

Waimakariri District Council Proposed Waimakariri District Plan

Recommendations of the PDP Hearings Panel

Recommendation Report 19

Hearing Stream 6 Part 3: Area Specific Matters- RURZ – Rural Zones

This report should be read in conjunction with **Report 1** and **Recommendation Reports 2, 3, 10, 13, 17 and 31**.

Report 1 contains an explanation of how the recommendations in all subsequent reports have been developed and presented, along with a glossary of terms used throughout the reports, a record of all Panel Minutes, a record of the recommendation reports and a summary of overarching recommendations. It does not contain any recommendations per se.

Recommendation Report 2 contains the PDP Panel's recommendations on the PDP's Part 2: District-wide Matters – Strategic directions - SD Strategic directions objectives and policies.

Recommendation Report 3 contains the PDP Panel's recommendations on the PDP's Part 2: District-wide Matters – Strategic directions - UFD Urban Form and Development objectives and policies.

Recommendation Report 10 contains the PDP Panel's recommendations on the PDP's NFL- Natural Features and Landscapes Chapter.

Recommendation Report 13 contains the PDP Panel's recommendations on the PDP's NOISE- Noise Chapter.

Recommendation Report 17 contains the PDP Panel's recommendations on the PDP's EI- Energy and Infrastructure Chapter.

Recommendation Report 31 contains the PDP Panel's recommendations on the PDP's Other Designations.

Appendix 1: Schedule of attendances

Appendix 2: Recommended amendments to the Proposed Plan - Tracked from notified version (provisions not consequentially renumbered)

The Hearings Panel for the purposes of **Hearing Stream 6** comprised Commissioners Gina Sweetman (Chair), Allan Cubitt, Gary Rae, Megen McKay, Neville Atkinson and Niki Mealings.

1. Introduction

Report outline and approach

1. This is Report 19 of 37 Recommendation Reports prepared by the PDP Hearings Panel appointed to hear and make recommendations on submissions to the Proposed Waimakariri District Plan (PDP).
2. The report addresses the submissions received on the four Rural Zones chapters. These chapters are as follows:
 - RURZ - General Objectives and Policies for all Rural Zones
 - GRUZ - General Rural Zone
 - RLZ - Rural Lifestyle Zones
 - RURZ - Matters of Discretion for all Rural Zones.
3. We have structured our discussion on this topic as follows:
 - (a) **Section 2** summarises key contextual matters, including relevant provisions and key issues/themes in submissions;
 - (b) **Sections 3 - 18** contains our evaluation of key issues and recommended amendments to provisions; and
 - (c) **Section 19** contains our conclusions.
4. This Recommendation Report contains the following appendices:
 - (a) **Appendix 1: Schedule of attendances** at the hearing on this topic. We refer to the parties concerned and the evidence they presented throughout this Recommendation Report, where relevant.
 - (b) **Appendix 2: Recommended amendments to the Proposed Plan – Tracked from notified version.** This sets out the final amendments we recommend be made to the PDP provisions relating to this topic. The amendments show the specific wording of the amendments we have recommended and are shown in a ‘tracked change’ format showing changes from the notified version of the PDP for ease of reference. Where whole provisions have been deleted or added, we have not shown any consequential renumbering, as this method maintains the integrity of how the submitters and s42A Report authors have referred to specific provisions, and our analysis of these in the Recommendation Reports. New whole provisions are prefaced with the term ‘new’ and deleted provisions are shown as struck out, with no subsequential renumbering in either case.
5. We record that all submissions on the provisions relating to the Rural Zone chapters have been taken into account in our deliberations. In general, submissions in support of the PDP have not been discussed but are accepted or accepted in part. More detailed descriptions of the submissions and key issues can be found in the relevant s42A

Reports, Responses to Preliminary Questions, Joint Witness Statements and written Reply Reports, which are available on the Council's website.

6. In accordance with the approach set out in Report 1, this Report focuses only on 'exceptions', where we do not agree fully or in part with the s42A report author's final recommendations and/or reasons, and/or have additional discussion and reasons in respect to a particular submission point, evidence at the hearing, or another matter. Original submissions have been accepted or rejected as recommended by the s42A report author unless otherwise stated in our Recommendation Reports. Further submissions are either accepted or rejected in conformance with our recommendations on the original submission to which the further submission relates.
7. The requirements in clause 10 of the First Schedule of the Act and s32AA are relevant to our considerations of the PDP provisions and the submissions received on those provisions. These are outlined in full in Report 1. In summary, these provisions require among other things:
 - (a) our evaluation to be focussed on changes to the proposed provisions arising since the notification of the PDP and its s32 reports;
 - (b) the provisions to be examined as to whether they are the most appropriate way to achieve the objectives; and
 - (c) as part of that examination, that:
 - i. reasonable alternatives within the scope afforded by submissions on the provisions and corresponding evidence are considered;
 - ii. the efficiency and effectiveness of the provisions is assessed;
 - iii. the reasons for our recommendations are summarised; and
 - iv. our report contains a level of detail commensurate with the scale and significance of the changes recommended.
8. We have not produced a separate evaluation report under s32AA. Where we have adopted the recommendations of Council's s42A report authors, we have adopted their reasoning, unless expressly stated otherwise. This includes the s32AA assessments attached to the relevant s42A Reports and/or Reply Reports. Those reports are part of the public record and are available on the Council website. Where our recommendation differs from the s42A report authors' recommendations, we have incorporated our s32AA evaluation into the body of our report as part of our reasons for recommended amendments, as opposed to including this in a separate table or appendix.
9. A fuller discussion of our approach in this respect is set out in Section 5 of Report 1.

2. Summary of provisions and key issues

Outline of matters addressed in this section

10. In this section, we provide relevant context around which our evaluation of the notified provisions and submissions received on them is based. Our discussion includes:
 - (a) summary of relevant provisions;
 - (b) themes raised in submissions; and

- (c) identification of key issues for our subsequent evaluation.

Submissions

11. The provisions of the Rural chapter received over 130 submissions across the four parts of the chapter (i.e. General Objectives and Policies; General Rural Zone; Rural Lifestyle Zone; and Matters of Discretion for all Rural Zones) with a total of over 500 original submissions points. A total 135 further submissions were also received. There are also a number of other submissions that have been reassigned from other chapters to the Rural chapter Section 42A report.

Key issues

12. The issues in contention on these chapters addressed in this report are:
- General Objectives and Policies for all Rural Zones: Introduction
 - Artificial Crop Protection Structures
 - Farm Quarries and Integration with the Earthworks Chapter
 - RURZ-P1 Amenity Values and Character
 - RURZ-P2 Rural Land
 - RURZ-P8 Reverse Sensitivity
 - Seasonal farm workers accommodation
 - GRUZ-R5 Residential Activity
 - GRUZ-R11 or RLZ-R11 Rural Industry
 - GRUZ-R14 and RLZ-R14 Motorised Recreation
 - Intensive indoor and intensive outdoor primary production
 - GRUZ-R17 and RLZ-R17 Height (wind turbines and frost fans)
 - GRUZ-BFS5 and RLZ-BFS5 Separation Distances
 - RLZ -R16 Rangiora A&P Showgrounds
 - Definition of 'sensitive activity'
 - Aggregate extraction in HPL

3. RURZ - General Objectives and Policies for all Rural Zones: Introduction

Overview

13. The following is a summary of the Panel's recommended amendments in relation to the Introductory section, and the RURZ - General Objectives and Policies for all Rural Zones, beyond those recommended by the s42A report author:

| Provision | Panel recommendations |
|--------------|--|
| Introduction | Minor amendments to description of sites within the RLZ. |

Reasons

14. The submission point we consider here is that of Hort NZ¹ who sought additional explanation within the description of the Rural Lifestyle Zone (RLZ) that recognises sites are still productive within this zone, even though they are smaller. They also sought acknowledgement that this zone contains a significant area of the district's highly productive land and that LUC class 1, 2 and 3 soils are important for primary production.
15. The s42A report author recommended accepting the submission in part and proposed some additional text describing the RLZ. In his planning evidence for HortNZ, Mr Hodgson supported the proposed amendments but suggested extending the introduction to acknowledge the significance of the LUC 1, 2 and 3 soil resource in the district and their importance for primary production across the GRUZ and RLZ.
16. The Panel noted in preliminary questions to the s42A report author, that the recommended s42A report wording appeared very definitive as to the productive capability of all RLZ land. We questioned whether the evidence confirmed that all sites in the RLZ are productive. The matter was discussed at length in the hearing, and it became apparent to the Panel that not all sites in a RLZ are likely to be productive. Hence, we have slightly modified the wording proposed by the s42A report author to say many of them (but not all) are still productive or retain the potential to be productive.

4. Artificial Crop Protection Structures

17. The following is a summary of the Panel's recommended amendments to the new rule in both the GRUZ and RLZ to permit Artificial Crop Protection Structures, beyond those recommended by the s42A report author:

| Provision | Panel recommendations |
|--|--|
| GRUZ-R X Artificial Crop Protection Structures | Amend the recommended rules so that the boundary setback condition is included in the Built Form Standards and add an 'Advice Note' to GRUZ-BFS1, GRUZ-BF6, RLZ-BFS1 and RLZ-BFS6 advising that these standards do not apply to 'Artificial Crop Protection Structures'. |
| RLZ-RX Artificial Crop Protection Structures | |

18. The submissions we consider here are from HortNZ² who sought a specific rule structure for Artificial Crop Protection Structures in both Rural zones. The s42A report author initially considered that such structures would be permitted activities. In response to questions from the Panel on this, the report author advised that Ministry for the Environment (MfE) had considered this issue in relation to the definition for 'building'

¹ 295.121

² 295.138, 295.139 and 295.173

and decided not to amend the definition of building to accommodate such structures. However, MfE did advise *“that it would be better [that] the plan provisions ...clearly enable crop protection structures or other similar structure if this is the desired outcome”*.

19. On that basis, the s42A report author recommended inclusion of permitted activity rules for these structures. However, he was rightly concerned about the implications of some of the built form standards for these structures and recommended a condition that states “no maximum site coverage shall apply”.
20. The Panel does not consider this clause to be a condition as such. Rather, we have recommended that this be included in an advice note in the building coverage standards. We have also recommended a similar advice note to BFS6 for both zones and have incorporated the proposed boundary setback condition into BFS4 for both zones.
21. The Panel therefore recommends that the submissions of HortNZ are accepted in part.

5. Farm Quarries (GRUZ-R12, RLZ-R12) and Integration with Earthworks Chapter (EW-R10)

22. The following is a summary of the Panel’s recommended amendments to GRUZ-R12 and RLZ-R12, beyond those recommended by the s42A report author:

| Provision | Panel recommendations |
|---------------------|---|
| GRUZ-R12 RLZ-R12 | Remove recommended requirement to comply with excavation and filling earthworks standard. |

23. The submission we consider here is that of the Fulton Hogan³ who were opposed to quarrying activities being addressed through both the zone provisions and the earthworks provisions. They sought that the earthworks associated with quarrying activities are exempted from the standards in the EW chapter. Federated Farmers⁴ were also concerned that the application of the earthworks standards to farm quarries may have unintended consequences.
24. In addressing EW-R10 Earthworks for Farm Quarries in the EW chapter, the s42A report author rejected a number of submissions supporting this provision⁵ on the basis that *“EW-R10 is a minor error in the Proposed Plan, as farm quarries are already provided as a specific activity in the zones and earthworks associated with a farm quarry would either be permitted or treated under the relevant consent for that zone.”* The report author recommended that EW-R10 be deleted using the powers available to the Panel under Clause 16 of Schedule 1 of the RMA.

³ 41.33

⁴ 414.172

⁵ Z Energy Limited, BP Oil New Zealand Limited, Mobil Oil New Zealand Limited [276.35]; Clampett Investments Limited [284.270]; Rolleston Industrial Developments Limited [326.430].

25. In the Panel’s opinion, the use of clause 16 is not necessary as the submission of Fulton Hogan opposes the duplication and the rule can be removed in response to that submission. We note that the s42A report author for the Rural zones accepted Fulton Hogan’s submission in relation to the duplication of rules. He considered that the amendments to GRUZ-R12 and RLZ-R12 were *“more appropriate in achieving the objectives of the Proposed Plan than the notified provisions”* and recommended *“that some of the earthworks’ standards ... be copied over in order to avoid a gap being created in the Proposed Plan which enables an unanticipated environment effect.”*
26. The Panel agree that the duplication is not efficient and accept that the rules best sit within the zone provisions. However, we note that in amalgamating the two rules all the earthworks standards have been brought over. Because of this, it is very unlikely that a farm quarry will ever be a permitted activity. While the standards allow a volume of 500m³ or 100m³ per ha, whichever is greater, in the rural zones, along with a maximum area of 1,500m² per site, EW-S5 restricts earthworks to a maximum of 2m below ground. The nature of quarries is such that it is impractical for them to comply with such a standard.
27. Accordingly, we agree with Federated Farmers⁶ that there are unintended consequences from the application of EW-S5 to farm quarries due to the height and depth limitations. Hence, we recommend that the excavation and filling standard (notified EW-S5) does not apply to farm quarries.
28. Accordingly, we recommend that both submissions be accepted in part.

6. RURZ–P1 Amenity Values and Character

29. The following is a summary of the Panel’s recommended amendments to RURZ-P1, beyond those recommended by the s42A report author:

| Provision | Panel recommendations |
|-----------|---|
| RURZ-P1 | Remove the second part of the amended policy regarding the characteristics of a rural area and retain (1) and (2) of the notified policies with minor amendments. |

30. The submissions we consider here are those seeking amendment to RURZ-P1, which is concerned with rural amenity values and character. The submissions sought the following:
 - wording that better reflects the character of the rural environment⁷.

⁶ 414.172

⁷ Fulton Hogan [41.43]

- amend to refer to recreational activities⁸.
 - amend to recognise potential effects and not their scale or temporary duration.⁹
 - delete most of clause 2 of the policy that refers to common effects associated with primary production and rural industry activities.¹⁰
31. The s42A report author initially rejected the submission from Fulton Hogan on the basis that the policy they proposed was written more as a descriptor of rural character rather than as a policy. Mr Ensor responded in evidence that *“the character of rural environments is shaped by the activities that necessarily occur in rural environments due to the resources that exist, and this needs to be recognised in the pWDP. Primary Production is a key example of a group of activities that necessarily occur in the rural environment, have a strong influence on rural character, but that can also result in effects. Fulton Hogan’s submission is that this combination needs to be a key consideration when setting expectations for rural amenity”*. Mr Ensor proposed an alternative drafting option in his evidence that retained most of the original policy.
 32. In response to Mr Ensor’s evidence, the s42A report author advised that he understood the intent of the submission but did not consider the alternative drafting proposed would achieve that intent. He proposed an alternative version of the policy that contains a significant part of the policy requested in the Fulton Hogan submission.
 33. The Panel agrees with Fulton Hogan that primary production activities do influence the character and amenity of these zones. However, we also agree with the s42A report author that the policy proposed in the submission was more of a descriptor of rural character and the alternative in Mr Ensor’s evidence did not quite achieve what was being sought. The alternate drafting proposed in the s42A report author’s reply report was an amended Fulton Hogan’s submission version, retaining the notified RURZ-P1(3) and deleting the matters contained in RURZ-P1(2).
 34. Having reviewed the various alternative drafting proposals set out in the evidence and the s42A reports, the Panel finds them all to be lacking in direction. The s42A report author’s reply version policy has broken the policy into three separate policies, with the first two essentially being the descriptive parts of the Fulton Hogan submission policy, but with no link to maintaining the amenity values of the zone. It has also removed the reference to the effects of the activities that influence the character and amenity of these zones (odour, noise, dust, traffic and outdoor lighting effects etc), which was not sought in either of Fulton Hogan’s proposed wordings.
 35. While the Panel noted that Federated Farmers did seek the deletion of most of RURZ-P1(2), we are of the opinion that RURZ-P1(2) is an important part of the policy as it recognises the type of effects rural activities generate and are therefore expected to be a part of the character and amenity of the rural environment. We favour Mr Ensor’s version of RURZ-P1(2) as presented in his evidence.

⁸ North Canterbury Clay Target Association [61.5]

⁹ Hort NZ [295.124]; NZ Agriculture Aviation Association [FS45]

¹⁰ Federated Farmers [414.181]

36. With respect to the policy chapeau, we note that both Fulton Hogan’s original policy and the s42A report author’s reply version remove the requirement to ‘maintain’ amenity values. We do not consider this appropriate, and we have recommended the retention of that part of the notified policy in an amended chapeau that reflects the intent of the submission. However, we recommend slightly different wording to that proposed by both the submitter and the s42A report author.
37. We have also included reference to ‘other rural activities’ within the policy in response to the submission by the North Canterbury Clay Target Association¹¹. While we agree with the s42A report author’s recommendation not to include specific reference to ‘recreation activities’, we do not agree with his reasons. We agree with the submitter that there are other activities, including recreation activities, that occur in rural zones and influence amenity accordingly. We recommend that the chapeau of the policy now read *“Recognise that rural character and amenity values vary across the Rural Zones due to the combination of the natural and physical resources present and how they are utilised by primary production and other rural activities and maintain those amenity values in the Rural Zone by...”*.
38. The Panel therefore recommends that the submissions of both Fulton Hogan¹² and the North Canterbury Clay Target Association are accepted in part.

7. RURZ – P2 Rural Land

39. The following is a summary of the Panel’s recommended amendments to RURZ–P2, beyond those recommended by the s42A report author:

| Provision | Panel recommendations |
|-----------|---|
| RURZ–P2 | Retain the use of the phrase ‘providing for’ as opposed to the recommended use of ‘enabling’. |

40. The submission we consider here is that of Hort NZ¹³ who requested that the phrase *“providing for”* be replaced with the word *“enabling”* in RURZ–P2(1) and (2). Hort NZ are of the opinion that primary production should be enabled and not just provided for. The s42A report author supported the change, suggesting that *“enable has a stronger meaning’ and is considered more appropriate given that Council wants to permit primary production activities to occur within the rural zones.”*
41. While the Panel understands the sentiment, we do not agree with the recommendation for the simple reason that not all ‘primary production’ activities are enabled in all rural environments within the district. For example, GRUZ-R12, which permits primary production in the General Rural zone, comes with the following qualification:

¹¹ 61.5

¹² 41.43

¹³ 295.125

“This rule does not apply to mining provided for under GRUZ-R29; quarrying activities provided for under GRUZ-R30; farm quarry provided for under GRUZ-R12; intensive indoor primary production provided for under GRUZ-R17; or intensive outdoor primary production provided for under GRUZ-R18”

42. Many of these activities require consent while others require consent in the General Rural Zone within the various overlays, such as ONLs, ONFs and SALs. Similar rules apply in the RLZ.
43. Hence, the Panel’s view is that it is more appropriate to retain the notified phrase ‘providing for’ as it allows for the more nuanced approach taken in the rules. We therefore recommend the retention of the phrase ‘providing for’ in the policy.

