u> Highly Productive Land and Versatile Soils are distributed across the General Rural Zone and Rural Lifestyle Zone.</p> <p>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</u> along with several commercial piggeries and other commercial farming operations.</p>
RURZ-P2	RURZ-P2 Rural land	RURZ-P2 Rural land

	<p>Maintain the availability and life supporting capacity of land in recognition of its importance for undertaking primary production, and to maintain or enhance natural environment values in Rural Zones, including by:</p> <ol style="list-style-type: none"> 1. <u>providing enabling</u> for primary production activities; 2. <u>providing enabling</u> for those activities that directly support primary production, or those activities with a functional need to be located within Rural Zones, where: <ol style="list-style-type: none"> a. adverse effects on <u>versatile soils</u> and highly productive land are <u>minimised avoided</u>; b. the amenity values and character of Rural Zones are maintained; and c. to the extent practicable, adverse effects are internalised within the site where an activity is being undertaken. 3. ensuring subdivision and subsequent development is managed so that it does not foreclose the ability for rural land to be utilised for primary production activities including not diminishing the potential for rural land to meet the reasonably foreseeable needs of future generations. 	<p>Maintain the availability and life supporting capacity of land in recognition of its importance for undertaking primary production, and to maintain or enhance natural environment values in Rural Zones, including by:</p> <ol style="list-style-type: none"> 1. <u>providing enabling</u> for primary production activities; 2. <u>providing enabling</u> for those activities that directly support primary production, or those activities with a functional need to be located within Rural Zones, where: <ol style="list-style-type: none"> a. adverse effects on <u>versatile soils</u> and highly productive land are <u>minimised</u>; b. the amenity values and character of Rural Zones are maintained; and c. to the extent practicable, adverse effects are internalised within the site where an activity is being undertaken. 3. ensuring subdivision and subsequent development is managed so that it does not foreclose the ability for rural land to be utilised for primary production activities including not diminishing the potential for rural land to meet the reasonably foreseeable needs of future generations.
RURZ-P4	<p>RURZ-P4 Conservation activities</p> <p>Enable conservation activities, including soil conservation and pest control, throughout Rural Zones.</p>	<p>RURZ-P4 Conservation activities</p> <p>Enable <u>Provide for</u> conservation activities, including soil conservation and pest control, throughout Rural Zones.</p>
RURZ-P8	RURZ-P8 Reverse sensitivity	RURZ-P8 Reverse sensitivity

	<p>Minimise the potential for reverse sensitivity effects by:</p> <ol style="list-style-type: none"> 1. avoiding the establishment of any new sensitive activity near existing intensive indoor primary production activities, intensive outdoor primary production activities, waste management facilities, quarrying activities, mining activities, <u>heavy industrial zones</u> and rural industry in circumstances where the new sensitive activity may compromise the operation of the existing activities; 2. managing the establishment of new sensitive activities near other primary production activities; 3. <u>ensuring requiring</u> adequate separation distances between existing sensitive activities and new intensive indoor primary production activities, intensive outdoor primary production activities, quarrying activities, mining, <u>heavy industrial zones</u> and rural industry; and 4. avoiding quarry, landfill, cleanfill area, mining activities adjacent to urban environments where the amenity values of urban environments would be diminished. 	<p>Minimise the potential for reverse sensitivity effects by:</p> <ol style="list-style-type: none"> 1. avoiding the establishment of any new sensitive activity near existing intensive indoor primary production activities, intensive outdoor primary production activities, waste management facilities, quarrying activities, mining activities, <u>heavy industrial zones</u> and rural industry in circumstances where the new sensitive activity may compromise the operation of the existing activities; 2. managing the establishment of new sensitive activities near other primary production activities; 3. <u>ensuring</u> adequate separation distances between existing sensitive activities and new intensive indoor primary production activities, intensive outdoor primary production activities, quarrying activities, mining, <u>heavy industrial zones</u> and rural industry; and 4. avoiding quarry, landfill, cleanfill area, mining activities adjacent to urban environments where the amenity values of urban environments would be diminished.
Definitions		
Intensive outdoor primary production	<p>means primary production activities involving the keeping or rearing of livestock, or commercial aquaculture, where the regular feed source for the production of goods is substantially provided other than from the site concerned. The activity may be undertaken entirely outdoors or in a combination if indoors and outdoors, including within an outdoor enclosure. It includes:</p> <p>a. <u>free range pig farming extensive pig farming;</u></p>	<p>means primary production activities involving the keeping or rearing of livestock, or commercial aquaculture, where the regular feed source for the production of goods is substantially provided other than from the site concerned. The activity may be undertaken entirely outdoors or in a combination if indoors and outdoors, including within an outdoor enclosure. It includes:</p> <p>a. free range pig farming extensive pig farming;</p>

