

PART 2 – DISTRICT-WIDE MATTERS

STRATEGIC DIRECTION

RLR – Rural Land Resource

Introduction

The Resource Management Act requires Council to manage the use, development and protection of natural resources, including the rural land resource, while sustaining the potential of such resources to meet the reasonably foreseeable needs of future generations and while safeguarding the life-supporting capacity of air, water, soil, and ecosystems.

Land-based pPrimary production (including intensive primary production), underpins the economic, social, and cultural well-being of the Central Hawke's Bay District, and the District's rural land resource is important for sustaining this production. Rural production and processing/manufacturing together accounts for just over half of the District's total GDP and around half of the District's employment (based on Stats NZ 2012 figures). Central Hawke's Bay accounts for approximately 40% of the total pastoral and associated cropping land in the Hawke's Bay Region¹.

Commented [RM1]: S42.011 Pork Industry - Rural Topic, Key Issue 13

Of note is the significant concentration of highly productive land in the District. Highly productive land in the Central Hawke's Bay District covers 82,881 hectares, and comprises approximately 25% of the District's total land area². The District's highly productive land is centred in and around the Ruataniwha Plains and flat-to-rolling land surrounding the urban areas of Waipukurau, Waipawa and Ōtane.

Highly productive soils provide a high level of flexibility in terms of the types of crops that can be grown, and these qualities enable rapid response to changing technologies or crop types required in the future. Highly productive land in New Zealand is rare, and therefore of very high value for food and crop production. The Ministry for the Environment's 'Our Land 2018' and 'Environment Aotearoa 2019' reports have identified that many of New Zealand's productive areas have already been lost and that there are two key pressures facing highly productive land – being urban expansion and the accompanying loss of New Zealand's most versatile and productive land, and an increase in rural lifestyle developments, particularly on the fringes of urban areas.

The District's highly productive land is therefore a significant resource base for the District, and has been deemed to be of regional, if not national, significance warranting specific recognition in the District Plan for its finite characteristics and high value for primary

¹ 'Review of Central Hawke's Bay District District Plan, District Economic Assessment', Economic Solutions Limited, August 2013.

² 'Assessment on the need for a new rural zone for subdivision in the Central Hawke's Bay District – Report for the Central Hawke's Bay District Council', LandVision Limited, 24 January 2018.

production purposes³. It is also experiencing increasing pressure from rural lifestyle developments and for urban expansion to cater for projected household growth. If this continues to be left unchecked, fragmentation of this resource will have a cumulative impact, including direct loss of highly productive land for primary production and reverse sensitivity implications, which could collectively compromise its productive potential.

Providing for a range and flexibility of land use activities is important for the future in adding diversity and resilience to the rural economy, thereby providing additional employment and economic opportunities to the community. However, this needs to be consciously balanced against the need to protect and retain the rural land resource, in particular the concentration of highly productive land in the District, alongside the health and availability of water.

The establishment of an overall strategy for sustainable management of the District's rural land resource therefore underpins the strategic direction of this District Plan. For this reason, the District Plan has encompassed the concentration of highly productive land of Central Hawke's Bay centred in and around the Ruataniwha and Takapau Plains and flat-to-rolling land surrounding Waipukurau, Waipawa and Ōtane, within a separate zone – the Rural Production Zone (RPROZ).

At a national level, a National Policy Statement for Highly Productive Land (NPS-HPL) is anticipated to be gazetted and is expected to take effect mid 2021, which will likely require District Plans to:

- identify highly productive land;
- maintain the availability and productive capacity of highly productive land for primary production;
- consider giving greater protection to areas of highly productive land that make a greater contribution to the economy and community; and
- manage rural subdivision to avoid fragmentation and maintain the productive capacity of highly productive land.

It is anticipated that the approach in this District Plan will go a long way towards already giving effect to the likely future requirements of the NPS-HPL.

Issues

RLR-I1 Incremental Loss of Highly Productive Land

Land fragmentation and development that leads to the incremental and irreversible loss of highly productive land for primary production.

Explanation

In New Zealand highly productive land is under pressure from a range of competing uses. In particular, highly productive land is becoming increasingly fragmented, mostly as a result of rural subdivision. Rural subdivision is where a single parcel of rural land is divided into two or

³ 'Assessment on the need for a new rural zone for subdivision in the Central Hawke's Bay District – Report for the Central Hawke's Bay District Council', LandVision Limited, 24 January 2018.

more parcels. The resulting smaller land parcels can often prevent the use of land for many types of primary production therefore affecting that particular piece of land's versatility.

There has been a history of ad hoc subdivision of small lifestyle blocks within the Central Hawke's Bay District for many years. Many of these blocks are located on highly productive and versatile land or soils. Although some lifestyle blocks do continue to be productive in terms of agricultural or horticultural product, more often than not they become un-productive and their productive potential is lost forever.

Land fragmentation can result in a loss of versatility and the productive capability of rural land, mostly through:

1. Land use change from primary production to non-primary production (lifestyle development, urban development, unrelated industrial/commercial developments etc).
2. Property values in traditional primary production areas increasing to the point that productive land uses become unprofitable.
3. Productive land uses becoming unprofitable because small lot sizes limit management options.
4. Degradation of soil ecosystem services/functions.
5. Now sensitive to activities establishing on rural land, with the potential to compromise or constrain the operation of existing lawfully established primary production activities in the vicinity (reverse sensitivity).

Commented [LW2]: Refer 6.20 of L Wharfe evidence

Commented [RM3]: S81.034 Hort NZ - Rural Topic, Key Issue 2

The District Plan therefore seeks to limit the amount of fragmentation of the District's highly productive land over time, and manage land use change and development of highly productive land to maintain the productive capacity of this scarce and valuable resource for current and future generations.

Objectives

RLR-O1 The productive capacity of the District's rural land resource, particularly the District's highly productive land, is maintained.

RLR-O2 The primary production role and associated amenity of the District's rural land resource is retained, and is not compromised by protected from inappropriate subdivision, use and development.

Commented [RM4]: S116.006 Silver Fern Farms - Rural Topic, Key Issue 2

RLR-O3 The District's highly productive land is protected from further fragmentation.

RLR-O4 Residential living activities and other activities that are unrelated to primary production are directed to locations zoned for those purposes and that are not situated on highly productive land.

Commented [LW5]: Change to be consistent with definition

Policies

- RLR-P1 To identify the highly productive land centred in and around the Ruataniwha and Takapau Plains and surrounding Waipukurau, Waipawa and Ōtane within a specific rural zone – the Rural Production Zone.
- RLR-P2 To avoid unplanned urban expansion onto the District's highly productive land where other feasible options exist in the Rural Production Zone.
- RLR-P3 To limit the amount of further fragmentation of the District's rural land resource through limiting restricting lifestyle subdivision in the General Rural Zone, and particularly in the Rural Production Zone, and directing lifestyle site subdivision primarily to the Rural Lifestyle Zone.
- RLR-P4 To provide for a wide range of non-primary production activities to establish in the rural area:
1. which complement the resources of the rural area,
 2. provided that they do not unduly compromise the primary production role and associated rural character and amenity of the rural land resource, particularly in the Rural Production Zone,
 - 4.3. while recognising that some non-primary production activities have an operational or functional need to locate in a rural area.
- RLR-P5 To enable primary production and related activities to operate in rural areas in accordance with accepted practices without being compromised by other activities demanding higher levels of amenity.

Commented [RM6]: S116.010 Silver Fern Farms - Rural Topic, Key Issue 2

Commented [LW7]: Refer 6.26 in evidence of L Wharfe

Commented [RM8]: S116.011 Silver Fern Farms - Rural Topic, Key Issue 2

Commented [RM9]: S79.016 Transpower, S81.042 Hort NZ - Rural Topic, Key Issue 2

Commented [LW10]: Refer to 6.33 in evidence of L Wharfe

Methods

Methods for implementing the policies:

RLR-M1 Area-Specific Provisions

The use of zoning to direct activities to appropriate locations:

GRUZ – General Rural Zone:

The General Rural Zone encompasses the bulk of the District's rural land. This area is suitable for a wide range of primary production activities (including intensive primary production and related post-harvest facilities) to occur, that can require exclusive areas of land and establishes the flexibility for landowners to identify opportunities to innovatively utilise the resources of the area. Controls in this Zone are tailored to provide flexibility for landowners.

Commented [RM11]: S42.014 Pork Industry - Rural Topic, Key Issue 13

Commented [RM12]: S102.021 Te Mata Mushrooms - Rural Topic, Key Issue 15

RPROZ – Rural Production Zone:

The Rural Production Zone encompasses the concentration of highly productive land in and around the Ruataniwha and Takapau Plains and Waipukurau, Waipawa and Ōtāne. Standards in this Zone reflect the more intensive nature of [primary production activities \(including intensive primary production and related post-harvest facilities\)](#), the increased interface between different land uses and the proximity of the Zone to the urban centres, and the pressures that this places on the soil resource.

Commented [RM13]: S42.014 Pork Industry - Rural Topic, Key Issue 13

Commented [RM14]: S102.021 Te Mata Mushrooms - Rural Topic, Key Issue 15

RLZ – Rural Lifestyle Zone:

This Zone provides the main opportunity for low density residential development in the District, in close proximity to the main urban areas of Waipukurau and Waipawa.

RLR-M2 Proposed National Policy Statement for Highly Productive Land (NPS-HPL)

The NPS-HPL will likely require District Plans to identify highly productive land in their District, and include provisions that maintain the availability and productive capacity of highly productive land for primary production and that manage rural subdivision to avoid fragmentation and maintain the productive capacity of highly productive land.

RLR-M3 Land Information Memorandum

When requested, people wishing to establish in the rural [area-zones](#) will be issued with a Land Information Memorandum advising them that they are establishing in a productive rural environment where amenity standards associated with the normal conduct of farming operations, [and related activities such as established rural industry](#), in the Zone (that is, amenity standards that allow for fluctuating noise, odour and air quality levels resulting from accepted primary production management practices [and rural industry activities](#)) will be upheld by the Council. Provided that these activities are carried out within the provisions established by the District Plan [or in accordance with a resource consent\(s\)](#), the effects [of the activities on amenity standards](#) will not be considered a nuisance.

Commented [RM15]: S116.014 Silver Fern Farms - Rural Topic, Key Issue 15

Principal Reasons

The principal reasons for adopting the policies and methods:

The traditional pastoral area of the District will continue to be an important component of the District's economy and must be safeguarded – particularly the regionally, if not nationally, significant concentration of highly productive land in and around the Ruataniwha and Takapau Plains and surrounding Waipukurau, Waipawa and Ōtāne (in line with the proposed NPS-HPL).

The subdivision of land will be primarily for the purpose of achieving a more efficient outcome for land based primary production around pastoral, cropping or forestry purposes. There may be the need to subdivide off a surplus residential building or provide for those property owners who may wish to subdivide their house from the farm and retire on the property, but these activities need a level of control. The Plan aims to prevent large numbers of small holdings in

the rural environment, particularly on the highly productive land within the Rural Production Zone.

Commented [RM16]: S116.015 Silver Fern Farms - Rural Topic, Key Issue 15

The rural environment provides for a range of activities and farm and associated buildings that are of a scale to meet the needs of the primary production sector (including intensive primary production). There is a limit on the scale of commercial and industrial activities in the rural environment and beyond the floor area standards outlined within the zones these types of activity should be located within the appropriate zones where the effects can be suitably accommodated.

Commented [RM17]: S42.015 Pork Industry - Rural Topic, Key Issue 13

Anticipated Environmental Results

The environmental results anticipated from the policies and methods:

- | | |
|----------|--|
| RLR-AER1 | The safeguarding of the District's rural land resource and its life-supporting capacity for current and future generations. |
| RLR-AER2 | The area of land available for primary production purposes is not reduced by ad hoc and unplanned development. |
| RLR-AER3 | An attractive and economically sustainable rural environment that provides opportunity for a stable rural population. |
| RLR-AER4 | Activities in the rural area are primarily primary production and related activities. A diversity of activity in the rural area. |
| RLR-AER5 | Maintaining and enhancing rural character and amenity including avoiding reverse sensitivity effects. |

Commented [RM18]: S81.045 Hort NZ - Rural Topic, Key Issue 2

Include a defn of highly productive land:

Highly productive land includes Land Use Capability Class 1-3 soils and Class 7 soils that have a high value for viticultural production.

Commented [LW19]: Refer to 6.11 in evidence of L Wharfe

RPROZ – Rural Production Zone

Introduction

The Rural Production Zone represents the identified concentration of highly productive land centred in and around the Ruataniwha and Takapau Plains and surrounding Waipukurau, Waipawa and Ōtane.

The Zone encompasses the contiguous, flat to undulating terrain within the District that collectively supports regionally (and nationally) significant primary production and associated secondary services, based on:

- an exceptionally high proportion of Class 1-3 soils (comprising almost 25% of the District),
- Class 7 soils that are recognised as having very high value for viticultural production (which comprise almost 2% of the District),
- its proximity to a cluster of national and international processing industries and associated qualified labour force within the Hawke Bay Region, and
- its proximity to the Port of Napier and other regionally strategic transport networks providing efficient transport of produce.

The predominant land uses within this part of the rural area of the District are [primary production \(including intensive primary production\)](#), cropping, livestock farming, and horticulture (including viticulture).

Commented [RM1]: S42.065 Pork Industry - Rural Topic, Key Issue 13

The rural landscape within the Rural Production Zone also supports a range of recreational activities, and areas of indigenous vegetation and habitat of indigenous fauna, particularly along the riparian margins of the incised river and streams that pass through the zone.

The Zone is generally sparsely settled and is characterised by a predominance of open space. ~~There are a small number of few~~ commercial or industrial activities within the Zone that are of a small scale, and [a small number of larger established rural industries](#), largely servicing the primary production sector and rural communities.

Commented [RM2]: S81.139 Hort NZ - Rural Topic, Key Issue 15

Issues

refer Issues RLR-I1, and GRUZ-I1 and GRUZ-I2.

Objectives

RPROZ-O1 The Rural Production Zone is predominantly used for primary production activities [\(including intensive primary production\)](#) and associated ancillary activities.

Commented [RM3]: S42.066 Pork Industry - Rural Topic, Key Issue 13 and S102.060 Te Mata Mushrooms - Rural Topic, Key Issue 15

RPROZ-O2 The rural land resource is protected from fragmentation, and from being compromised by inappropriate building and development, including from ad hoc urban expansion.

RPROZ-O3 Activities do not reduce the potential for the highly productive land of the District to be used in a productive and sustainable manner.

RPROZ-O4 The predominant character of the Rural Production Zone is maintained, which includes:

1. overall low-density built form, with open space and few structures;
2. a predominance of rural and land-based primary production activities and associated buildings such as barns and sheds, post-harvest facilities, seasonal workers accommodation, and artificial crop protection structures and crop support structures, which may vary across the district and seasonally;
3. the sounds, and smells, and traffic associated with legitimate primary production activities, and established rural industries, anticipated from a working rural environment;
4. existing rural communities and community activities, such as rural halls, reserves and educational facilities;
5. a landscape within which the natural environment (including farming and forest landscapes) predominates over the built one;
6. an environmental contrast and clear distinction between town and country (including a general lack of urban infrastructure, such as street lighting, solid fences and footpaths).

Commented [RM4]: S116.031 Silver Fern Farms - Rural Topic, Key Issue 15

Commented [RM5]: S81.143 Hort NZ - Rural Topic, Key Issue 4

RPROZ-O5 **Adverse effects of activities are managed to maintain rural character and amenity**

Activities are managed to ensure that adverse effects do not compromise rural character and amenity

Commented [LW6]: Refer to 7.3 in evidence of L Wharfe

RPROZ-O6 The primary productive purpose and predominant character of the Rural Production Zone are not compromised by potentially incompatible activities establishing.

RPROZ-O7 The Waipukurau Aerodrome is protected from noise sensitive activities establishing within the air noise boundary.

Policies

RPROZ-P1 To allow enable land-based primary production (including intensive primary production) and ancillary activities, recognising which are compatible with the primary productive purpose and predominant character and amenity of the Rural Production Zone.

Commented [RM7]: S42.067 Pork Industry - Rural Topic, Key Issue 13 and S102.066 Te Mata Mushrooms - Rural Topic, Key Issue 15

Commented [RM8]: S121.207 Federated Farmers, S81.146 Hort NZ - Rural Topic, Key Issue 4

RPROZ-P2 To allow activities of a limited scale, which support the function and wellbeing of rural communities and/or enjoyment of the rural environment and contribute to the vitality and resilience of the District's economy, where adverse effects are avoided, remedied or mitigated. To provide for non-primary production related activities that have a functional need or operational need for a rural location, and where they are managed to ensure that:

1. their scale, intensity and built form are in keeping with the rural character of the Rural Production Zone;
2. they maintain a level of amenity in keeping with the rural character of the Rural Production Zone;
3. they minimise reverse sensitivity effects on activities otherwise anticipated within the Rural Production Zone; and
- 4.4. adverse effects are avoided, remedied or mitigated

RPROZ-P3 To manage the scale of post-harvest facilities and rural industries rural commercial activities to ensure that they remain compatible with the primary productive purpose of the Rural Production Zone, and potential adverse effects on the character and amenity of the rural area are avoided, remedied or mitigated.

RPROZ-PXX To enable primary production related activities, such as rural industry, which have a functional or operational need to establish in the rural area.

RPROZ-P4 To manage the bulk, scale and location of buildings to maintain the character and amenity of the rural area, whilst recognising that it is a rural working environment.

RPROZ-P5 To require sufficient separation between sensitive activities and existing primary production and intensive primary production activities, and between new intensive primary production activities and property and zone boundaries, in order to avoid, remedy or mitigate potential adverse effects, including reverse sensitivity and land use conflict.

RPROZ-P6 To avoid manage adverse effects of shading from trees continuous tree planting along boundaries on adjoining properties and public roads and properties. Manage location of trees so that adjoining public roads and properties are not adversely affected by shading.

RPROZ-P7 To ensure activities do not locate in the Rural Productive Zone where the activity:

1. has no functional or operational need for a rural location.

Commented [RM9]: S81.147 Hort NZ - Rural Topic, Key Issue 4

Commented [LW10]: Refer to 8.54 -8.91 in evidence of L Wharfe

Commented [RM11]: S81.148 Hort NZ - Rural Topic, Key Issue 15

Commented [LW12]: Refer to 8.54 – 8.91 in evidence of L Wharfe

Commented [RM13]: S81.149 Hort NZ - Rural Topic, Key Issue 4

Commented [RM14]: S121.212 Federated Farmers, S81.151 Hort NZ - Rural Topic, Key Issue 9

Commented [LW15]: Refer to 7.81-7.102 in evidence of L Wharfe

Commented [LW16]: Amend to make separate clause Refer to 6.44 in evidence of L Wharfe

- 1-2. ~~and~~ will be inconsistent with the primary productive purpose and predominant character of the Rural Productive Zone;
- 2-3. will constrain the establishment and use of land for primary production;
- 3-4. exhibits no exceptional or unusual features that would differentiate it from possible later applications, which in combination would lead to incremental creep of urban activities and/or sporadic urban activities onto the highly productive land of the District; and/or
- 4-5. will result in reverse sensitivity and/or lead to land use conflict.

Commented [RM17]: S81.152 Hort NZ - Rural Topic, Key Issue 3

RPROZ-P8 To avoid residential and rural lifestyle subdivision that results in fragmentation of land within the Rural Production Zone and/or which limits the use of land for primary-productive purposes (including through the potential creation or exacerbation of reverse sensitivity effects).

Commented [RM18]: S116.036 Silver Fern Farms - Rural Topic, Key Issue 4

RPROZ-P9 To avoid establishment of commercial or industrial activities that are unrelated to the primary productive purpose of the Rural Production Zone, or that are of a scale that is incompatible with the predominant character and amenity of the rural area.

RPROZ-P10 To avoid the establishment or intensification of noise sensitive activities within the airnoise boundary of the Waipukurau Aerodrome, and to require appropriate sound insulation of noise sensitive activities between the airnoise boundary and outer control boundary.

GRUZ-P10 To ensure activities within the General Rural Zone are self-sufficient in the provision of a suitable on-site wastewater treatment and disposal system, stormwater disposal system, and water supply, unless an appropriate alternative system is available to connect to.

Commented [JKS19]: S57.177 FENZ – Rural Topic, Volume 4, Key Issue 20.