8. Reverse Sensitivity - RURZ-P8 and Associated Provisions

44. The following is a summary of the Panel’s recommended amendments to RURZ-P8 GRUZ-BFS5 and RLZ-BFS5, beyond those recommended by the s42A report author:

| Provision | Panel recommendations |
|-----------|--|
| RURZ-P8 | <p>Amend RURZ-P8(1) to include reference to ‘recreation and sporting facilities’</p> <p>Rename recommended RURZ-P9 from ‘Direct Effects’ to ‘Managing adverse effects on sensitive activities’, and minor rewording of clause 1 of the recommended policy.</p> <p>Amend ‘non-complying’ to ‘discretionary’ activity status in GRUZ-BFS5 and RLZ-BFS5 where compliance is not achieved.</p> <p>Amend RURZ-MD8 to include further reverse sensitivity matters of discretion.</p> |

45. The submissions we consider here are those of:
 - Fulton Hogan¹⁴ who requested the deletion of clauses (3) and (4) of the policy as they considered these clauses address direct effects of activities as opposed to reverse sensitivity.
 - North Canterbury Clay Target Association¹⁵ who requested the inclusion of *“recreation and sporting facilities* in clauses (1) and (3) to address the concern about new sensitive activities establishing near their facility on Boundary Road.
 - Daiken NZ Ltd¹⁶ who sought inclusion of *“heavy industrial zones”* into clauses (1) and (3), and the inclusion of *“existing or”* into clause (2). Daiken also sought the addition of two new rules relating to the development of residential and minor residential units within close proximity to the Daiken Heavy Industrial Zone land.

¹⁴ 41.45

¹⁵ 61.7

¹⁶ 145.29

46. The s42A report author did not support the Fulton Hogan request to delete clauses (3) and (4) in his original report. In his opinion this would remove one of the main policy mechanisms to mitigate against reverse sensitivity effects on primary production activities. Mr Ensor addressed this matter in evidence for Fulton Hogan. He clarified that the intention of Fulton Hogan's relief was *"not to remove policy requiring the consideration of direct effects, but to avoid confusion between direct effects and reverse sensitivity."* He stated that the concerns could be addressed by reflecting the intent of both RURZ-P8(3) and (4) in a standalone policy. In response to a question from the Panel, the s42A report author revised his position in his reply report, acknowledging the concern of the submitter and recommended that RURZ-P8 be split into two separate policies.
47. The Panel agrees with Mr Ensor on this matter and has adopted the recommendation of the s42A report author, with the exception of the policy heading and a slight reordering of the wording in clause 1.
48. In relation to the North Canterbury Clay Target Association submission, the s42A report author considered the issue raised stemmed from noise complaints received from residents that live nearby the clay target range on Boundary Road, which has been operating for 31 years. The s42A report author noted that the clay target range is within the GRUZ zone, and the adjoining dwellings are in the RLZ zone, and that under both zones a sport shooting facility is a discretionary activity. As a consequence, he considered the proposed amendment to the policy would be inconsistent with the intent of the rules. He noted that NOISE-P1(3) *"supports the intent of the North Canterbury Clay Target Association submission, in that it requires new sensitive activities to have sound insulation, or limiting the location of these activities where they may be exposed to noise from existing activities."*
49. The Panel was confused by this answer and queried the s42A report author on the relationship between policies and rules. We specifically asked that when considering a request to amend a policy, whether the activity status of a rule is determinative in assessing the appropriateness or otherwise of the proposed amendments, or should we consider the policy first, and then consider what activity status a rule should be to implement that policy? The s42A report author did not answer this question directly but noted that *"Objective RURZ-O1 and RURZ-O2 are most relevant, and the policy change requested by NCCTA would be inconsistent with these objectives because it is not a primary production activity or contributes towards the natural environment values of the zones."* He went on to say that *"The policy change requested by the NCCTA will not change the activity status of establishing a new sports shooting facility. The policy amendment is intended to recognise the effects of reverse sensitivity on the facility."*
50. This answer did not help the Panel's confusion was. As we see it, the submitter is asking for recognition that *"recreation and sporting facilities"* (noting here that it is not limited to shooting ranges) occur in the rural environment (a fact we have recognised in our recommendation above on RURZ-P1) and that where they already exist, their operation can be compromised by reverse sensitivity effects. It is our understanding that this is

what the policy is addressing. The activity status of the actual *'recreation and sporting facility'* would seem irrelevant when it is already established. Furthermore, we do not find the amendment requested to be inconsistent with RURZ-O2. In our view, such facilities quite often have a functional need to be located in rural areas (to avoid the very scenario the submitter is concerned about) and we note that many recreation activities are permitted in the rural zones.

51. We were also confused by the s42A report author's response in highlighting NOISE-P1(3), which he stated, *"supports the intent of the North Canterbury Clay Target Association submission, in that it requires new sensitive activities to have sound insulation or limiting the location of these activities where they may be exposed to noise from existing activities."* In our preliminary questions to the s42A report author, we asked for clarification on this matter as the s42A report author for the Noise chapter advised the Panel that the reference to identified existing activities in NOISE-P1(3) is to the specified listed activities in the NOISE rules, rather than to any noise generating activity such as the NCCTA facility. The Panel's understanding is that the NCCTA facility is not a specified listed activity in the Noise Chapter rules. The Rural s42A report author confirmed our understanding to be correct.
52. The Panel was also concerned that the s42A report author focussed solely on noise in the context of reverse sensitivity concerns. In our experience, noise is not the only effect that a *'recreation and sporting facility'* can have which made lead to complaints from adjoining sensitive activities. There may well be traffic effects, visual effects, and the general amenity effects that occur in association with large gatherings of people at such facilities. Cumulatively, these may well cause concerns for neighbours.
53. In reviewing the s42A report author's response to the submission and our questions, it is apparent to us that he has not understood the matter raised by the submission. In the Panel's opinion, the most appropriate location for activities such as the NCCTA facility is in rural zones – that is where they are generally found. Hence, it quite proper that they are also afforded protection from reverse sensitivity effects when they are lawfully established.
54. Accordingly, we have recommended that the NCCTA submission be accepted. However, we note that while there are certain noise overlay rules relating to various facilities in the district, there is no general rule that that would require sensitive activities within a certain distance of such facilities to obtain resource consent. Hence, this policy would only come into play when dwellings and other sensitive activities require resource consent.
55. As we recommended in relation to the NCCTA's submission on the Noise chapter, we strongly recommend that the Council consider introducing stronger methods in relation to the establishment of new sensitive activities in close proximity to facilities such as this through a future plan change process.
56. With respect to the Daiken submission, the s42A report author considered the inclusion of *"heavy industrial zone"* within clause (2) and (3) as reasonable on the basis of

amendments proposed to UFD-P10, and NOISE-O2. He did not support the inclusion of *“existing or”* in clause (3) as he considered it inconsistent with the intent of the clause, which he stated, *“is to ensure adequate separation between existing sensitive activities and the establishment of new primary production activities where there are likely to be adverse effects that are not easily controlled beyond the boundary.”*

57. Ms Styles, the planner for Daiken, presented comprehensive evidence on this matter. She advised that *“under the current rural zone provisions, it would be possible for a residential unit, or minor residential unit to be established very close to the boundary of the HIZ land (subject to compliance with other provisions such as minimum site area).”* She acknowledged that the s42A report author accepted the relief sought by Daiken in relation to the policy but was of the opinion that it was also necessary to introduce rules to implement the policy.
58. The rule framework to achieve the outcome sought by Daiken was the subject of discussion between the Panel and Ms Styles at the hearing. The upshot of this was that Ms Styles was asked to provide supplementary evidence setting out her preferred drafting options. She provided three drafting options with the first two introducing a setback standard into RLZ-R3 and R4, each with a different activity status for non-compliance (non-complying or restricted discretionary). The third option was the introduction of that setback standard into RLZ-BFS5. A new matter of discretion was also proposed.
59. In reply, the s42A report author acknowledged the disconnect between the proposed amendments to RURZ-P8 and the rules across the Proposed Plan. He recommended a modified version of Ms Styles’ Option 3 for RLZ-BFS5 as the most efficient and effective approach *“as it places all of the activity setbacks within one location”* along with the inclusion of the additional matter of discretion. However, he recommended that where compliance is not achieved with RLZ-BFS5, the activity becomes non-complying as opposed to restricted discretionary (which we address below at Section 15).
60. The Panel agrees with Ms Styles that a rule is needed to implement the recommended change to RURZ-P8. However, the change recommended by the s42A report author does not make sense. It reads ‘Any new sensitive activity shall be set back a minimum distance of: (e) inside the Heavy Industrial Zone Noise Contour’. The Panel prefers Ms Styles proposed amendment, with a slight change, as follows:

“(e) 200m from the boundary of any Heavy Industrial Zone HIZ or from the boundary of Heavy Industrial Zone Noise Contour”.
61. The Panel is also of the view that the new matter of discretion is not totally necessary as many of its elements are already included in RURZ-MD8. The Panel has recommended that RURZ-MD8 be amended to incorporate the remaining matters from RURZ-MD9.

9. Seasonal Workers' Accommodation

62. The following is a summary of the Panel's recommended amendments to the Rural zone provisions and definitions, beyond those recommended by the s42A report author:

| Provision | Panel recommendations |
|--------------------|--|
| GRUZ and RLZ rules | Add a new rule to both the GRUZ and RLZ that permits workers' accommodation |
| GRUZ - MD | Add a matter of discretion to MD3 – Character and amenity values that addresses workers' accommodation |
| Part 1 Definitions | Add a definition for 'workers' accommodation'. |

63. The submissions we consider here are those of NZPork¹⁷ and Hort NZ¹⁸ who sought a range of amendments to the PDP to provide for seasonal farm workers' accommodation, including:
- Insert a new policy into RURZ, GRUZ and RLZ to provide for seasonal workers' accommodation¹⁹
 - Increase the size of minor residential units from 90m² up to 120m² for farm workers in GRUZ-R4 Minor residential unit and RLZ-R4 Minor residential unit²⁰
 - Include new rules in the GRUZ and RLZ zone to accommodate seasonal workers' accommodation²¹
 - Include a new matter of discretion for seasonal workers' accommodation.²²
64. The s42A report author recommended that these submissions be rejected on the basis *"that there are less land parcels being created of a suitable size for horticulture and viticulture production, and that there are less people working in the industry"*, and therefore specific provision for seasonal workers' accommodation is not required. The report author was also concerned that *"there is a risk that enabling larger minor residential dwellings will become attractive for on selling as part of a subdivision."* He advised that the plan provides for minor residential units on rural land and has *"increased the size of minor residential units between the operative and proposed plans from 75 to 90m²."* In his opinion, the submitters did not provide enough evidence to justify a standalone provision for workers accommodation.
65. In the Panel's consideration, comprehensive evidence in relation to this issue was presented at the hearing on behalf of both HortNZ and NZPork. Mr Ian Barugh, the Technical Manager at NZPork, outlined several reasons why commercial pig farms house staff on-site. This included farm security, biosecurity risk factors and the 24-hour a day animal husbandry requirement. HortNZ, through their Senior Environmental Policy

¹⁷ 169.39, 169.45

¹⁸ 295.143, 295.131, 295.135, 295.191

¹⁹ Hort NZ [295.131] and [295.135]

²⁰ NZPork [169.45; 169.70]; Hort NZ [295.143; 295.176]

²¹ Hort NZ [295.136; 295.137; 295.171 and 295.172]

²² Hort NZ [295.191]

Advisor, Ms Sarah Cameron, outlined the importance of the horticulture industry and the challenges it faces, including the wider food security issues facing the country. In her view, the *“rural chapter plan changes need to provide for growth in a changing climate and provide flexibility in the planning framework to support primary production.”* She also highlighted the labour shortages in horticulture over the last few years and how the RSE scheme has been instrumental in supplying labour. However, she made it clear that this scheme needs to be supported by district plan rules that enable fit for purpose seasonal workers’ accommodation.

66. Mr Vance Hodgson presented planning evidence on behalf of both parties at the hearing. He highlighted the drivers for change within the primary production sector that support a transition to improve efficiency, sustainability, and the drive to lower emissions. He noted that 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.”* Providing accommodation on site for workers was important in addressing these issues while at the hearing he also discussed the difficulties in providing accommodation that meets the needs of seasonal workers, particularly for those in the country under the RSE scheme.
67. Mr Hodgson acknowledged the issue raised by the s42A report author around the potential for such accommodation to become surplus to requirements and then subdivided and sold as a principal residential unit. As this could introduce more sensitive activities into the rural environment, something the submitters were not in favour of given their stance on reverse sensitivity, he promoted a number of mitigation measures to guard against this. At the request of the Panel in the hearing, he provided an alternative rule framework for stand-alone workers’ accommodation for consideration.
68. The Panel prefers the evidence of HortNZ and NZPork on this matter. We accept that there are a range of reasons why it is preferable to accommodate staff on-site for intensive farming and horticulture operations. While these industries may not be particularly large in the district at this time, a District Plan must be forward looking and provide flexibility to adjust to those circumstances outlined in Ms Cameron’s evidence. We agree with Ms Cameron where she said in her conclusion:

“It is important the district plan is future-proofed so that it is fit-for-purpose and responsive to change over its lifetime. The review of the rural provisions of the district plan is occurring in a dynamic space of change – including freshwater regulations, climate change mitigation and adaptation and national policy context in terms of matters such as food security, highly productive land, biodiversity and urban development. This highlights the importance of future-proofing the availability of resources to supply the district’s growing horticulture population.”

69. Accordingly, the Panel recommends that the submissions of HortNZ and NZPork are accepted in part. We have largely adopted Mr Hodgson’s drafting as set out in his supplementary evidence, in preference to simply increasing the size of the ‘minor unit’ GFA. In our view, the two rules are providing for two different things. We are comfortable with the 90m² maximum GFA restriction for minor residential units (which are generally

provided for dependants) but acknowledge that it is unlikely to assist with addressing the needs of seasonal workers accommodation needs. At the hearing, Mr Hodgson highlighted how this is often provided as ‘dormitory’ style accommodation as opposed to a normal residential unit, and accordingly the 120m² still may not be adequate to provide for this. However, it was acknowledged that there is only scope to permit 120m² maximum GFA. Any requirements for a larger accommodation block will require consent as a restricted discretionary activity.

70. The Panel has not adopted the new policy sought by HortNZ. In our opinion, workers’ accommodation is considered to be an ‘activity that directly supports primary production’ as already provided for in RURZ-O2 and RURZ – P2.

10. GRUZ-R5 and RLZ-R5: Residential activity

71. The following is a summary of the Panel’s recommended amendments to relation GRUZ-R5, beyond those recommended by the s42A report author.

| Provision | Panel recommendations |
|--------------------|-----------------------|
| GRUZ-R5 and RLZ-R5 | Delete both rules. |

72. The submission we consider here is Federated Farmers²³ who oppose GRUZ-R5 on the basis that it *“appears too trivial. It is inappropriate for the rural zone as it is based on an urban perception of rubbish and mess”*. Condition 1 of the rule requires that any vehicles repaired, dismantled, and stored on a site are owned by the occupant of the site.
73. The s42A report author recommended rejecting the submission. He advised that the rule is intended to reduce the occurrence of rural properties becoming dominated by vehicles. The Panel had preliminary questions around how practicable and enforceable such a condition is, given it specifically refers to vehicle ownership which is not an RMA matter. The 42A report author advised that it would only be enforced if a complaint was made and would be investigated through vehicle registration records.
74. While the Panel understands the concern about multiple vehicles, in various states of repair, being stored on a site, we agree with Federated Farmers that the rule is inappropriate and should be deleted. The enforcement of such a rule would be fraught, particularly when such vehicles are not always registered but can still be ‘owned’ by the site owner. The rule would therefore be ineffective at addressing the issue of concern, which relates to effects on amenity values. It would also have unintended consequences where people may store, for example, a friends or family members boat at their property if the owner has constraints at their own property. We would also note that the activity of concern is controlled by other means. GRUZ-R8 and RLZ-R8, which address home business activities, would appear to already control this activity, identifying it as a ‘discretionary activity’.

²³ 414.192

75. We questioned the s42A report author at the hearing and invited suggestions of alternative wording for the proposed rule, but a practical, certain and enforceable rule was not able to be determined. Accordingly, our recommended approach is that this condition is deleted. If there are amenity related concerns that are not addressed by other rules of the plans, then such activities can be appropriately addressed through the enforcement powers granted Council under s17 of the Act.
76. Although the Federated Farmers submission did not directly address the same rule in the RLZ (RLZ-R5), their submission was that *“the rule is not appropriate for the rural zone”*. As the RLZ is a rural zone, the Panel considers there is scope to make a consequently amendment to delete RLZ-R5 also. This is consistent with the advice received from the s42A report author in relation to GRUZ-R11 and RLZ-R11, discussed below.
77. Accordingly, the Panel recommends that RLZ-R5 is also deleted for consistency purposes.

11. Rural Industry - GRUZ-R11 and RLZ-R11

78. The Panel does not recommend amendments to GRUZ-R11 and RLZ-R11 provided in Appendix 2a of the Reply Report on Wrap up matters (insert reference to the date which is 13 December 2024). However, we note that the Wrap Up report differs from the s42A Reply Report, without explanation.
79. The original s42A report recommended deletion of condition 3 of both rules, which limited the maximum GFA occupied by rural industry to 250m². However, the s42A reply report only showed this deletion for GRUZ-R11, with condition 4 (which related to SASM) being deleted from RLZ-R11. The Panel assumes this to be an error as the final Wrap Up reply report showed condition 3 of both rules being deleted, with condition 4 of RLZ-R11 being retained.
80. The Panel advises here that we agree with the original s42A report author’s recommendation that condition 3 of both rules be deleted.