	<p>b. free-range poultry or game bird farming;</p> <p>c. intensive goat farming and;</p> <p>d. aquaculture;</p> <p>it excludes the following:</p> <p>e. woolsheds;</p> <p>f. dairy sheds;</p> <p>g. calf pens or wintering accommodation for stock;</p>	<p>b. free-range poultry or game bird farming;</p> <p>c. intensive goat farming and;</p> <p>d. aquaculture;</p> <p>it excludes the following:</p> <p>e. woolsheds;</p> <p>f. dairy sheds;</p> <p>g. calf pens or wintering accommodation for stock;</p>
Extensive Pig Farming	<p><u>Extensive Pig Farming</u></p> <p><u>means the keeping of pigs outdoors on land at a stock density which ensures permanent vegetation cover is maintained and in accordance with any relevant industry codes of practice, and where no fixed buildings are used for the continuous housing of animals.</u></p>	<p>Extensive Pig Farming</p> <p>means the keeping of pigs outdoors on land at a stock density which ensures permanent vegetation cover is maintained and in accordance with any relevant industry codes of practice, and where no fixed buildings are used for the continuous housing of animals.</p>
Sensitive Activity	<p>Sensitive Activity</p> <p>means activities and facilities including, but is not limited to, educational facilities, community facility, healthcare facility, childcare facilities, residential units, minor residential units, retirement village, visitor accommodation, community facility, offices and hospitals.</p>	<p>Sensitive Activity</p> <p>means activities and facilities including, but is not limited to, educational facilities, community facility, healthcare facility, childcare facilities, residential units, minor residential units, retirement village, visitor accommodation, <u>conservation activities, recreational activities, rural tourism,</u> community facility, offices and hospitals.</p>
Workers Accommodation		<p><u>Workers Accommodation</u></p> <p><u>Means a minor residential unit for people whose duties require them to live on-site, and in the rural zones for people who work on the site or in the surrounding rural area. Includes farm managers, workers and staff.</u></p>

Activity Rules			
GRUZ-R4 residential unit	Minor	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the maximum GFA of the minor residential unit shall be 90m2 (excluding any area required for a car vehicle garage or carport up to a maximum of 40m2); 2. there shall be only one minor residential unit per site; or 3. there shall be only one minor residential unit per delineated area within a site; or 4. for any site where there is a residential unit and a bonus residential unit there shall be a maximum of two minor residential units per site; and 5. a minor residential unit shall only be erected on a site less than 4ha where the site exists and is a site or allotment that was created by subdivision and was on a subdivision consent between 1 October 1991 and 24 February 2001 (inclusive of both dates). <p>Activity status when compliance not achieved: NC</p>	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the maximum GFA of the minor residential unit shall be 90m2 (excluding any area required for a car vehicle garage or carport up to a maximum of 40m2); 2. there shall be only one minor residential unit per site; or 3. there shall be only one minor residential unit per delineated area within a site; or 4. for any site where there is a residential unit and a bonus residential unit there shall be a maximum of two minor residential units per site; and 5. a minor residential unit shall only be erected on a site less than 4ha where the site exists and is a site or allotment that was created by subdivision and was on a subdivision consent between 1 October 1991 and 24 February 2001 (inclusive of both dates). <p>Activity status when compliance not achieved: NC</p> <p><u>A minor residential unit where used for workers accommodation which does not comply with performance standard (1) is a restricted discretionary activity.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>RURZ-MD3 – Character and amenity values of the activity, and.</u></p>