Rule Overview Table

Use/activity	Rule Number
Residential activities	RPROZ-R1
Seasonal workers accommodation	RPROZ-R2
Primary production activities	RPROZ-R3
Artificial Crop Protection Structures	RPROZ-RXX
Rural Industry (other than post-harvest facilities)	RPROZ-RXX

Commented [RM20]: consequential amendment as a result of S81.157 Hort NZ - Rural Topic, Key Issue 12

Commented [LW21]: Include new PA rule defaulting to RDIS

<u>Use of rural airstrips and helicopter landing areas for Agricultural aviation movements ancillary to primary production activities</u>	RPROZ-R4
<u>Use of Rural airstrips and/or helicopter landing areas for activities other than agricultural aviation movements</u>	RPROZ-R5
Post-harvest facilities	RPROZ-R6
Home businesses	RPROZ-R7
Visitor accommodation	RPROZ-R8
Commercial activities not otherwise provided for	RPROZ-R9
Community facilities	RPROZ-R10
Educational facilities	RPROZ-R11
Emergency service activities and emergency aviation movements	RPROZ-R12
Relocated buildings	RPROZ-R13
Intensive primary production activities	RPROZ-R14
<u>Rural industry (other than post-harvest facilities)</u>	<u>RPROZ-RXX</u>
<u>Airport / aerodrome (other than rural airstrip), and helicopter depot</u>	<u>RPROZ-RXX</u>
Commercial boarding and/or breeding of cats, dogs, and other domestic pets	RPROZ-R15
Camping grounds	RPROZ-R16
Relocatable building depots	RPROZ-R17
Any other activity not otherwise provided for	RPROZ-R18
<u>Industrial activities (other than post-harvest facilities and rural industry)</u>	RPROZ-R19
Noise sensitive activities within the Air Noise Boundary or Outer Control Boundary for the Waipukurau Aerodrome	RPROZ-R20

Commented [RM22]: consequential amendment as a result of S102.084 Te Mata Mushrooms, S116.039 Silver Fern Farms - Rural Topic, Key Issue 16

Commented [RM23]: consequential amendment as a result of S58.002 Calder, FS10.29 Aerospread Ltd, FS14.35 Agricultural Aviation Association - Rural Topic, Key Issue 17

Commented [RM24]: consequential amendment as a result of S102.083 Te Mata Mushrooms - Rural Topic, Key Issue 16

Rules

It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities undertaken in the Rural Production Zone.

Also, check to see if consents are required from Hawke's Bay Regional Council, for instance in relation to:

- discharges of contaminants to land or water (e.g. on-site disposal of effluent, stormwater from industrial or trade premises).
- taking of water (e.g. from water courses or underground wells).
- discharge of contaminants to air (e.g. spray drift, odour).
- disturbance of the beds of rivers, lakes, or wetlands (i.e. earthworks in the bed, gravel extraction, culverts, and access structures).
- activities which impede access to rivers, lakes or wetlands, or artificial watercourse, within a land drainage or flood control scheme area.

RPROZ-R1 Residential activities

2. Activity Status: PER

Where the following conditions are met:

- a. Limited to:
 - i. one residential unit per site with an area less than 12 hectares, and
 - ii. one additional residential unit (i.e. a total of two) per site within an area of 12 hectares or greater, and
 - iii. one minor residential unit per site:
 - a. limited to a maximum gross floor area of 100m² (exclusive of garages, and verandahs less than 20m²); and
 - b. must share vehicle access with the principal residential unit on the site; and
 - c. must be located no further than 25m from a principal residential unit on the site.

b. Compliance with:

- i. RPROZ-S2;
- ii. RPROZ-S3;

2. Activity status where compliance with condition RPROZ-R1(1)(b) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. RPROZ-AM1.
 - ii. RPROZ-AM2.
 - iii. RPROZ-AM3.
 - iv. RPROZ-AM4.
 - v. [RPROZ-AM15](#).
 - vi. [RPROZ-AM16](#).
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

3. Activity status where compliance with conditions RPROZ-R1(1)(a) and/or RPROZ-R1(1)(c) is not achieved: DIS

a. Assessment matters

- i. [RPROZ-AM1](#)
- ii. [RPROZ-AM3](#)
- iii. [RPROZ-AM4](#)

Commented [JKS26]: S90.045 Centralines – Rural Topic, Volume 4, Key Issue 18.

Commented [JKS27]: S57.178 FENZ – Rural Topic, Volume 4, Ky Issue 20.

Commented [LW28]: Refer to 7.18-22 in evidence of L Wharfe

<ul style="list-style-type: none"> iii. RPROZ-S4; iv. RPROZ-S5; v. RPROZ-S6; vi. RPROZ-S7; vii. RPROZ-S8; viii. RPROZ-S9; ix. RPROZ-S10; and x. RPROZ-S11; and xi. RPROZ-S17. 	<ul style="list-style-type: none"> iv. RPROZ-AM5 i.v. RPROZ-AM6
<p>c. Compliance with:</p> <ul style="list-style-type: none"> i. RPROZ-S12 (setback from existing intensive primary production). ii. RPROZ-S13 (building restrictions near Waipukurau Aerodrome). iii. RPROZ-S14 (setback from gas transmission network). <p>d. Compliance with RPROZ-S15 (setbacks from National Grid).</p> <p><i>Note 1: an existing principal residential unit may become the minor residential unit provided that all standards and terms are met.</i></p> <p><i>Note 2: Under the Hawke's Bay Regional Resource Management Plan, there are also requirements in respect of new domestic sewage systems (including minimum land area requirements).</i></p>	<p>4. Activity status where compliance with condition RPROZ-R1(1)(d) is not achieved:</p> <p>NC</p>

Commented [RM25]: S57.178 FENZ – Rural Topic, Volume 4, Key Issue 20

RPROZ-R2 Seasonal workers accommodation

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to:
 - i. A maximum gross floor area of 125m².
 - ii. [The accommodation complies with the Code of Practice for Seasonal Workers Accommodation published by the Department of Buildings and Housing 2008](#)

2. Activity status where compliance with condition RPROZ-R2(1)(b) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. RPROZ-AM1.
 - ii. RPROZ-AM2.
 - iii. RPROZ-AM3.
 - iv. RPROZ-AM4.
 - v. [RPROZ-AM15.](#)
 - vi. [RPROZ-AM16.](#)

Commented [LW29]: Refer to 8.24 – 8.44 in evidence of L Wharfe

Commented [JKS31]: S90.045 Centralines – Rural Topic, Volume 4, Key Issue 18.

Commented [JKS32]: S57.179 FENZ – Rural Topic, Volume 4, Key Issue 20

<p>iii. A maximum number of people to be accommodated on site of 24</p> <p>iv. _____ All new buildings are relocatable in design or able to be reconfigured to buildings accessory to land-based primary production.</p> <p>v. _____ The site is not a 'lifestyle site' (a site created through the lifestyle site subdivision provisions of the District Plan).</p> <p>b. Compliance with:</p> <ol style="list-style-type: none"> RPROZ-S2; RPROZ-S3; RPROZ-S4; RPROZ-S5; RPROZ-S6; RPROZ-S7; RPROZ-S8; RPROZ-S9; RPROZ-S10; and RPROZ-S11; and RPROZ-S17. <p>c. Compliance with:</p> <ol style="list-style-type: none"> RPROZ-S12 (setback from existing intensive primary production); RPROZ-S13 (building restrictions near Waipukurau Aerodrome); and RPROZ-S14 (setback from gas transmission network). <p>d. Compliance with RPROZ-S15 (setbacks from National Grid).</p> <p><i>Note: Under the Hawke's Bay Regional Resource Management Plan, there are also requirements in respect of new domestic sewage systems (including minimum land area requirements).</i></p>	<p>b. Assessment matters in the following chapters:</p> <ol style="list-style-type: none"> TRAN – Transport. LIGHT – Light. NOISE – Noise. <p>3. Activity status where compliance with condition RPROZ-R2(1)(a) is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> Whether the proposed building location will allow for efficient use of the remaining undeveloped land for primary production activities. Whether the scale and design of the proposed building complements the character of the area. Whether the siting of the activity will impact on the amenity of adjoining properties, or any dwelling established in an adjoining zone within 100m of the activity. Whether soil values have been taken into account in selecting the site for the building. Whether traffic generation associated with the number of occupants will adversely impact on the road network. <p>4. Activity status where compliance with condition RPROZ-R2(1)(c) is not achieved: DIS</p> <p>5. Activity status where compliance with condition RPROZ-R2(1)(d) is not achieved: NC</p>
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Commented [JKS30]: S57.179 FENZ – Rural Topic, Volume 4, Key Issue 20

1. Activity Status: PER

Where the following conditions are met:

- a. Compliance with:
 - i. RPROZ-S2;
 - ii. RPROZ-S3;
 - iii. RPROZ-S4;
 - iv. RPROZ-S5;
 - v. RPROZ-S6;
 - vi. RPROZ-S7;
 - vii. RPROZ-S8;
 - viii. RPROZ-S9;
 - ix. RPROZ-S10; and
 - x. RPROZ-S11; and
 - xi. RPROZ-S17.
- b. Compliance with:
 - i. RPROZ-S13 (building restrictions near Waipukurau Aerodrome); and
 - ii. RPROZ-S14 (setback from gas transmission network);
- c. Compliance with RPROZ-S15 (setbacks from National Grid).

Note: The provisions of the Rural Production Zone in the District Plan do not apply to plantation forestry. Plantation forestry is regulated separately under the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 which addresses such things as setbacks, earthworks management, land preparation, harvesting and replanting.

2. Activity status where compliance with condition RPROZ-R3(1)(a) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. RPROZ-AM1.
 - ii. RPROZ-AM2.
 - iii. RPROZ-AM4.
 - iv. RPROZ-AM15.
 - v. RPROZ-AM16.
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

3. Activity status where compliance with condition RPROZ-R3(1)(b) is not achieved: DIS

4. Activity status where compliance with condition RPROZ-R3(1)(c) is not achieved: NC

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Commented [JKS36]: S57.180 FENZ – Rural Topic, Volume 4, Key Issue 20

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Commented [RM34]: S81.157 Hort NZ - Rural Topic, Key Issue 18

RPROZ-RXX Artificial Crop Protection Structures

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to:
 - i. Use of green or black cloth on vertical faces within 30m of the site boundary.

2. Activity status where compliance not achieved: RDIS

Matters over which discretion is restricted:

- a. The effects of not meeting the conditions in respect to cloth colour and building height.
- b. The effects of not meeting setbacks from the National Grid.

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- ii. [Use of green, black, or white cloth on horizontal surfaces.](#)
- b. [Compliance with:](#)
 - i. [RPROZ-S3 Height of buildings;](#)
 - ii. [RPROZ-S8 Electrical safety distances; and](#)
 - iii. [RPROZ-S15 Setbacks from National Grid.](#)
 - iv. [RPROZ -S6 Setback from neighbours](#)

c. [Assessment Matter RPROZ-AM15 in relation to not meeting electricity safety distances.](#)

Commented [JKS39]: S90.045 Centralines – Rural Topic, Volume 4, Key Issue 18.

RPROZ-RXX Rural industry (other than post-harvest facilities)

1 Activity Status: PER

[Where the following conditions are met:](#)

[Limited to an area of 200m2](#)

1. Activity status where non-compliance not achieved: RDIS

[Matters over which discretion is restricted:](#)

[The functional and operational need to locate in the RPROZ](#)

Commented [LW37]: Refer to 8.15 in evidence of L Wharfe

Commented [LW40]: Refer to 8.54-8.91 in evidence of L Wharfe

RPROZ-R4 [Use of rural airstrips and helicopter landing areas for Agricultural](#) aviation movements ancillary to primary production activities

1. Activity Status: PER

Where the following conditions are met: N/A

2. Activity status where compliance not achieved: N/A

Commented [LW41]: Refer to 8.92 – 8.123 in evidence of L Wharfe

RPROZ-R5 ~~New, or expansion of existing,~~ [Use of rural airstrips and/or helicopter landing areas for activities other than agricultural aviation movements](#)

1. Activity Status: PER

Where the following conditions are met:

- a. The rural airstrip or helicopter landing area is located a minimum distance of:
 - i. 2km from any General Residential, Settlement, or Rural Lifestyle Zone boundary, and
 - ii. 500m from the notional boundary of any building associated with an

2. Activity status where compliance with condition RPROZ-R5(1)(d) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. RPROZ-AM1.
 - ii. RPROZ-AM2.
 - iii. RPROZ-AM4.
 - iv. [RPROZ-AM15.](#)

Commented [LW42]: Refer to 8.92 – 8.123 in evidence of L Wharfe

Commented [JKS43]: S90.045 Centralines – Rural Topic, Volume 4, Key Issue 18.

<p>existing or consented noise sensitive activity not located on the same site, and</p> <p>iii. 50m from a State Highway.</p> <p>b. Total combined aircraft and helicopter movements do not exceed a total of 1,000 movements per calendar year (excluding emergency aviation movements and agricultural aviation movements ancillary to primary production activities undertaken on the same site).</p> <p>c. Limited to 100m² gross floor area of buildings ancillary to the activity per site.</p> <p>d. Compliance with:</p> <p>i. RPROZ-S2;</p> <p>ii. RPROZ-S3;</p> <p>iii. RPROZ-S4;</p> <p>iv. RPROZ-S5;</p> <p>v. RPROZ-S6;</p> <p>vi. RPROZ-S7;</p> <p>vii. RPROZ-S8;</p> <p>viii. RPROZ-S9;</p> <p>ix. RPROZ-S10; and</p> <p>x. RPROZ-S11.</p> <p>e. Compliance with:</p> <p>i. RPROZ-S13 (building restrictions near Waipukurau Aerodrome); and</p> <p>ii. RPROZ-S14 (setback from gas transmission network).</p> <p>f. Compliance with RPROZ-S15 (setbacks from National Grid).</p>	<p>b. Assessment matters in the following chapters:</p> <p>i. TRAN – Transport.</p> <p>ii. LIGHT – Light.</p> <p>iii. NOISE – Noise.</p> <p>3. Activity status where compliance with conditions RPROZ-R5(1)(a), RPROZ-R5(1)(b), RPROZ-R5(1)(c) and/or RPROZ-R5(1)(e) is not achieved: DIS</p> <p>4. Activity status where compliance with condition RPROZ-R5(1)(f) is not achieved: NC</p>
RPROZ-R6 Post-harvest facilities	
<p>1. Activity Status: PER</p> <p>Where the following conditions are met:</p>	<p>2. Activity status where compliance with condition RPROZ-R6(1)(b) is not achieved: RDIS</p>

- a. Limited to 2500m² gross floor area per site.
- b. Compliance with:
 - i. RPROZ-S2;
 - ii. RPROZ-S3;
 - iii. RPROZ-S4;
 - iv. RPROZ-S5;
 - v. RPROZ-S6;
 - vi. RPROZ-S7;
 - vii. RPROZ-S8;
 - viii. RPROZ-S9;
 - ix. RPROZ-S10; and
 - x. RPROZ-S11; and
 - xi. RPROZ-S17.
- c. Compliance with:
 - i. RPROZ-S13 (building restrictions near Waipukurau Aerodrome); and
 - ii. RPROZ-S14 (setback from gas transmission network).
- d. Compliance with RPROZ-S15 (setbacks from National Grid).

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. RPROZ-AM1.
 - ii. RPROZ-AM2.
 - iii. RPROZ-AM4.
 - iv. RPROZ-AM15.
 - v. RPROZ-AM16.
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

3. Activity status where compliance with conditions RPROZ-R6(1)(a) and/or RPROZ-R6(1)(c) is not achieved: DIS

4. Activity status where compliance with condition RPROZ-R6(1)(d) is not achieved: NC

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Commented [JKS44]: S57.181 FENZ – Rural Topic, Volume 4, Key Issue 20

Commented [RM45]: S81.159 Hort NZ - Rural Topic, Key Issue 18

RPROZ-R7 Home businesses

1. Activity Status: PER

Where the following conditions are met:

- a. Compliance with RPROZ-S1 (the relevant activity thresholds).
- b. Compliance with:
 - i. RPROZ-S2;
 - ii. RPROZ-S3;
 - iii. RPROZ-S4;
 - iv. RPROZ-S5;
 - v. RPROZ-S6;
 - vi. RPROZ-S7;
 - vii. RPROZ-S8;
 - viii. RPROZ-S9;
 - ix. RPROZ-S10; and
 - x. RPROZ-S11; and
 - xi. RPROZ-S17.
- c. Compliance with:

2. Activity status where compliance with condition RPROZ-R7(1)(b) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. RPROZ-AM1.
 - ii. RPROZ-AM2.
 - iii. RPROZ-AM3.
 - iv. RPROZ-AM4.
 - v. RPROZ-AM15.
 - vi. RPROZ-AM16.
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

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Commented [JKS50]: S57.195 FENZ – Rural Topic, Volume 4, Key Issue 20

Commented [JKS48]: S57.195 FENZ – Rural Topic, Volume 4, Key Issue 20

<ul style="list-style-type: none"> i. RPROZ-S12 (setback from existing intensive primary production); ii. RPROZ-S13 (building restrictions near Waipukurau Aerodrome); and iii. RPROZ-S14 (setback from gas transmission network). d. Compliance with RPROZ-S15 (setbacks from National Grid). 	<p>3. Activity status where compliance with conditions RPROZ-R7(1)(a) and/or RPROZ-R7(1)(c) is not achieved: DIS</p> <p>4. Activity status where compliance with condition RPROZ-R7(1)(d) is not achieved: NC</p>
RPROZ-R8 Visitor accommodation	
<p>1. Activity Status: PER</p> <p>Where the following conditions are met:</p> <ul style="list-style-type: none"> a. Limited to: <ul style="list-style-type: none"> i. Length of stay for any one guest must be no greater than <u>3-1 months</u> in any 12-month period. ii. <u>There must be no more than 4 guests at any one point in time</u> <i>Note: activities involving longer term tenancy within a residential unit are assessed as a 'Residential Activity'.</i> b. Compliance with RPROZ-S1 (the relevant activity thresholds). c. Compliance with: <ul style="list-style-type: none"> i. RPROZ-S2; ii. RPROZ-S3; iii. RPROZ-S4; iv. RPROZ-S5; v. RPROZ-S6; vi. RPROZ-S7; vii. RPROZ-S8; viii. RPROZ-S9; ix. RPROZ-S10; x. <u>RPROZ-S11; and</u> xi. <u>RPROZ-S17.</u> d. Compliance with: <ul style="list-style-type: none"> i. RPROZ-S12 (setback from existing intensive primary production); 	<p>2. Activity status where compliance with condition RPROZ-R8(1)(c) is not achieved: <u>RDISDIS</u></p> <p>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</p> <ul style="list-style-type: none"> a. Assessment matters: <ul style="list-style-type: none"> i. RPROZ-AM1. ii. RPROZ-AM2. iii. RPROZ-AM3. iv. RPROZ-AM4. v. <u>RPROZ-AM15.</u> vi. <u>RPROZ-AM16.</u> vii. <u>RPROZ-AM8</u> b. Assessment matters in the following chapters: <ul style="list-style-type: none"> i. TRAN – Transport. ii. LIGHT – Light. iii. NOISE – Noise. <p>3. Activity status where compliance with conditions RPROZ-R8(1)(a), RPROZ-R8(1)(b) and/or RPROZ-R8(1)(d) is not achieved: DIS</p> <p>4. Activity status where compliance with condition RPROZ-R8(1)(e) is not achieved: NC</p>

Commented [LW51]: Refer to 9.54 in evidence of L Wharfe

Commented [JKS53]: S90.045 Centralines – Rural Topic, Volume 4, Key Issue 18.

Commented [JKS54]: S57.182 FENZ – Rural Topic, Volume 4, Key Issue 20

Commented [JKS52]: S57.182 FENZ – Rural Topic, Volume 4, Key Issue 20

- ii. RPROZ-S13 (building restrictions near Waipukurau Aerodrome); and
- iii. RPROZ-S14 (setback from gas transmission network).
- e. Compliance with RPROZ-S15 (setbacks from National Grid).

RPROZ-R9 Commercial activities not otherwise provided for

1. Activity Status: PER

Where the following conditions are met:

- a. Any retail sales are limited to produce reared or produced on the site.
- b. Compliance with RPROZ-S1 (the relevant activity thresholds).
- c. Compliance with:
 - i. RPROZ-S2;
 - ii. RPROZ-S3;
 - iii. RPROZ-S4;
 - iv. RPROZ-S5;
 - v. RPROZ-S6;
 - vi. RPROZ-S7;
 - vii. RPROZ-S8;
 - viii. RPROZ-S9;
 - ix. RPROZ-S10; and
 - x. RPROZ-S11; and
 - xi. RPROZ-S17.
- d. Compliance with:
 - i. RPROZ-S12 (setback from existing intensive primary production);
 - ii. RPROZ-S13 (building restrictions near Waipukurau Aerodrome); and
 - iii. RPROZ-S14 (setback from gas transmission network).
- e. Compliance with RPROZ-S15 (setbacks from National Grid).

2. Activity status where compliance with condition RPROZ-R9(1)(c) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. RPROZ-AM1.
 - ii. RPROZ-AM2.
 - iii. RPROZ-AM3.
 - iv. RPROZ-AM4.
 - v. RPROZ-AM15.
 - vi. RPROZ-AM16.
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

3. Activity status where compliance with conditions RPROZ-R9(1)(a) and/or RPROZ-R9(1)(d) is not achieved: DIS

4. Activity status where compliance with conditions RPROZ-R9(1)(b) and/or RPROZ-R9(1)(e) is not achieved: NC

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Commented [JKS58]: S57.183 FENZ – Rural Topic, Volume 4, Key Issue 20

Commented [JKS55]: S57.183 FENZ – Rural Topic, Volume 4, Key Issue 20

Commented [RM56]: S81.162 Hort NZ - Rural Topic, Key Issue 18

RPROZ-R10 Community facilities

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to 100m² gross floor area per site.
- b. Compliance with:
 - i. RPROZ-S2;
 - ii. RPROZ-S3;
 - iii. RPROZ-S4;
 - iv. RPROZ-S5;
 - v. RPROZ-S6;
 - vi. RPROZ-S7;
 - vii. RPROZ-S8;
 - viii. RPROZ-S9;
 - ix. RPROZ-S10; and
 - x. RPROZ-S11; and
 - xi. RPROZ-S17.
- c. Compliance with:
 - i. RPROZ-S12 (setback from existing intensive primary production);
 - ii. RPROZ-S13 (building restrictions near Waipukurau Aerodrome); and
 - iii. RPROZ-S14 (setback from gas transmission network);
- d. Compliance with RPROZ-S15 (setbacks from National Grid).