12. Motorised Recreation - GRUZ-R14 and RLZ-R14

81. The following is a summary of the Panel’s recommended amendments to relation GRUZ-R14 and RLZ-R14, beyond those recommended by the s42A report author.

| Provision | Panel recommendations |
|----------------------|---|
| GRUZ-R14 and RLZ-R14 | Amend condition to refer to ‘motorised vehicle event’. Add cross reference to TEMP-R10 where these activities are addressed. |

| | |
|----------|---|
| TEMP-R10 | Make a consequential amendment to TEMP-R10 to make 'motorised vehicle events' restricted discretionary in GRUZ and RLZ and add RURZ-MD3 to the matters of discretion. |
| TEMP-R9 | Make a consequential amendment to TEMP-R9 to exclude such events from this rule |

82. The submissions we consider here are those of NZPork²⁴ and Hort NZ²⁵ who requested that both GRUZ-R14 and RLZ-R14 are deleted, and Scott James²⁶ who sought that condition 1 is removed from RLZ-R14. Both rules permit recreation activities within the General Rural and Rural Lifestyle zones, provided the activity is not a motorised recreation activity.
83. NZPork and HortNZ consider recreation activities to be sensitive activities that are likely to conflict with primary production. Mr Scott felt the restriction on motorised recreation activity is too broad and that it would exclude many activities that people purchase rural properties for (such as flying remote controlled aircraft/drone, riding trail bikes and the like).
84. The s42A report author did not support the NZPork and HortNZ position. In his view many recreation activities *"should only occur within the rural environment, such as clay target shooting, 4-wheel drive, motor-cross, and long-distance horse trekking, as they either result in adverse effects that make them unsuitable for a residential environment or that they require large tracks of land that does not exist within an urban environment."* He was supportive of Mr Scott's position, noting that the intent of the rule was not to control casual activities that occur on private farmland. On that basis, he recommended that condition 1 be deleted from RLZ-R14.
85. The Panel questioned the s42A report author around the consistency between the two rules with only RLZ-R14 recommended to be amended and whether there was scope also to amend GRUZ-R14. In his view, the two rules need to be consistent, and he considered there is scope to ensure this through the submissions made on both rules.
86. At the hearing, Mr Hodgson, the Planner for both NZPork and HortNZ, agreed that recreational activities may be appropriate in the rural environment and that some of them may even have a functional need to be there. However, he was concerned with the deletion of condition 1, as this permits motorised recreation activities with few standards in place to control their effects. He considered this 'an uneasy fit' and conflict with primary production is likely. He stated that those conflicts could *"extend to animal welfare, biosecurity, safety, noise, fires, fireworks, people, traffic"*. In his view, a restricted discretionary status was more appropriate for recreation activities. In this context, he

²⁴ 169.48,169.73

²⁵ 295.148, 295.178

²⁶ 22.1

noted that the s42A report author helpfully identified the fact that *“recreational activities are included in the definition of community facility. These are sensitive activities by definition, highlighting the point that a more nuanced planning response is required to achieve RURZ-P8 (1) and (2).”*

87. The s42A report author was asked to address this issue further in his reply report. Specifically, the Panel sought clarification on why it would be appropriate to permit motorised recreation activity in the RLZ but require a resource consent in the GRUZ. In that reply he noted that *“while the recreation activity is permitted, any facilities associated with them require resource consent (such as RLZ-R22 Equestrian and ancillary activities and facilities RDIS; RLZ-R34 Recreation facilities DISC; and RLZ- R37 Sport shooting facility DISC). This is focussed on essentially controlling where organised events can occur. It is not Council’s intention to control recreational activities within the rural zone.”* He remained of the view that the condition should be removed from both rules and stated that:

Other than organised recreational activities at recreational facilities, I do not consider recreational activities will limit or constrain the operation of primary production activities or result in adverse effects on sensitive activities. While there may be some noise and traffic effects, no evidence has been provided to demonstrate that these would have adverse effects on primary production.

88. The Panel agrees with the s42A report author that many recreation activities are appropriate in the Rural zones and that casual recreation activities that occur on private farmland should not be controlled by the subject rules. We also agree with HortNZ and NZPork that some recreation activities, particularly motorised recreation activities, have the potential to conflict with primary production and the amenity values of the rural environment. The difficulty we have had is understanding how the effects of motorised recreation activities would be controlled if condition 1 is deleted. That has not been particularly clear to the Panel from the various s42A reports.
89. The issue is complicated by the many definitions within the PDP that relate to motorised recreation, as set out below:

RECREATION ACTIVITIES means 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.

MOTORISED RECREATION ACTIVITY means the use of motor vehicles (excluding electric scooters and electric bicycles) for recreation activities

COMMERCIAL MOTORISED ACTIVITIES means land-based motorised recreation activities undertaken by a commercial operator and includes activities such as quad bike and 4x4 wheel drive tours for fee paying customers

MOTORISED VEHICLE EVENTS means events for competition, recreation or entertainment involving motor vehicle movement, such as car shows, and motor

vehicle racing, but does not include modelled or scaled-down versions of vehicles operated through remote control.

90. There is also a 'motorised sports facilities' definition, which is separate from the definition of 'recreation facilities', as follows²⁷:

MOTORISED SPORTS FACILITY

means land or buildings, other than a major sports facility or recreation facilities, used for participating in or viewing motorised sports. It includes, but is not necessarily limited to, facilities such as car, truck, go-kart and motorbike racing tracks and ancillary facilities such as club rooms, viewing stands, lighting, workshops, and fuel storage and pumps

91. 'Community facility' is defined as follows:

means land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any ancillary activity that assists with the operation of the community facility.
(National Planning Standard definition)

92. The activity that Mr Scott was concerned about would fall within the definition of 'motorised recreation activity'. We agree that this should not require consent as it relates to what would be considered normal domestic scale recreation activity. The larger scale commercial activities and events are defined separately, and we agree that these should require consent for the reasons traversed by Mr Hodgson. We note that equestrian, sport shooting, community and recreation facilities require consent, so this addresses a major component of Mr Hodgson's concerns.
93. Recreation Facilities do not include 'motorised sports facilities' although community facilities do not appear to exclude such facilities, and they require consent as discretionary activities. However, this is unlikely to control 'motorised vehicle events' or 'commercial motorised activities' that do not necessarily occur at a facility. Rule GRUZ-R37 and RLZ-R38 are 'catch-all' rules that identify any activity not otherwise provided for by the zone rules as a discretionary activity except "*where expressly specified by a district wide provision.*" These rules would catch 'commercial motorised activities', which are essentially commercial activities as opposed to recreation activities. However, the temporary activity rules are relevant to 'motorised vehicle events' as they include recreation and sporting events that are not held on a regular basis such as daily, weekly, fortnightly, or monthly. TEMP-R10 identifies Motorised Vehicle Events as restricted discretionary in the Waimakariri River ONF and Ashley River / Rakahuri SAL and non-complying in Ashley River / Rakahuri Saltwater Creek Estuary ONF. TEMP-R9 would appear to permit such activities outside of these areas, subject to a range of conditions.

²⁷ The definitions of Recreation Facilities and Major Sports Facility exclude motorised sports facilities.

94. These conditions restrict the event to four days maximum duration (with an allowance of four days either side of the event for setup and cleanup/restoration), provided there is no more than a maximum of 250vmpd. The event can occur nine times a year of the same site, provided there is a 21-day interval. There are no submissions on this rule.
95. As is apparent from the conditions outlined above, TEMP-R9 allows for the operation of relatively large events in the rural zones. From the perspective of the concerns raised by NZPork and HortNZ, the Panel agrees that there is potential for conflict, particularly if a 'motorised vehicle event' took advantage of this rule. While NOISE-R9 imposes noise control standards, they are only measured from the notional boundary of any residential unit or minor residential unit and not from the property boundary.
96. As we stated earlier, we agree with the submission of Mr Scott, and we agree with the s42A report author's recommendation to accept his submission. We also agree with that part of the NZPork and HortNZ submission addressed by Mr Hodgson at the hearing, which highlighted the potential conflicts with motorised recreation. To resolve this issue, the Panel recommends that condition 1 be amended to refer to 'motorised vehicle events' and make consequential amendments to TEMP-R10 'Motorised Vehicle Events' to make these activities 'restricted discretionary' in the GRUZ and RLZ. We also recommend that RURZ-MD3 'Character and Amenity' is included in the 'matters of discretion' for TEMP-R10 to enable appropriate assessment of these activities in the rural zones. These changes will effectively plug the gap we have identified in the rules covering motorised sporting activities. A further consequential amendment is recommended to TEMP-R9 to exclude such events from this rule.
97. Accordingly, the Panel recommends that the submissions of both NZPork and HortNZ are accepted in part. We would also recommend that Council consider reducing the complexity of the provisions that apply to motorised recreation activities in the PDP during the next plan change process. The numerous definitions that relate to this activity create an overly complex rule framework.

13. Intensive Indoor and Intensive Outdoor Primary Production: GRUZ-R17, GRUZ-R18, RLZ-R18 and RLZ-R19 and Associated Definitions

98. The following is a summary of the Panel's recommended amendments in relation to GRUZ-R17 and RLZ-R17, beyond those recommended by the s42A report author.

| Provision | Panel recommendations |
|----------------------|---|
| GRUZ-R18 and RLZ-R18 | Amend the recommended conditions to require the activity to be set back more the 20m (same site) or 300m (other site) from the sensitive activity. Amend the non-compliance status to discretionary. |

| | |
|--|--|
| Definition of 'INTENSIVE OUTDOOR PRIMARY PRODUCTION' | Delete recommended inclusion of 'extensive pig farming' from this definition and provide for it as an exclusion. |
|--|--|

99. The submissions we consider here are those of NZPork²⁸, Brendan and Angelique Glubb²⁹ and Egg Producers Federation of NZ and the Poultry Industry Association of NZ³⁰ in relation to GRUZ-R17, GRUZ-R18, RLZ-R18 and RLZ-R19. These rules address intensive indoor and intensive outdoor primary production activities. The submitters' concerns mainly related to the status of these activities and the structure of the rules.
100. Related to these provisions are several submissions that sought changes to the definition of 'intensive outdoor primary production', which have implications in relation to what the rules apply to. These submissions requested the following:
- Include a definition of "*Free-Range Poultry Farming*" (as contained in the Canterbury Air Regional Plan) and exclude it from intensive outdoor primary production thereby making it permitted³¹.
 - Include a new definition of '*extensive pig farming*' and exclude it from the intensive outdoor primary production thereby making it permitted³².
101. The Panel largely agrees with the final position adopted by the s42A report author in relation to these submissions, with three exceptions. The first exception appears to merely be a drafting error in the recommended GRUZ-R18 and RLZ-R19. As written in the final reply report version of the provisions, the standards require the activities to be set back less than 20m (on the same site) or 300m (on a different site) from a sensitive activity to be restricted discretionary. If they do not comply with these setbacks, they are then non-complying activities. This does not appear to be the intention as the activities become non-complying when they are further away from the sensitive activity. We have recommended changes to the rule accordingly.
102. We also question why a setback is required within the same site. How close a farmer operates such activities to dwellings on their own property is a matter for them to determine. While the Panel does not agree that a setback is required for within the same property, we note that BFS5 for both zones contain a setback to dwellings within the same site. There is no scope to change those standards. However, we would recommend that Council consider this issue as a part of any future plan change process.
103. The second exception relates to the non-compliance status for the activity. The s42A report contains no real assessment of why a non-complying activity status is appropriate, merely referring to the rule not linking back to GRUZ-BFS5. Mr Hodgson addressed this in his evidence, and he did not support non-complying activity status where the RDIS standards are not met. He noted that the setbacks may not always be achievable, or

²⁸ 169.50, 169.51

²⁹ 57.4, 57.5a

³⁰ 351.9

³¹ EPFNZ and PIANZ [351.9]

³² NZ Pork [169.6]

necessary. He also highlighted the evidence of NZPork that illustrated how these activities can be subject to system change by government regulation, noting the current proposal to change the animal welfare code. In his view, 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 [is] not in keeping with the purpose of the rural zones and does not implement the objectives and policies.”*

104. We prefer the evidence of Mr Hodgson on this matter. The purpose of the General Rural zone is to provide for primary production activities while the evidence of Dr Murchison highlighted the fact that over half the indoor pig farms in Waimakariri District are located within or adjoining the proposed RLZ. As these activities were restricted discretionary under the notified rules, we do not consider it appropriate that such activities become non-complying if they don't meet the setback standards. We have adopted Mr Hodgson's recommended discretionary activity status accordingly.
105. Turning now to the definitions, and by implication what the rules apply to, we agree with the s42A report author's recommendations to identify free-range poultry farming as a permitted activity. However, he did not extend that status to 'extensive pig farming'. This was based on his opinion that *“it is not clear in the evidence why extensive pig farming is different to intensive outdoor primary production”*. While acknowledging that Mr Hodgson stated that the effects of outdoor free-range pig farming are the same as other extensive livestock farming, he did not agree *“that the effects between piggeries and other extensive livestock operations are the same”*, comparing piggeries with dairy farm operations.
106. Mr Barugh, for NZPork, gave extensive evidence on the difference between extensive and intensive pig farming systems. He advised that *“stock densities for outdoor breeding herds are significantly lower than those typically associated with indoor farming systems”* but what densities are appropriate will vary between farms depending on environmental conditions and any regulatory requirements. He advised that *“if managed in accordance with NZPork Good Management Practice (GMP) guidelines, stock densities can range between 17-32 sows/ha or 300-600m² per breeding animal. In contrast, stock densities for indoor breeding herds on slatted floors in environmentally controlled sheds can be up to 5m² per breeding animal and 1m² for indoor growing pigs.”* In his view, where ground cover is maintained in accordance with NZPork GMP guidelines, *“an outdoor pig farming system should not be classed as intensive primary production.”*
107. Mr Hodgson then comprehensively addressed this issue in the context of the planning framework. He outlined how the Canterbury Regional Air Plan distinguished between 'intensive' pig farming and 'extensive' pig farming. He noted that the *“submission of NZPork suggested the definition might also assist interpretation and administration of the PDP.”* However, his opinion was that 'extensive' pig farming would fall within the definition of Primary Production and Agriculture and as a consequence, a separate definition was not required.

108. We agree with the evidence of NZPork on this issue. No contrary evidence was produced by the s42A report author (the Panel did not consider it valid to merely compare the number of pigs versus the numbers of cows to determine intensity) while the evidence of NZPork was comprehensive and clearly illustrated the difference between the two pig farming systems.
109. While we understand Mr Hodgson's reluctance to include the definition of 'extensive' pig farming in the PDP, which was originally requested by NZPork and recommended by the s42A report author, the Panel is of the opinion that a degree of clarity and certainty is required around this matter. Retaining the definition of 'extensive' pig farming as recommended is considered necessary so it is clear what is being excluded from the definition of 'intensive outdoor primary production'. This is the same approach as has been recommended for free range poultry farming.
110. In summary, our recommendations clarify that:
- 'Intensive indoor primary production and Intensive outdoor primary production' are 'restricted discretionary activities' when they are setback more than 20m (same site) or 300m (other site) from the sensitive activity.
 - That where 'Intensive indoor primary production and Intensive outdoor primary production' do not meet the setback condition, they are 'discretionary' activities.
 - That 'extensive pig farming' does not fall within the definition of 'extensive outdoor primary production'.
111. According, the Panel recommends that the submission of NZPork be accepted in part.

14. Height of Wind Turbines and Frost Fans - GRUZ-BFS3 Height and RLZ-BFS3 Height

112. The following is a summary of the Panel's recommended amendments in relation to GRUZ-BFS3 and RLZ-BFS3, beyond those recommended by the s42A report author.

| Provision | Panel recommendations |
|-------------------------------|---|
| GRUZ-BFS3 and RLZ-BFS3 Height | Amend recommended clause 3 to specifically link windmills to frost control. |

113. The submissions we consider here are that of Hort NZ³³ who were concerned that the height of frost fan masts and blades exceed the height limit in the built form standard. The s42A report author agreed with that concern and recommended an amendment to GRUZ--BFS3 and RLZ-BFS3 to enable a maximum height of 12m for frost control fans and wind turbines.
114. While the Panel agreed with that amendment, we have modified the wording slightly to link these structures to 'frost control' only, as the EI Chapter contains the relevant rules and standards relating to wind turbines.

³³ 295.165

15. GRUZ-BFS5 and RLZ-BFS5 Separation distances

115. The following is a summary of the Panel's recommended amendments in relation to GRUZ-BFS5 and RLZ-BFS5, beyond those recommended by the s42A report author.

| Provision | Panel recommendations |
|------------------------|---|
| GRUZ-BFS5 and RLZ-BFS5 | Retain reference to both existing intensive indoor primary production and intensive outdoor primary production activity in the rule. Minor amendments to the wording of the recommended clause 3. Amend non-compliance status to discretionary. |
| GRUZ-R18 and RLZ-R19 | Consequential amendment to include where the setback measurements are to be measured from in relation to sensitive activities. |

116. The submissions we consider here are those of NZPork³⁴, Fulton Hogan³⁵ and Brendan and Angelique Glubb³⁶ in relation to GRUZ-BFS5 and RLZ-BFS5, which contain separation distances for dwellings and visitor accommodation to intensive indoor and outdoor primary production activities and quarry activities. The submissions sought some amendments to the setbacks themselves while one submitter sought a change to the activity status where compliance is not achieved from restricted discretionary to non-complying.³⁷
117. In response to the submissions, the s42A report author recommended a number of changes to the rule, including linking it to 'sensitive activities' as opposed to just residential units and visitor accommodation. The Panel queried a number of the changes, in particular how the distance from a sensitive activity will be measured, taking into account that a 'sensitive activity' can include sports fields and play areas for educational facilities. Changes were recommended in the reply report to address this issue.
118. The Panel largely agrees with the final position taken by the s42A report author in relation to these submissions, except for some of the recommended drafting and the activity status when compliance is not achieved (which we have addressed above). We have recommended modified wording of the clause that sets how the distance from a sensitive activity will be measured-. The Panel also recommends that these clauses are included in GRUZ-R18 and RLZ-R19 for consistency purposes.
119. The report author also recommended deleting the reference to 'existing intensive indoor primary production' and 'intensive outdoor primary production' in clauses (a) and (b)

³⁴ 169.63,169.88

³⁵ 41.52

³⁶ 57.3

³⁷ NZPork [169.63]

and replacing them with the phrase ‘intensive primary production’. This was proposed in response to the recommendation to accept the submission of NZPork to combine GRUZ-R17 and GRUZ-R18. While NZPork also sought the two definitions be combined, the report author recommended rejecting this, correctly noting that ‘intensive outdoor primary production’ is a National Planning Standard definition and cannot be amended. We agree with that position and as a consequence do not recommend that the replacement of these two phrases with ‘intensive primary production’.