		<ul style="list-style-type: none"> i. <u>The functional need for any workers' accommodation to be located on site</u> ii. <u>The need for and efficacy of any proposed measures to be used to avoid any workers' accommodation being subdivided and sold as a principal residential unit if workers' accommodation is no longer required.</u>
<p>RLZ-R4 Minor residential unit</p>	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the maximum GFA of the minor residential unit shall be 90m² (excluding any area required for a car vehicle garage or carport up to a maximum of 40m²); 2. there shall be only one minor residential unit per site; or 3. there shall be only one minor residential unit per delineated area within a site; or 4. for any site where there is a residential unit and a bonus residential unit there shall be a maximum of two minor residential units per site; and 5. a minor residential unit shall only be erected on a site less than 4ha where the site exists and is a site or allotment that was created by subdivision and was on a subdivision consent between 1 October 1991 and 24 February 2001 (inclusive of both dates). <p>Activity status when compliance not achieved: NC</p>	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the maximum GFA of the minor residential unit shall be 90m² (excluding any area required for a car vehicle garage or carport up to a maximum of 40m²); 2. there shall be only one minor residential unit per site; or 3. there shall be only one minor residential unit per delineated area within a site; or 4. for any site where there is a residential unit and a bonus residential unit there shall be a maximum of two minor residential units per site; and 5. a minor residential unit shall only be erected on a site less than 4ha where the site exists and is a site or allotment that was created by subdivision and was on a subdivision consent between 1 October 1991 and 24 February 2001 (inclusive of both dates). <p>Activity status when compliance not achieved: NC</p> <p><u>A minor residential unit where used for workers accommodation which does not comply with performance standard (1) is a restricted discretionary</u></p>

		<p><u>activity.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>RURZ-MD3 – Character and amenity values of the activity.</u> <u>And.</u></p> <ul style="list-style-type: none"> i. <u>The functional need for any workers' accommodation to be located on site.</u> ii. <u>The need for and efficacy of any proposed measures to be used to avoid any workers' accommodation being subdivided and sold as a principal residential unit if workers' accommodation is no longer required.</u>
GRUZ-R14 Recreation activities	<p>Activity status: PER</p> <p>Where: 1. the activity is not a motorised recreation activity.</p>	<p>Activity status: PER <u>RDIS</u></p> <p>Where: 1. the activity is not a motorised recreation activity.</p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>RURZ-MD1 – Natural environment values</u> <u>RURZ-MD3 – Character and amenity values of the activity</u></p>
RLZ-R14 Recreation activities	<p>Activity status: PER</p> <p>Where:</p> <p>1. the activity is not a motorised recreation activity.</p>	<p>Activity status: PER <u>RDIS</u></p> <p>Where:</p> <p>1. the activity is not a motorised recreation activity.</p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>RURZ-MD1 – Natural environment values</u> <u>RURZ-MD3 – Character and amenity values of the activity</u></p>

<p>GRUZ-R15 Rural tourism</p>	<p>Activity status: <u>PER</u></p> <p>Where:</p> <ol style="list-style-type: none"> 1. a maximum of five staff shall work on the site at any one time; 2. the maximum GFA occupied for the rural tourism shall be 250m² ; 3. the maximum land area occupied for the rural tourism shall be 500m² ; 4. any retail sales area shall be set back a minimum of 10m from the site boundary; 5. the maximum NFA or land area occupied for retail sales shall be 50m² ; and 6. any buildings, yard, storage, or parking areas associated with the activity shall not be located within 60m of any residential unit, or other sensitive activity, located on a site other than where the rural tourism is occurring. 	<p>Activity status: <u>PER</u> <u>RDIS</u></p> <p>Where:</p> <ol style="list-style-type: none"> 1. a maximum of five staff shall work on the site at any one time; 2. the maximum GFA occupied for the rural tourism shall be 250m² ; 3. the maximum land area occupied for the rural tourism shall be 500m² ; 4. any retail sales area shall be set back a minimum of 10m from the site boundary; 5. the maximum NFA or land area occupied for retail sales shall be 50m² ; and 6. any buildings, yard, storage, or parking areas associated with the activity shall not be located within 60m of any residential unit, or other sensitive activity, located on a site other than where the rural tourism is occurring. <p><u>Matters of discretion are restricted to:</u></p> <p><u>RURZ-MD1 - Natural environment values</u></p> <p><u>RURZ-MD3 - Character and amenity values of the activity</u></p> <p><u>RURZ-MD5 - Rural sales</u></p> <p><u>Activity status when compliance not achieved: NC</u></p>
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<p>RLZ-R15 Rural tourism</p>	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. a maximum of five staff shall work on the site at any one time; 2. the maximum GFA occupied for the rural tourism shall be 250m² ; 3. the maximum land area occupied for the rural tourism shall be 500m² ; 4. any retail sales area shall be set back a minimum of 10m from the site boundary; 5. the maximum NFA or land area occupied for retail sales shall be 50m² ; and 6. any buildings, yard, storage, or parking areas associated with the activity shall not be located within 60m of any residential unit, or other sensitive activity, located on a site other than where the rural tourism is occurring. 	<p>Activity status: PER <u>RDIS</u></p> <p>Where:</p> <ol style="list-style-type: none"> 1. a maximum of five staff shall work on the site at any one time; 2. the maximum GFA occupied for the rural tourism shall be 250m² ; 3. the maximum land area occupied for the rural tourism shall be 500m² ; 4. any retail sales area shall be set back a minimum of 10m from the site boundary; 5. the maximum NFA or land area occupied for retail sales shall be 50m² ; and 6. any buildings, yard, storage, or parking areas associated with the activity shall not be located within 60m of any residential unit, or other sensitive activity, located on a site other than where the rural tourism is occurring. <p><u>Matters of discretion are restricted to:</u></p> <p><u>RURZ-MD1 - Natural environment values</u></p> <p><u>RURZ-MD3 - Character and amenity values of the activity</u></p> <p><u>RURZ-MD5 - Rural sales</u></p> <p><u>Activity status when compliance not achieved: NC</u></p>
<p>GRUZ-R18 Intensive</p>	<p>Activity status when compliance not achieved: N/A <u>NC</u></p>	<p>Activity status when compliance not achieved: N/A <u>NC</u></p>