2. Activity status where compliance with condition RPROZ-R10(1)(b) is not achieved: **RDIS DIS**

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. RPROZ-AM1.
 - ii. RPROZ-AM2.
 - iii. RPROZ-AM3.
 - iv. RPROZ-AM4.
 - v. RPROZ-AM15.
 - vi. RPROZ-AM16.
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

3. Activity status where compliance with conditions RPROZ-R10(1)(a) and/or RPROZ-R10(1)(c) is not achieved: **DIS**

4. Activity status where compliance with condition RPROZ-R10(1)(d) is not achieved: **NC**

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Commented [JKS62]: S90.045 Centralines – Rural Topic, Volume 4, Key Issue 18.

Commented [JKS63]: S57.184 FENZ – Rural Topic, Volume 4, Key Issue 20

Commented [JKS59]: S57.184 FENZ – Rural Topic, Volume 4, Key Issue 20

Commented [RM60]: S81.163 Hort NZ - Rural Topic, Key Issue 18

RPROZ-R11 Educational facilities

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to ~~100m²~~ ~~200m²~~ 100m² gross floor area per site.
- b. Compliance with:
 - i. RPROZ-S2;
 - ii. RPROZ-S3;
 - iii. RPROZ-S4;
 - iv. RPROZ-S5;
 - v. RPROZ-S6;
 - vi. RPROZ-S7;

2. Activity status where compliance with condition RPROZ-R11(1)(b) is not achieved: **RDIS DIS**

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. RPROZ-AM1.
 - ii. RPROZ-AM2.
 - iii. RPROZ-AM3.
 - iv. RPROZ-AM4.
 - v. RPROZ-AM15.

Commented [LW67]: Refer to 9.40 in evidence of L Wharfe

Commented [JKS64]: S73.025 Ministry of Education – Rural Topic, Volume 4, Key Issue 19.

Commented [JKS68]: S90.045 Centralines – Rural Topic, Volume 4, Key Issue 18.

<ul style="list-style-type: none"> vii. RPROZ-S8; viii. RPROZ-S9; ix. RPROZ-S10; and x. RPROZ-S11; and xi. RPROZ-S17. 	<ul style="list-style-type: none"> vi. RPROZ-AM16.
<ul style="list-style-type: none"> c. Compliance with: <ul style="list-style-type: none"> i. RPROZ-S12 (setback from existing intensive primary production); ii. RPROZ-S13 (building restrictions near Waipukurau Aerodrome); and iii. RPROZ-S14 (setback from gas transmission network); d. Compliance with RPROZ-S15 (setbacks from National Grid). 	<ul style="list-style-type: none"> b. Assessment matters in the following chapters: <ul style="list-style-type: none"> i. TRAN – Transport. ii. LIGHT – Light. iii. NOISE – Noise.
	<p>3. Activity status where compliance with conditions RPROZ-R11(1)(a) and/or RPROZ-R11(1)(c) is not achieved: DIS</p>
	<p>4. Activity status where compliance with condition RPROZ-R11(1)(d) is not achieved: NC</p>
<p>RPROZ-R12 Emergency service activities and emergency aviation movements</p>	
<p>1. Activity Status: PER</p> <p>Where the following conditions are met:</p> <ul style="list-style-type: none"> a. Limited to 100m² gross floor area per site. b. Compliance with: <ul style="list-style-type: none"> i. RPROZ-S2; ii. RPROZ-S3; iii. RPROZ-S4; iv. RPROZ-S5; v. RPROZ-S6; vi. RPROZ-S7; vii. RPROZ-S8; viii. RPROZ-S9; ix. RPROZ-S10; and x. RPROZ-S11; and xi. RPROZ-S17. c. Compliance with: <ul style="list-style-type: none"> i. RPROZ-S13 (building restrictions near Waipukurau Aerodrome); and ii. RPROZ-S14 (setback from gas transmission network). d. Compliance with RPROZ-S15 (setbacks from National Grid). 	<p>2. Activity status where compliance with condition RPROZ-R12(1)(b) is not achieved: RDIS</p> <p>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</p> <ul style="list-style-type: none"> a. Assessment matters: <ul style="list-style-type: none"> i. RPROZ-AM1. ii. RPROZ-AM2. iii. RPROZ-AM4. iv. RPROZ-AM15. v. RPROZ-AM16. b. Assessment matters in the following chapters: <ul style="list-style-type: none"> i. TRAN – Transport. ii. LIGHT – Light. iii. NOISE – Noise.
	<p>3. Activity status where compliance with conditions RPROZ-R12(1)(a) and/or RPROZ-R12(1)(c) is not achieved: DIS</p>
	<p>4. Activity status where compliance with condition RPROZ-R12(1)(d) is not achieved: NC</p>

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Commented [JKS65]: S57.185 FENZ – Rural Topic, Volume 4, Key Issue 20

Commented [RM66]: S81.164 Hort NZ - Rural Topic, Key Issue 18

Commented [JKS70]: S57.187 FENZ – Rural Topic, Volume 4, Key Issue 20.

Commented [JKS72]: S90.045 Centralines – Rural Topic, Volume 4, Key Issue 18.

Commented [JKS73]: S57.186 FENZ – Rural Topic, Volume 4, Key Issue 20

Commented [JKS71]: S57.186 FENZ – Rural Topic, Volume 4, Key Issue 20

RPROZ-R13 Relocated buildings

1. Activity Status: PER

Where the following conditions are met:

- a. The building must be for the purpose of accommodating a permitted or consented activity on the site.
- b. Compliance with RPROZ-S16.

2. Activity status where compliance not achieved: RDIS

Matters over which discretion is restricted:

- a. Whether the building is structurally sound, the condition of the building and the works needed to bring the exterior of the building up to an external visual appearance that is tidy, of appropriate standard, and compatible with other buildings in the vicinity.
- b. The bulk and location of the building in relation to the requirements of the zone.
- c. The need for structural repairs and reinstatement of the building and the length of time for completion of that work.
- d. The imposition of a performance bond to ensure compliance with the consent conditions.

Note: this rule applies to the building only. Any activities occurring within the building are subject to the District Plan rules relating to the activity itself.

RPROZ-R14 Intensive primary production activities ~~(other than commercial boarding and/or breeding of cats, dogs, and other domestic pets)~~

1. Activity Status: CON

Where the following conditions are met:

- a. Minimum setbacks for buildings housing animals reared intensively, enclosures accommodating animals reared intensively, and organic matter and effluent storage, treatment and utilisation associated with intensive primary production activities, from:
 - i. any Settlement, Rural Lifestyle, or General Residential Zone boundary is 500m.
 - ii. from a property boundary is 200m.
- b. Compliance with:

~~1.2.2.~~ Activity status where compliance with condition RPROZ-R14(1)(b) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. RPROZ-AM1.
 - ii. RPROZ-AM2.
 - iii. RPROZ-AM4.
 - iv. **RPROZ-AM15.**
 - v. **RPROZ-AM16.**
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.

Commented [RM74]: consequential amendment S42.003 Pork Industry Board – Rural Topic, Key Issue 13

Commented [JKS77]: S90.045 Centralines – Rural Topic, Volume 4, Key Issue 18.

Commented [JKS78]: S57.188 FENZ – Rural Topic, Volume 4, Key Issue 20

<ul style="list-style-type: none"> i. RPROZ-S2; ii. RPROZ-S3; iii. RPROZ-S4; iv. RPROZ-S5; v. RPROZ-S6; vi. RPROZ-S7; vii. RPROZ-S8; viii. RPROZ-S9; ix. RPROZ-S10; and x. RPROZ-S11; and xi. RPROZ-S17. 	<ul style="list-style-type: none"> iii. NOISE – Noise.
	<p><u>2A. Activity status where compliance with condition RPROZ-R14(1)(a)(ii) is not achieved: RDIS</u></p> <p><u>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</u></p> <p>a. <u>Assessment Matters:</u></p> <p>i. <u>RPROZ-AM10.</u></p>
<ul style="list-style-type: none"> c. Compliance with: <ul style="list-style-type: none"> i. RPROZ-S13 (building restrictions near Waipukurau Aerodrome); and ii. RPROZ-S14 (setback from gas transmission network). d. Compliance with RPROZ-S15 (setbacks from National Grid). <p>Matters over which control is reserved:</p> <ul style="list-style-type: none"> e. Effects on character and amenity of the zone from traffic generated by the proposal and the hours of operation. f. The method of storage and use of materials associated with the operation of the activity that may generate noxious, offensive, or objectionable odour beyond the site boundary. g. Methods of disposal of stormwater and wastewater for the activity. h. Setbacks from wāhi tapu, wāhi taonga and sites of significance identified in SASM-SCHED3 that are located within the site of the activity. 	<p>3. Activity status where compliance with condition RPROZ-R14(1)(c) is not achieved: DIS</p> <p>4. Activity status where compliance with conditions RPROZ-R14(1)(a) and/or RPROZ-R14(1)(d) is not achieved: NC</p>
<p><u>RPROZ-RXX Rural Industry (other than post-harvest facilities)</u></p>	
<p><u>1. Activity Status: DIS</u></p> <p><u>Where the following conditions are met: N/A</u></p> <p><u>Subject to (but not limited to) the following assessment matter:</u></p>	<p><u>2. Activity status where compliance not achieved: N/A</u></p>

Commented [JKS75]: S57.188 FENZ – Rural Topic, Volume 4, Key Issue 20

Commented [RM79]: S102.080 Te Mata Mushrooms – Rural Topic, Key Issue 14

Commented [RM76]: S81.165 Hort NZ - Rural Topic, Key Issue 18

Commented [LW80]: Refer to 8.54-8.91 in evidence of L Wharfe h

Commented [RM81]: S102.084 Te Mata Mushrooms, S116.039 Silver Fern Farms - Rural Topic, Key Issue 16

a. <u>The necessity of a rural location:</u>	
RPROZ-RXX Airport / aerodrome (other than rural airstrip), and helicopter depot	
1. Activity Status: DIS	2. Activity status where compliance not achieved: N/A
Where the following conditions are met: N/A	
RPROZ-R15 Commercial boarding and/or breeding of cats, dogs, and other domestic pets	
1. Activity Status: DIS	2. Activity status where compliance not achieved: N/A
Where the following conditions are met: N/A	
RPROZ-R16 Camping grounds	
1. Activity Status: RDIS DIS	2. Activity status where compliance not achieved: DISNA
Where the following conditions are met:	
a. <u>Compliance with:</u>	
i. <u>RPROZ-S2;</u>	
ii. <u>RPROZ-S3;</u>	
iii. <u>RPROZ-S4;</u>	
iv. <u>RPROZ-S5;</u>	
v. <u>RPROZ-S6;</u>	
vi. <u>RPROZ-S7;</u>	
vii. <u>RPROZ-S8;</u>	
viii. <u>RPROZ-S9;</u>	
ix. <u>RPROZ-S10;</u>	
x. <u>RPROZ-S11; and</u>	
xi. <u>RPROZ-S17.</u>	
b. <u>Compliance with:</u>	
i. <u>RPROZ-S12 (setback from existing intensive primary production); and</u>	
ii. <u>RPROZ-S13 (building restrictions near Waipukurau Aerodrome); and</u>	
iii. <u>RPROZ-S14 (setback from gas transmission network).</u>	
c. <u>Compliance with RPROZ-S15 (setbacks from National Grid Yard).</u>	

Commented [RM82]: S58.002 Calder, FS10.29 Aerospread Ltd, FS14.35 Agricultural Aviation Association - Rural Topic, Key Issue 17

Commented [LW83]: Refer to 9.16 in evidence of L Wharfe

Commented [JKS84]: S101.005 NZ Motor Caravan Association – Rural Topic, Volume 4, Key Issue 19

Note: with change of activity status, this may need to be re-ordered to follow Rule RPROZ-R14, as per National Planning Standards

Matters over which discretion is restricted:

d. Assessment matters (where relevant to the infringed standard(s)):

- i. RPROZ-AM1.
- ii. RPROZ-AM2.
- iii. RPROZ-AM3.
- iv. RPROZ-AM4.
- v. RPROZ-AM15.
- vi. RPROZ-AM16.

e. Assessment matters in the following chapters:

- i. TRAN – Transport.
- ii. LIGHT – Light.
- iii. NOISE – Noise.

RPROZ-R17 Relocatable building depots

1. Activity Status: DIS

Where the following conditions are met: N/A

2. Activity status where compliance not achieved: N/A

RPROZ-R18 Any other activity not otherwise provided for

1. Activity Status: DIS

Where the following conditions are met: N/A

2. Activity status where compliance not achieved: N/A

RPROZ-R19 Industrial activities (other than post-harvest facilities and rural industry)

1. Activity Status: NC

Where the following conditions are met: N/A

2. Activity status where compliance not achieved: N/A

RPROZ-R20 New noise sensitive activities within the Air Noise Boundary or Outer Control Boundary for the Waipukurau Aerodrome

1. Activity Status: PR

Where the following conditions are met: N/A

2. Activity status where compliance not achieved: N/A

Commented [RM85]: S102.083 Te Mata Mushrooms - Rural Topic, Key Issue 16

Standards

RPROZ-S1 Activity Threshold	
Commercial Activities Visitor Accommodation Home Businesses (excludes retail sales and restaurants)	1. Maximum gross floor area per site is 100m ² . 2. Personnel limited to: <ul style="list-style-type: none"> a. At least one person resident on the site must carry out the activity. b. A maximum of three additional employees (in addition to those resident on the site). <p><i>Note: Visitor accommodation within an existing residential unit or existing minor residential unit will be exempt from the 100m² maximum floor area, provided the existing residential activity does not cease.</i></p>
Retail Sales of produce reared or produced on the site	3. Maximum gross floor area per site is 100m ² . 4. Limited to the following hours of operation: <ul style="list-style-type: none"> a. 0800 – 2200 hours, seven days a week.
Restaurants	5. Maximum gross floor area for serving customers per site is 100m² (excluding uncovered outdoor areas). 6. Maximum number of customers to be accommodated at any one time is 40 persons. 7. Limited to the following hours of operation: <ul style="list-style-type: none"> a. 0800 – 2200 hours, seven days a week.
Cumulative Limits	8.5. Maximum combined gross floor area per site, for any of the above activities, is 100m ² . 9.6. Maximum combined outdoor display area per site, for any of the above activities, is 100m ² . <p><i>Note: Cumulative limits are calculated per site, not per activity.</i></p>
RPROZ-S2 Total Building Coverage	
All	1. Maximum building coverage (including hardstand and sealed areas) must not exceed 35% of the net site area or 1500m ² , whichever is the lesser, except: <ul style="list-style-type: none"> a. for sites containing post-harvest facilities, the maximum building coverage is 35% of the net site area or 2500m², whichever is the lesser. 2. Netting, structures <u>(including artificial crop protection structures)</u> , and greenhouses where crops are grown under or within those structures directly in the soil of the site , are excluded from total building coverage calculations.
RPROZ-S3 Height of Buildings	

Commented [LW86]: Refer to 7.29 – 7.36 in evidence of L Wharfe

Commented [RM87]: S81.168 - Rural Topic, Key Issue 12

Commented [LW88]: Refer to 8.17-8.23 in evidence of L Wharfe

All (except frost fans)	1. Maximum height of any building(s) is 10m.
Frost Fans	2. Maximum height, measured to the tip of the blade at its highest point, is 15m.
	<i>Note: in all instances, height is measured from the natural ground level.</i>

RPROZ-S4 Height in Relation to Boundary

All	<p>1. No part of a building must exceed a height of 2 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary, except for the following:</p> <ul style="list-style-type: none"> a. chimneys, ventilation shafts, lift and stair shafts and spires, poles and masts that meet the maximum height standard for the relevant zone, provided the maximum dimension of these structures measured parallel to the boundary under consideration must not exceed 3m; b. domestic water storage tanks, provided the maximum dimension of these structures measured parallel to the boundary under consideration must not exceed 3m; c. solar panels or solar hot water systems (and associated hardware), provided that the panels do not protrude more than 500mm from the surface of the roof. <p>2. Where an internal boundary of a site immediately adjoins an access or part of an access which is owned or partly owned with that site, or has a registered right-of-way over it in favour of that site, the height in relation to boundary is measured from the far side of the access.</p> <p><u>Note: This does not apply to artificial crop protection structures.</u></p>
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Commented [RM89]: S81.170 Hort NZ - Rural Topic, Key Issue 12

RPROZ-S5 Setback from Roads and Rail Network

Residential Activities (including accessory buildings)	<p>1. Minimum setback of any building(s) from road boundaries is 5m.</p> <p>2. Minimum setback of any building(s) from the Rail Network Boundary is 5m.</p>
Seasonal Workers Accommodation	3. Minimum distance of any building(s) from road boundaries is 15m.
<u>Accessory Buildings associated with</u>	4. Minimum setback of any building(s) from road boundaries is 5m.

Primary Production Activities Ancillary Buildings and Structures (Primary Production)	<p>5. Minimum setback of stockyards and stock loading ramps/races fronting roads that are classified as Arterial or Primary Collector Roads is 20m.</p> <p>6. Minimum setback of any building(s) from the Rail Network Boundary is 5m.</p>
All Other Buildings (including Post-Harvest Facilities)	<p>7. Minimum setback of any building(s) from road boundaries is 20m, except that:</p> <ol style="list-style-type: none"> buildings less than 10m² in gross floor area, and buildings used by Emergency Service Activities, may be located within the above setbacks from road boundaries. <p>8. Minimum setback of any building(s) from the Rail Network Boundary is 5m.</p> <p><i>Note: Under the Hawke's Bay Regional Resource Management Plan, there is also a requirement for setbacks from the bed of a river, lake or artificial watercourse which is within a land drainage or flood control scheme area.</i></p>
RPROZ-S6 Setback from Neighbours	
Residential Activities adjacent to an existing plantation forest on an adjoining site	<p>1. Minimum setback of buildings from an existing plantation forest on an adjoining site is 40m.</p>
Residential activities	<p>2. Minimum setback from side and rear boundaries is 30m.</p>
All Other Activities (excluding Accessory Buildings and Ancillary Buildings and Structures (Primary Production))	<p>2.3. Minimum setback of buildings for an activity from internal side and rear boundaries is 15m. Farm and Domestic water storage tanks up to 2m in height are exempt from this standard.</p>
Accessory Buildings Ancillary Buildings and Structures (Primary Production)	<p>3.4. Minimum setback of buildings for an activity from internal side and rear boundaries is 5m. Farm and Domestic water storage tanks up to 2m in height are exempt from this standard.</p>
Artificial Crop Protection Structures	<p>5. Minimum setback from side and rear boundaries of 1m.</p>
Sites created before 28 May 2021 and greater	<p>6. Minimum setback of buildings for a residential activity from side and rear boundaries is 5m.</p>

Commented [RM90]: S81.171 - Rural Topic, Key Issue 6

Commented [LW91]: Refer to 7.37- 7.55 in evidence of L Wharfe

Commented [RM93]: S121.224 Federated Farmers - Rural Topic, Key Issue 6

Commented [RM92]: S81.172 Hort NZ - Rural Topic, Key Issue 6

Commented [RM95]: S121.224 Federated Farmers - Rural Topic, Key Issue 6

Commented [RM94]: S81.172 Hort NZ - Rural Topic, Key Issue 6

Commented [RM96]: S81.172 Hort NZ - Rural Topic, Key Issue 12

less than 4000m² net site area 7. Minimum setback of buildings for all other activities from side and rear boundaries is 10m.

Where a subdivision consent application to create a site is lodged with Council before 28 May 2021, and accepted under section 88 of the RMA 1991 and thereafter granted

Commented [LW97]: Refer to 7.37 – 7.55 in evidence of L Wharfe

Commented [RM98]: S128.002 Surveying the Bay - Rural Topic, Key Issue 6

RPROZ-S7 Shading of Land and Roads Continuous Tree Planting along Boundaries

Trees on boundaries

1. Trees forming a continuous line for a distance of more than 20 metres on a side or rear boundary of a property under separate ownership:
 - a. must be planted a minimum distance of 5m from an adjoining property boundary and be maintained so that the branches do not extend over that boundary; and
 - b. ~~where planted a distance between 5m and 10m from an adjoining property boundary, must be maintained at a height of no more than their distance from the boundary +4m (for example, at a distance of 5m from the boundary, the height limit is 9m; at a distance of 9m from the boundary, the height limit is 13m).~~

Commented [RM99]: Clause 16(2) First Schedule, RMA, S42.080 Pork Industry Board, S121.225 Federated Farmers - Rural Topic, Key Issue 9

Trees adjoining public roads

2. Trees forming a continuous line for a distance of more than 20 metres within 5 metres of a public road must be maintained at a height of less than 9 metres.