120. In relation to the non-compliance status, no evidence was presented by any party, including the s42A report author, that justified changing this status from restricted discretionary to non-complying. As these activities were restricted discretionary under the notified rules, we do not consider it appropriate that such activities become non-complying if they don’t meet the setback standards. For consistency with our early decisions on related matters, we have recommended that non-compliance default to discretionary status.

16. RLZ-R16 Rangiora A&P Showground activities

121. The following is a summary of the Panel’s recommended amendments in relation to RLZ-R16, beyond those recommended by the s42A report author.

| Provision | Panel recommendations |
|---|--|
| RLZ-R16 | Amend the rule so that motor vehicle display events are controlled activities. |
| TEMP-R2 | Add an advice note stating that the temporary activities rules do not apply to mobile trading activities that occur in association with activities at the showgrounds. |
| Introduction to TEMP chapter ‘Other potentially relevant District Plan provisions’. | Add a sentence clarifying that temporary activities ancillary to activities authorised on the Showground sites are not subject to the Temporary activity rules |

122. The submissions we consider here are those that are opposed to or seek amendments to RLZ-R16, which permits a range of activities, including motor vehicle display events, at the Rangiora A&P Showgrounds. The key concerns raised by the submitters were as follows:
- that the rule would allow unlimited and uncontrolled motor vehicle display events³⁸
 - The provision is vague and does not control effects, nor limit the number of events per year, who can run these events, the size or duration and removes rights of residents³⁹

³⁸ Ian and Margaret Stephenson [72.1]

³⁹ Donna Karen Lamont [79.1]

- the event causes distress to neighbouring residents from disruption, noise, smoke and fumes, and inconsiderate conduct of some participants⁴⁰
 - that the permitted activity status removes the current right of appeal to the Environment Court⁴¹
 - concern that other motor vehicle events could occur similar to the Muscle Car festival that is held for four days annually⁴²
 - the rule should be removed⁴³
123. The s42A report author recommended rejecting the submissions made in respect to the motor vehicle events held at the showgrounds. In his view, the outcomes sought by the submitters will be achieved through the application of the other rules within the Proposed Plan, particularly NOISE-R19.
124. The Panel asked a preliminary question of the s42A report author about how the temporary activity chapter applies to the Rangiora A&P Showgrounds. He advised that mobile trading vendors that operate during event at the showgrounds will need to comply with the requirements of TEMP-R2 while activities that are not listed in RLZ-R16 will either have to meet the permitted criteria in TEMP-R9 or get resource consent as a restricted discretionary activity.
125. Mr Knowles attended the hearing in support of his submission. He provided the Panel with an overview of what the neighbours experience during the ‘Muscle Car Madness’ event. In his opinion, this event does not have existing use rights, and he carefully detailed his reasoning. Mr Knowles then presented a comprehensive set of rules that he felt activities at the showgrounds should be governed by.
126. The s42A report author responded to Mr Knowles statement in his reply. He noted that *“most of the issues are associated with activities that occur off site and are therefore outside of the control of the organisers, deal with alcohol breaches or noise, which requires better enforcement.”* However, he did promote changes to the rule that provide more clarity around what the ‘motor vehicle display event’ provided for and also recommended that a management plan be provided for such activities that addresses the issues of concern. He also addressed a follow up question from the Panel in relation to the application of the temporary activity rules. Contrary to his position at the hearing, he subsequently advised that mobile food vendors and market stall vendors, being an essential and ancillary part of the main activity, would not come within the control of ‘Temporary activities’ provisions.
127. The Panel largely agrees with the final position adopted by the s42A report author in relation to these submissions, except in relation to the activity status of a motor vehicle display event. It was apparent from the submissions, and the presentation of Mr

⁴⁰ Ian and Margaret Stephenson [72.1]; Donna Karen Lamont [79.1]; Christopher Norman Knowles [323.1]

⁴¹ Christopher Norman Knowles [323.1]

⁴² Ian Nevis Bird [349.1]

⁴³ Ian and Margaret Stephenson [72.1]; Donna Karen Lamont [79.1]

Knowles at the hearing, that this is the event that causes the most concern for neighbours. The s42A report author has attempted to address this by requiring a management plan as part of the permitted activity standard.

128. We do not favour removing the rule altogether as requested by two submitters or breaking it into several parts as suggested by Mr Knowles. However, we also have concerns with the approach recommended by the s42A report author. While we understand the reasons for management plan approach, we are concerned with the vires and certainty of a condition of this nature being imposed via the provisions of the District Plan. In our view the response to the issues raised by the submitters is best developed through the resource consent process, where the appropriate assessment can occur. This will enable the appropriate conditions to be developed that address their concerns.
129. As a consequence, the Panel has recommended that the motor vehicle display component of the showground activity become a 'controlled activity', with the matters of control addressing the hours of operation, traffic and parking management, the location of campers, noise, and the requirement for a management plan. A controlled activity cannot be refused consent, so provides certainty for the event operators, but this activity status will at least ensure the appropriate management controls can be put in place. We envisage that a resource consent application will only need to be made once, with the management plan providing a degree of flexibility around operation changes on a year-by-year basis. We consider this to be the most efficient way of dealing with the issues raised although we do note that existing use rights, to some extent at least, may apply to this event.
130. Accordingly, the Panel recommends that the submissions listed above, be accepted in part.

17. Definition of Sensitive Activity

131. The following is a summary of the Panel's recommended amendments to relation the definition of 'sensitive activity', beyond those recommended by the s42A report author:

| Provision | Panel recommendations |
|--------------------|---|
| Sensitive activity | Delete the phrase "activities and facilities including, but is not limited to". |

132. The submission we consider here is that of Hort NZ⁴⁴ who sought the removal of "*but is not limited to*" from the definition. The s42A report considered that this "*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, such as funeral home, or crematorium, etc.*" He did not support the proposed amendment.

⁴⁴ 295.56

133. Mr Hodgson addressed this issue in his evidence on behalf of HortNZ. He stated that *“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”* and considered that the words *‘but is not limited to’* lack the certainty required for a definition. He provided a number of examples from other District Plans which did not include such a ‘catch all’ phrase.
134. The Panel agrees with Mr Hodgson on this matter. The definition lacks certainty as currently written. We have recommended that it simply relates to the activities listed in it.

18. Quarrying Activities on Highly Productive Land

135. The submissions we address here are those from Christchurch City Council⁴⁵ in relation to the protection of Highly Productive Land (HPL) from fragmentation and unsuitable ‘primary production’ activities such as forestry or quarrying but more particularly, the further submission in opposition to this from Fulton Hogan⁴⁶. Their concern related to the need to recognise the pathway available for aggregate extraction under clause 3.9 of the NPS-HPL.
136. How HPL was recognised and provided for in the PDP was the subject of a question from the Panel to the s42A report authors in Minute 43. The response to that question led to several changes being recommended to the objectives and policies of the rural zone provisions. The Panel agreed with the final position of the report authors on this issue so HPL has not been discussed further in this decision.
137. However, do think it is appropriate to comment on Mr Ensor’s planning evidence for Fulton Hogan on the need to provide a pathway for aggregate extraction in HPL. Mr Ensor highlighted the fact that quarrying activities have a functional need to be located where the aggregate resource exists, at the quality and in quantities required for the end use. Because of this, quarrying activities may need to occur on highly productive land, which is recognised in the NPS-HPL but only so far as it *‘provides significant national or regional public benefit that could not otherwise be achieved using resources within New Zealand’*.⁴⁷
138. Mr Ensor addressed this test at length in his evidence, advising that while *“a quarry that may start as having mainly local benefit, can quickly change to having regional or national benefit if projects in the area demand it. For example, a quarry serving local needs may need to switch to supply aggregate for a regional flood management programme or state highway upgrade project.”* In his view, the PDP *“should clarify that Quarries other than Farm Quarries or quarries established solely for a particular local project, provide significant regional and national benefit. This clarification would increase the efficiency of the rural zone plan provisions by reducing consenting costs*

⁴⁵ 360.20 and 360.21

⁴⁶ FS118

⁴⁷ Clause 3.9(2) (iv) of the NPS-HPL.

associated with protracted debate regarding benefit.” He recommended a new policy to address this as follows:

RURZ-PX Quarrying Activities on Highly Productive Land

(a) When applying Clause 3.9(2)(j)(iv) of the National Policy Statement for Highly Productive Land, any reference to ‘aggregate extraction’ is to be interpreted as being a reference to Quarrying Activity.

(b) Any aggregate extraction occurring from a Quarry other than a Farm Quarry, or a Quarry established for a project with exclusively local benefit, will be interpreted as providing significant national or regional public benefit in terms of Clause 3.9(2)(j)(iv) of the National Policy Statement for Highly Productive Land.

139. The s42A report author addressed this in his reply report, and did not agree with Mr Ensor. While he acknowledged that local aggregate extraction may provide a regional benefit, his position was that *“it cannot automatically be assumed that it is not capable of being able to be sourced elsewhere in New Zealand.”*
140. However, the Panel understands the issue raised by Mr Ensor. The test does not refer to the capability of being able to source the aggregate elsewhere in the country. The test is that the benefits can be achieved from sourcing the aggregate elsewhere in the country. We have recommended that SD-O5 is amended to appropriately recognise, at a strategic level, the role that supply of physical construction resources has for the development and maintenance of critical infrastructure in the district. To do this efficiently, and with the least environmental footprint, it is generally critical that such resources are extracted as close as possible to where they are used, as explained by Mr Ensor at the hearing. In his view, this benefit is generally not achievable from aggregate sourced outside of the relevant district. The Panel agrees with this position.
141. However, we do not think the policy recommended by Mr Ensor is particularly helpful and even if it were, the scope to introduce it or something similar is limited. Because the quarrying exception Mr Ensor discussed was introduced to the NPS-HPL well after the PDP was notified, we believe the issue should be revisited in a future plan change process, after the RPS review has carried out, so the wider HPL/versatile soil issue can be addressed comprehensively.

19. Conclusion and s32AA Evaluation

142. For the reasons summarised above, we recommend the adoption of a set of changes to the PDP provisions relating to Rural Zone chapters. Our recommended amendments are shown in Appendix 2.
143. In terms of the further evaluation required under s32AA of the Act, we consider that the changes we have recommended are more efficient and effective in achieving the objectives of the PDP and will ensure that the PDP better achieves the statutory requirements, national and regional direction, and our recommended Strategic Directions. We also consider the changes will improve the useability of the plan.

Appendix 1: Submitter attendance and tabled evidence for Rural Zones - Hearing Stream 6

| Attendee | Speaker | Submitter No. |
|--|---|----------------------|
| Council Reporting Officer | • Mark Buckley | N/A |
| Egg Producers Federation of NZ and The Poultry Industry Association of NZ | • Mary McConnell | 351 |
| Chris Knowles | • Chris Knowles | 323 |
| George Jason Smith | • George Jason Smith | 270 |
| Environment Canterbury | • Serena Orr • Imogen Edwards | 316 |
| Andrew Carr | • Sam Kealey | 158 |
| Maurice Newell | • Maurice Newell | 281 |
| Susan Sullivan | • Susan Sullivan | FS111 |
| NZ Agricultural Aviation Association | • Tony Michelle | 310 |
| Daiken | • Stephanie Styles | 145 |
| Andrew McAllister | • Fiona Aston | 8 |
| Richard and Geoff Spark | • Richard Johnson | 183 |
| Mark and Melissa Prosser Mike Greer Homes | • Chris Fowler | 224 & 332 |
| KiwiRail Holdings Ltd | • Catherine Heppelwaite • Michelle Grinlinton-Hancock • Kristen Gunnell | 373 |
| Nathan Schaffer | • Nathan Schaffer | 76 |
| Horticulture NZ | • Vance Hodgson • Robert Lindsay | 295 |
| NZPork | • Vance Hodgson • Ian Barugh • Lynda Murchison | 49 & 169 |
| Fulton Hogan | • Timothy Ensor | 41 |
| Tabled Evidence | | |
| Egg Producers Federation of NZ and The Poultry Industry Association of NZ | • Mary McConnell | 351 |
| Environment Canterbury | • Serena Orr | 316 |
| KiwiRail Holdings Ltd | • Catherine Heppelthwaite | 373 |
| Fire and Emergency | • Lydia Shirley | 303 |
| Federated Farmers | • Lionel Hume • Karl Dean | 414 |
| Richard and Geoff Spark | • David Caldwell | 183 |
| NZPork | • Ian Barugh | 169 FS49 |
| NZPork and Horticulture New Zealand | • Vance Hodgson | 169 295 |
| Horticulture New Zealand | • Sarah Cameron | 295 |
| Fulton Hogan | • Timothy Alistair Deans Ensor | 41 |
| Chris Knowles | • Chris Knowles | 323 |
| Rolleston Industrial Developments Limited Carter Property Group Limited | • JM Appleyard / LMN Forrester | 160 |

| | | |
|--|----------------|---------|
| Mike and Melissa Prosser and Mike Greer Homes | • Chris Fowler | 224 332 |
|--|----------------|---------|

Appendix 2: Recommended amendments to the Proposed Plan - Tracked from notified version
(provisions not consequentially renumbered)

Appendix 2: (1) General Objectives and Policies for all Rural Zones

Appendix 2: (2) General Rural Zone

Appendix 2: (3) Rural Lifestyle Zone

Appendix 2: (4) Matters of Discretion for all Rural Zones

RURZ - General Objectives and Policies for all Rural Zones

Introduction

The purpose of the chapter is to enable a range of primary production activities, including pastoral farming, [livestock](#)¹, [intensive primary production](#),² horticulture and forestry as well as other 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.](#)³

This chapter contains objectives and policies relating to the:

- General Rural Zone; and
- Rural Lifestyle Zone.

The key difference between the General Rural Zone and the Rural Lifestyle Zone is the density of residential units and subdivision that is enabled. This recognises the different predominant character that exists within the two zones. Provision is also made for activities that are compatible with the Rural Zones and do not detract from the function of other zones.

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, many of them are still productive, or retain the potential to be productive, and the majority of the District's horticultural operations are within the RLZ.](#)⁴

The General Rural Zone, while containing a range of site sizes, has retained the prominent character of an open large scale productive landscape. The character is rural with open grassland, pastoral farming, horticulture and areas of forestry with an overall low intensity of built form throughout the zone. The zone provisions retain the focus of this zone being for primary production activities and other rural activities, while retaining the current open rural character. In response, the subdivision and residential unit density standards that apply within this zone are larger than those that apply in the Rural Lifestyle Zone.

The objectives and policies set out below apply to both Rural Zones. However, there are some specific objectives and policies that will apply to the zones and appear in each zone section along with the rules for each zone.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

Objectives

¹ RMA Schedule 1 Clause 16(2)

² NZ Pork [169.34].

³ NZ Pork [169.34].

⁴ Hort NZ [295.121].

| | |
|-----------------|--|
| RURZ-O1 | <p>Rural Environment</p> <p>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:</p> <ol style="list-style-type: none"> 1. the east of the District has a predominant character of small rural sites with a pattern of built form of residential units and structures at more regular intervals at a low density compared to urban environments; and 2. the remainder of the District, while having a range in the size of rural sites, has a predominant character of larger rural sites with a corresponding density of residential units and built form. |
| RURZ-O2 | <p>Activities in Rural Zones</p> <p>Rural Zones support primary production activities, activities which directly support primary production, and activities with a functional need to be located within Rural Zones.</p> |
| Policies | |
| RURZ-P1 | <p>Amenity values and Rural character and amenity values</p> <p>Recognise the contribution of amenity values to maintaining the character of the zones, and maintain amenity values in Rural Zones by: that rural character and amenity values vary across the Rural Zones due to the combination of the natural and physical resources present and how they are utilised by primary production and other rural activities, and maintain <u>those</u> amenity values in the Rural Zone by:⁵</p> <ol style="list-style-type: none"> 1. requiring separation between buildings on adjoining properties to maintain privacy and a sense of openness; 2. retaining generally low levels of signs, noise, traffic, odour, outdoor lighting, and built form from activities while recognising that in association with primary production, and rural industry <u>and other rural</u>⁶ activities, which that are part of the character of each rural zone that: <ol style="list-style-type: none"> a. there may be seasonal, short term or intermittent <u>can have</u> odour, noise, dust, traffic and outdoor lighting effects; and b. <u>may have a functional need to utilise</u> large buildings may have a functional need.⁷ 3. restricting the density of residential units and minor residential units that can be established on a site consistent with the character of each rural zone, unless a development right has been protected through a legacy provision or is associated with a bonus allotment. |
| RURZ-P2 | <p>Rural land</p> <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. providing for primary production activities; 2. providing 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 soil and highly productive land are minimised; b. the amenity values and character of Rural Zones are maintained; and |

⁵ Fulton Hogan [41.43]

⁶ North Canterbury Clay Target Association [61.5].

