

**BEFORE THE HEARINGS PANEL AT RANGIORA**

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

**AND**

**IN THE MATTER** of the Proposed Waimakariri District Plan Hearing Stream 6: Rural

SPEAKING NOTES OF VANCE HODGSON

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**FOR THE NEW ZEALAND PORK INDUSTRY BOARD  
AND  
HORTICULTURE NEW ZEALAND**

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06 October 2023

1. My Evidence in Chief for Hearing Stream 6: Rural, addressed the submissions and further submissions made by The New Zealand Pork Industry Board and Horticulture New Zealand.
2. As expressed through that evidence, 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.
3. I support the recognition in the plan change of the need to manage potential reverse-sensitivity effects in the GRUZ and RLZ and have suggested amendments to ensure an effective approach to managing reverse-sensitivity.
4. In my view, worker’s accommodation could be provided for in the GRUZ and RLZ to support primary production and not compromise the outcomes sought by the proposed plan.
5. After submitting my Evidence in Chief, I have been provided with a copy of the questions from the hearings panel to the Section 42A Report authors for the Hearing 6 proceedings. Some of those questions relate to matters I had covered in my evidence.

Para 981 Sensitive Activities / Temporary Activities

6. I did not follow the s42A reasoning as to why sensitive activities as defined and the activities of conservation, recreation and rural tourism might be considered as temporary activities.
7. The definition of conservation activities provides for retail and includes plant nurseries and ancillary environmental research and education activities which I would assume have permanency.
8. The definition of recreation activities is broad and as with conservation activities, there are no standards that might suggest or require a temporary nature for these activities.
9. The definition of rural tourism provides for unlimited scenarios: farm tours, paint ball & airsoft games; bush walks; tree top walking; bird watching & aviaries; outdoor obstacle courses; golf (frisbee, soccer, mini); sculpture parks; sale of souvenirs and goods accessory to the activity. I have gained consent for similar activities in other districts with the due consideration of effects. In my experience rural tourism activities are not typically intermittent or temporary given their commercial nature.
10. There are overlaps between the definitions and it is not clear how some activities might to be interpreted. Given the lack of clarity on the activity range, effects and potential for conflict, it remains my opinion that a precautionary approach is prudent and the activities falling within

the definitions of recreation, rural tourism and conservation activities are best considered as sensitive activities through a consent pathway.

Para 426 Measurement Point for Sensitive Activities

11. As questioned by the panel, there is a need for clarity around the measurement point from/to sensitive activities given the reliance on this in:
  - GRUZ-R18 & RLZ-R19, Intensive Indoor/Outdoor Primary Production
  - GRUZ-BFSS5 & RLZ- BFSS5, Setback Distances to and from Indoor/Outdoor Primary Production  
and as I have suggested in:
  - GRUZ-BFSS4 & RLZ- BFSS4, Building and Structure Setbacks
  
12. As I understand the rules, GRUZ-R18 & RLZ-R19 use 'site' of the sensitive activity as the measurement point from which setbacks distances back to the building / yard / enclosure / compost area associated with the Intensive Indoor/Outdoor Primary Production activity:
  - (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.*
  
13. 'Site' is defined in the PWDP as per the National Planning Standards definition:

*means:*

  - a) *an area of land comprised in a single record of title under the Land Transfer Act 2017; or*
  - b) *an area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or*
  - c) *the land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate record of title under the Land Transfer Act 2017 could be issued without further consent of the Council; or*
  - d) *despite paragraphs (a) to (c), in the case of land subdivided under the Unit Titles Act 1972 or the Unit Titles Act 2010 or a cross lease system is the whole of the land subject to the unit development or cross lease.*
  
14. GRUZ-BFSS5 & RLZ- BFSS5, Setback Distances to and from Indoor/Outdoor Primary Production refer to the same measurement points for any new sensitive activity. I agree with the panel that this is an uneasy fit in what are identified as 'built form standards'. The heading to this section may need to change to 'Standards'.
  
15. I have suggested a change to GRUZ-BFSS4 & RLZ- BFSS4, Building and Structure Setbacks so that any building and structure associated with a sensitive activity shall be set back a minimum of 20m from any internal boundary (except for a fence). This would then align with the 20m setback for a residential unit or minor residential unit rather than 3m for any other building or structure.
  
16. If as I suggest the activities of conservation, recreation and rural tourism become consented activities then appropriate setbacks would also be considered through the consent process.
  
17. Questions.