Commented [LW100]: Refer to 7.81-7.102 in evidence of L Wharfe.
Note the change sought in App2 table of submissions should refer to RPROZ-S7 – not S6

Note: this standard does not apply to plantation forestry, which is subject to permitted activity setback conditions for afforestation specified in the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.

RPROZ-S8 Electricity Safety Distances

All

1. Any activity, including the establishment of buildings and structures within the vicinity of overhead electric lines must comply with the New Zealand Electrical Code of Practice for Electrical Safety Distances (NZCECP 34:2001).

Commented [JKS101]: Error corrected pursuant to clause 16(2), First Schedule of the RMA.

RPROZ-S9 Transport (Access, Parking, Loading)	
All	1. Activities must comply with the provisions of the TRAN – Transport chapter.
RPROZ-S10 Light	
All	1. Activities must comply with the provisions of the LIGHT – Light chapter.
RPROZ-S11 Noise	
All	<p>1. Activities must comply with the provisions of the NOISE – Noise chapter.</p> <p><i>Note: There are exemptions and/or specific standards provided in NOISE-S5 for the use of agricultural machinery, audible bird scaring devices, hail cannons and frost protection fans.</i></p>
RPROZ-S12 Setback from Existing Intensive Primary Production Activities	
Sensitive Activities	1. Minimum setback of buildings from any buildings or enclosure housing animals reared intensively, or from organic matter and effluent storage, treatment and utilisation associated with intensive primary production activities, is 200 metres.
RPROZ-S13 Buildings and structures by Waipukurau Aerodrome	
All	<p>1. No building or structure in areas specified as 'Waipukurau Aerodrome - No Building' overlay.</p> <p>2. No building or structure exceeding heights specified in 'Waipukurau Aerodrome – Height Restriction of 6m' overlay or 'Waipukurau Aerodrome – Height Restriction of 10m' overlay.</p> <p>3. No building or structure exceeding a height restriction determined by a 1:20 approach and take-off gradient for aircraft using the runways identified for Waipukurau Aerodrome.</p>
RPROZ-S14 Setback from Gas Transmission Network	
Residential Activities	<p>1. Gas Transmission Pipeline:</p> <p>a. minimum setback of buildings from a gas transmission pipeline forming part of the Gas Transmission Network is 20m.</p> <p>2. Incidental Equipment:</p>

	a. minimum setback of buildings from above ground incidental equipment forming part of the Gas Transmission Network is 30m.
RPROZ-S15 Setback from National Grid Yard and National Grid Substation	
Sensitive Activities	1. Minimum setback of buildings and structures from the designated boundary of a National Grid substation is 25m.
All Buildings and Structures	<p>2. Under the National Grid conductors (wires):</p> <p>a. on all sites within any part of the National Grid Yard, all buildings and structures must:</p> <ul style="list-style-type: none"> i. if for an existing sensitive activity, not involve an increase in the building height or footprint where alterations and additions to existing buildings occur; or ii. be a fence less than 2.5m high; or iii. be an uninhabitable farm building or structure for primary production activities (but not a milking/dairy shed (excluding ancillary structures), enclosed protective canopies made from impermeable material, commercial greenhouses, or intensive primary production buildings); or iv. be an uninhabited horticultural building or structure (but not a commercial greenhouse). <p>b. all buildings or structures permitted by a. must comply with the following conditions:</p> <ul style="list-style-type: none"> i. demonstrate that safe electrical clearance distances required by NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances are maintained under all National Grid line operating conditions. ii. not permanently physically impede existing vehicular access to a National Grid support structure. <p>3. Around National Grid support structures: buildings and structures permitted under clause 2 above must be set back at least 12m from a tower, or 8m from a pole, forming part of a National Grid support structure, except where the building or structure is:</p> <p>a. a fence less than 2.5m in height and more than 5m from the nearest National Grid support structure foundation; or</p>

Commented [JKS102]: S79.111 Transpower - Rural Topic, Volume 4, Key Issue 18.

Commented [RM103]: S121.229 Federated Farmers - Rural Topic, Key Issue 18

Commented [JKS104]: S121.230 Federated Farmers - Rural Topic, Volume 4, Key Issue 18.

Commented [LW105]: Retain provision refer 9.11 in evidence of L Wharfe

Commented [JKS106]: S79.111 Transpower – Rural Topic, Volume 4, Key Issue 18.

	<p>b. an artificial crop protection structure or crop protection support structure between 8m and 12m from a pole support structure and any associated stay wire, that:</p> <ul style="list-style-type: none"> i. meets the requirements of the <i>NZEC 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances</i> for separation distances from the conductor; ii. is no more than 2.5m high; iii. is removable or temporary, to allow a clear working space 12 metres from the pole when necessary for maintenance and emergency repair purposes; and iv. allows all-weather access to the pole and a sufficient area for maintenance equipment, including a crane; or <p>c. a horticultural structure for which Transpower has given written approval in accordance with clause 2.4.1 of <i>NZEC 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances</i> to be located within 12m of a tower or 8m of a pole support structure.</p>
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Commented [JKS107]: S81.174 Horticulture NZ, Rural Topic, Volume 4, Key Issue 18.

RPROZ-S16 Relocated Buildings

All	<ol style="list-style-type: none"> 1. Any relocated building intended for use as a dwelling or for visitor accommodation must have previously been designed, built and used as a dwelling or for visitor accommodation. 2. The relocated building must comply with all other relevant performance standards for the zone. 3. A Building Pre-Inspection Report must be submitted to the Council with each application to relocate a building. The report must: <ul style="list-style-type: none"> a. state whether the building is structurally sound; b. describe the condition of the building and identify all reinstatement works needed to bring the exterior of the building up to an external visual appearance that is tidy, workmanlike and compatible with other buildings in the vicinity; c. state the proposed timetable to complete the external reinstatement works (including connections to all infrastructure services and closing in and ventilation to the foundations) within 12 months from the date the building is moved to the site; d. provide clear photographs of the building in its current state; and e. provide such plans and elevations of the building as are necessary to illustrate the new site location and
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	<p>likely external design and appearance of the building as a result of the reinstatement work.</p> <ol style="list-style-type: none"> 4. The Building Pre-Inspection Report must be prepared by: <ol style="list-style-type: none"> a. A Member of Engineering New Zealand (the Institute of Engineering Professionals) (Structural and Civil); or b. A member of the New Zealand Institute of Building Surveyors; or c. An independent person, persons, or company as approved by Central Hawke's Bay District Council Building Control Authority; or d. A Building Control Officer (or equivalent) from the Territorial Local Authority where the building is being relocated from outside of the District. 5. The Council must be notified of the intended delivery date at least 48 hours before the building is relocated. Relocation must not be undertaken until the site is visited by Council officers to inspect the standard of the site, footpath, vehicle entrance and road. This standard will be met provided that the building is relocated within 5 days of the notified date. 6. The building must be placed on permanent foundations no later than two weeks from the date the building is moved to the site. 7. All external reinstatement works identified in the Building Pre-Inspection Report, including connections to all infrastructure services and closing in and ventilation to the foundations, must be completed within 12 months from the date the building is moved to the site. 8. The owner of the site on which the relocated building is placed must certify to the Council that the reinstatement work identified in the Building Pre-Inspection Report will be completed within the 12-month period. The site owner will be responsible for ensuring this work is completed. <p><i>Note: All necessary building consents under the Building Act 2004 (including consent to place the building on permanent foundations) must be obtained prior to the relocated building being placed on the destination site, unless otherwise agreed in writing by the Council.</i></p>
RPROZ-S17 Water supply for firefighting	
<u>All buildings (excluding accessory buildings that do not</u>	<ol style="list-style-type: none"> 1. <u>Where water is not supplied to a site by Council or a private community supply, or water is supplied by Council but is a restricted supply flow, access to a water supply for firefighting purposes shall be made available to all buildings that is consistent with SNA PAS 4509:2008 NZ Fire Service</u>

include a habitable room)

Firefighting Water Supplies Code of Practice on a site that is or will be:

- accessible to firefighting equipment; and
- between 6 and 90 metres from the buildings on the site; and
- on the same site as the buildings (except where the specified volume or flow of water is in a pond, dam or river that is within the required distances); and
- either:
 - stores at least 45,000 litres, in addition to a potable water supply on the site; or
 - i. provides at least 25 litres per second for a minimum of 30 minutes.

Note: Further advice and information about managing fire risk and storage of water for firefighting purposes can be obtained from Fire and Emergency New Zealand and SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice.

Note: The above does not replace Regional Council rules which control the taking and use of groundwater and surface water.

Commented [LW108]: Refer to 9.70 in evidence of L Wharfe

Commented [JKS109]: S57.194 FENZ – Rural Topic, Volume 4, Key Issue 20.

Assessment Matters

For Discretionary Activities, Council's assessment is not restricted to these matters, but it may consider them (among other factors).

RPROZ-AM1 Building Coverage, Height of Buildings, Height in Relation to Boundary, Setback from Roads and Rail Network, Setback from Neighbours

1. The degree to which the proposed buildings:
 - a. will be compatible with the character and amenity of the area, including the nature and scale of other buildings in the surrounding area;
 - b. will adversely affect the life-supporting capacity of the rural soil resource, particularly the highly productive land of Central Hawke's Bay, and any potential for reverse sensitivity effects to arise;
 - c. will overshadow adjoining sites and result in reduced sunlight and daylight;
 - d. will cause a loss of privacy through being over-looked from neighbouring buildings;
 - e. will block views from properties in the vicinity, or from roads or public open space in the surrounding area;
 - f. will diminish the openness and attractiveness of the street scene;

- g. will detract from the amenity of adjoining sites, in terms of such matters as noise, odour, dust, glare or vibration occurring as a result of the building; and
 - h. will adversely affect the safe and efficient operation of the land transport network.
2. The ability of the applicant to:
- a. provide adequate opportunity for garden and tree planting around buildings;
 - b. provide adequate vehicle parking and manoeuvring space on site;
 - c. provide adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site;
 - d. mitigate any adverse effects of increased height or exceedance of the height in relation to boundary, such as through increased separation distances between the building and adjoining sites or the provision of screening; and
 - e. mitigate any adverse effects on people affected by the proposal.
3. The ability of the applicant to adequately dispose of effluent, which avoids:
- a. any potential contamination of groundwater;
 - b. any potential slope instability problems;
 - c. any potential odour, noise and vibration nuisance to neighbours; and
 - d. any potential seepage of effluent at ground surface.
4. The degree to which the non-compliance with the standard allows more efficient, practical and/or pleasant use of the remainder of the site.
5. The degree to which alternative practical locations are available for the building.

RPROZ-AM2 Shading of Land and Roads Continuous Tree Planting along Boundaries

1. Trees on Boundaries
- ~~a. The degree to which planting within the setback area can adversely affect the health of vegetation or stock, or cause a significant increase in the risk of fire.~~
 - ~~b.a.~~ The degree to which the planting of trees will overshadow adjoining sites and result in reduced sunlight and daylight, and/or result in the loss of productive land.
 - ~~c.b.~~ The degree to which trees may potentially damage structures due to wind fall or root growth.
2. Trees adjoining Public Roads
- a. The degree to which planting will cause shading and ice forming on roads in winter, or root damage to the road.
 - b. The degree to which trees may potentially cause a road safety risk due to wind fall.

Commented [RM110]: Clause 16(2) First Schedule, RMA, S42.082 - Rural Topic, Key Issue 9

Commented [LW111]: Refer to 7.81-7.102 in evidence of L Wharfe

RPROZ-AM3 **Setback for Sensitive Activities from Existing Intensive Primary Production Activities**

1. The likelihood of the proposed activity to generate reverse sensitivity effects on the intensive primary production activity and the potential impact these effects

may have on the continuing effective and efficient operation of the intensive primary production activity.

2. The extent to which alternative locations have been considered.

RPROZ-AM4 Buildings within the Air Noise Boundary or Outer Control Boundary for the Waipukurau Aerodrome

1. The degree to which any building may compromise the safety of aircraft arriving or departing from Waipukurau Aerodrome.

RPROZ-AM5 Setback for New Residential Activities from Gas Transmission Network

1. Any effects on the safe, effective, and efficient operation, maintenance, and upgrade of the Gas Transmission Network.
2. Any effects on the ability for vehicles to access the Gas Transmission Network.
3. Risks relating to health or public safety and the risk of property damage.
4. Reverse sensitivity effects.
5. Technical advice provided by First Gas Ltd.

RPROZ-AM6 Residential Activities

1. Whether the additional residential activity will have an adverse effect on the sustainable management of the soil resource.
2. The impact of the residential activity on the character and amenity of adjoining activities and the surrounding rural environment and any potential for reverse sensitivity effects to arise.
3. Any cumulative effect of the residential activity.
4. The potential for the residential activity to have an adverse effect on road safety.
5. Whether the proposal will continue to allow for efficient use of the remaining undeveloped land for primary production activities.

RPROZ-AM7 Post-Harvest Facilities exceeding the 2,500m² Gross Floor Area Threshold per site

1. Whether the activity is of such a scale that it is better to be located or, in the case of an existing operation, relocated in a General Industrial Zone where infrastructure and employment are more readily available and the receiving environment is less sensitive.
2. The effects of the proposal on the soil resource.
3. Whether the Post-Harvest Facility will utilise any existing building(s).
4. The impact of the scale, character and/or effects of the activity and its compatibility with surrounding activities.
5. The potential for the activity to generate adverse effects in the environment in terms of stormwater quality and quantity.
6. Whether the activity will process, store and/or package agricultural, horticultural and/or viticultural crops and/or produce, the majority of which are grown from within the Rural Production and/or General Rural Zones.

7. Whether the proposal will significantly compromise the visual amenity value of the surrounding area, recognising that it is a rural working environment.
8. The potential for the activity to generate more than minor adverse effects on the environment in terms of noise, dust, glare, and road safety.

RPROZ-AM8 Commercial Activities, Visitor Accommodation, Home Businesses

1. Whether the proposal will maintain or enhance the character and amenity values of the surrounding area.
2. The impact of the scale, character and/or effects of the activity and its compatibility with surrounding activities, including proximity to sensitive activities.
3. The potential for the activity to generate more than minor adverse effects on the environment in terms of noise, dust, glare, vibration, and road safety.
4. Whether the proposal will have an adverse effect on the sustainable management of the soil resource and any potential for reverse sensitivity effects to arise.

RPROZ-AM9 Community Facilities and Educational Facilities

1. The degree to which the proposed buildings will be compatible and integrate with the character of the surrounding area, including the layout, height, bulk and scale of buildings.
2. Any adverse effects from the proposed activity in terms of:
 - a. the life-supporting capacity of the rural soil resource, particularly the highly productive land of Central Hawke's Bay and any potential for reverse sensitivity effects to arise;
 - b. loss of privacy to neighbours through being over-looked, including by buildings;
 - c. loss of openness and attractiveness of the street scene;
 - d. noise, vibration, and glare; and
 - e. admission of sunlight and daylight to adjoining sites.
3. The volume and type of traffic which may be generated by the activity and the ability to avoid or mitigate any adverse effects on the function of the road network and/or the safety of pedestrians, cyclists and vehicles using the road network (including cumulative effects) through the provision of appropriate on-site parking, vehicle queuing, loading, manoeuvring and access design.
4. Whether the amenity of the rural environment will be adversely affected by the scale and/or intensity of the activity. The following matters will be considered:
 - a. the number of patrons and/or staff on the site at any one time;
 - b. the hours of operation to maintain the amenity of the area;
 - c. the proximity of the activity to adjacent activities;
 - d. the anticipated number of transportation movements (including pedestrians and vehicular traffic); and
 - e. whether the proposed activity is located in an area where there are already one or more non-residential activities in close proximity and the resultant cumulative effect on amenity.
5. Whether landscaping and/or screening is proposed to mitigate potential adverse visual effects of the activity.
6. [The functional or operational need to locate in the Rural Production Zone.](#)

Commented [RM112]: S81.178 Hort NZ - Rural Topic, Key Issue 3

RPROZ-AM10 Intensive Primary Production Activities (located more than 500 metres from a General Residential, Rural Lifestyle, Settlement, or Commercial Zone boundary)

1. The traffic generated by the proposal.
2. Any noxious, offensive, or objectionable odour arising from the activity beyond the site boundary or any storage of materials associated with the operation of the activity.
3. The effects arising from the stormwater/wastewater management of the activity.
4. The hours of the operation of the activity and the potential for noise effects to arise.
5. Setbacks from wāhi tapu, wāhi taonga and sites of significance identified in SASM-SCHED3 and on the Planning Maps.

RPROZ-AM11 Commercial Boarding and/or Breeding of Cats, Dogs or Other Domestic Pets

1. The degree to which the boarding premises will be compatible with the character of the surrounding rural area, including the density of and proximity to residential units in the area.
2. The degree to which the proposed boarding premises are likely to lead to any adverse odour, noise, health, or amenity effects beyond the boundary of the site, and in particular, the building design and management systems proposed to mitigate noise or odour nuisance.
3. The degree to which the proposed buildings, will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding area.

RPROZ-AM12 Camping Grounds

1. The size of the camping ground, number of camp sites/accommodation units, carparks, and scale of buildings to ensure that they are consistent with the surrounding character and amenity.
2. Whether the design and appearance of the development of the site harmonises with the surrounding natural features and landscape.
3. Whether the location of the camping ground will give rise to reverse sensitivity effects, particularly in terms of primary production and associated activities.
4. Whether the proposed land use will have an adverse effect on any cultural values or heritage values of the area.
5. The design of infrastructure to ensure it is of a standard capable of servicing the camping ground, assuming 100% capacity.
6. Whether the activity is or will be located in an identified natural hazard area, considering the health and safety of camp users and the long- term viability of safe access and egress to the site.
7. Whether the activity will make a positive contribution to the social and economic well-being of the local community.
8. The proximity to any wāhi tapu, wāhi taonga and sites of significance identified in SASM-SCHED3 and on the Planning Maps.
9. Effects on any outstanding natural landscape or feature, or significant amenity feature identified in NFL-SCHED6.

RPROZ-AM13 Expansion or Intensification of Existing Noise Sensitive Activities within the Outer Control Boundary

1. Conditions on building design to incorporate appropriate sound insulation, including provision of suitable ventilation system(s).

RPROZ-AMXX Rural Airstrips and Helicopter Landing Areas (located within 500m of existing noise sensitive activities on a different site) other than for agricultural aviation movements

1. The number, frequency, and hours of flight operations.
2. The position of the flight path for take-offs and landings.
3. The extent to which the rural airstrip and/or helicopter landing area, and flight operations, will have adverse effects on amenity (such as noise, light, traffic, and dust effects) on the surrounding area.
4. The necessity to locate on the site, and the availability and feasibility of other alternatives.

Commented [RM113]: S41.003 Jill Fraser - Rural Topic, Key Issue 17

RPROZ-AM14 General

1. Whether the activity is of a type or scale that means that it is better located in another zone (for example, where infrastructure and labour force are more readily available, and the receiving environment is less sensitive).
2. Effects on the visual amenity values of the surrounding area, recognising the rural character of the locality.
3. Whether the activity can be adequately serviced. The site must be capable of sustaining the infrastructural needs of the development.
4. The impact of the scale, character and/or effects of the activity and its compatibility with surrounding activities, including proximity to sensitive activities and wāhi tapu, wāhi taonga and sites of significance identified in SASM-SCHED3, as well as any potential for reverse sensitivity effects on primary production to arise.
5. The potential for the activity to generate more than minor effects on the environment in relation to traffic, parking demand, or visitor numbers.
6. The ability of the roading hierarchy to accommodate any additional traffic generated by the activity, including effects on road safety.
7. The potential for the activity to generate more than minor adverse effects in terms of noise, dust, glare, or vibration, and the extent to which mitigation options have been considered and evaluated.
8. Where located within an outstanding natural landscape or feature, or significant amenity feature, refer to the assessment matters in NFL-AM1 and NFL-AM2.

RPROZ-AM15 Electricity Safety Distances

1. Impacts on the operation, maintenance, upgrading and development of the electricity network.
2. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.

3. The risk to the structural integrity of any support structures associated with the electricity network.
4. Technical advice provided by the National Grid owner (Transpower) or electricity distribution network operator (Centralines Limited).

Commented [JKS114]: S90.045 Centralines Limited, Key Issue 18, Volume 4, Rural Topic

RPROZ-AM16 Water supply for firefighting

1. The extent of compliance with SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice and health and safety of the community, including neighbouring properties.
2. Technical advice provided by Fire and Emergency New Zealand.

Commented [JKS115]: S57.195 – Rural Topic, Volume 4, Key Issue 20.