⁷ Fulton Hogan [41.43]

| | |
|----------------|--|
| | <p>c. to the extent practicable, adverse effects are internalised within the site where an activity is being undertaken.</p> <p>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> |
| RURZ-P3 | <p>Local support activities</p> <p>Activities that directly support the health, safety and well-being of people living within the rural community are provided for in circumstances where they:</p> <ol style="list-style-type: none"> 1. will not limit or constrain the operation of primary production activities or result in adverse effects on sensitive activities; 2. have a design, scale, intensity, and built form consistent with the character and amenity values of the zone; 3. can manage actual or potential adverse effects including visual, traffic, dust, noise, odour, or lighting consistent with the amenity values of the zone; and 4. to the extent practicable, internalises any adverse effects of the activity within the site. |
| RURZ-P4 | <p>Conservation activities</p> <p>Enable conservation activities, including soil conservation and pest control, throughout Rural Zones.</p> |
| RURZ-P5 | <p>Minor residential units</p> <p>Provide for a minor residential unit on a site, which includes a tiny home, while ensuring that any minor residential unit is subservient to any residential unit on the site.</p> |
| RURZ-P6 | <p>Industrial activity</p> <p>In relation to industrial activity:</p> <ol style="list-style-type: none"> 1. provide for rural industry where the scale of the activity is compatible with the character and amenity values of the rural zone; 2. limit the establishment of industrial activity (other than rural industry) to circumstances where: <ol style="list-style-type: none"> a. there is no reasonable and available site for the activity within any Industrial Zones; b. amenity values and character of the Rural Zones can be maintained; c. the scale of the industrial activity is such that it will not affect the availability of highly productive land within the zone to be used for primary production, to the extent that the productive potential of rural land to meet the reasonably foreseeable needs to future generations is undermined; and d. the nature, scale and degree of permanent changes that will occur on the land and soil resources on the site where the activity is located is minimised. 3. ensure that any rural industry or other industrial activity does not limit or constrain the operation of any existing primary production activity in the zone, and does not have adverse effects on any sensitive activity; 4. provide for existing large-scale industrial activities outside of urban environments where these are well established and have been in continuous industrial use, in order to recognise their existing environmental effects; and 5. to the extent practicable, manage adverse effects of rural industry or other industrial activity so that they are internalised within the site and any adverse effects not internalised are minimised. |
| RURZ-P7 | <p>Retail activities</p> <p>In relation to retail activity:</p> |

| | |
|-----------------|---|
| | <ol style="list-style-type: none"> 1. new retail activity be limited to that associated with a home business, selling products directly produced in the Rural Zones, or selling products or services directly supporting primary production; providing that: <ol style="list-style-type: none"> a. to the extent practicable adverse effects of the activity are internalised within the site; and b. amenity values and the character of Rural Zones are maintained; and c. <u>adverse effects on the safe and efficient functioning of the transport system are avoided or mitigated.</u>⁸ 2. the expansion of any existing retail activity shall: <ol style="list-style-type: none"> a. manage any additional adverse effects including visual, traffic, dust, noise, odour, or lighting so as to maintain the amenity values and character of the zone; b. not limit or constrain the operation of any primary production activity in the zone and shall not have adverse effects on any sensitive activity; and c. not be of a scale that will result in adverse distribution effects on any commercial centre. |
| RURZ-P8 | <p>Reverse sensitivity</p> <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>recreation and sporting facilities,</u>⁹ <u>heavy industrial zones</u>¹⁰ 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. ensuring adequate separation distances between existing sensitive activities and new intensive indoor primary production activities, intensive outdoor primary production activities, quarrying activities, mining 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.¹¹ |
| RURZ-P9 | <p><u>Managing adverse effects on sensitive activities</u></p> <p><u>Minimise the potential for adverse effects from the establishment of new activities near existing sensitive activities by:</u></p> <ol style="list-style-type: none"> 1. <u>Ensuring new intensive primary production activities, quarrying and mining activities, and industrial activities are adequately separated from existing sensitive activities; and</u> 2. <u>Avoiding quarry, landfill, cleanfill area, mining activities adjacent to urban areas where the amenity values of urban areas would be diminished.</u>¹² |
| RURZ-P10 | <p><u>Management of Bird Strike Risk Activities</u></p> |

⁸ Waka Kotahi [275.76].

⁹ North Canterbury Clay Target Association [61.7]

¹⁰ Daiken [145.29].

¹¹ Fulton Hogan [41.45].

¹² Fulton Hogan [41.45].

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| | <u>Manage the risk of bird strike to aircraft from new or upgraded bird strike risk activities that are to be located within the 'Bird Strike Risk Management Area Overlay'.¹³</u> |
|--|---|

¹³ Christchurch International Airport Ltd [254.135] and [254.148]

GRUZ - General Rural Zone

Introduction

The purpose of the General Rural Zone is to provide for primary production activities, those activities that support rural activities and those activities that rely on the natural resources that exist within the zone.

The General Rural Zone makes up the majority of the rural area within the District. The focus of the zone is on retaining the productive potential of land to be able to be used for primary production activity and rural activities. Built character is focused on residential units supporting primary production activities, activities that support rural activities and farming infrastructure, including sheds and farm tracks. The zone provisions seek to retain the focus of this zone, while retaining the current open rural character.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

As well as the provisions in this chapter, district wide chapter provisions will also apply where relevant.

| Objectives | |
|------------|---|
| GRUZ-O1 | Purpose of the General Rural Zone Natural and physical resources and p Primary production activities which contribute to the District's rural productive economy <u>and rely on the natural and physical resources of the rural environment</u> ¹ dominate while fragmentation of land into small rural parcels is restricted. |
| Policies | |
| GRUZ-P1 | Character of the General Rural Zone Maintain the character in the General Rural Zone which comprises: <ol style="list-style-type: none"> 1. primary production being the predominant land use; 2. a dominance of open space and vegetation, including paddocks, trees, agriculture and natural elements over buildings; 3. a landscape strongly influenced by patterns and processes of human activity associated with primary production, with a focus of open farmland areas and larger scale primary production activities, along with areas with natural environment values and sites and areas of significance to Māori; 4. separation between residential units and farm buildings on adjoining sites, with an overall low density of residential units and buildings; and 5. contrasts with urban environments through having a general absence of the type and scale of infrastructure and built form found in urban environments. |
| 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 that avoids sites being created, or residential units being erected, on sites that are less than 20ha, unless: |

¹ NZ Pork [169.42].

| | |
|--|--|
| | <ol style="list-style-type: none"> 1. associated with the development of infrastructure which reduces the size of the balance lot or sites to below 20ha; 2. associated with the establishment of a bonus residential unit or creation of a bonus allotment; 3. the erection of a residential unit is protected by a legacy provision in this District Plan; and 4. it is for the establishment of a minor residential unit, where the site containing a residential unit is 20ha or greater, or is protected by a legacy provision in this District Plan; and 5. <u>it does not result in the loss of productive capacity of any highly productive land.</u>² |
|--|--|

Activity Rules

| GRUZ-R1 Construction or alteration of or addition to any building or other structure | |
|---|--|
| Activity status: PER Where: <ol style="list-style-type: none"> 1. the activity complies with all built form standards (as applicable). | Activity status when compliance not achieved: as set out in the relevant built form standards |
| GRUZ-R2 Primary production | |
| <i>This rule does not apply to mining provided for under GRUZ-R29; quarrying activities provided for under GRUZ-R30; farm quarry provided for under GRUZ-R12; intensive indoor primary production <u>Free Range Poultry Farming and Game Bird Farming</u> provided for under GRUZ-R17; or intensive <u>indoor and</u> outdoor primary production provided for under GRUZ-R189.</i> | |
| Activity status: PER Where: <ol style="list-style-type: none"> 1. any forestry less than 1ha, carbon forest or³ woodlot shall be set back a minimum of: <ol style="list-style-type: none"> a. 40m from any residential unit or minor residential unit on a site under different ownership; b. 10m from any site boundary of a site under different ownership; and c. 10m from any road boundary of a paved public road. | Activity status when compliance with GRUZ-R2 (1) not achieved: RDIS Matters of discretion are restricted to: <ul style="list-style-type: none"> RURZ-MD1 - Natural environment values RURZ-MD3 - Character and amenity values of the activity RURZ-MD4 - Forestry, Carbon Forest,⁴ Woodlots Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified. |
| GRUZ-R3 Residential unit | |
| <i>This rule does not apply to any minor residential unit provided for under GRUZ-R4 or any bonus residential unit provided for under GRUZ-R167.</i> | |
| Activity status: PER Where: <ol style="list-style-type: none"> 1. <u>each a</u> residential unit shall be located on a site with a minimum net site area of 20ha per | Activity status when compliance with GRUZ-R3 (2)(b) or GRUZ-R3 (2)(c) not achieved: DIS Activity status when compliance with GRUZ-R3 (1), GRUZ-R3 (2)(a), GRUZ-R3 (3), GRUZ-R3 |

² Federated Farmers [414.189].

³ s44A of RMA.

⁴ s44A of RMA.

| | |
|---|---|
| <p>residential unit, except where provided for in (3), (4), (5), (6), and (7) <u>and (8)</u>⁵ below;</p> <p>2. there is more than one residential unit on a site, each residential unit shall be contained within its own delineated area and each delineated area shall be treated as though it is a site, which shall:</p> <ul style="list-style-type: none"> a. have a minimum net-site area of 20ha per delineated area, and b. have no overlap between delineated areas, and c. have legal and physical access from any residential unit to a legal road; and d. comply with built form standards as though each delineated area was a site; <p>3. a site with a minimum net-site area of 4ha or more, but less than 20 ha, which does not have a residential unit erected on it, existed prior to 18 September 2021, one residential unit may be erected;</p> <p>4. a site with a minimum net-site area of 4ha or more but less than 20ha, which does not have a residential unit erected on it, is subject to a subdivision consent that was granted prior to 18 September 2021, but has not been issued with certification under section 224 of the RMA, one residential unit may be erected;</p> <p>5. a site with a minimum net-site area less than 4ha exists and it is a site or an allotment that was created by subdivision and was on a subdivision consent between 1 October 1991 and 24 February 2001 (inclusive of both dates) one residential unit may be erected;</p> <p>6. <u>a site contains its own delineated area that existed prior to 18 September 2021 that has a minimum area of 4ha or more but less than 20ha, one residential unit may be erected;</u>⁶</p> <p>67 a site with a minimum net-site⁷ area of less than 20ha exists and is a site or an allotment that was associated with the development of infrastructure, which prior to the development of the infrastructure was 20ha or more, one residential unit may be erected; and</p> <p>78 one residential unit may be established on a bonus allotment.</p> | <p>(4), GRUZ-R3 (5), GRUZ-R3 (6), or GRUZ-R3 (7) or <u>GRUZ-R3 (8)</u>⁸ not achieved: NC</p> |
| GRUZ-R4 Minor residential unit | |
| <p>Activity status: PER Where:</p> | <p>Activity status when compliance not achieved: NC</p> |

⁵ Waimakariri District Council [367.58].

⁶ Waimakariri District Council [367.58].

⁷ Waimakariri District Council [367.58].

⁸ RMA Schedule 1 Clause 16(2) to align with Waimakariri District Council [367.58].

| | |
|--|---|
| <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). | |
| GRUZ-R5 Workers Accommodation Unit⁹ | |
| Activity status: PER Where: <ol style="list-style-type: none"> 1. <u>no minor residential unit exists on the site;</u> 2. <u>the maximum GFA of the workers' accommodation unit shall be 120m² (excluding any area required for a car vehicle garage or carport up to a maximum of 40m²); and</u> 3. <u>there is only one workers' accommodation unit per property, with a single kitchen facility.</u> | Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>RURZ-MD3 – Character and amenity values.</u> |
| GRUZ-R5 Residential activity | |
| Activity status: PER Where: <ol style="list-style-type: none"> 1. any motor vehicles and/or boats dismantled, repaired or stored on the site of the residential activity shall be owned by the people who live on the same site.¹⁰ | Activity status when compliance not achieved: N/A <u>NC</u>¹¹ |
| GRUZ-R6 Accessory building or structure | |
| Activity status: PER | Activity status when compliance not achieved: N/A |
| GRUZ-R7 Visitor accommodation | |
| <i>This rule does not apply to any camping ground provided for under GRUZ-R3⁴⁵.</i> | |
| Activity status: PER Where: | Activity status when compliance not achieved: DIS |

⁹ Hort NZ [295.136], [295.171] [295.143] [295.137] [295.172] [295.176]; NZPork [169.45] [169.70]

¹⁰ Federated Farmers [414.192]

¹¹ RMA Schedule 1 Clause 16(2).

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| <ol style="list-style-type: none"> 1. the activity shall be undertaken within a residential unit, minor residential unit or accessory building; and 2. a maximum of eight visitors shall be accommodated per site. | |
| GRUZ-R8 Home business | |
| Activity status: PER Where: <ol style="list-style-type: none"> 1. the maximum area occupied by the home business shall be 100m² (within or external to buildings on the site); 2. hours of operation that the home business is open to visitors and clients shall be limited to 7:00am to 7:00pm; 3. there is a maximum of 20 vehicle movements generated by the home business activity per day; 4. a maximum of two non-resident staff shall be employed as part of the home business; 5. any storage of materials associated with the home business shall be undertaken within buildings on the site; and 6. the activity does not include any food and beverage outlet, funeral related services and facility, heavy industry, vehicle sales, or vehicle repair, storage or dismantling; and 7. the home business involves paid childcare, a maximum of four non-resident children shall be cared for. | Activity status when compliance not achieved: DIS |
| GRUZ-R9 Domestic animal keeping and breeding | |
| Activity status: PER | Activity status when compliance not achieved: N/A |
| Advisory Note <ul style="list-style-type: none"> • Refer to the District Council's bylaws for further rules regarding keeping of domestic animals. | |
| GRUZ-R10 Rural produce retail | |
| <i>This rule does not apply to any farmers' markets provided for under GRUZ-R223.</i> | |
| Activity status: PER Where: <ol style="list-style-type: none"> 1. rural produce retail activity exceeds 5m² any retail sales activity shall be located a minimum of 10m from the site boundary; 2. there shall be only one retail sales activity per site; and 3. the maximum NFA or land area used for any retail sales activity shall be 50m². | Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <ul style="list-style-type: none"> RURZ-MD1 - Natural environment values RURZ-MD3 - Character and amenity values of the activity RURZ-MD5 - Rural sales |
| GRUZ-R11 Rural industry | |

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| <p>Activity status: PER 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 manufacture, processing or production of goods involves initial or¹² further processing of commodities derived from primary production; 3. the maximum GFA occupied for the rural industry shall be 250m²; ¹³ 3. the maximum GFA occupied for the rural industry within a SASM shall be 150m²; 4. the maximum land area occupied for the rural industry shall be 500m²; 5. any retail sales area shall be set back a minimum of 10m from the site boundary; 6. the retail sale of goods on the site is restricted to those manufactured, produced or processed on the site; 7. the maximum NFA or land area occupied for retail sales shall be 50m²; and 8. 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 industry is occurring; and <u>9. The rural industry is not a new or upgraded bird strike risk activity located within the 'Bird Strike Risk Management Overlay'.</u> ¹⁴ | <p>Activity status when compliance with GRUZ-R11 (56) or (89) not achieved: RDIS Matters of discretion are restricted to: RURZ-MD1 - Natural environment values RURZ-MD3 - Character and amenity values of the activity RURZ-MD5 - Rural sales</p> <p>Activity status when compliance with GRUZ-R11 (34) not achieved: RDIS Matters of discretion are restricted to: SASM-MD1 - Wāhi tapu and wāhi taonga SASM-MD2 - Ngā tūrangā tūpuna</p> <p>Notification An application for a restricted discretionary activity under GRUZ-R11(4) is precluded from being publicly notified, but may be limited notified only to Te Ngāi Tūāhuriri Rūnanga</p> <p>Activity status when compliance with GRUZ-R11 (1) to (23), (45), (67) or (78) not achieved: DIS ¹⁵</p> <p><u>Activity status when compliance with GRUZ-R11 (9) is not achieved: RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>RURZ-MD9 Bird Strike Risk Management</u> ¹⁶</p> |
| <p>Advisory Note</p> <ul style="list-style-type: none"> It is recommended that operators of a rural industry inform owners/occupiers of adjacent sites prior to commencing the activity. | |
| <p>GRUZ-R12 Farm quarry</p> | |
| <p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. any farm quarry shall be set back a minimum of: <ol style="list-style-type: none"> a. 300m from the building footprint of any residential unit or minor residential unit on a site under different ownership; b. 100m from any site boundary of a site under different ownership; c. 100m from any road boundary of a public road; and d. 100m from any SNA; i | <p>Activity status when compliance not achieved: DIS</p> |

¹² Hort NZ [295.146].

¹³ Scottville Farm [129.1].

¹⁴ Christchurch International Airport Ltd [254.135 and 254.148]

¹⁵ Consequential renumbering.

¹⁶ Christchurch International Airport Ltd [254.135] and [254.148]

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| <p>e. <u>EW-S1, EW-S2, EW-S3, EW-S5, and EW-S6 and are met; and</u></p> <p>f. <u>The maximum area of any farm quarry shall be 1,500m² per site.</u>¹⁷</p> | |
| <p>Advisory Note</p> <ul style="list-style-type: none"> Additional activity standards applying to this activity are located within the Earthworks Chapter (See EW-R11).¹⁸ | |
| <p>GRUZ-R13 Conservation activities</p> | |
| <p>Activity status: PER Where:</p> <ol style="list-style-type: none"> for any retail sales associated with a conservation activity: <ol style="list-style-type: none"> the retail sales area shall be set back a minimum of 10m from any site boundary; there shall be a maximum of one retail sales area per site; and the maximum GFA or land area used for retail sales shall be 50m². | <p>Activity status when compliance not achieved: DIS</p> |
| <p>GRUZ-R14 Recreation activities</p> | |
| <p>Activity status: PER Where:</p> <ol style="list-style-type: none"> the activity is not a motorised recreation activity-vehicle event held on a privately owned site.¹⁹ | <p>Activity status when compliance not achieved: DIS <u>RDIS under TEMP-R10</u>²⁰</p> |
| <p>GRUZ-R15 Rural tourism</p> | |
| <p>Activity status: PER Where:</p> <ol style="list-style-type: none"> a maximum of five staff shall work on the site at any one time; the maximum GFA occupied for the rural tourism shall be 250m²; the maximum land area occupied for the rural tourism shall be 500m²; any retail sales area shall be set back a minimum of 10m from the site boundary; the maximum NFA or land area occupied for retail sales shall be 50m²; and 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 when compliance not achieved: RDIS Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> RURZ-MD1 - Natural environment values RURZ-MD3 - Character and amenity values of the activity RURZ-MD5 - Rural sales |

¹⁷ Fulton Hogan [41.33].

¹⁸ Fulton Hogan [41.33].