indoor primary production and Intensive outdoor primary production		<u>DIS</u>
RLZ-R19 Intensive indoor primary production and Intensive outdoor primary production	Activity status when compliance not achieved: <u>N/A NC</u>	Activity status when compliance not achieved: <u>N/A NC DIS</u>
Built form standards		
GRUZ-BFS4 Building and Structures setbacks	<p>1. Any residential unit or minor residential unit shall be set back a minimum of:</p> <p>a. 20m from any road boundary (except for any fence); and</p> <p>b. 20m from any internal boundary (except for a fence).</p> <p>2. Any water tank shall be set back a minimum of 5m from all boundaries.</p> <p>3. Any stockyard shall not be required to be set back from any boundaries.</p> <p>4. Any other buildings and structures shall be set back a minimum of:</p> <p>a. 10m from road boundaries (except for any fence); and</p> <p>b. 3m from internal boundaries (except for any fence)</p>	<p>1. Any residential unit or minor residential unit shall be set back a minimum of:</p> <p>a. 20m from any road boundary (except for any fence); and</p> <p>b. 20m from any internal boundary (except for a fence).</p> <p><u>1x Where no other specified standard applies, any building and structure associated with a sensitive activity shall be set back a minimum of:</u></p> <p><u>a. 20m from any internal boundary (except for a fence).</u></p> <p>2. Any water tank shall be set back a minimum of 5m from all boundaries.</p> <p>3. Any stockyard shall not be required to be set back from any boundaries.</p> <p>4. Any other buildings and structures shall be set back a minimum of:</p> <p>a. 10m from road boundaries (except for any fence); and</p> <p>b. 3m from internal boundaries (except for any fence)</p>
RLZ-BFS4 Building and Structures setbacks	<p>1. Any residential unit or minor residential unit shall be set back a minimum of:</p> <p>a. 20m from any road boundary (except for any fence); and</p> <p>b. 20m from any internal boundary (except for a fence).</p> <p>2. Any water tank shall be set back a minimum of 5m from all boundaries.</p>	<p>1. Any residential unit or minor residential unit shall be set back a minimum of:</p> <p>a. 20m from any road boundary (except for any fence); and</p> <p>b. 20m from any internal boundary (except for a fence).</p> <p><u>1x Where no other specified standard applies, any building and structure associated with a sensitive activity</u></p>

	<p>3. Any stockyard shall not be required to be set back from any boundaries.</p> <p>4. Any other buildings and structures shall be set back a minimum of:</p> <p>a. 10m from road boundaries (except for any fence); and</p> <p>b. 3m from internal boundaries (except for any fence)</p> <p><u>c. All buildings shall be set back a minimum of 4m from any site boundary with the rail corridor.</u></p> <p><u>5. All boundary fencing or freestanding wall shall be up to a maximum</u></p>	<p>shall be set back a minimum of:</p> <p>a. <u>20m from any internal boundary (except for a fence).</u></p> <p>2. Any water tank shall be set back a minimum of 5m from all boundaries.</p> <p>3. Any stockyard shall not be required to be set back from any boundaries.</p> <p>4. Any other buildings and structures shall be set back a minimum of:</p> <p>a. 10m from road boundaries (except for any fence); and</p> <p>b. 3m from internal boundaries (except for any fence)</p> <p><u>c. All buildings shall be set back a minimum of 4m from any site boundary with the rail corridor.</u></p> <p><u>5. All boundary fencing or freestanding wall shall be up to a maximum.</u></p>
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