Methods

Methods, other than the above rules, for implementing the policies:

RPROZ-M1 Other Provisions in the District Plan

Other sections of the District Plan contain additional rules and standards applying to activities in the Rural Production Zone:

1. NU – Network Utilities – includes rules and standards relating to network utility operations.
2. TRAN – Transport – includes rules and standards relating to access, parking, and loading.
3. HAZS – Hazardous Substances – includes rules relating to the storage, handling and use of hazardous substances, and rules applying to major hazardous facilities.
4. NH – Natural Hazards – includes rules applying in areas specifically identified as subject to natural hazards.
5. HH – Historic Heritage – includes rules applying specifically to identified heritage buildings.
6. TREE – Notable Trees – includes rules applying specifically to identified notable trees.
7. SASM – Sites and Areas of Significance to Māori – includes rules applying specifically to identified sites of significance.
8. ECO – Ecosystems and Indigenous Biodiversity – includes rules applying specifically to significant indigenous vegetation and significant habitats of indigenous fauna.
9. NFL – Natural Features and Landscapes – includes rules applying specifically to identified outstanding natural features and landscapes.
10. SUB – Subdivision – includes rules and standards applying to subdivision, which will control fragmentation of the District's highly productive land.
11. ASW – Activities on the Surface of Water – includes rules applying to certain activities on the surface of identified waterbodies.
12. EW – Earthworks – includes rules and standards relating to earthworks and land disturbance, mining, quarrying and mineral prospecting and exploration.
13. LIGHT – Light – includes rules and standards relating to light and glare.
14. NOISE – Noise – includes rules and standards relating to the emission of noise.

15. PKH – Papakāinga and Kaumātua Housing, and associated Marae-based Development – includes rules and standards relating to papakāinga and kaumātua housing and marae-based developments on Māori land.
16. SIGN – Signs – includes rules and standards relating to the design and installation of signs.
17. TEMP – Temporary Activities – includes rules and standards relating to temporary activities, temporary buildings, and temporary events.

RPROZ-M2 Bylaws

The Central Hawke's Bay District Council Bylaws – Part 13: 2008 *The Keeping of Animals, Poultry and Bees*.

RPROZ-M3 Industry Codes of Practice and Management Plans

Promote the use of management plans and industry codes of practice as a means of self-regulation.

RPROZ-M4 National Standards

1. The Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.
2. Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.
3. The New Zealand Standards NZS 6805:1992 Airport Noise Management and Land Use Planning, and NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas.

Principal Reasons

The principal reasons for adopting the policies and methods:

The Rural Production Zone encompasses the District's concentration of highly productive land and is where the majority of the District's intensive cropping, horticulture and viticulture occurs, as well as traditional livestock farming. The zone provides extensively for land-based primary production activities (including post-harvest facilities and intensive primary production) and for a level of associated residential, rural commercial and rural service activities where these actively support the primary productive purpose of the zone and the people who live and work in the various rural communities.

Some activities, however, such as larger-scale commercial and industrial activities, are not provided for in this zone, as they are generally not considered compatible with the zone's character and amenity values and have greater servicing needs, trade waste, traffic effects and the like. These activities are better located in other zones, particularly the Commercial

and General Industrial Zones which are specifically for this purpose and more likely to be serviced accordingly.

At the interface between rural zones and other zones, and between intensive primary production activities and those activities which are more sensitive to noise, odour, dust and other nuisance effects, there is potential for conflicts to occur between different activities and different expectations about amenity. The District Plan, therefore, requires setbacks from roads, property boundaries, zone boundaries, and from intensive primary production activities, to avoid or mitigate potential adverse cross-boundary effects and land use conflicts.

The District Plan also provides for larger subdivision lot sizes in the rural zones, and strictly controls the provision for residential and rural lifestyle subdivision in the Rural Production Zone, to avoid further fragmentation of the District's highly productive land. Residential and rural lifestyle lots that are unrelated to primary production activities are better located in the General Residential Zone, Large Lot Residential Zone (Coastal), Settlement Zone, and Rural Lifestyle Zone, where amenity and servicing expectations are more likely to be met.

In addition, the District Plan controls the establishment or intensification of noise sensitive activities within the air noise and outer control boundaries of the Waipukurau Aerodrome within the Rural Production Zone, to ensure that the ongoing efficient operation of the airport is not unreasonably constrained, whilst similarly protecting noise sensitive activities from the adverse effects of the airport.

Anticipated Environmental Results

The environmental results anticipated from the policies and methods:

- | | |
|-------------------|--|
| RPROZ-AER1 | The life-supporting capacity of the highly productive land of the District is protected. |
| RPROZ-AER2 | The scale and form of development utilises and protects the rural land resource and maintains the range of potentially productive purposes. |
| RPROZ-AER3 | Production activities continue to promote the sustainable management of the land resource and enhance the social, economic and cultural wellbeing of the rural community. |
| RPROZ-AER4 | Recognition and acceptance of the effects associated with the management of primary production. |
| RPROZ-AER5 | The area of land available for primary production purposes is not reduced by ad hoc and unplanned development. |
| RPROZ-AER6 | Land use and development of new activities is based on a legitimate need for a rural location. |

- RPROZ-AER7** An environment that has low scale commercial and industrial activities linked to produce grown and/or stock farmed on the site or nearby.
- RPROZ-AER8** Commercial and industrial activities not directly related to primary production, or of a scale that is out of character with the rural environment, are directed to appropriate urban zones.
- RPROZ-AER9** The lawful operation of existing rural-based activities are not constrained by the introduction of new residential or rural residential land uses in the locality.
- RPROZ-AER10** Recognition of long-established infrastructure and community facilities.
- RPROZ-AER11** Rural activities appropriately manage their potential to create reverse sensitivity issues associated with odour, noise, dust and traffic affecting development in close proximity to them.
- RPROZ-AER12** Avoidance or mitigation of adverse effects on adjoining activities, including reverse sensitivity effects.
- RPROZ-AER13** Retention of the open character and low scale of buildings that comprise the amenity of the Rural Production Zone.
- RPROZ-AER14** Retention of the ongoing operation of the Waipukurau Aerodrome as an important infrastructure asset for Central Hawke's Bay District.

GRUZ – General Rural Zone

Introduction

The General Rural Zone, which encompasses the largest proportion of the rural area of the District, is used primarily for primary production (including intensive primary production). It is the area of generally undulating-to-hilly land inland of the coast, and extending through to the Ruahine Range in the west, and has a diverse range of land uses. The predominant land use is pastoral (the backbone of the District's economy) although the zone includes production forestry blocks and the conservation estates of the Ruahine Range, which forms the backdrop to the District. The General Rural Zone also encompasses the coastal environment of the District, where this falls outside of the Large Lot Residential Zone (Coastal).

Commented [RM1]: S42.039 Pork Industry - Rural Topic, Key Issue 13

The rural environment is generally sparsely settled and is characterised by a predominance of open space. There are a small number of commercial or industrial activities within the rural environment that are of a small scale and largely service the primary production sector and rural communities.

The rural landscape also supports a range of recreational activities, such as hunting and fishing in the rural area focusing on the Tukituki, Waipawa, and Porangahau Rivers, the Ruahine Ranges and the coast.

The Central Hawke's Bay's rural land area also accommodates a range of indigenous plant communities, including mountain forests of the Ruahine Range, podocarp-broadleaf remnant forests on the plains and coastal ranges, and coastal wetland and dune ecosystems.

Issues

GRUZ-I1 Protecting the Life-Supporting Capacity of the District's Soil Resource

The District's soil resource is finite, and inappropriate development or subdivision into smaller lots for activities that are not related to land-based primary production could cumulatively, and irreversibly, diminish the productive capacity of this finite resource for current and future generations.

Explanation

Land-based primary production underpins the economic, social, and cultural well-being of the District, and the District's rural land resource is important for sustaining this production. The soils within the rural environment are a significant resource base for the District.

The fragmentation of land holdings and new housing and other development which results from subdivision has a cumulative impact upon the rural environment, particularly on future options for the use of productive land. This includes direct loss of productive land for primary production, the cumulative effects of incremental loss over time, and the increasing incidence of reverse sensitivity arising.

The historical approach to subdivision within the rural area of the District has been to enable subdivision down to relatively small lots throughout the District, rather than to channel certain types of subdivision and development to particular locations. While each proposal may only have minor effects on its own, the cumulative effects over time can be very significant. The challenge is to ensure that subdivision under the District Plan rules, particularly those stipulating minimum lot sizes, does not compromise the productive potential of the District's rural land resource.

GRUZ-I2 Protecting Rural Amenity and the Quality of the Rural Environment and Primary Production Capability

Land-based primary production, (including intensive primary production), and other complementary rural, residential, and recreation-based activities, underpin the social, economic, and cultural wellbeing of the District (particularly for the District's rural communities), but they can also adversely affect rural environmental, cultural, and amenity values or result in conflict that affects primary production capability.

Commented [RM2]: S42.040, S42.087 Pork Industry - Rural Topic, Key Issue 13

The establishment of incompatible activities within rural areas can:

1. result in the loss of productive land;
2. conflict with existing rural activities, including through reverse sensitivity; and
3. detract from rural character and amenity.

Explanation

The rural environment supports a variety of land based primary production activities including dry stock farming, cropping, dairying, horticulture, plantation forestry, small niche farming land uses, as well as intensive primary production activities and rural service activities. These activities typically have an associated assortment of buildings and equipment, such as packing and processing sheds, milking sheds, fertiliser depots and rural contractor's yards. Infrastructural and other industrial-type activities also occur in the rural environment, such as network utility facilities (e.g. transmission lines), quarrying, aggregate processing, and gravel extraction, all of which are critical to the functioning of the District. Other complementary activities provide support services to land-based primary production or are themselves based on a natural resource (such as tourism/recreation).

The above activities also play a large role in the formation of a common rural character and amenity. Rural amenity values include landscape and scenic values, individual privacy, open rural outlook and open space, vegetation prevailing over built elements, openness, and ease of access, clean air, unique odours, overall quietness, water availability and the well-being of the community.

Productive working environments are common and may contain large utilitarian buildings associated with farming. In general, buildings or structures are typically relatively low and non-urban in density, with larger setbacks from external property boundaries, and with the height, scale, density, and number of buildings not dominating the landscape and open space qualities of the rural environment. Properties are self-serviced with respect to water supply, wastewater disposal and stormwater management.

While most of these activities are generally considered acceptable, practices associated with them have the potential to generate adverse effects on the rural environment, depending on their size and location, and the proximity and sensitivity of adjacent land uses. These practices include the use of agrichemicals, shading from shelter belts, general use of farm machinery both on- and off-farm, the harvesting of crops which may occur at various times including at night, the weekend, and public holidays. These practices have the potential to create noise, dust, and odour either of a temporary or intermittent nature beyond the boundary of the property concerned. These are legitimate farming practises which may nevertheless impact on the amenity of others. Because these practices are an accepted and integral part of land-based primary production, they should not be unreasonably constrained by other activities. Setbacks from primary production activities will assist in avoiding reverse sensitivity.

Some types of activities (such as un-related commercial, retail, and industrial activities) may be incompatible with rural character and amenity values or create conflict with other existing lawfully established activities. Furthermore, these other activities may introduce urban characteristics or features, and they lend themselves to be more appropriately located in an urban location, where the servicing, infrastructure and facilities are more suitable to assist in avoiding, remedying, or mitigating their potential adverse effects.

Avoidance of inappropriate and incompatible land uses that are inconsistent with the rural environment's location-specific values is important to maintain environmental quality and ensure that the productive use of land resources (for a resilient and diverse economy) is not compromised. There is a need to strike a balance between providing for a range of uses and development of natural and physical resources, and the preservation of that character, and those amenity values (such as vegetation prevailing over built elements, open space, privacy, ease of access and landscape and scenic values).

Rural-residential dwellers are often attracted to rural areas by the perceived quality of the rural environment, particularly its amenity values. Others choose to live in the country, as this is where their work is located, or because they were previously employed in the rural area. The rural environment is the residential location of necessity for farmers and other land users. Therefore, adequate rural living opportunities are required to support sustainable rural communities.

However, cumulative pressures and demands for rural living can generate tensions between those who opt for a rural lifestyle for open space, privacy, peace, and quiet, and scenic values, and those who rely on the productive capability of the rural land resource. Rural living can result in reverse sensitivity conflicts, as residents with higher expectations of amenity move into a rural environment, where previously, noise, dust and stock movements were generally considered a usual aspect of the rural environment.

If increasing density of rural subdivision is allowed in close proximity to existing intensive primary production activities, it can undermine the viability of such activities should complaints about heavy traffic or objectionable noise, dust or odour arise.

Increasing density of subdivision can also intensify pressure on the range of infrastructure servicing (roads and reticulated services), and conflicts with infrastructure services for intensive primary production activities (e.g. if rural roads are expected to be of a higher quality).

In response to this issue, and the reverse sensitivity issues of rural subdivision on land-based primary production activities, any rural-residential living opportunities within the rural zones should be of a size, intensity and scale that is consistent with productive land uses so that the wider rural environment and associated land use activities are not compromised.

Objectives

GRUZ-O1 The General Rural Zone is predominantly used for primary production activities (including intensive primary production) and ancillary activities.

Commented [RM3]: S42.042 Pork Industry - Rural Topic, Key Issue 13 and S102.037 Te Mata Mushrooms - Rural Topic, Key Issue 15

GRUZ-O2 The predominant character of the General Rural Zone is maintained, which includes:

1. overall low-density built form, with open space and few structures;
2. a predominance of rural and land-based primary production activities and associated buildings, such as barns and sheds, post-harvest facilities, seasonal workers accommodation, and artificial crop protection structures and crop support structures, which may vary across the district and seasonally;
3. the sounds, and smells, and traffic associated with legitimate primary production activities, and established rural industries, anticipated from a working rural environment;
4. existing rural communities and community activities, such as rural halls, reserves and educational facilities;
5. a landscape within which the natural environment (including farming and forest landscapes) predominates over the built one; and
6. an environmental contrast and clear distinction between town and country (including a general lack of urban infrastructure, such as street lighting, solid fences and footpaths).

Commented [LW4]: To be consistent with s42A Report

Commented [RM5]: S81.105 Hort NZ - Rural Topic, Key Issue 5

GRUZ-O3 ~~Adverse effects of a~~ Activities are managed to maintain rural character and amenity and, where applicable, the natural character and amenity values present within the coastal environment.

Commented [LW6]: Refer to 7.13 in evidence of L Wharfe

GRUZ-O4 The primary productive purpose and predominant character of the General Rural Zone are not compromised by potentially incompatible activities establishing.

Policies

GRUZ-P1 ~~To allow enable land-based~~ primary production ~~(including intensive primary production)~~ and ancillary activities, ~~recognising which are compatible with~~ the primary productive purpose and predominant character and amenity of the General Rural Zone.

Commented [RM7]: S42.043 Pork Industry - Rural Topic, Key Issue 13 and S102.041 Te Mata Mushrooms - Rural Topic, Key Issue 15

GRUZ-P2 ~~To allow activities of a limited scale which support the function and wellbeing of rural communities and/or enjoyment of the rural environment, and contribute to the vitality and resilience of the District's economy, where adverse effects are avoided, remedied or mitigated. To provide for non-primary production related activities that have a functional need or operational need for a rural location, and where they are managed to ensure that:~~

Commented [RM8]: S121.178 Federated Farmers, S81.107 Hort NZ - Rural Topic, Key Issue 5

- ~~1. their scale, intensity and built form are in keeping with the rural character of the General Rural Zone;~~
- ~~2. they maintain a level of amenity in keeping with the rural character of the General Rural Zone;~~
- ~~3. they minimise reverse sensitivity effects on activities otherwise anticipated within the General Rural Zone; and~~
- ~~4.4. adverse effects are avoided, remedied or mitigated~~

Commented [RM9]: S27.022 Egg Producers, S121.179 Federated Farmers - Rural Topic, Key Issue 5

GRUZ-P3 To manage the scale of post-harvest facilities and ~~rural industries~~ ~~rural commercial activities~~ to ensure that they remain compatible with the primary productive purpose of the General Rural Zone, and potential adverse effects on the character and amenity of the rural area are avoided, remedied or mitigated.

Commented [LW10]: Refer to 8.54 – 8.91 in evidence of L Wharfe

Commented [RM11]: S81.108 Hort NZ - Rural Topic, Key Issue 15

~~**GRUZ-PXX** To enable primary production related activities, such as rural industry, which have a functional or operational need to establish in the rural area.~~

Commented [LW12]: Refer to 8.54- 8.91 in evidence of L Wharfe

GRUZ-P4 To manage the bulk, scale and location of buildings to maintain the character and amenity of the rural area and, where applicable, to protect the natural character and amenity of the coastal environment.

GRUZ-P5 To require sufficient separation between sensitive activities and existing primary production and intensive primary production activities, and between new intensive primary production activities and property and zone boundaries, in order to avoid, remedy or mitigate potential adverse effects, including reverse sensitivity and land use conflict.

GRUZ-P6 ~~To avoid manage adverse effects of shading from trees~~ ~~continuous tree planting along boundaries on adjoining properties and public~~

roads and properties. Manage location of trees so that adjoining public roads and properties are not adversely affected by shading.

Commented [RM13]: S121.183 Federated Farmers, S81.110 Hort NZ - Rural Topic, Key Issue 9

Commented [LW14]: Refer to 7.81-7.102 in evidence of L Wharfe

GRUZ-P7 To ensure incompatible activities do not locate in the General Rural Zone where the activity will:

1. will undermine the primary productive purpose and predominant character of the General Rural Zone;
2. will constrain the establishment and use of land for primary production; and/or
3. will result in reverse sensitivity and/or lead to land use conflict; and/or;
4. does not have a functional or operational need for a rural location.

Commented [RM15]: S81.111 Hort NZ - Rural Topic, Key Issue 3

GRUZ-P8 To limit residential and rural lifestyle subdivision that results in fragmentation of the rural land and/or which limits restricts the use of rural land for productive purposes.

Commented [LW16]: Refer to 7.15 in evidence of L Wharfe

GRUZ-P9 To avoid establishment of commercial or industrial activities that are unrelated to the primary productive purpose of the General Rural Zone, or that are of a scale that is incompatible with the predominant character and amenity of the rural area.

GRUZ-P10 To ensure activities within the General Rural Zone are self-sufficient in the provision of a suitable on-site wastewater treatment and disposal system, stormwater disposal system, and water supply, unless an appropriate alternative system is available to connect to.

Commented [JKS17]: S57.139 FENZ – Rural Topic, Volume 4, Key Issue 20.

Rule Overview Table

Use/activity	Rule Number
Residential activities	GRUZ-R1
Seasonal workers accommodation	GRUZ-R2
Primary production activities	GRUZ-R3
<u>Artificial crop protection structures</u>	<u>GRUZ-RXX</u>
<u>Rural Industry (other than post-harvest facilities)</u>	<u>GRUZ-RXX</u>
<u>Use of rural airstrips and helicopter landing areas for Agricultural aviation movements ancillary to primary production activities</u>	GRUZ-R4

Commented [RM18]: consequential amendment as a result of S81.114 Hort NZ - Rural Topic, Key Issue 12

<u>Use of Rural airstrips and/or helicopter landing areas of activities other than agricultural aviation movements</u>	GRUZ-R5
Post-harvest facilities	GRUZ-R6
Home businesses	GRUZ-R7
Visitor accommodation	GRUZ-R8
Commercial activities not otherwise provided for	GRUZ-R9
Community facilities	GRUZ-R10
Educational facilities	GRUZ-R11
Emergency service activities and emergency aviation movements	GRUZ-R12
Relocated buildings	GRUZ-R13
Intensive primary production activities	GRUZ-R14
<u>Rural industry (other than post-harvest facilities)</u>	<u>GRUZ-RXX</u>
<u>Airport / aerodrome (other than rural airstrip), and helicopter depot</u>	<u>GRUZ-RXX</u>
Commercial boarding and/or breeding of cats, dogs, and other domestic pets	GRUZ-R15
Camping grounds	GRUZ-R16
Relocatable building depots	GRUZ-R17
Any other activity not otherwise provided for	GRUZ-R18
<u>Industrial activities (other than post-harvest facilities and rural industry)</u>	GRUZ-R19

Commented [RM19]: consequential amendment as a result of S102.059 Te Mata Mushrooms - Rural Topic, Key Issue 16

Commented [RM20]: consequential amendment as a result of S58.001 Calder, FS25.100 Federated Farmers, FS10.22 Aerospread Ltd, FS14.27 Agricultural Aviation Association - Rural Topic, Key Issue 17

Commented [RM21]: consequential amendment as a result of S102.058 Te Mata Mushrooms - Rural Topic, Key Issue 16

Rules

It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities undertaken in the General Rural Zone.

Also, check to see if consents are required from Hawke's Bay Regional Council, for instance in relation to:

- discharges of contaminants to land or water (e.g. on-site disposal of effluent, stormwater from industrial or trade premises).
- taking of water (e.g. from water courses or underground wells).
- discharge of contaminants to air (e.g. spray drift, odour).
- disturbance of the beds of rivers, lakes, or wetlands (i.e. earthworks in the bed, gravel extraction, culverts, and access structures).
- activities which impede access to rivers, lakes or wetlands, or artificial watercourse, within a land drainage or flood control scheme area.

GRUZ-R1 Residential activities

1. Activity Status: PER

Where the following conditions are met:

- Limited to:
 - one residential unit per site with an area less than 20 hectares, and
 - one additional residential unit (i.e. a total of two) per site with an area of between 20 hectares and less than 50 hectares, and
 - two additional residential units (i.e. a total of three) per site with an area of between 50 hectares and less than 100 hectares, and
 - three additional residential units (i.e. a total of four) per site with an area of 100 hectares or greater, and
 - one minor residential unit per site:
 - limited to a maximum gross floor area of 100m² (exclusive of garages, and verandahs less than 20m²); and
 - must share vehicle access with the principal residential unit on the site; and
 - must be located no further than 50m from a principal residential unit on the site.
- Compliance with:
 - GRUZ-S2;
 - GRUZ-S3;
 - GRUZ-S4;
 - GRUZ-S5;
 - GRUZ-S6;
 - GRUZ-S7;
 - GRUZ-S8;

2. Activity status where compliance with condition GRUZ-R1(1)(b) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- Assessment matters:
 - GRUZ-AM1.
 - GRUZ-AM2.
 - GRUZ-AM3.
 - GRUZ-AM14.
 - GRUZ-AM15.
- Assessment matters in the following chapters:
 - TRAN – Transport.
 - LIGHT – Light.
 - NOISE – Noise.