¹⁹ NZPork [169.48] and Hort NZ [295.148]

²⁰ NZPork [169.48] and Hort NZ [295.148]

| GRUZ-R16 Artificial Crop Protection Structures²¹ | |
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| Activity status: <u>PER</u> <u>Where:</u> <ol style="list-style-type: none"> <u>dark green or black cloth is used on vertical faces within 30m of the boundary of the site; and</u> <u>green, black or white cloth is used on horizontal surfaces.</u> | Activity status when compliance with GRUZ-R16 is not achieved: <u>RDIS</u> <u>Matters of discretion are restricted to:</u> <u>RURZ-MD1 - Natural environmental values</u> <u>RURZ-MD3 - Character and amenity values of the activity</u> |
| GRUZ-R17 Intensive indoor primary production Free range poultry farming²² and Game bird farming²³ | |
| Activity status: RDIS <u>PER</u> Matters of discretion are restricted to: RURZ-MD1— Natural environment values RURZ-MD2— Housing of Animals RURZ-MD3— Character and amenity values of the activity²⁴ | Activity status when compliance not achieved N/A |
| GRUZ-R1618 Bonus residential unit | |
| Activity status: <u>RDIS</u> 1. Refer to ECO-R6 | Activity status when compliance not achieved N/A |
| GRUZ-R1819 Intensive indoor primary production and Intensive outdoor primary production Excluding Free Range Poultry Operations covered under GRUZ-R17 | |
| Activity status: <u>RDIS</u> <u>Where:</u> <ol style="list-style-type: none"> <u>The activity is setback a minimum of 20m from any sensitive activity where it is located on the same site;</u> <u>the activity is setback a minimum of 300m from any sensitive activity where it is located on a site in different ownership.</u> <p><u>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.²⁵</u></p> <p><u>The setback distances for sensitive activities that contain outdoor areas shall be measured 20m from the outside boundary of any ancillary sports fields and playing areas, or where there</u></p> | Activity status when compliance not achieved <u>N/A</u> <u>DIS</u> |

²¹ Hort NZ [295.138].

²² Egg Producers Federation of NZ and the Poultry Industry Association of NZ [351.9].

²³ Egg Producers Federation of NZ and the Poultry Industry Association of NZ [351.9].

²⁴ Egg Producers Federation of NZ and the Poultry Industry Association of NZ [351.9].

²⁵ NZ Pork [169.50].

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| <p><u>is no associated outdoor area, 20m from the footprint of any building</u>²⁶</p> <p>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</p> | |
| GRUZ-R 1920 Boarding kennels | |
| <p>Activity status: RDIS 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</p> | <p>Activity status when compliance not achieved N/A</p> |
| GRUZ-R2021 Cattery | |
| <p>Activity status: RDIS 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</p> | <p>Activity status when compliance not achieved N/A</p> |
| GRUZ-R2122 Equestrian and ancillary activities and facilities | |
| <p>Activity status: RDIS 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</p> | <p>Activity status when compliance not achieved N/A</p> |
| GRUZ-R2223 Farmers' market | |
| <p>Activity status: RDIS 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 <u>RURZ-MD5 – Rural sales</u>²⁷</p> | <p>Activity status when compliance not achieved N/A</p> |
| GRUZ-R2324 Emergency service facility | |
| <p>Activity status: RIS RDIS Matter of discretion are restricted to: <u>RURZ-MD3 – Character and amenity values of the activity</u>²⁸</p> | <p>Activity status when compliance not achieved: N/A</p> |
| GRUZ-R2425 Veterinary facility | |

²⁶ NZ Pork [169.63].

²⁷ RMA Schedule 1 Clause 16(2).

²⁸ Fire and Emergency NZ [303.58].

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| Activity status: DIS | Activity status when compliance not achieved: N/A |
| GRUZ-R2526 Educational facility | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |
| GRUZ-R2627 Community facility | |
| <i>This rule does not apply to any emergency service facility provided for under GRUZ-R234; or recreation facility provided for under GRUZ-R334.</i> | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |
| GRUZ-R2728 Wedding and event facility | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |
| GRUZ-R2829 Cemetery and funeral related services and facility | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |
| GRUZ-R2930 Mining | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |
| GRUZ-R3031 Quarrying activities | |
| <i>This rule does not apply to any farm quarry provided for under GRUZ-R12.</i> | |
| Activity status: DIS Where: 1. the quarry shall be set back a minimum of 105 00m ²⁹ from a Residential Zone. | Activity status when compliance not achieved: NC |
| GRUZ-R3132 Waste management facility | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |
| GRUZ-R3233 Composting facility | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |
| GRUZ-R3334 Recreation facilities | |
| <i>This rule does not apply to sport shooting facility provided for under GRUZ-R367.</i> | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |
| GRUZ-R3435 Camping ground | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |

²⁹ Fulton Hogan [41.50].

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| GRUZ-R3536 Industrial activity | |
| <i>This rule does not apply to rural industry provided for under rule GRUZ-R11.</i> | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |
| GRUZ-R3637 Sport shooting facility | |
| Activity Status: DIS | Activity status when compliance not achieved: N/A |
| GRUZ-R3738 Any other activity not provided for in this zone as a permitted, controlled, restricted discretionary, discretionary, non-complying, or prohibited activity, except where expressly specified by a district wide provision | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |
| GRUZ-R3839 Retail activity | |
| <i>This rule does not apply to retail activity associated with any activity provided for as permitted, restricted discretionary or discretionary activity.</i> | |
| Activity status: NC | Activity status when compliance not achieved: N/A |
| GRUZ-R3940 Retirement village | |
| Activity status: NC | Activity status when compliance not achieved: N/A |
| GRUZ-R4041 Multi-unit residential development | |
| Activity status: NC | Activity status when compliance not achieved: N/A |
| GRUZ-R41 Residential Unit | |
| Activity status: NC Where: 1. a residential unit is located on a site with a minimum site area of less than 20ha unless: a. the site of the residential unit is an allotment that existed prior to 18 September 2021 with a minimum site area of 4ha or more but less than 20ha and does not have a residential unit; or b. the site is subject to a subdivision consent that was granted prior to 18 September 2021, with a minimum site area of 4ha or more but less than 20ha and has not been issued with certification under section 224 of the Resource Management Act, and does not have a residential unit; or c. the site has a minimum site area less than 4ha and it is a site or an allotment that was created by subdivision consent between 1 October 1991 and 24 | Activity status when compliance not achieved: N/A |

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| <p>February 2001 (inclusive of both dates) and does not have a residential unit; or</p> <p>d. where no residential unit is located on a site that is contained within its own delineated area and the delineated area has a minimum site area less than 20ha.³⁰</p> | |
| GRUZ-R42 Minor Residential Unit in General Rural Zone | |
| <p>Activity status: NC</p> <p>Where:</p> <p>1. a minor residential unit is located on a site with a minimum site area of less than 20ha unless:</p> <p>a. the site of the minor residential unit is an allotment that existed prior to 18 September 2021 with a minimum site area of 4ha or more but less than 20ha and does not have a minor residential unit; or</p> <p>b. the site is subject to a subdivision consent that was granted prior to 18 September 2021, with a minimum site area of 4ha or more but less than 20ha and has not been issued with certification under section 224 of the Resource Management Act, and does not have a minor residential unit; or</p> <p>c. the site has a minimum site area less than 4ha and it is a site or an allotment that was created by subdivision consent between 1 October 1991 and 24 February 2001 (inclusive of both dates) and does not have a minor residential unit; or</p> <p>d. where no minor residential unit is located on a site that is contained within its own delineated area and the delineated area has a minimum site area less than 20ha.³¹</p> | <p>Activity status when compliance not achieved: N/A</p> |

Built Form Standards

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| GRUZ-BFS1 Building coverage | |
| <p>1. The maximum building coverage shall be 20% of the net site area.</p> <p><u>Advice Note: This standard does not apply to Artificial Crop Protection Structures.³²</u></p> | <p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>RURZ-MD6 - Coverage</p> |

³⁰ Waimakariri District Council [367.2].

³¹ Waimakariri District Council [367.2].

³² HortNZ [295.138,295.139,295.173]

| GRUZ-BFS2 Impermeable surface | |
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| 1. The maximum impermeable surface of any site shall be 20% of the net site area. | Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: RURZ-MD6 - Coverage |
| GRUZ-BFS3 Height | |
| 1. The maximum height for any residential unit, minor residential unit, bonus residential unit or accessory building to a residential unit, shall be 10m above ground level. 2. The maximum height for any other building or structure shall be 12m above ground level. 3. <u>The maximum height of frost control fans and windmills for frost control shall be 12m above ground level (not including blades).</u> ³³ | Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: RURZ-MD7 - Height |
| GRUZ-BFS4 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 any fence). 2. Any water tank shall be set back a minimum of 5m from all boundaries. 3. Any stockyard shall not be required to be set back from any boundaries. 4. <u>Any artificial crop protection structure shall be setback at least 5m from an internal boundary.</u> 5. Any other buildings and structures shall be set back a minimum of: a. 10m from road boundaries (except for any fence); and b. 3m <u>4m</u> ³⁴ from internal boundaries (except for any fence). | Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: RURZ-MD8 - Setbacks Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified. |
| GRUZ-BFS5 Separation distances to and from intensive indoor primary production or intensive outdoor primary production activity or quarry <u>quarrying activities</u> ³⁵ | |
| 1. Any new residential unit or minor residential unit or accessory building used for overnight accommodation <u>sensitive activity</u> ³⁶ shall be set back a minimum of: a. 20m from any existing intensive indoor primary production, intensive outdoor primary production activity where it is located on the same site; | Activity status when compliance not achieved: RDIS-DIS Matters of discretion are restricted to: RURZ-MD2 – Housing of animals RURZ-MD8 – Setbacks ³⁸ |

³³ Hort NZ [295.165].³⁴ Consequential amendment arising from KiwiRail [373.91]³⁵ Fulton Hogan [41.52].³⁶ NZ Pork [169.63].³⁸ Fire and Emergency NZ [57.3]

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| <ul style="list-style-type: none"> b. 300m from any existing intensive indoor primary production or intensive outdoor primary production activity where it is located on a site in different ownership; c. 300m from any existing farm quarry where it is located on a site in different ownership; d. 500m from any existing quarry where it is located on a site in different ownership. <p>2. 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, or any area of the site where quarrying activity occurs.</p> <p>3. <u>Setback distances for sensitive activities that contain outdoor areas shall be measured 20m from the outside boundary of any ancillary sports fields and playing areas or where there is no associated outdoor area, 20m from the footprint of any building.</u>³⁷</p> | |
| GRUZ-BFS6 Gross floor area | |
| <p>1. The maximum GFA of any single building or structure shall be 550m².</p> <p><u>Advice Note: This standard does not apply to Artificial Crop Protection Structures.</u>³⁹</p> | <p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>RURZ-MD3 - Character and amenity values of the activity</p> |

| EI-R51 | Activities and development (other than earthworks) within a National Grid Yard | |
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| All Zones | <p>Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> <u>1. the activity is not a sensitive activity;</u> <u>2. buildings or structures comply with NZECP34: 2001 and are:</u> <ul style="list-style-type: none"> <u>a. for a network utility;</u> <u>or</u> <u>b. a fence not exceeding 2.5m in height above ground level; or</u> <u>c. a non-habitable building or structure</u> | <p>Activity status when compliance not achieved: NC Notification</p> <p>An application under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.</p> |

³⁷ NZ Pork [169.63].

³⁹ HortNZ [295.138,295.139,295.173]

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| | <p><u>used for agricultural and horticultural activities (including irrigation) that is not:</u></p> <ul style="list-style-type: none"> i. <u>a milking shed/dairy shed (excluding the stockyards and ancillary platforms);</u> ii. <u>a wintering barn;</u> iii. <u>a building for intensive indoor primary production;</u>^{40 41} iv. <u>a commercial greenhouse; or</u> v. <u>produce packing facilities;</u> <p><u>d. building alterations or additions to an existing building or structure that do not increase the height above ground level or footprint of the existing building or structure;</u></p> <p><u>3. a building or structure provided for by (2)(a) to (d) must:</u></p> <ul style="list-style-type: none"> <u>a. not be used for the handling or storage of hazardous substances with explosive or flammable intrinsic properties in greater than domestic scale quantities;</u> <u>b. not permanently obstruct existing vehicle access to a National Grid support structure;</u> <u>c. be located at least 12m from the outer visible edge of a foundation of a National Grid support structure, except where it is a</u> | |
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⁴⁰ Transpower [195.43].

⁴¹ Horticulture NZ [295.80].

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| | <p><u>fence not exceeding 2.5m height above ground level that is located at least 6m from the outer visible edge of a foundation of a National Grid support structure.</u>⁴²</p> <p>1. the activities and development within a National Grid Yard in (a) to (i) below comply with the safe electrical clearance distances set out in the NZECP; and where the activities and development in (d) to (i) below are set back 12m from any National Grid support structure:</p> <p>a. network utilities (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes) undertaken by network utility operators;</p> <p>b. fences no greater than 2.5m in height above ground level and no closer than 6m from the nearest National Grid support structure;</p> <p>c. artificial crop protection and support structures between 8m and 12m from a single pole or pi-pole and any associated guy wire (but not a tower) that:</p> <p>i. meets the requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe</p> | |
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⁴² Transpower [195.43].

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| | <p>Distances for separation distances from the conductor;</p> <p>ii. is a maximum of 2.5m in height above ground level;</p> <p>iii. is removable or temporary, to allow clear working space 12m from the pole when necessary for maintenance and emergency repair purposes;</p> <p>iv. allows all weather access to the pole and a sufficient area for maintenance equipment, including a crane;</p> <p>d. any new non-habitable building less than 2.5m in height above ground level and 10m² in floor area;</p> <p>e. non-habitable buildings or structures used for agricultural and horticultural activities, provided they are not a milking shed/dairy shed (excluding the stockyards and ancillary platforms), a wintering barn, a building for intensive farming activities, or a commercial greenhouse;</p> <p>f. mobile irrigation equipment used for agricultural and horticultural activities;</p> <p>g. other than reticulation and storage of water in dams or reservoirs in (a) above, reticulation and</p> | |
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| | <p>storage of water for irrigation purposes provided that it does not permanently physically obstruct vehicular access to a National Grid support structure;</p> <p>h. building alteration and additions to an existing building or other structure that does not involve an increase in the height above ground level or footprint of the building or structure; and</p> <p>a. a building or structure where Transpower NZ Ltd has given written approval in accordance with clause 2.4.1 of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.⁴³</p> | |
| All Zones | <p>Activity status: NC</p> <p>Where:</p> <p>1. activities and development within a National Grid Yard involve the following:</p> <p>a. any activity and development that permanently physically impedes vehicular access to a National Grid support structure;</p> <p>b. any new building for a sensitive activity;</p> <p>c. any change of use to a sensitive activity or the establishment of a new sensitive activity;</p> <p>d. dairy/milking sheds or buildings for intensive farming or wintering barns; and</p> | <p>Activity status when compliance not achieved:</p> <p>N/A⁴⁴</p> |

⁴³ Transpower [195.43].

⁴⁴ Transpower [195.43].

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| | <p>e. any hazardous facility that involves the storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centreline of a National Grid transmission line.</p> <p>Notification An application under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.</p> | |
| | <p>Advisory Note</p> <ul style="list-style-type: none"> National Grid transmission lines are shown on the planning map. | |

| EI-R56 | Activities and development (other than earthworks or network utilities) adjacent to a 66kV or 33kV <u>major</u> ⁴⁵ electricity distribution line | |
|-----------|---|---|
| All Zones | <p>Activity status: NC</p> <p>Where:</p> <ol style="list-style-type: none"> <u>new, or expansion or extension of existing</u>⁴⁶ activities and development adjacent to a 66kV or 33kV <u>major</u>⁴⁷ electricity distribution line involve the following: <ol style="list-style-type: none"> new <u>a</u> sensitive activity and or a new buildings or structure⁴⁸ (excluding accessory buildings)⁴⁹ within <u>6m</u>⁵⁰ of the centreline of a 66kV or 33kV <u>major</u>⁵¹ electricity distribution line or within 10m | <p>Activity status when compliance not achieved: N/A</p> |

⁴⁵ Mainpower [249.94].

⁴⁶ Mainpower [249.95].

⁴⁷ Mainpower [249.94].

⁴⁸ Mainpower [249.94].

⁴⁹ Mainpower [249.94].

⁵⁰ Mainpower [249.94].

⁵¹ Mainpower [249.94].

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| | <p>6m⁵² of the visible outer edge of a⁵³ foundation of an associated⁵⁴ a pole, pi-pole⁵⁴ or tower; and/or</p> <p>a.b. does not comply with the requirements of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances⁵⁵</p> <p>b. new fences more than 2.5m high and within 5m of the visible outer edge of a foundation for a 66kV or 33kV electricity distribution line, pole or tower.⁵⁶</p> <p>Notification An application under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval.</p> | |
| | <p>Advisory Notes</p> <ul style="list-style-type: none"> • 66kV/33kV Major⁵⁷ electricity distribution lines are shown on the planning map. • Vegetation to be planted around electricity distribution lines should be selected and managed to ensure that it will not breach the Electricity (Hazards from Trees) Regulations 2003. • The NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances contains restrictions on the location of activities and development in relation to electricity distribution lines. Activities and development in the vicinity of these lines must comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances. | |

⁵² Mainpower [249.94].

⁵³ Mainpower [249.94].

⁵⁴ Mainpower [249.94].

⁵⁵ Mainpower [249.94].

⁵⁶ Mainpower [249.94].

⁵⁷ Mainpower [249.94].

RLZ - Rural Lifestyle Zone

Introduction

The purpose of the Rural Lifestyle Zone is to provide for primary productive activities, those activities that support rural activities and those that rely on the natural resources that exist in the zone, while recognising that the predominant character is derived from smaller sites.

The Rural Lifestyle Zone, focused in the east of the District, recognises that this area comprises the densest residential unit and development site pattern in the rural areas of the District. This rural area is defined by its fine grained pattern of development and human induced characteristics.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

As well as the provisions in this chapter, district wide chapter provisions will also apply where relevant.

| Objectives | |
|-------------------|--|
| 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. |
| Policies | |
| RLZ-P1 | Character of the Rural Lifestyle Zone Maintain the character in the Rural Lifestyle Zone which comprises: <ol style="list-style-type: none"> 1. a highly modified landscape strongly influenced by fine grained patterns and processes of human induced activity, including a predominance of small rural lots with a resulting pattern of residential units, buildings, fencing, amenity and domestic planting mixed with smaller scale primary production activities; 2. a dominance of human modified open space and vegetation, including paddocks and trees over buildings; and 3. a zone supporting activities reliant on the natural and physical resources of the Rural Lifestyle Zone. |
| RLZ-P2 | Activities in the Rural Lifestyle Zone Retain opportunities for land within the zone to be used for primary production activities while maintaining the predominant character of small rural lots by avoiding new sites being created, or residential units being erected on sites, that are less than 4ha, unless: <ol style="list-style-type: none"> 1. associated with the development of infrastructure which reduces the size of the balance lot or site to below 4ha; 2. associated with the establishment of a bonus residential unit or creation of a bonus allotment; 3. the erection of a residential unit is protected by a legacy provision in this Plan; and 4. is the establishment of a minor residential unit, where the site containing a residential unit is 4ha or greater, or is protected by a legacy provision in this Plan. |

Activity Rules

| RLZ-R1 Construction or alteration of or addition to any building or other structure | |
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| Activity status: PER Where: 1. the activity complies with all built form standards (as applicable). | Activity status when compliance not achieved: as set out in the relevant built form standards |
| RLZ-R2 Primary production | |
| <i>This rule does not apply to any farm quarry provided for under RLZ-R12; intensive indoor primary production-free range poultry farming and Game bird farming provided for under RLZ-R189; intensive indoor and outdoor primary production provided for under RLZ-R1920; mining provided for under RLZ-R301; or quarrying activity provided for under RLZ-R312.</i> | |
| Activity status: PER Where: 1. any forestry less than 1ha, carbon forest or ¹ woodlot shall be set back a minimum of: <ol style="list-style-type: none"> 40m from any residential unit or minor residential unit on a site under different ownership; 10m from any site boundary of a site under different ownership; and 10m from any road boundary of a public road. | Activity status when compliance with RLZ-R2 (1) not achieved: RDIS Matters of discretion are restricted to: <ul style="list-style-type: none"> RURZ-MD1 - Natural environment values RURZ-MD3 - Character and amenity values of the activity RURZ-MD4 - Forestry, Carbon Forest,² Woodlot Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified. |
| RLZ-R3 Residential unit | |
| <i>This rule does not apply to any minor residential unit provided for under RLZ-R4; or bonus residential unit provided for under RLZ-R179.</i> | |
| Activity status: PER Where: 1. a each residential unit shall be located on a site with a minimum net site area of 4ha per residential unit , except where provided for in (3), (4) and (5) below; 2. there is more than one residential unit on a site each residential unit shall be contained within its own delineated area and each delineated area shall be treated as though it is a site, which shall: <ol style="list-style-type: none"> have a minimum net site area of 4ha per delineated area, and have no overlap between delineated areas, and have legal and physical access from any residential unit to a legal road; and comply with built form standards as though each delineated area was a site; 3. where a site with a minimum net site area of less than 4ha exists and it is a site or an | Activity status when compliance with RLZ-R3 (2)(b) or RLZ-R3 (2)(c) not achieved: DIS Activity status when compliance with RLZ-R3 (1), RLZ-R3 (2)(a), RLZ-R3 (3), RLZ-R3 (4), or RLZ-R3 (5) not achieved: NC |

¹ s44A of RMA.

² s44A of RMA.

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| <p>allotment that was created by subdivision and was on a subdivision consent between 1 October 1991 and 24 February 2001 (inclusive of both dates) one residential unit may be erected;</p> <p>4. where a site with a minimum net-site³ area of less than 4ha exists and is a site or an allotment that was associated with the development of infrastructure, which prior to the development of the infrastructure was 4ha or more, one residential unit may be erected; and</p> <p>5. one residential unit may be established on a bonus allotment.</p> | |
| RLZ-R4 Minor residential unit | |
| <p>Activity status: PER 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 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> |
| RLZ-R5 <u>Workers Accommodation</u>⁴ | |
| <p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. no minor residential unit exists on the site; 2. the maximum GFA of the workers' accommodation unit shall be 120m² (excluding any area required for a car vehicle garage or carport up to a maximum of 40m²); and 3. there shall be only one workers' accommodation unit per site, with a single kitchen facility. | <p>Activity status when compliance not achieved: RDIS <u>Matters of discretion are restricted to:</u> <u>RURZ-MD3 – Character and amenity values.</u></p> |
| RLZ-R5 Residential activity⁵ | |

³ Waimakariri District Council [367.59].

⁴ Hort NZ [295.136], [295.171] [295.143] [295.137] [295.172] [295.176]; NZPork [169.45] [169.70]

⁵ Federated Farmers [414.192]

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| Activity status: PER Where: 1. any motor vehicles and/or boats dismantled, repaired or stored on the site of the residential activity shall be owned by the people who live on the same site. | Activity status when compliance not achieved: N/A |
| RLZ-R6 Accessory building or structure | |
| Activity status: PER | Activity status when compliance not achieved: N/A |
| RLZ-R7 Visitor accommodation | |
| <i>This rule does not apply to any camping ground provided for under RLZ-R356.</i> | |
| Activity status: PER Where: <ol style="list-style-type: none"> the activity shall be undertaken within a residential unit, minor residential unit or accessory building; and a maximum of eight visitors shall be accommodated per site. | Activity status when compliance not achieved: DIS |
| RLZ-R8 Home business | |
| Activity status: PER Where: <ol style="list-style-type: none"> the GFA or site area occupied by the home business shall be a maximum of 100m²; hours of operation that the home business is open to visitors and clients shall be limited to 7:00am to 7:00pm; there is a maximum of 20 vehicle movements generated by the home business per day; a maximum of two non-resident staff shall be employed as part of the home business; any storage of materials associated with the home business shall be undertaken within buildings on the site; the activity does not include any food and beverage outlet, funeral related services and facility, heavy industry, vehicle sales, or vehicle repair, storage or dismantling; and the home business involves paid childcare, a maximum of four non-resident children shall be cared for. | Activity status when compliance not achieved: DIS |
| RLZ-R9 Domestic animal keeping and breeding | |
| Activity status: PER | Activity status when compliance not achieved: N/A |
| Advisory Note <ul style="list-style-type: none"> Refer to the District Council's bylaws for further rules regarding keeping of domestic animals. | |
| RLZ-R10 Rural produce retail | |
| <i>This rule does not apply to any farmers' markets provided for under RLZ-R234.</i> | |

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| Activity status: PER Where: <ol style="list-style-type: none"> 1. rural produce retail activity exceeds 5m² any retail sales activity shall be located a minimum of 10m from the site boundary; 2. there shall be only one retail sales activity per site; and 3. the maximum NFA or land area used for any retail sales activity shall be 50m². | Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: RURZ-MD1 - Natural environment values RURZ-MD3 - Character and amenity values of the activity RURZ-MD5 - Rural sales |
| RLZ-R11 Rural industry | |
| Activity status: PER Where: <ol style="list-style-type: none"> 1. a maximum of five staff shall work on the site at any one time; 2. the manufacture, processing or production of goods involves initial or further processing of commodities derived from primary production; 3. the maximum GFA occupied for the rural industry shall be 250m²; ⁶ 3. the maximum GFA occupied for the rural industry within a SASM shall be 150m²; 4. the maximum land area occupied for the rural industry shall be 500m²; 5. any retail sales area shall be set back a minimum of 10m from the site boundary; 6. the retail sale of goods on the site is restricted to those manufactured, produced or processed on the site; 7. the maximum GFA or land area occupied for retail sales shall be 50m²; and 8. 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 industry is occurring. 9. <u>The rural industry is not a new or upgraded bird strike risk activity located within the 'Bird Strike Risk Management Overlay'.</u> ⁷ | Activity status when compliance with RLZ-R11 (56) or (89) not achieved: RDIS Matters of discretion are restricted to: RURZ-MD1 - Natural environment values RURZ-MD3 - Character and amenity values of the activity RURZ-MD5 - Rural sales Activity status when compliance with RLZ-R11 (34⁸) not achieved: RDIS Matters of discretion are restricted to: SASM-MD1 - Wāhi tapu and wāhi taonga SASM-MD2 - Ngā tūrangā tūpuna Notification An application for a restricted discretionary activity under GRUZRLZ ⁹ -R11 (34) is precluded from being publicly notified, but may be limited notified only to Te Ngāi Tūāhuriri Rūnanga Activity status when compliance with RLZ-R11 (1) to (23), (45), (67) or (78) not achieved: DIS <u>Activity status when compliance with (10) is not achieved: RDIS</u> Matters of discretion are restricted to: <u>RURZ-MD9 Bird Strike Risk Management</u> ¹⁰ |
| Advisory Note <ul style="list-style-type: none"> It is recommended that operators of a rural industry inform owners/occupiers of adjacent sites prior to commencing the activity. | |
| RLZ-R12 Farm quarry | |
| Activity status: PER Where: | Activity status when compliance not achieved: DIS |

⁶ Jeremy Elvidge [104.1].

⁷ Christchurch International Airport Ltd [254.135] and [254.148]

⁸ Consequential amendments.

⁹ Consequential amendments.

¹⁰ Christchurch International Airport Ltd [254.135] and [254.148]

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| <ol style="list-style-type: none"> 1. any farm quarry shall be set back a minimum of: <ol style="list-style-type: none"> a. 300m from the building footprint of any residential unit or minor residential unit on a site under different ownership; b. 100m from any site boundary of a site under different ownership; c. 100m from any road boundary of a public road; and d. 100m from any SNA; and e. <u>EW-S1, EW-S2, EW-S3, EW-S6 and EW-S7 are met; and</u> f. <u>The maximum area of any farm quarry shall be 1500m² per site.</u>¹¹ | |
| Advisory Note <ul style="list-style-type: none"> Additional activity standards applying to this activity are located within the Earthworks Chapter (See EW-R11). | |
| RLZ-R13 Conservation activities | |
| Activity status: PER Where: <ol style="list-style-type: none"> 1. for any retail sales associated with a conservation activity: <ol style="list-style-type: none"> a. the retail sales area shall be located a minimum of 10m from the site boundary; b. there shall be only one retail sales area per site; and c. the maximum GFA or land area used for retail sales shall be 50m². | Activity status when compliance not achieved: DIS |
| RLZ-R14 Recreation activities | |
| Activity status: PER Where: <ol style="list-style-type: none"> 1. the activity is not a motorised recreation activity-vehicle event held on a privately owned site.¹² | Activity status when compliance not achieved: DIS DIS RDIS under TEMP-R10 |
| RLZ-R15 Rural tourism | |
| Activity status: PER Where: <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 | Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <ul style="list-style-type: none"> RURZ-MD1 - Natural environment values RURZ-MD3 - Character and amenity values of the activity RURZ-MD5 - Rural sales |

¹¹ Fulton Hogan [41.33].

¹² NZPork [169.48] and Hort NZ [295.148]

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| <p>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> | |
| <p>RLZ-R16 Rangiora A&P Showground activities</p> <p><u>Note: The Temporary Activities Chapter does not apply to mobile trading activities that occur in association with activities provided for by this rule.</u>¹³</p> | |
| <p>1. Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the activities on the site are: <ol style="list-style-type: none"> a. an annual A&P Show event; b. recreation activities; c. equestrian and ancillary activities and facilities; d. community facility; e. community market; f. motor vehicle display events; and f. dog agility and training; <u>and</u> g. <u>Polo activities.</u>¹⁴ <p>2. Activity status: CON¹⁵ <u>Motor vehicles display events limited to</u></p> <ol style="list-style-type: none"> a. <u>one motor vehicle display events of four days duration per calendar year; and</u> b. <u>one motor vehicle display event of two days duration per calendar year.</u> <p><u>Matters of control are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>Hours of operation;</u> 2. <u>Location of camping areas;</u> 3. <u>Traffic and parking management;</u> 4. <u>Mitigation measures to control noise between 8pm and 8am during the event; and</u> 5. <u>the provision of a management plan that addresses, as a minimum, any adverse effects generated by the activity including the matters listed in (a) to (c) above along with details of consultation with the Council, NZ Police, and the neighbouring community and any outcomes of the consultation:</u> | <p>Activity status when compliance <u>with RLZ-R16(1)</u> is not achieved: DIS</p> |
| <p>Advisory Note</p> <ul style="list-style-type: none"> Rules for temporary activities are contained in the Temporary Activities Chapter. | |

¹³ RMA Schedule 1 Clause 16(2)

¹⁴ Northern A & P Association [106.1].

¹⁵ Christopher Norman Knowles [323.1]

- Overnight camping at the Rangiora A&P Showgrounds is required to comply with the Camping-ground Regulations (1985).¹⁶

RLZ-R17 Artificial Crop Protection Structures

Activity status: PER

Where:

1. dark green or black cloth is used on vertical faces within 30m of the external property boundary;
2. green, black or white cloth is used on horizontal surfaces.¹⁷

Activity status when compliance with RLZ-R17 is not achieved: RDIS

Matters of discretion are restricted to:

RURZ-MD1 - Natural environmental values

RURZ-MD3 - Character and amenity values of the activity

RLZ-R198 Intensive indoor primary production ~~Free range poultry farming~~¹⁸ and Game bird farming¹⁹

Activity status: ~~RDIS~~ PER

~~Matters of discretion are restricted to:~~

- ~~RURZ-MD1—Natural environment values~~
- ~~RURZ-MD2—Housing of animals~~
- ~~RURZ-MD3—Character and amenity values of the activity²⁰~~

Activity status when compliance not achieved: N/A

RLZ-R189 Bonus residential unit

Activity status: RDIS

Refer to ECO-R6

Activity status when compliance not achieved: N/A

RLZ-R20 Intensive indoor primary production and Intensive outdoor primary production ~~Excluding Free Range Poultry Operations covered under RLZ-R19~~

Activity status: RDIS

Where:

1. The activity is setback a minimum of 20m from any sensitive activity where it is located on the same site.
2. the activity is setback a minimum of 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.²¹

Activity status when compliance not achieved: ~~N/A~~ DIS

¹⁶ Christopher Norman Knowles [323.1].

¹⁷ Hort NZ [295.138] and [295.173].

¹⁸ Egg Producers Federation of NZ and the Poultry Industry Association of NZ [351.14].

¹⁹ Egg Producers Federation of NZ and the Poultry Industry Association of NZ [351.9].

²⁰ Egg Producers Federation of NZ and the Poultry Industry Association of NZ [351.9].

²¹ NZ Pork [169.75] [169.76].

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| <p><u>Setback distances for sensitive activities that contain outdoor areas shall be measured 20m from the outside boundary of any ancillary sports fields and playing areas or where there is no associated outdoor area, 20m from the footprint of any building²²</u></p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> RURZ-MD1 - Natural environment values RURZ-MD2 - Housing of animals RURZ-MD3 - Character and amenity values of the activity | |
| RLZ-R20 <u>R21</u> Boarding kennels | |
| <p>Activity status: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> RURZ-MD1 - Natural environment values RURZ-MD2 - Housing of animals RURZ-MD3 - Character and amenity values of the activity | <p>Activity status when compliance not achieved: N/A</p> |
| RLZ-R21 <u>R22</u> Cattery | |
| <p>Activity status: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> RURZ-MD1 - Natural environment values RURZ-MD2 - Housing of animals RURZ-MD3 - Character and amenity values of the activity | <p>Activity status when compliance not achieved: N/A</p> |
| RLZ-R22 <u>R23</u> Equestrian and ancillary activities and facilities | |
| <p>Activity status: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> RURZ-MD1 - Natural environment values RURZ-MD2 - Housing of animals RURZ-MD3 - Character and amenity values of the activity | <p>Activity status when compliance not achieved: N/A</p> |
| RLZ-R23 <u>R24</u> Farmers' market | |
| <p>Activity status: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> RURZ-MD1 - Natural environment values RURZ-MD3 - Character and amenity values of the activity RURZ-MD5 - Rural sales | <p>Activity status when compliance not achieved: N/A</p> |
| RLZ-R24 <u>R25</u> Emergency service facility | |
| <p>Activity status: RIS <u>RDIS</u></p> <p><u>Matter of discretion are restricted to:</u> <u>RURZ-MD3 – Character and amenity values of the activity.</u>²³</p> | <p>Activity status when compliance not achieved: N/A</p> |

²² NZ Pork [169.63]

²³ Fire and Emergency NZ [303.59].

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| RLZ-R25 <u>R26</u> Veterinary facility | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |
| RLZ-R26 <u>R27</u> Educational facility | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |
| RLZ-R27 <u>R28</u> Community facility | |
| <i>This rule does not apply to recreation activity provided for under RLZ-R14; any emergency service facility provided for under RLZ-R24; or recreation facility provided for under RLZ-R34.</i> | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |
| RLZ-R28 <u>R29</u> Wedding and event facility | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |
| RLZ-R29 <u>R30</u> Cemetery and funeral related services and facility | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |
| RLZ-R30 <u>R31</u> Mining | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |
| RLZ-R31 <u>R32</u> Quarrying activities | |
| <i>This rule does not apply to any farm quarry provided for under RLZ-R12.</i> | |
| Activity status: DIS Where: 1. the quarry shall be set back a minimum of 1000 <u>500</u> ²⁴ m from a Residential Zone. | Activity status when compliance not achieved: NC |
| RLZ-R32 <u>R33</u> Waste management facility | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |
| RLZ-R33 <u>R34</u> Composting facility | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |
| RLZ-R34 <u>R35</u> Recreation facilities | |
| <i>This rule does not apply to any sport shooting facility provided for under rule RLZ-R37<u>8</u>.</i> | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |
| RLZ-R35 <u>R36</u> Camping ground | |

²⁴ Fulton Hogan [41.1 and 41.5].

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| Activity status: DIS | Activity status when compliance not achieved: N/A |
| RLZ-R36 R37 Industrial activity | |
| <i>This rule does not apply to rural industry provided for under RLZ-R11.</i> | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |
| RLZ-R37 R38 Sport shooting facility | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |
| RLZ-R38 R39 Any other activity not provided for in this zone as a permitted, controlled, restricted discretionary, discretionary, non-complying, or prohibited activity, except where expressly specified by a district wide provision | |
| Activity status: DIS | Activity status when compliance not achieved: N/A |
| RLZ-R39 R40 Retail activity | |
| <i>This rule does not apply to retail activity associated with any activity provided for as permitted, restricted discretionary or discretionary activity.</i> | |
| Activity status: NC | Activity status when compliance not achieved: N/A |
| RLZ-R40 R41 Retirement village | |
| Activity status: NC | Activity status when compliance not achieved: N/A |
| RLZ-R41 R42 Multi-unit residential development | |
| Activity status: NC | Activity status when compliance not achieved: N/A |

Built Form Standards

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| RLZ-BFS1 Building coverage | |
| 1. The maximum building coverage shall be 20% of the net area of any site. <u>Advice Note: This standard does not apply to Artificial Crop Protection Structures²⁵</u> | Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: RURZ-MD6 - Coverage |
| RLZ-BFS2 Impermeable surface | |
| 1. The maximum impermeable surface of any site shall be 20% of the net site area. | Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: RURZ-MD6 - Coverage |
| RLZ-BFS3 Height | |

²⁵ Hort NZ [295.138 and 295.173].