3. Activity status where compliance with conditions GRUZ-R1(1)(a) and/or GRUZ-R1(1)(c) is not achieved: DIS

a. Assessment matters

- GRUZ-AM1
- GRUZ-AM3
- GRUZ-AM4
- GRUZ-AM5

4. Activity status where compliance with condition GRUZ-R1(1)(d) is not achieved: NC

Commented [JKS23]: S90.043 Centralines – Rural Topic, Volume 4, Key Issue 18

Commented [JKS24]: S57.140 FENZ – Rural Topic, Volume 4, Key Issue 20.

Commented [LW25]: Refer to 7.18-22 in evidence of L Wharfe

<p>viii. GRUZ-S9; <u>and</u></p> <p>ix. GRUZ-S10; <u>and</u></p> <p>x. <u>GRUZ-S15.</u></p> <p>c. Compliance with:</p> <p>i. GRUZ-S11 (setback from existing intensive primary production); and</p> <p>ii. GRUZ-S12 (setback from gas transmission network).</p> <p>d. Compliance with GRUZ-S13 (setbacks from National Grid).</p> <p><i>Note 1: an existing principal residential unit may become the minor residential unit provided that all standards and terms are met.</i></p> <p><i>Note 2: Under the Hawke's Bay Regional Resource Management Plan, there are also requirements in respect of new domestic sewage systems (including minimum land area requirements).</i></p>	
GRUZ-R2 Seasonal workers accommodation	
<p>1. Activity Status: PER</p> <p>Where the following conditions are met:</p> <p>a. Limited to:</p> <p>i. A maximum gross floor area of <u>125m²</u>.</p> <p>ii. A maximum number of people to be accommodated on-site of 24.</p> <p><u>ii. The accommodation complies with the Code of Practice for Seasonal Workers Accommodation published by the Department of Buildings and Housing 2008</u></p> <p>iii. All new buildings are relocatable in design or able to be reconfigured to buildings accessory to land-based primary production.</p> <p><u>iv. The site is not a 'lifestyle site' (a site created through the lifestyle site subdivision provisions of the District Plan).</u></p> <p>b. Compliance with:</p> <p>i. GRUZ-S2;</p> <p>ii. GRUZ-S3;</p>	<p>2. Activity status where compliance with condition GRUZ-R2(1)(b) is not achieved: RDIS</p> <p>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</p> <p>a. Assessment matters:</p> <p>i. GRUZ-AM1.</p> <p>ii. GRUZ-AM2.</p> <p>iii. GRUZ-AM3.</p> <p>iv. <u>GRUZ-AM14.</u></p> <p>v. <u>GRUZ-AM15.</u></p> <p>b. Assessment matters in the following chapters:</p> <p>i. TRAN – Transport.</p> <p>ii. LIGHT – Light.</p> <p>iii. NOISE – Noise.</p> <p>3. Activity status where compliance with condition GRUZ-R2(1)(a) is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p>

Commented [RM22]: S57.140 FENZ - Rural Topic, Key Issue 20

Commented [LW26]: Refer to 8.24 – 8.44 in evidence of L Wharfe

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<ul style="list-style-type: none"> iii. GRUZ-S4; iv. GRUZ-S5; v. GRUZ-S6; vi. GRUZ-S7; vii. GRUZ-S8; viii. GRUZ-S9; and ix. GRUZ-S10; and x. GRUZ-S15; 	<ul style="list-style-type: none"> a. Whether the proposed building location will allow for efficient use of the remaining undeveloped land for primary production activities. b. Whether the scale and design of the proposed building complements the character of the area. c. Whether the siting of the activity will impact on the amenity of adjoining properties, or any dwelling established in an adjoining zone within 100m of the activity. d. Whether soil values have been taken into account in selecting the site for the building. e. Whether traffic generation associated with the number of occupants will adversely impact on the road network. f. Where located within the coastal environment area, the degree to which the proposed buildings will be compatible and integrate with the natural character and amenity of the surrounding area, including the scale, design and appearance of buildings.
<p>c. Compliance with:</p> <ul style="list-style-type: none"> i. GRUZ-S11 (setback from existing intensive primary production); and ii. GRUZ-S12 (setback from gas transmission network). <p>d. Compliance with GRUZ-S13 (setbacks from National Grid).</p> <p><i>Note: Under the Hawke's Bay Regional Resource Management Plan, there are also requirements in respect of new domestic sewage systems (including minimum land area requirements).</i></p>	
	<p>4. Activity status where compliance with condition GRUZ-R2(1)(c) is not achieved: DIS</p>
	<p>5. Activity status where compliance with condition GRUZ-R2(1)(d) is not achieved: NC</p>
<p>GRUZ-R3 Primary production activities (including ancillary buildings and structures, but excluding post-harvest facilities, mining and quarrying)</p>	
<p>1. Activity Status: PER</p> <p>Where the following conditions are met:</p> <p>a. Compliance with:</p> <ul style="list-style-type: none"> i. GRUZ-S2; ii. GRUZ-S3; iii. GRUZ-S4; iv. GRUZ-S5; 	<p>2. Activity status where compliance with condition GRUZ-R3(1)(a) is not achieved: RDIS</p> <p>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</p> <p>a. Assessment matters:</p>

Commented [JKS27]: S57.156 FENZ – Rural Topic, Volume 4, Key Issue 20.

v. GRUZ-S6; vi. GRUZ-S7; vii. GRUZ-S8; viii. GRUZ-S9; and — GRUZ-S10; and ix. GRUZ-S15.	i. GRUZ-AM1. ii. GRUZ-AM2. iii. GRUZ-AM14. iv. GRUZ-AM15.
b. Compliance with GRUZ-S12 (setback from gas transmission network). c. Compliance with GRUZ-S13 (setbacks from National Grid).	b. Assessment matters in the following chapters: i. TRAN – Transport. ii. LIGHT – Light. iii. NOISE – Noise.
<p><i>Note: The provisions of the Rural Production Zone in the District Plan do not apply to plantation forestry. Plantation forestry is regulated separately under the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 which addresses such things as setbacks, earthworks management, land preparation, harvesting and replanting.</i></p>	
<p>3. Activity status where compliance with condition GRUZ-R3(1)(b) is not achieved: DIS</p>	
<p>4. Activity status where compliance with condition GRUZ-R3(1)(c) is not achieved: NC</p>	

GRUZ-RXX Artificial Crop Protection Structures

<p>1. Activity Status: PER</p> <p><u>Where the following conditions are met:</u></p> <p>a. <u>Limited to:</u></p> <p>i. <u>Use of green or black cloth on vertical faces within 30m of the site boundary;</u></p> <p>ii. <u>Use of green, black, or white cloth on horizontal surfaces.</u></p> <p>b. <u>Compliance with:</u></p> <p>i. <u>GRUZ-S2 Height of buildings;</u></p> <p>ii. <u>GRUZ-S7 Electrical safety distances;</u></p> <p>and</p> <p>iii. <u>GRUZ-S13 Setbacks from National Grid.</u></p> <p>iv. <u>GRUZ-S5 Setback from neighbours</u></p>	<p>2. Activity status where compliance not achieved: RDIS</p> <p><u>Matters over which discretion is restricted:</u></p> <p>a. <u>The effects of not meeting the conditions in respect to cloth colour and building height.</u></p> <p>b. <u>The effects of not meeting setbacks from the National Grid.</u></p> <p>c. <u>Assessment Matter GRUZ-AM14 in relation to not meeting electricity safety distances.</u></p>
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GRUZ-RXX Rural Industry (Other than post harvest facilities)

<p>1 Activity Status: PER</p> <p><u>Where the following conditions are met:</u></p> <p><u>Limited to an area of 200m2</u></p>	<p>2. Activity status where non-compliance not achieved: RDIS</p> <p><u>Matters over which discretion is restricted:</u></p>
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Commented [LW34]: Refer to 8.15 in evidence of L Wharfe
Change sought in App 2 Table of submissions should be to GRUZ-S5 not GRUZ- S6

Commented [LW37]: Refer to 8.54-8.91 in evidence of L Wharfe

The functional and operational need to locate in the GRUZ

GRUZ-R4 Use of rural airstrips and helicopter landing areas for Agricultural aviation movements ancillary to primary production activities

1. Activity Status: PER

Where the following conditions are met: N/A

2. Activity status where compliance not achieved: N/A

Commented [LW38]: Refer to 8.92-8.123 in evidence of L Wharfe

GRUZ-R5 New, or expansion of existing, Use of rural airstrips and/or helicopter landing areas for activities other than agricultural aviation movements

1. Activity Status: PER

Where the following conditions are met:

- a. The rural airstrip or helicopter landing area is located a minimum distance of:
 - i. 2km from any General Residential, Large Lot Residential (Coastal), Settlement, or Rural Lifestyle Zone boundary, and
 - ii. 500m from the notional boundary of any building associated with an existing or consented noise sensitive activity not located on the same site, and
 - iii. 50m from a State Highway.
- b. Total combined aircraft and helicopter movements do not exceed a total of 1,000 movements per calendar year (excluding emergency aviation movements and agricultural aviation movements ancillary to primary production activities undertaken on the same site).
- c. Limited to 100m² gross floor area of buildings ancillary to the activity per site.
- d. Compliance with:
 - i. GRUZ-S2;

2. Activity status where compliance with condition GRUZ-R5(1)(d) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. GRUZ-AM1.
 - ii. GRUZ-AM2.
 - iii. GRUZ-AM14.
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

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3. Activity status where compliance with conditions GRUZ-R5(1)(a), GRUZ-R5(1)(b), GRUZ-R5(1)(c) and/or GRUZ-R5(1)(e) is not achieved: DIS

4. Activity status where compliance with condition GRUZ-R5(1)(f) is not achieved: NC

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- ii. GRUZ-S3;
- iii. GRUZ-S4;
- iv. GRUZ-S5;
- v. GRUZ-S6;
- vi. GRUZ-S7;
- vii. GRUZ-S8;
- viii. GRUZ-S9; and
- ix. GRUZ-S10.
- e. Compliance with GRUZ-S12 (gas transmission network).
- f. Compliance with GRUZ-S13 (setbacks from National Grid).

GRUZ-R6 Post-harvest facilities

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to 2500m² gross floor area per site, or 200m² gross floor area per site where located within the Coastal Environment Area.
- b. Compliance with:
 - i. GRUZ-S2;
 - ii. GRUZ-S3;
 - iii. GRUZ-S4;
 - iv. GRUZ-S5;
 - v. GRUZ-S6;
 - vi. GRUZ-S7;
 - vii. GRUZ-S8;
 - viii. GRUZ-S9; ~~and~~
 - ~~— GRUZ-S10; and~~
 - ix. ~~GRUZ-S15.~~
- c. ~~Compliance with GRUZ-S12 (setback from gas transmission network).~~
- d. Compliance with GRUZ-S13 (setbacks from National Grid).

2. Activity status where compliance with condition GRUZ-R6(1)(b) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. GRUZ-AM1.
 - ii. GRUZ-AM2.
 - iii. ~~GRUZ-AM14.~~
 - iv. ~~GRUZ-AM15.~~
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

3. Activity status where compliance with conditions GRUZ-R6(1)(a) and/or GRUZ-R6(1)(c) is not achieved: DIS

4. Activity status where compliance with condition GRUZ-R6(1)(d) is not achieved: NC

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GRUZ-R7 Home businesses

1. Activity Status: PER

Where the following conditions are met:

2. Activity status where compliance with condition GRUZ-R7(1)(b) is not achieved: RDIS

<p>a. Compliance with GRUZ-S1 (the relevant activity thresholds).</p> <p>b. Compliance with:</p> <ul style="list-style-type: none"> i. GRUZ-S2; ii. GRUZ-S3; iii. GRUZ-S4; iv. GRUZ-S5; v. GRUZ-S6; vi. GRUZ-S7; vii. GRUZ-S8; viii. GRUZ-S9; and ix. <u>GRUZ-S10; and</u> x. <u>GRUZ-S15;</u> <p>c. Compliance with:</p> <ul style="list-style-type: none"> i. GRUZ-S11 (setback from existing intensive primary production); and ii. GRUZ-S12 (setback from gas transmission network). <p>d. Compliance with GRUZ-S13 (setbacks from National Grid).</p>	<p>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</p> <p>a. Assessment matters:</p> <ul style="list-style-type: none"> i. GRUZ-AM1. ii. GRUZ-AM2. iii. GRUZ-AM3. iv. <u>GRUZ-AM14;</u> v. <u>GRUZ-AM15;</u> <p>b. Assessment matters in the following chapters:</p> <ul style="list-style-type: none"> i. TRAN – Transport. ii. LIGHT – Light. iii. NOISE – Noise. <p>3. Activity status where compliance with conditions GRUZ-R7(1)(a) and/or GRUZ-R7(1)(c) is not achieved: DIS</p> <p>4. Activity status where compliance with condition GRUZ-R7(1)(d) is not achieved: NC</p>
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GRUZ-R8 Visitor accommodation

<p>1. Activity Status: PER</p> <p>Where the following conditions are met:</p> <p>a. Limited to:</p> <ul style="list-style-type: none"> i. <u>Length of stay for any one guest must be no greater than 3.1 months in any 12-month period.</u> ii. <u>There must be no more than 4 guests at any one point in time</u> <i>Note: activities involving longer term tenancy within a residential unit are assessed as a 'Residential Activity'.</i> <p>b. Compliance with GRUZ-S1 (the relevant activity thresholds).</p> <p>c. Compliance with:</p> <ul style="list-style-type: none"> i. GRUZ-S2; ii. GRUZ-S3; iii. GRUZ-S4; 	<p>2. Activity status where compliance with condition GRUZ-R8(1)(c) is not achieved: RDIS</p> <p>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</p> <p>a. Assessment matters:</p> <ul style="list-style-type: none"> i. GRUZ-AM1. ii. GRUZ-AM2. iii. GRUZ-AM3. iv. <u>GRUZ-AM14;</u> v. <u>GRUZ-AM15;</u> vi. <u>GRUZ-AM7</u> <p>b. Assessment matters in the following chapters:</p> <ul style="list-style-type: none"> i. TRAN – Transport. ii. LIGHT – Light. iii. NOISE – Noise. <p>3. Activity status where compliance with conditions GRUZ-R8(1)(a), GRUZ-R8(1)(b) and/or GRUZ-R8(1)(d) is not achieved: DIS</p>
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iv. GRUZ-S5; v. GRUZ-S6; vi. GRUZ-S7; vii. GRUZ-S8; viii. GRUZ-S9; and ix. GRUZ-S10; and x. GRUZ-S15 ; d. Compliance with: i. GRUZ-S11 (setback from existing primary production); and ii. GRUZ-S12 (setback from gas transmission network). e. Compliance with GRUZ-S13 (setbacks from National Grid).	4. Activity status where compliance with condition GRUZ-R8(1)(e) is not achieved: NC
GRUZ-R9 Commercial activities not otherwise provided for	
1. Activity Status: PER Where the following conditions are met: a. Any retail sales are limited to produce reared or produced on the site. b. Compliance with GRUZ-S1 (the relevant activity thresholds). c. Compliance with: i. GRUZ-S2; ii. GRUZ-S3; iii. GRUZ-S4; iv. GRUZ-S5; v. GRUZ-S6; vi. GRUZ-S7; vii. GRUZ-S8; viii. GRUZ-S9; and ix. GRUZ-S10 ; and x. GRUZ-S15 ; d. Compliance with GRUZ-S12 (setback from gas transmission network) ; e. Compliance with GRUZ-S13 (setbacks from National Grid).	2. Activity status where compliance with condition GRUZ-R9(1)(c) is not achieved: RDIS Matters over which discretion is restricted (where relevant to the infringed standard(s)): a. Assessment matters: i. GRUZ-AM1. ii. GRUZ-AM2. iii. GRUZ-AM3. iv. GRUZ-AM14 ; v. GRUZ-AM15 ; b. Assessment matters in the following chapters: i. TRAN – Transport. ii. LIGHT – Light. iii. NOISE – Noise.
	3. Activity status where compliance with conditions GRUZ-R9(1)(a) and/or GRUZ-R9(1)(d) is not achieved: DIS
	4. Activity status where compliance with conditions GRUZ-R9(1)(b) and/or GRUZ-R9(1)(e) is not achieved: NC

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GRUZ-R10 Community facilities

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to 100m² gross floor area per site.
- b. Compliance with:
 - i. GRUZ-S2;
 - ii. GRUZ-S3;
 - iii. GRUZ-S4;
 - iv. GRUZ-S5;
 - v. GRUZ-S6;
 - vi. GRUZ-S7;
 - vii. GRUZ-S8;
 - viii. GRUZ-S9; and
 - ix. GRUZ-S10; and
 - x. GRUZ-S15.
- c. Compliance with:
 - i. GRUZ-S11 (setback from existing intensive primary production); and
 - ii. GRUZ-S12 (setback from gas transmission network);
- d. Compliance with GRUZ-S13 (setbacks from National Grid).

2. Activity status where compliance with condition GRUZ-R10(1)(b) is not achieved:

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Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. GRUZ-AM1.
 - ii. GRUZ-AM2.
 - iii. GRUZ-AM3.
 - iv. GRUZ-AM14.
 - v. GRUZ-AM15.
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

3. Activity status where compliance with conditions GRUZ-R10(1)(a) and/or GRUZ-R10(1)(c) is not achieved: DIS

4. Activity status where compliance with condition GRUZ-R10(1)(d) is not achieved: NC

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GRUZ-R11 Educational facilities

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to 100m² gross floor area per site.
- b. Compliance with:
 - i. GRUZ-S2;
 - ii. GRUZ-S3;
 - iii. GRUZ-S4;
 - iv. GRUZ-S5;
 - v. GRUZ-S6;
 - vi. GRUZ-S7;
 - vii. GRUZ-S8;
 - viii. GRUZ-S9; and
 - ix. GRUZ-S10; and

2. Activity status where compliance with condition GRUZ-R11(1)(b) is not achieved:

RDIS DIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. GRUZ-AM1.
 - ii. GRUZ-AM2.
 - iii. GRUZ-AM3.
 - iv. GRUZ-AM14.
 - v. GRUZ-AM15.
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

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Commented [JKS61]: S73.020 Ministry of Education – Rural Topic, Volume 4, Key Issue 19.

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<ul style="list-style-type: none"> x. GRUZ-S15. c. Compliance with: <ul style="list-style-type: none"> i. GRUZ-S11 (setback from existing intensive primary production); and ii. GRUZ-S12 (setback from gas transmission network); d. Compliance with GRUZ-S13 (setbacks from National Grid). 	<p>3. Activity status where compliance with conditions GRUZ-R11(1)(a) and/or GRUZ-R11(1)(c) is not achieved: DIS</p> <p>4. Activity status where compliance with condition GRUZ-R11(1)(d) is not achieved: NC</p>
GRUZ-R12 Emergency service activities and emergency service activities	
<p>1. Activity Status: PER</p> <p>Where the following conditions are met:</p> <ul style="list-style-type: none"> a. Limited to 100m² gross floor area per site. b. Compliance with: <ul style="list-style-type: none"> i. GRUZ-S2; ii. GRUZ-S3; iii. GRUZ-S4; iv. GRUZ-S5; v. GRUZ-S6; vi. GRUZ-S7; vii. GRUZ-S8; viii. GRUZ-S9; and ix. GRUZ-S10; and x. GRUZ-S15. c. Compliance with GRUZ-S12 (setback from gas transmission network). d. Compliance with GRUZ-S13 (setbacks from National Grid). 	<p>2. Activity status where compliance with condition GRUZ-R12(1)(b) is not achieved: RDIS</p> <p>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</p> <ul style="list-style-type: none"> a. Assessment matters: <ul style="list-style-type: none"> i. GRUZ-AM1. ii. GRUZ-AM2. iii. GRUZ-AM14; iv. GRUZ-AM15; b. Assessment matters in the following chapters: <ul style="list-style-type: none"> i. TRAN – Transport. ii. LIGHT – Light. iii. NOISE – Noise. <p>3. Activity status where compliance with conditions GRUZ-R12(1)(a) and/or GRUZ-R12(1)(c) is not achieved: DIS</p> <p>4. Activity status where compliance with condition GRUZ-R12(1)(d) is not achieved: NC</p>
GRUZ-R13 Relocated buildings	
<p>1. Activity Status: PER</p> <p>Where the following conditions are met:</p> <ul style="list-style-type: none"> a. The building must be for the purpose of accommodating a permitted or consented activity on the site. b. Compliance with GRUZ-S14. 	<p>2. Activity status where compliance not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> a. Whether the building is structurally sound, the condition of the building and the works needed to bring the exterior of the building up to an external visual appearance that is tidy, of appropriate standard, and compatible with other buildings in the vicinity.

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Commented [RM63]: S81.120 Hort NZ - Rural Topic, Key Issue 18

Commented [JKS67]: S57.148 FENZ – Rural Topic, Volume 4, Key Issue 20.

Commented [JKS69]: S90.043 Centralines – Rural Topic, Volume 4, Key Issue 18.

Commented [JKS70]: S57.147 FENZ – Rural Topic, Volume 4, Key Issue 20.

Commented [JKS68]: S57.147 FENZ – Rural Topic, Volume 4, Key Issue 20.

- b. The bulk and location of the building in relation to the requirements of the zone.
- c. The need for structural repairs and reinstatement of the building and the length of time for completion of that work.
- d. The imposition of a performance bond to ensure compliance with the consent conditions.

Note: this rule applies to the building only. Any activities occurring within the building are subject to the District Plan rules relating to the activity itself.

GRUZ-R14 Intensive primary production activities (other than commercial boarding and/or breeding of cats, dogs, and other domestic pets)

1. Activity Status: CON

Where the following conditions are met:

- a. Minimum setbacks for buildings housing animals reared intensively, enclosures accommodating animals reared intensively, and organic matter and effluent storage, treatment and utilisation associated with intensive primary production activities, from:
 - i. any Settlement, Rural Lifestyle, Large Lot Residential (Coastal) or General Residential Zone boundary is 500m.
 - ii. from a property boundary is 200m.
- b. Compliance with:
 - i. GRUZ-S2;
 - ii. GRUZ-S3;
 - iii. GRUZ-S4;
 - iv. GRUZ-S5;
 - v. GRUZ-S6;
 - vi. GRUZ-S7;
 - vii. GRUZ-S8;

2. Activity status where compliance with condition GRUZ-R14(1)(b) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. GRUZ-AM1.
 - ii. GRUZ-AM2.
 - iii. [GRUZ-AM14](#).
 - iv. [GRUZ-AM15](#).
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

2A. Activity status where compliance with condition GRUZ-R14(1)(a)(ii) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment Matters:
 - i. [GRUZ-AM9](#).

3. Activity status where compliance with condition GRUZ-R14(1)(c) is not achieved: DIS

Commented [RM71]: consequential amendment S42.003 Pork Industry Board – Rural Topic, Key Issue 13

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Commented [JKS75]: S57.149 FENZ – Rural Topic, Volume 4, Key Issue 20.

Commented [RM76]: S102.055 Te Mata Mushrooms – Rural Topic, Key Issue 14

<p>viii. GRUZ-S9; and</p> <p>ix. <u>GRUZ-S10; and</u></p> <p>x. <u>GRUZ-S15.</u></p> <p>c. <u>Compliance with GRUZ-S12 (setback from gas transmission network).</u></p> <p>d. Compliance with GRUZ-S13 (setbacks from National Grid).</p> <p>Matters over which control is reserved:</p> <p>e. Effects on character and amenity of the zone from traffic generated by the proposal and the hours of operation.</p> <p>f. The method of storage and use of materials associated with the operation of the activity that may generate noxious, offensive, or objectionable odour beyond the site boundary.</p> <p>g. Methods of disposal of stormwater and wastewater for the activity.</p> <p>h. Setbacks from wāhi tapu, wāhi taonga and sites of significance identified in SASM-SCHED3 that are located within the site of the activity.</p>	<p>4. Activity status where compliance with conditions GRUZ-R14(1)(a)(i) and/or GRUZ-R14(1)(d) is not achieved: NC</p>
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GRUZ-RXX Rural industry (other than post-harvest facilities)

<p>1. Activity Status: DIS</p> <p><u>Where the following conditions are met: N/A</u></p> <p><u>Subject to (but not limited to) the following assessment matter:</u></p> <p>a. <u>The necessity of a rural location.</u></p>	<p>2. Activity status where compliance not achieved: N/A</p>
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Commented [LW77]: Refer to 8.54-8.91 in evidence of L Wharfe

Commented [RM78]: S102.059 Te Mata Mushrooms - Rural Topic, Key Issue 16

GRUZ-RXX Airport / aerodrome (other than rural airstrip), and helicopter depot

<p>1. Activity Status: DIS</p>	<p>2. Activity status where compliance not achieved: N/A</p>
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Commented [RM79]: S58.001 Calder, FS25.100 Federated Farmers, FS10.22 Aerospread Ltd, FS14.27 Agricultural Aviation Association - Rural Topic, Key Issue 17

Where the following conditions are met: **N/A**

GRUZ-R15 Commercial boarding and/or breeding of cats, dogs, and other domestic pets

1. Activity Status: **DIS**

Where the following conditions are met: **N/A**

2. Activity status where compliance not achieved: **N/A**

GRUZ-R16 Camping grounds

1. Activity Status: **DIS**

Where the following conditions are met: **N/A**

a. Compliance with:

- i. **GRUZ-S2;**
- ii. **GRUZ-S3;**
- iii. **GRUZ-S4;**
- iv. **GRUZ-S5;**
- v. **GRUZ-S6;**
- vi. **GRUZ-S7;**
- vii. **GRUZ-S8;**
- viii. **GRUZ-S9;**
- ix. **GRUZ-S10; and**
- x. **GRUZ-S15.**

b. Compliance with:

- i. **GRUZ-S11 (setback from existing intensive primary production); and**
- ii. **GRUZ-S12 (setback from gas transmission network).**

c. Compliance with **GRUZ-S13 (setbacks from National Grid).**

Matters over which discretion is restricted:

d. Assessment matters (where relevant to the infringed standard(s):

- i. **GRUZ-AM1.**
- ii. **GRUZ-AM2.**
- iii. **GRUZ-AM3.**
- iv. **GRUZ-AM14.**
- v. **GRUZ-AM15.**

2. Activity status where compliance not achieved: **N/A**

Commented [LW80]: Refer to 9.16 in evidence of L Wharfe

Commented [JKS81]: S101.003 NZ Motor Caravan Association, Rural Topic, Volume 4, Key Issue 19

Note: with change of activity status, this may need to be re-ordered to follow Rule GRUZ-R14, as per National Planning Standards

- e. Assessment matters in the following chapters:
- i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

GRUZ-R17 Relocatable building depots

1. Activity Status: DIS

Where the following conditions are met: N/A

2. Activity status where compliance not achieved: N/A

GRUZ-R18 Any other activity not otherwise provided for

1. Activity Status: DIS

Where the following conditions are met: N/A

2. Activity status where compliance not achieved: N/A

GRUZ-R19 Industrial activities (other than post-harvest facilities and rural industry)

1. Activity Status: NC

Where the following conditions are met: N/A

2. Activity status where compliance not achieved: N/A

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Commented [RM82]: S102.058 Te Mata Mushrooms - Rural Topic, Key Issue 16

Standards

GRUZ-S1 Activity Threshold

Commercial Activities Visitor Accommodation Home Businesses (excludes retail sales and restaurants)	<ol style="list-style-type: none"> Maximum gross floor area per site is 100m². Personnel limited to: <ol style="list-style-type: none"> At least one person resident on the site must carry out the activity. A maximum of three additional employees (in addition to those resident on the site). <p><i>Note: Visitor accommodation within an existing residential unit or existing minor residential unit will be exempt from the 100m² maximum floor area, provided the existing residential activity does not cease.</i></p>
Retail Sales of produce reared or produced on the site	<ol style="list-style-type: none"> Maximum gross floor area per site is 100m². Limited to the following hours of operation: <ol style="list-style-type: none"> 0800 – 2200 hours, seven days a week.

Restaurants	<p>5. Maximum gross floor area for serving customers per site is 100m² (excluding uncovered outdoor areas).</p> <p>6. Maximum number of customers to be accommodated at any one time is 40 persons.</p> <p>7. Limited to the following hours of operation:</p> <p style="padding-left: 20px;">a. 0800 – 2200 hours, seven days a week.</p>
Cumulative Limits	<p>8.5. Maximum combined gross floor area per site, for any of the above activities, is 100m².</p> <p>9.6. Maximum combined outdoor display area per site, for any of the above activities, is 100m².</p> <p><i>Note: Cumulative limits are calculated per site, not per activity.</i></p>
GRUZ-S2 Height of Buildings	
All (except frost fans)	1. Maximum height of any building(s) is 10m.
Frost Fans	2. Maximum height, measured to the tip of the blade at its highest point, is 15m.
	<i>Note: in all instances, height is measured from the natural ground level.</i>
GRUZ-S3 Height in Relation to Boundary	
All	<p>1. No part of a building must exceed a height of 2 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary, except for the following:</p> <ul style="list-style-type: none"> a. chimneys, ventilation shafts, lift and stair shafts and spires, poles and masts that meet the maximum height standard for the relevant zone, provided the maximum dimension of these structures measured parallel to the boundary under consideration must not exceed 3m; b. domestic water storage tanks, provided the maximum dimension of these structures measured parallel to the boundary under consideration must not exceed 3m; c. solar panels or solar hot water systems (and associated hardware), provided that the panels do not protrude more than 500mm from the surface of the roof. <p>2. Where an internal boundary of a site immediately adjoins an access or part of an access which is owned or partly owned with that site, or has a registered right-of-way over it in</p>

Commented [LW83]: Refer to 7.59 in evidence of L Wharfe

	<p>favour of that site, the height in relation to boundary is measured from the far side of the access.</p> <p><i>Note: This does not apply to artificial crop protection structures.</i></p>
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Commented [RM84]: S81.125 Hort NZ - Rural Topic, Key Issue 12

GRUZ-S4 Setback from Roads and Rail Network

Residential Activities (including accessory buildings)	<ol style="list-style-type: none"> 1. Minimum setback of any building(s) from road boundaries is 5m. 2. Minimum setback of any building(s) from the Rail Network Boundary is 5m.
Seasonal Workers Accommodation	<ol style="list-style-type: none"> 3. Minimum distance of any building(s) from road boundaries is 15m.
Accessory Buildings associated with Primary Production Activities Ancillary Buildings and Structures (Primary Production)	<ol style="list-style-type: none"> 4. Minimum setback of any building(s) from road boundaries is 5m. 5. Minimum setback of stockyards and stock loading ramps/races fronting roads that are classified as Arterial or Primary Collector Roads is 20m. 6. Minimum setback of any building(s) from the Rail Network Boundary is 5m.
All Other Buildings (including Post-Harvest Facilities)	<ol style="list-style-type: none"> 7. Minimum setback of any building(s) from road boundaries is 20m, except that: <ol style="list-style-type: none"> a. buildings less than 10m² in gross floor area, and buildings used by Emergency Service Activities, may be located within the above setbacks from road boundaries. 8. Minimum setback of any building(s) from the Rail Network Boundary is 5m. <p><i>Note: Under the Hawke's Bay Regional Resource Management Plan, there is also a requirement for setbacks from the bed of a river, lake or artificial watercourse which is within a land drainage or flood control scheme area.</i></p>

Commented [RM85]: S81.126 Hort NZ - Rural Topic, Key Issue 7

GRUZ-S5 Setback from Neighbours

Residential Activities adjacent to an existing plantation forest on an adjoining site	<ol style="list-style-type: none"> 1. Minimum setback of buildings from an existing plantation forest on an adjoining site is 40m.
All Other Activities (excluding Accessory Buildings and Ancillary Buildings)	<ol style="list-style-type: none"> 2. Minimum setback of buildings for an activity from internal side and rear boundaries is 15m. Farm and Domestic

Commented [RM87]: Clause 16(2) of Schedule 1 of the RMA, S121.224 Federated Farmers - Rural Topic, Key Issue 7

and Structures (Primary Production))	water storage tanks up to 2m in height are exempt from this standard.
Accessory Buildings Ancillary Buildings and Structures (Primary Production)	3. Minimum setback of buildings for an activity from internal side and rear boundaries is 5m. Farm and Domestic water storage tanks up to 2m in height are exempt from this standard.
Artificial Crop Protection Structures	4. Minimum setback from side and rear boundaries of 1m.
Sites created before 28 May 2021 and greater less than 4000m² net site area Where a subdivision consent application to create a site is lodged with Council before 28 May 2021, and accepted under section 88 of the RMA 1991 and thereafter granted	5. Minimum setback of buildings for a residential activity from side and rear boundaries is 5m. 6. Minimum setback of buildings for all other activities from side and rear boundaries is 10m.
GRUZ-S6 Shading of Land and RoadsContinuous Tree Planting along Boundaries	
Trees on boundaries	1. Trees forming a continuous line for a distance of more than 20 metres on a side or rear boundary of a property under separate ownership: <ol style="list-style-type: none"> must be planted a minimum distance of 5m from an adjoining property boundary and be maintained so that the branches do not extend over that boundary; and where planted a distance between 5m and 10m from an adjoining property boundary, must be maintained at a height of no more than their distance from the boundary +4m (for example, at a distance of 5m from the boundary, the height limit is 9m; at a distance of 9m from the boundary, the height limit is 13m).
Trees adjoining public roads	2. Trees forming a continuous line for a distance of more than 20 metres within 5 metres of a public road must be maintained at a height of less than 9 metres.

Commented [RM86]: S81.127 Hort NZ - Rural Topic, Key Issue 7

Commented [RM89]: Clause 16(2) of Schedule 1 of the RMA, S121.224 Federated Farmers - Rural Topic, Key Issue 7

Commented [RM88]: S81.127 Hort NZ - Rural Topic, Key Issue 7

Commented [RM90]: S81.127 Hort NZ - Rural Topic, Key Issue 12

Commented [LW91]: Refer to 7.63 in evidence of L Wharfe

Commented [RM92]: S128.002 Surveying the Bay - Rural Topic, Key Issue 6

Commented [RM93]: Clause 16(2) of Schedule 1 of the RMA, S42.056 Pork Industry Board, S121.195 Federated Farmers - Rural Topic, Key Issue 9

Commented [LW94]: Refer to 7.81-7.102 in evidence of L wharfe

Note: this standard does not apply to plantation forestry, which is subject to permitted activity setback conditions for afforestation specified in the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.

GRUZ-S7 Electricity Safety Distances

All	1. Any activity, including the establishment of buildings and structures within the vicinity of overhead electric lines must comply with the New Zealand Electrical Code of Practice for Electrical Safety Distances (NZGEC P 34:2001).
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Commented [JKS95]: Error corrected pursuant to clause 16(2), First Schedule of the RMA.

GRUZ-S8 Transport (Access, Parking, Loading)

All	1. Activities must comply with the provisions of the TRAN – Transport chapter.
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GRUZ-S9 Light

All	1. Activities must comply with the provisions of the LIGHT – Light chapter.
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GRUZ-S10 Noise

All	<p>1. Activities must comply with the provisions of the NOISE – Noise chapter.</p> <p><i>Note: There are exemptions and/or specific standards provided in NOISE-S5 for the use of agricultural machinery, audible bird scaring devices, hail cannons and frost protection fans.</i></p>
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GRUZ-S11 Setback from Existing Intensive Primary Production Activities

Sensitive Activities	1. Minimum setback of buildings from any buildings or enclosure housing animals reared intensively, or from organic matter and effluent storage, treatment and utilisation associated with intensive primary production activities, is 200 metres.
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GRUZ-S12 Setback from Gas Transmission Network

Residential Activities	1. Gas Transmission Pipeline:
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	<ul style="list-style-type: none"> a. minimum setback of buildings from a gas transmission pipeline forming part of the Gas Transmission Network is 20m.
	<ul style="list-style-type: none"> 2. Incidental Equipment: <ul style="list-style-type: none"> a. minimum setback of buildings from above ground incidental equipment forming part of the Gas Transmission Network is 30m.

GRUZ-S13 Setback from National Grid Yard and National Grid Substation

Sensitive Activities

1. Minimum setback of buildings and structures from the designated boundary of a National Grid substation is 25m.

All Buildings and Structures

2. Under the National Grid conductors (wires):
 - a. on all sites within any part of the National Grid Yard, all buildings and structures must:
 - i. if for an existing sensitive activity, not involve an increase in the building height or footprint where alterations and additions to existing buildings occur; or
 - ii. be a fence less than 2.5m high; or
 - iii. be an uninhabitable farm building or structure for primary production activities (but not a milking/dairy shed (excluding ancillary structures), enclosed protective canopies made from impermeable material, commercial greenhouses, or intensive primary production buildings); or
 - iv. be an uninhabited horticultural building or structure (but not a commercial greenhouse).
 - b. all buildings or structures permitted by a. must comply with the following conditions:
 - i. demonstrate that safe electrical clearance distances required by NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances are maintained under all National Grid line operating conditions.
 - ii. not permanently physically impede existing vehicular access to a National Grid support structure.
3. Around National Grid support structures: buildings and structures permitted under clause 2 above must be set back at least 12m from a tower, or 8m from a pole, forming part of a National Grid support structure, except where the building or structure is:

Commented [JKS96]: S79.095 Transpower - Rural Topic, Volume 4, Key Issue 18

Commented [RM97]: S121.199 Federated Farmers - Rural Topic, Key Issue 18

Commented [JKS98]: S121.200 Federated Farmers - Rural Topic, Volume 4, Key Issue 18.

Commented [LW99]: Retain clause Refer to 9.11 in evidence of L Wharfe

Commented [JKS100]: S79.095 Transpower – Rural Topic, Volume 4, Key Issue 18.

	<ul style="list-style-type: none"> a. a fence less than 2.5m in height and more than 5m from the nearest National Grid support structure foundation; or b. an artificial crop protection structure or crop protection support structure between 8m and 12m from a pole support structure and any associated stay wire, that: <ul style="list-style-type: none"> i. meets the requirements of the <i>NZEC 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances</i> for separation distances from the conductor; ii. is no more than 2.5m high; iii. is removable or temporary, to allow a clear working space 12 metres from the pole when necessary for maintenance and emergency repair purposes; and iv. allows all-weather access to the pole and a sufficient area for maintenance equipment, including a crane; or c. a horticultural structure for which Transpower has given written approval in accordance with clause 2.4.1 of <i>NZEC 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances</i> to be located within 12m of a tower or 8m of a pole support structure.
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Commented [JKS101]: S81.129 Horticulture NZ, Rural Topic, Volume 4, Key Issue 18.

GRUZ-S14 Relocated Buildings

All	<ul style="list-style-type: none"> 1. Any relocated building intended for use as a dwelling or for visitor accommodation must have previously been designed, built and used as a dwelling or for visitor accommodation. 2. The relocated building must comply with all other relevant performance standards for the zone. 3. A Building Pre-Inspection Report must be submitted to the Council with each application to relocate a building. The report must: <ul style="list-style-type: none"> a. state whether the building is structurally sound; b. describe the condition of the building and identify all reinstatement works needed to bring the exterior of the building up to an external visual appearance that is tidy, workmanlike and compatible with other buildings in the vicinity; c. state the proposed timetable to complete the external reinstatement works (including connections to all infrastructure services and closing in and ventilation to the foundations) within 12 months from the date the building is moved to the site;
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- d. provide clear photographs of the building in its current state; and
 - e. provide such plans and elevations of the building as are necessary to illustrate the new site location and likely external design and appearance of the building as a result of the reinstatement work.
4. The Building Pre-Inspection Report must be prepared by:
 - a. A Member of Engineering New Zealand (the Institute of Engineering Professionals) (Structural and Civil); or
 - b. A member of the New Zealand Institute of Building Surveyors; or
 - c. An independent person, persons or company as approved by Central Hawke's Bay District Council Building Control Authority; or
 - d. A Building Control Officer (or equivalent) from the Territorial Local Authority where the building is being relocated from outside of the District.
 5. The Council must be notified of the intended delivery date at least 48 hours before the building is relocated. Relocation must not be undertaken until the site is visited by Council officers to inspect the standard of the site, footpath, vehicle entrance and road. This standard will be met provided that the building is relocated within 5 days of the notified date.
 6. The building must be placed on permanent foundations no later than two weeks from the date the building is moved to the site.
 7. All external reinstatement works identified in the Building Pre-Inspection Report, including connections to all infrastructure services and closing in and ventilation to the foundations, must be completed within 12 months from the date the building is moved to the site.
 8. The owner of the site on which the relocated building is placed must certify to the Council that the reinstatement work identified in the Building Pre-Inspection Report will be completed within the 12-month period. The site owner will be responsible for ensuring this work is completed.

Note: All necessary building consents under the Building Act 2004 (including consent to place the building on permanent foundations) must be obtained prior to the relocated building being placed on the destination site, unless otherwise agreed in writing by the Council.

GRUZ-S15 Water supply for firefighting

**All buildings
(excluding accessory
buildings that do not
include a habitable
room)**

1. Where water is not supplied to a site by Council or a private community supply, or water is supplied by Council but is a restricted supply flow, access to a water supply for firefighting purposes shall be made available to all buildings consistent with SNA PAS 4509:2008 NZ Fire Service Firefighting Water supplies Code of Practice on a site that is or will be:

- accessible to firefighting equipment; and
- between 6 and 90 metres from the buildings on the site; and
- on the same site as the buildings (except where the specified volume or flow of water is in a pond, dam or river that is within the required distances); and
- either:
 - stores at least 45,000 litres, in addition to a potable water supply on the site; or
 - i. provides at least 25 litres per second for a minimum of 30 minutes;
 - i. _____

Note: Further advice and information about managing fire risk and storage of water for firefighting purposes can be obtained from Fire and Emergency New Zealand and SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice.