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| <ol style="list-style-type: none"> 1. The maximum height for any residential unit, minor residential unit, bonus residential unit or accessory building to a residential unit shall be 10m above ground level. 2. The maximum height for any other building or structure shall be 12m above ground level. 3. The maximum height <u>of frost control fans and windmills for frost control any other building or structure shall be 12m above ground level (not including blades).</u>²⁶ | <p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: RURZ-MD7 - Height</p> |
| RLZ-BFS4 Building and structure setbacks | |
| <ol style="list-style-type: none"> 1. Any residential unit or minor residential unit shall be set back a minimum of: <ol style="list-style-type: none"> a. 20m from any road boundary (except for any fence); and b. 20m from any internal boundary (except for any fence). 2. Any water tank shall not be required to be set back from any boundaries. 3. Any stockyard shall not be required to be set back from any boundaries. 4. <u>Any artificial crop protection structure shall be setback at least 5m from an internal boundary</u> 5. Any other buildings and structures shall be set back a minimum of: <ol style="list-style-type: none"> a. 10m from road boundaries (except for any fence); and b. 3m from internal boundaries (except for any fence); and c. <u>All buildings shall be set back a minimum of 4m from any site boundary with the rail corridor.</u> 6. <u>All boundary fencing or freestanding wall shall be up to a maximum height of 1.8m, excluding wire mesh fences.</u>²⁷ | <p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: RURZ-MD8 - Setbacks</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p> |
| RLZ-BFS5 Separation distances to and from intensive indoor primary production or intensive outdoor primary production activity, Heavy Industrial Zone²⁸ <u>quarry quarrying activities</u>²⁹ | |
| <ol style="list-style-type: none"> 1. Any new residential unit or minor residential unit or accessory building used for overnight accommodation sensitive activity³⁰ shall be set back a minimum distance of: <ol style="list-style-type: none"> a. 20m from any existing intensive indoor primary production, intensive outdoor | <p>Activity status when compliance <u>with RLZ-BFS5 (1) (a-d) RLZ-BFS5 (2)</u>³³ not achieved: <u>RDIS-DIS</u></p> <p>Matters of discretion are restricted to: RURZ-MD3 – Housing of animals RURZ-MD8 – Setbacks³⁴</p> |

²⁶ Hort NZ [295.165]

²⁷ KiwiRail [373.91].

²⁸ Daiken [145.32].

²⁹ Fulton Hogan [41.52].

³⁰ NZPork [169.88].

³³ Fire and Emergency NZ [57.3].

³⁴ NZ Pork [169.88].

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| <p>primary production activity where it is located on the same site;</p> <p>b. 300m from any existing intensive indoor primary production or intensive outdoor primary production activity where it is located on a site in different ownership;</p> <p>c. 300m from any existing farm quarry where it is located on a site in different ownership;</p> <p>d. 500m from any existing quarry where it is located on a site in different ownership;</p> <p>e. <u>200m from the boundary of any Heavy Industrial Zone HIZ or from the boundary of Heavy Industrial Zone Noise Contour</u>³¹.</p> <p>2. Set back 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, or any area of the site where quarrying activity occurs;</p> <p>3. <u>Setback distances for sensitive activities that contain outdoor areas shall be measured 20m from the outside boundary of any ancillary sports fields and playing areas, or where there is no associated outdoor area, 20m from the footprint of any building</u>³²</p> | <p><u>Activity status when compliance with RLZ-BFS5 (1) (e) not achieved:</u></p> <p><u>RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>RURZ-MD8 Set Backs and Reverse sensitivity</u>³⁵</p> |
| RLZ-BFS6 Gross floor area | |
| <p>1. The maximum GFA of any single building or structure shall be 550m².</p> <p><u>Advice Note: This standard does not apply to Artificial Crop Protection Structures.</u>³⁶</p> | <p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>RURZ-MD3 - Character and amenity values of the activity</p> |

| EI-R51 | Activities and development (other than earthworks) within a National Grid Yard | |
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| All Zones | <p>Activity status: PER</p> <p>Where:</p> <p><u>1. the activity is not a sensitive activity;</u></p> <p><u>2. buildings or structures comply with NZECP34: 2001 and are:</u></p> | <p>Activity status when compliance not achieved: NC Notification</p> <p>An application under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.</p> |

³¹ Daiken [145.32].

³² NZ Pork [169.63]

³⁵ Daiken [145.32].

³⁶ Hort NZ [295.138 and 295.173].

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| | <p> <u>a. for a network utility;</u> <u>or</u> <u>b. a fence not exceeding 2.5m in height above ground level; or</u> <u>c. a non-habitable building or structure used for agricultural and horticultural activities (including irrigation) that is not:</u> <u>i. a milking shed/dairy shed (excluding the stockyards and ancillary platforms);</u> <u>ii. a wintering barn;</u> <u>iii. a building for intensive indoor primary production;</u>^{37 38} <u>iv. a commercial greenhouse; or</u> <u>v. produce packing facilities;</u> <u>d. building alterations or additions to an existing building or structure that do not increase the height above ground level or footprint of the existing building or structure;</u> <u>3. a building or structure provided for by (2)(a) to (d) must:</u> <u>a. not be used for the handling or storage of hazardous substances with explosive or flammable intrinsic properties in greater than domestic scale quantities;</u> <u>b. not permanently obstruct existing vehicle access to a</u> </p> | |
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³⁷ Transpower [195.43].

³⁸ Horticulture NZ [295.80].

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| | <p><u>National Grid support structure;</u> <u>c. be located at least 12m from the outer visible edge of a foundation of a National Grid support structure, except where it is a fence not exceeding 2.5m height above ground level that is located at least 6m from the outer visible edge of a foundation of a National Grid support structure.</u>³⁹</p> <p>1. the activities and development within a National Grid Yard in (a) to (i) below comply with the safe electrical clearance distances set out in the NZECP; and where the activities and development in (d) to (i) below are set back 12m from any National Grid support structure:</p> <p>a. network utilities (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes) undertaken by network utility operators;</p> <p>b. fences no greater than 2.5m in height above ground level and no closer than 6m from the nearest National Grid support structure;</p> <p>c. artificial crop protection and support structures between 8m and 12m from a single pole or pi-pole and any associated guy wire (but not a tower) that:</p> | |
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³⁹ Transpower [195.43].

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| | <p> i. meets the requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances for separation distances from the conductor; ii. is a maximum of 2.5m in height above ground level; iii. is removable or temporary, to allow clear working space 12m from the pole when necessary for maintenance and emergency repair purposes; iv. allows all weather access to the pole and a sufficient area for maintenance equipment, including a crane; d. any new non-habitable building less than 2.5m in height above ground level and 10m² in floor area; e. non-habitable buildings or structures used for agricultural and horticultural activities, provided they are not a milking shed/dairy shed (excluding the stockyards and ancillary platforms), a wintering barn, a building for intensive farming activities, or a commercial greenhouse; f. mobile irrigation equipment used for </p> | |
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| | <p>agricultural and horticultural activities;</p> <p>g. other than reticulation and storage of water in dams or reservoirs in (a) above;</p> <p>reticulation and storage of water for irrigation purposes provided that it does not permanently physically obstruct vehicular access to a National Grid support structure;</p> <p>h. building alteration and additions to an existing building or other structure that does not involve an increase in the height above ground level or footprint of the building or structure; and</p> <p>a. a building or structure where Transpower NZ Ltd has given written approval in accordance with clause 2.4.1 of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.⁴⁰</p> | |
| All Zones | <p>Activity status: NC</p> <p>Where:</p> <p>1. activities and development within a National Grid Yard involve the following:</p> <p>a. any activity and development that permanently physically impedes vehicular access to a National Grid support structure;</p> <p>b. any new building for a sensitive activity;</p> <p>c. any change of use to a sensitive activity or the establishment of a new sensitive activity;</p> | <p>Activity status when compliance not achieved:</p> <p>N/A⁴¹</p> |

⁴⁰ Transpower [195.43].

⁴¹ Transpower [195.43].

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| | <p>d. dairy/milking sheds or buildings for intensive farming or wintering barns; and</p> <p>e. any hazardous facility that involves the storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centreline of a National Grid transmission line.</p> <p>Notification An application under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.</p> | |
| | <p>Advisory Note</p> <ul style="list-style-type: none"> National Grid transmission lines are shown on the planning map. | |

| EI-R56 | Activities and development (other than earthworks or network utilities) adjacent to a 66kV or 33kV <u>major</u> ⁴² electricity distribution line | |
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| All Zones | <p>Activity status: NC Where:</p> <ol style="list-style-type: none"> <u>new, or expansion or extension of existing</u>⁴³ activities and development adjacent to a 66kV or 33kV <u>major</u>⁴⁴ electricity distribution line involve the following: <p><u>a. new a</u> sensitive activity and or a new buildings <u>or structure</u>⁴⁵ (excluding accessory buildings)⁴⁶ within <u>6m</u>⁴⁷ of the</p> | <p>Activity status when compliance not achieved: N/A</p> |

⁴² Mainpower [249.94].⁴³ Mainpower [249.95].⁴⁴ Mainpower [249.94].⁴⁵ Mainpower [249.94].⁴⁶ Mainpower [249.94].⁴⁷ Mainpower [249.94].

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| | <p>centreline of a 66kV or 33kV<u>major</u>⁴⁸ electricity distribution line or within 10m <u>6m</u>⁴⁹ of the visible outer edge of a⁵⁰ foundation of an associated<u>a pole, pi-pole</u>⁵¹ or tower; and/or</p> <p><u>a.b. does not comply with the requirements of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</u>⁵²</p> <p>b. new fences more than 2.5m high and within 5m of the visible outer edge of a foundation for a 66kV or 33kV electricity distribution line, pole or tower.⁵³</p> <p>Notification An application under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval.</p> | |
| | <p>Advisory Notes</p> <ul style="list-style-type: none">• 66kV/33kV <u>Major</u>⁵⁴ electricity distribution lines are shown on the planning map.• Vegetation to be planted around electricity distribution lines should be selected and managed to ensure that it will not breach the Electricity (Hazards from Trees) Regulations 2003.• The NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances contains restrictions on the location of activities and development in relation to electricity distribution lines. Activities and development in the vicinity of | |

⁴⁸ Mainpower [249.94].

⁴⁹ Mainpower [249.94].

⁵⁰ Mainpower [249.94].

⁵¹ Mainpower [249.94].

⁵² Mainpower [249.94].

⁵³ Mainpower [249.94].

⁵⁴ Mainpower [249.94].

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| | these lines must comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances. |
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Matters of Discretion for all Rural Zones

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| RURZ-MD1 | <p>Natural environment values</p> <p>The term natural environment values describes those matters addressed in the Chapters under the Natural Environment Values heading in the District Plan.</p> <ol style="list-style-type: none"> 1. The extent to which there are any adverse effects on SNAs or effects on the ability to maintain or enhance indigenous biodiversity. 2. The extent to which there are any adverse effects on the values of ONL and ONF from an activity adjoining these areas. 3. The extent to which there are any adverse effects on the natural character and values of freshwater bodies. 4. The extent to which adverse effects on sites, areas or values associated with natural environment values can be avoided, remedied or mitigated. |
| RURZ-MD2 | <p>Housing of animals</p> <ol style="list-style-type: none"> 1. The extent to which the nature and scale of activity, including the number and type of animals is consistent with the characteristics of the proposed site and the receiving environment. 2. Any measures to internalise adverse effects and avoid conflict and potential reverse sensitivity effects on activities anticipated in the zone. 3. The extent to which the activity, including any buildings, compounds, or part of a site used for housing animals are sufficiently designed and located or separated from sensitive activities, residential units, and boundaries of residential zones to avoid adverse effects on residents. 4. The extent to which the nature and scale of the activity and built form will maintain rural character and amenity values. 5. The potential for the activity to produce adverse effects, including dust, noise, odour, and any measures to internalise adverse effects within the site, and any mitigation measures to address effects that cannot be internalised. 6. Access and vehicle movements on the site and the safety and efficiency of the roading network. |
| RURZ-MD3 | <p>Character and amenity values of the activity¹</p> <ol style="list-style-type: none"> 1. The use, intensity and scale of the operation on the site and the built form is compatible with, and maintains rural character and amenity values of the surrounding zone. 2. The extent to which the site layout and building design and intensity of the activity will internalise and mitigate effects including noise, lighting, impact on privacy and traffic. 3. The extent to which the activity/facility has a practical or functional need or operational need to be located in the area. 4. The extent to which the activity may result in conflict and/or reverse sensitivity effects with other activities occurring on adjacent rural sites. 5. Any benefits derived from the activity being undertaken on the site. 6. The extent to which the scale of the activity will cause demands for the uneconomic or premature upgrading or extension of the three waters reticulation network, roading, street lighting and footpaths. 7. Access and vehicle movements on the site and the safety and efficiency of the roading network. 8. The extent to which the adverse effects of the activity can be avoided, remedied and mitigated. |

¹ NZ Pork [169.88] and Hort NZ [295.192].

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| | 9. <u>The need for and efficacy of any proposed measures to be used to avoid any workers' accommodation being subdivided and used as a principal residential unit if workers' accommodation is no longer required.</u> ² |
| RURZ-MD4 | Forestry, Carbon Forest,³ Woodlots <ol style="list-style-type: none"> 1. The extent of adverse effects from the additional shading resulting from the non-compliance, taking into account the use of the affected sites, the amount of shadow cast and the period of time adjacent sites are affected. 2. The ability of existing topography or vegetation to mitigate any adverse shading effects on the adjoining site. 3. The nature of the use of adjoining sites and the extent to which the activity may result in conflict and/or reverse sensitivity effects with activities on adjacent sites. 4. Any shading effects on the transport network. |
| RURZ-MD5 | Rural sales <ol style="list-style-type: none"> 1. The extent to which the intensity and scale of the activity and built form is compatible with the character and amenity of the zone. 2. The extent to which the activity may result in conflict and/or reverse sensitivity effects with other activities occurring on adjacent rural land. 3. Hours and days of operation and the extent to which they are compatible with the rural zone. 4. Access and vehicle movements on the site and the safety and efficiency of the roading network. 5. Extent of impervious surfaces and landscaping. 6. For rural produce retail (excluding farmers' markets), the extent to which the scale and intensity of the activity is secondary to the rural activity on the site. 7. Access and vehicle movements on the site and the safety and efficiency of the roading network. 8. The extent to which the adverse effects of the activity can be avoided, remedied or mitigated. |
| RURZ-MD6 | Coverage <ol style="list-style-type: none"> 1. The intensity and scale of the built form and the extent to which it is appropriate to the zone and will maintain the character and amenity values of the zone. 2. The extent to which the building coverage breach is necessary due to the shape or natural and physical features of the site. 3. The extent to which the building coverage breach is necessary to facilitate practical use of the building or day to day management of the site, including the need to align with existing buildings in the vicinity and their associated use. 4. The need for the building coverage breach to allow more efficient or practical use of the remainder of the site or the long term protection of notable trees, historic heritage items or natural features on the site. 5. Extent of impervious surfacing on the site. 6. Any impacts on stormwater management or the management of water on the site. 7. The extent to which the additional site coverage will constrain the potential for land with high quality soils to be used for productive purposes. |
| RURZ-MD7 | Height <ol style="list-style-type: none"> 1. The extent to which building design, siting and external appearance adversely impacts on rural character and amenity values. 2. The extent to which there is a practical need and functional need to the additional height for the building. |

² Hort NZ [295.191]

³ s44A of RMA.

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| | <ol style="list-style-type: none"> 3. The extent to which any increased building height will result in visual dominance, loss of privacy and outlook of adjoining sites or incompatibility with the scale and character of buildings within and surrounding the site. 4. The need for the height breach to allow more efficient or practical use of the remainder of the site. 5. The ability to mitigate adverse effects through the use of screening, planting, landscaping and alternative design. |
| RURZ-MD8 | <p>Setbacks <u>and Reverse Sensitivity</u></p> <ol style="list-style-type: none"> 1. The extent to which building design, siting and external appearance adversely impacts on rural character and amenity values. 2. Site topography and orientation and the extent to which the building or structure can be more appropriately located, <u>including to avoid or minimise potential for reverse sensitivity effects</u>. 3. The effect on nearby properties, including outlook, privacy, shading and sense of enclosure. 4. The extent to which the reduction in the setback is necessary due to the shape or natural and physical features of the site. 5. The need for the setback breach to allow more efficient or practical use of the remainder of the site or the long term protection of notable trees, historic heritage items or natural features on the site. 6. The extent to which the activity may result in conflict and/or reverse sensitivity effects with other permitted <u>or lawfully established</u>⁴ activities occurring on adjacent rural properties <u>or within adjacent Heavy Industrial Zone land</u>.⁵ 7. <u>The effectiveness of any proposed methods for mitigation of reverse sensitivity effects</u>.⁶ 8. The extent to which any reduced boundary setback will result in potential for activities within the building to give rise to disturbance to neighbours or nuisance effects. 9. With respect to a road <u>and rail corridor</u> setbacks, any adverse effects on the efficient and safe functioning of the road <u>and rail corridor</u>.⁷ |
| RURZ-MD9 | <p><u>Bird Strike Risk Management</u>⁸</p> <ol style="list-style-type: none"> 1. <u>The extent to which any proposed new waste management facility or composting facility has a bird strike risk management plan prepared by a suitably qualified and experienced ecologist with experience in bird strike issues to demonstrate the activity will be designed, operated and managed to minimise the attraction of bird species (such as black-backed gulls) that may pose a bird strike risk to aircraft.</u> |

⁴ NZPork [169.92] and Hort NZ [295.193].

⁵ Daiken [145.32].

⁶ Daiken [145.32].

⁷ KiwiRail [373.95].

⁸ Christchurch International Airport Ltd [254.144].