Note: The above does not replace Regional Council rules which control the taking and use of groundwater and surface water.

Commented [LW102]: Refer to 9.70 in evidence of L Wharfe

Commented [JKS103]: S57.155 FENZ – Rural Topic, Volume 4, Key Issue 20.

Assessment Matters

For Discretionary Activities, Council's assessment is not restricted to these matters, but it may consider them (among other factors).

GRUZ-AM1 Building Coverage, Height of Buildings, Height in Relation to Boundary, Setback from Roads and Rail Network, Setback from Neighbours

1. The degree to which the proposed buildings:
 - a. will be compatible with the character and amenity of the area, including the nature and scale of other buildings in the surrounding area;
 - b. will adversely affect the life-supporting capacity of the rural soil resource, and any potential for reverse sensitivity effects to arise;
 - c. will overshadow adjoining sites and result in reduced sunlight and daylight;
 - d. will cause a loss of privacy through being over-looked from neighbouring buildings;
 - e. will block views from properties in the vicinity, or from roads or public open space in the surrounding area;
 - f. will diminish the openness and attractiveness of the street scene;
 - g. will detract from the amenity of adjoining sites, in terms of such matters as noise, odour, dust, glare or vibration occurring as a result of the building; and
 - h. will adversely affect the safe and efficient operation of the land transport network.
2. The ability of the applicant to:
 - a. provide adequate opportunity for garden and tree planting around buildings;
 - b. provide adequate vehicle parking and manoeuvring space on site;
 - c. provide adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site;
 - d. mitigate any adverse effects of increased height or exceedance of the height in relation to boundary, such as through increased separation distances between the building and adjoining sites or the provision of screening; and
 - e. mitigate any adverse effects on people affected by the proposal.
3. The ability of the applicant to adequately dispose of effluent, which avoids:
 - a. any potential contamination of groundwater;
 - b. any potential slope instability problems;
 - c. any potential odour, noise and vibration nuisance to neighbours; and
 - d. any potential seepage of effluent at ground surface.
4. The degree to which the non-compliance with the standard allows more efficient, practical and/or pleasant use of the remainder of the site.
5. The degree to which alternative practical locations are available for the building.

GRUZ-AM2**Shading of Land and RoadsContinuous Tree Planting along Boundaries**

1. Trees on Boundaries
 - ~~a. The degree to which planting within the setback area can adversely affect the health of vegetation or stock, or cause a significant increase in the risk of fire.~~
 - ~~b-a.~~ The degree to which the planting of trees will overshadow adjoining sites and result in reduced sunlight and daylight, and/or result in the loss of productive land.
 - ~~c-b.~~ The degree to which trees may potentially damage structures due to wind fall or root growth.
2. Trees adjoining Public Roads
 - a. The degree to which planting will cause shading and ice forming on roads in winter, or root damage to the road.
 - b. The degree to which trees may potentially cause a road safety risk due to wind fall.

Commented [RM104]: Clause 16(2) of Schedule 1 of the RMA, S42.058 - Rural Topic, Key Issue 9

Commented [LW105]: Refer to 7.81-7.102 in evidence of L Wharfe

GRUZ-AM3**Setback for Sensitive Activities from Existing Intensive Primary Production Activities**

1. The likelihood of the proposed activity to generate reverse sensitivity effects on the intensive primary production activity and the potential impact these effects may have on the continuing effective and efficient operation of the intensive primary production activity.
2. The extent to which alternative locations have been considered.

GRUZ-AM4**Setback for New Residential Activities from Gas Transmission Network**

1. Any effects on the safe, effective, and efficient operation, maintenance, and upgrade of the Gas Transmission Network.
2. Any effects on the ability for vehicles to access the Gas Transmission Network.
3. Risks relating to health or public safety and the risk of property damage.
4. Reverse sensitivity effects.
5. Technical advice provided by First Gas Ltd.

GRUZ-AM5**Residential Activities**

1. Whether the additional residential activity will have an adverse effect on the sustainable management of the soil resource.
2. The impact of the residential activity on the character and amenity of adjoining activities and the surrounding rural environment and any potential for reverse sensitivity effects to arise.
3. Any cumulative effect of the residential activity.
4. The potential for the residential activity to have an adverse effect on road safety.
5. Whether the proposal will continue to allow for efficient use of the remaining undeveloped land for primary production activities.

6. Where located within the coastal environment area, the degree to which the proposed buildings will be compatible and integrate with the natural character and amenity of the surrounding area, including the scale, design, and appearance of buildings.

GRUZ-AM6 Post-Harvest Facilities exceeding the 2,500m² Gross Floor Area Threshold per site

1. Whether the activity is of such a scale that it is better to be located or, in the case of an existing operation, relocated in a General Industrial Zone where infrastructure and employment are more readily available and the receiving environment is less sensitive.
2. The effects of the proposal on the soil resource.
3. Whether the Post-Harvest Facility will utilise any existing building(s).
4. The impact of the scale, character and/or effects of the activity and its compatibility with surrounding activities.
5. The potential for the activity to generate adverse effects in the environment in terms of stormwater quality and quantity.
6. Whether the activity will process, store and/or package agricultural, horticultural and/or viticultural crops and/or produce, the majority of which are grown from within the General Rural and/or Rural Production Zones.
7. Whether the proposal will significantly compromise the visual amenity value of the surrounding area, recognising that it is a rural working environment.
8. The potential for the activity to generate more than minor adverse effects on the environment in terms of noise, dust, glare, and road safety.

GRUZ-AM7 Commercial Activities, Visitor Accommodation, Home Businesses

1. Whether the proposal will maintain or enhance the character and amenity values of the surrounding area.
2. The impact of the scale, character and/or effects of the activity and its compatibility with surrounding activities, including proximity to sensitive activities.
3. The potential for the activity to generate more than minor adverse effects on the environment in terms of noise, dust, glare, vibration, and road safety.
4. Whether the proposal will have an adverse effect on the sustainable management of the soil resource and any potential for reverse sensitivity effects to arise.
5. Where located within the coastal environment area, the degree to which the proposed buildings will be compatible and integrate with the natural character and amenity of the surrounding area, including the scale, design, and appearance of buildings.

GRUZ-AM8 Community Facilities and Educational Facilities

1. The degree to which the proposed buildings will be compatible and integrate with the character of the surrounding area, including the layout, height, bulk and scale of buildings.
2. Any adverse effects from the proposed activity in terms of:

- a. the life-supporting capacity of the rural soil resource and any potential for reverse sensitivity effects to arise;
 - b. loss of privacy to neighbours through being over-looked, including by buildings;
 - c. loss of openness and attractiveness of the street scene;
 - d. noise, vibration, and glare; and
 - e. admission of sunlight and daylight to adjoining sites.
3. The volume and type of traffic which may be generated by the activity and the ability to avoid or mitigate any adverse effects on the function of the road network and/or the safety of pedestrians, cyclists and vehicles using the road network (including cumulative effects) through the provision of appropriate on-site parking, vehicle queuing, loading, manoeuvring and access design.
 4. Whether the amenity of the rural environment will be adversely affected by the scale and/or intensity of the activity. The following matters will be considered:
 - a. the number of patrons and/or staff on the site at any one time;
 - b. the hours of operation to maintain the amenity of the area;
 - c. the proximity of the activity to adjacent activities;
 - d. the anticipated number of transportation movements (including pedestrians and vehicular traffic); and
 - e. whether the proposed activity is located in an area where there are already one or more non-residential activities in close proximity and the resultant cumulative effect on amenity.
 5. Whether landscaping and/or screening is proposed to mitigate potential adverse visual effects of the activity.
 6. [The functional or operational need to locate in the General Rural Zone.](#)

Commented [RM106]: S81.134 Hort NZ - Rural Topic, Key Issue 3

GRUZ-AM9 Intensive Primary Production Activities (located more than 500 metres from a General Residential, Large Lot Residential, Rural Lifestyle, Settlement, or Commercial Zone boundary)

1. The traffic generated by the proposal.
2. Any noxious, offensive, or objectionable odour arising from the activity beyond the site boundary or any storage of materials associated with the operation of the activity.
3. The effects arising from the stormwater/wastewater management of the activity.
4. The hours of the operation of the activity and the potential for noise effects to arise.
5. Setbacks from wāhi tapu, wāhi taonga and sites of significance identified in SASM-SCHED3 and on the Planning Maps.

GRUZ-AM10 Commercial Boarding and/or Breeding of Cats, Dogs or Other Domestic Pets

1. The degree to which the boarding premises will be compatible with the character of the surrounding rural area, including the density of and proximity to residential units in the area.
2. The degree to which the proposed boarding premises are likely to lead to any adverse odour, noise, health, or amenity effects beyond the boundary of the site,

and in particular, the building design and management systems proposed to mitigate noise or odour nuisance.

3. The degree to which the proposed buildings, will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding area.

GRUZ-AM11 Camping Grounds

1. The size of the camping ground, number of camp sites/accommodation units, car parks, and scale of buildings to ensure that they are consistent with the surrounding character and amenity and, where located within the identified coastal environment area, the natural character of the coastal environment.
2. Whether the design and appearance of the development of the site harmonises with the surrounding natural features and landscape, in particular the character of the coastal environment.
3. Whether the location of the camping ground will give rise to reverse sensitivity effects, particularly in terms of primary production and associated activities.
4. Whether the proposed land use will have an adverse effect on any cultural values or heritage values of the area.
5. The design of infrastructure to ensure it is of a standard capable of servicing the camping ground, assuming 100% capacity.
6. Whether the activity is or will be located in an identified natural hazard area, considering the health and safety of camp users and the long-term viability of safe access and egress to the site.
7. The proximity of the camping ground to the coastal margin and the susceptibility of the site to coastal erosion and coastal inundation both in the short and long-term, considering the health and safety of camp users and the long-term viability of safe access and egress to the site.
8. Whether the activity will make a positive contribution to the social and economic well-being of the local community.
9. The proximity to any wāhi tapu, wāhi taonga and sites of significance identified in SASM-SCHED3 and on the Planning Maps.
10. Effects on areas of high natural character identified in CE-SCHED7, or on any outstanding natural landscape or feature, or significant amenity feature identified in NFL-SCHED6.

GRUZ-AM12 Expansion or Intensification of Existing Noise Sensitive Activities within the Outer Control Boundary

1. Conditions on building design to incorporate appropriate sound insulation, including provision of suitable ventilation system(s).

GRUZ-AMXX Rural Airstrips and Helicopter Landing Areas (located within 500m of existing noise sensitive activities on a different site)

1. The number, frequency, and hours of flight operations.
2. The position of the flight path for take-offs and landings.

3. The extent to which the rural airstrip and/or helicopter landing area, and flight operations, will have adverse effects on amenity (such as noise, light, traffic, and dust effects) on the surrounding area.
4. The necessity to locate on the site, and the availability and feasibility of other alternatives.

Commented [RM107]: clause 16(2) First Schedule RMA amendment as a result of S41.003 Jill Fraser - Rural Topic, Key Issue 17

GRUZ-AM13 General

1. Whether the activity is of a type or scale that means that it is better located in another zone (for example, where infrastructure and labour force are more readily available, and the receiving environment is less sensitive).
2. Effects on the visual amenity values of the surrounding area, recognising the rural character of the locality.
3. Whether the activity can be adequately serviced. The site must be capable of sustaining the infrastructural needs of the development.
4. The impact of the scale, character and/or effects of the activity and its compatibility with surrounding activities, including proximity to sensitive activities and wāhi tapu, wāhi taonga and sites of significance identified in SASM-SCHED3, as well as any potential for reverse sensitivity effects on primary production to arise.
5. The potential for the activity to generate more than minor effects on the environment in relation to traffic, parking demand, or visitor numbers.
6. The ability of the roading hierarchy to accommodate any additional traffic generated by the activity, including effects on road safety.
7. The potential for the activity to generate more than minor adverse effects in terms of noise, dust, glare, or vibration, and the extent to which mitigation options have been considered and evaluated.
8. Where located within the coastal environment area, the degree to which the activity is located appropriately, and the degree to which the scale, design and appearance of any built form or land modification is compatible with the character and amenity of the coastal environment, having regard to the effects of the activity and:
 - a. integration with natural processes, landform and topography (including the use of naturally occurring building platforms);
 - b. the particular natural character, cultural, landscape, ecological, historical or recreational values of the area;
 - c. the extent to which the values of the area are sensitive or vulnerable to change;
 - d. the extent to which the values of the adjacent areas (including coastal marine area) are sensitive or vulnerable to the long-term effects of the activity, particularly from plantation forestry;
 - e. opportunities to restore, rehabilitate or enhance natural character, indigenous vegetation and habitats, cultural values, landscape features, dunes and other natural coastal features or processes;
 - f. the presence of any natural hazards and whether the activity will exacerbate the hazard and/or be vulnerable to it; and
 - g. opportunities for public access and recreation.

9. Where located within an area of high natural character, outstanding natural landscape or feature, or significant amenity feature, refer to the assessment matters in CE-AM1 and CE-AM2, NFL-AM1 and NFL-AM2.

GRUZ-AM14 Electricity Safety Distances

1. Impacts on the operation, maintenance, upgrading and development of the electricity network.
2. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.
3. The risk to the structural integrity of any support structures associated with the electricity network.
4. Technical advice provided by the National Grid owner (Transpower) or electricity distribution network operator (Centralines Limited).

Commented [JKS108]: S90.043 Centralines Limited, Key Issue 18, Volume 4, Rural Topic

GRUZ-AM15 Water supply for firefighting

1. The extent of compliance with SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice and health and safety of the community, including neighbouring properties.
2. Technical advice provided by Fire and Emergency New Zealand.

Commented [JKS109]: S57.156 FENZ – Rural Topic, Volume 4, Key Issue 20.

Methods

Methods, other than the above rules, for implementing the policies:

GRUZ-M1 Other Provisions in the District Plan

Other sections of the District Plan contain additional rules and standards applying to activities in the General Rural Zone:

1. NU – Network Utilities – includes rules and standards relating to network utility operations.
2. TRAN – Transport – includes rules and standards relating to access, parking, and loading.
3. HAZS – Hazardous Substances – includes rules relating to the storage, handling and use of hazardous substances, and rules applying to major hazardous facilities.
4. NH – Natural Hazards – includes rules applying in areas specifically identified as subject to natural hazards.
5. HH – Historic Heritage – includes rules applying specifically to identified heritage buildings.
6. TREE – Notable Trees – includes rules applying specifically to identified notable trees.
7. SASM – Sites and Areas of Significance to Māori – includes rules applying specifically to identified sites of significance.
8. ECO – Ecosystems and Indigenous Biodiversity – includes rules applying specifically to significant indigenous vegetation and significant habitats of indigenous fauna.
9. NFL – Natural Features and Landscapes – includes rules applying specifically to identified outstanding natural features and landscapes.

10. SUB – Subdivision – includes rules and standards applying to subdivision, which will limit fragmentation of the rural land resource.
11. ASW – Activities on the Surface of Water – includes rules applying to certain activities on the surface of identified waterbodies.
12. CE – Coastal Environment – includes provisions applying specifically to the coastal environment area.
13. EW – Earthworks – includes rules and standards relating to earthworks and land disturbance, mining, quarrying and mineral prospecting and exploration.
14. LIGHT – Light – includes rules and standards relating to light and glare.
15. NOISE – Noise – includes rules and standards relating to the emission of noise.
16. PKH – Papakāinga and Kaumātua Housing, and associated Marae-based Development – includes rules and standards relating to papakāinga and kaumātua housing and marae-based developments on Māori land.
17. SIGN – Signs – includes rules and standards relating to the design and installation of signs.
18. TEMP – Temporary Activities – includes rules and standards relating to temporary activities, temporary buildings, and temporary events.

GRUZ-M2 Bylaws

The Central Hawke's Bay District Council Bylaws – Part 13: 2008 *The Keeping of Animals, Poultry and Bees*.

GRUZ-M3 Industry Codes of Practice and Management Plans

Promote the use of management plans and industry codes of practice as a means of self-regulation.

GRUZ-M4 National Standards

1. The Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.
2. Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.
3. The New Zealand Standards NZS 6805:1992 Airport Noise Management and Land Use Planning, and NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas.

Principal Reasons

The principal reasons for adopting the policies and methods:

The General Rural Zone contains much of the District's rural land resource and exhibits land use that is predominantly in primary production. As such, this zone provides extensively for land-based primary production activities (including post-harvest facilities and intensive

primary production) and for a level of associated residential, rural commercial and rural service activities where these actively support the primary productive purpose of these zones and the people who live and work in the various rural communities.

Some activities, however, such as larger-scale commercial and industrial activities, are not provided for in this zone, as they are generally not considered compatible with the zone's character and amenity values and have greater servicing needs, trade waste, traffic effects and the like. These activities are better located in other zones, particularly the Commercial and General Industrial Zones which are specifically for this purpose and more likely to be serviced accordingly.

At the interface between rural zones and other zones, and between intensive primary production activities and those activities which are more sensitive to noise, odour, dust and other nuisance effects, there is potential for conflicts to occur between different activities and different expectations about amenity. The District Plan, therefore, requires setbacks from roads, property boundaries, zone boundaries, and from intensive primary production activities, to avoid or mitigate potential adverse cross-boundary effects and land use conflicts.

The District Plan also provides for larger subdivision lot sizes in the rural zones, and limits on the provision for residential and rural lifestyle subdivision, to avoid further fragmentation of the District's finite soil resource. Residential and rural lifestyle lots that are unrelated to primary production activities are better located in the General Residential Zone, Large Lot Residential Zone (Coastal), Settlement Zone, and Rural Lifestyle Zone, where amenity and servicing expectations are more likely to be met.

Anticipated Environmental Results

The environmental results anticipated from the policies and methods:

- | | |
|------------------|--|
| GRUZ-AER1 | The life-supporting capacity of the rural land resource is maintained. |
| GRUZ-AER2 | The scale and form of development utilises and protects the rural land resource and maintains the range of potentially productive purposes. |
| GRUZ-AER3 | Production activities continue to promote the sustainable management of the land resource and enhance the social, economic and cultural wellbeing of the rural community. |
| GRUZ-AER4 | Recognition and acceptance of the effects associated with the management of primary production. |
| GRUZ-AER5 | Land use and development of new activities is based on a legitimate need for a rural location. |
| GRUZ-AER6 | An environment that has low scale commercial and industrial activities linked to produce grown and/or stock farmed on the site or nearby. |

- GRUZ-AER7** Commercial and industrial activities not directly related to primary production, or of a scale that is out of character with the rural environment, are directed to appropriate urban zones.
- GRUZ-AER8** The lawful operation of existing rural-based activities are not constrained by the introduction of new residential or rural residential land uses in the locality.
- GRUZ-AER9** Recognition of long-established infrastructure and community facilities.
- GRUZ-AER10** Rural activities appropriately manage their potential to create reverse sensitivity issues associated with odour, noise, dust and traffic affecting development in close proximity to them.
- GRUZ-AER11** Avoidance or mitigation of adverse effects on adjoining activities, including reverse sensitivity effects.
- GRUZ-AER12** Retention of the open character and low scale of buildings that comprise the amenity of the General Rural Zone.

RLZ – Rural Lifestyle Zone

Introduction

The Rural Lifestyle Zone is located on rolling to hilly land with soils of generally lower productivity on the outskirts of Waipukurau and Waipawa.

The Rural Lifestyle Zone provides a valuable residential choice for people wanting a lifestyle on larger sites, with the opportunity to carry out small scale productive activities in a semi-rural setting, in close commuting distance to Waipawa and Waipukurau for employment, education, shopping, entertainment and recreation activities, but without the responsibility of owning and maintaining a larger rural property.

In addition to addressing demand for low density residential development, the Rural Lifestyle Zone reduces pressure for urban expansion onto the highly productive land of the District and enables the avoidance or mitigation of potential reverse sensitivity effects and land use conflicts within the zone and at the rural interface.

Issues

RLZ-I1 Providing a Choice of Residential Environments

There is a need to provide for a choice of different residential environments to enable current and future residents to meet their lifestyle aspirations within the District.

Explanation

Providing a range of residential environments within the District is important to enable people to choose what best suits their particular lifestyle needs and aspirations. Historically, there has been no zone for rural residential living specifically provided in a planned manner, and rural-residential developments (with lots of 4000m² or more) have tended to be scattered across the rural area. It is now recognised that identifying appropriate locations for this type of large-lot residential development would provide for a more sustainable form of development into the future.

Locating Rural Lifestyle Zones immediately adjacent to the existing urban areas of Waipawa and Waipukurau enables the sustainable management of the District's natural and physical resources, including infrastructure.

RLZ-I2 Protecting the Productive and Finite Rural Land Resource from Future Ad Hoc Rural Residential Development

The subdivision and development of rural land for rural residential living can, over time, result in the irreversible loss of the District's finite rural soil resource (particularly the highly productive land of the Ruataniwha and Takapau Plains and areas around Waipukurau, Waipawa and Ōtane), and diminish the capacity of the resource to be used productively.

Explanation

The increasing pressure for rural residential subdivision or lifestyle uses in the District, including the associated development of buildings and hard stand surfaces, can cumulatively result in the productive potential of the District's rural and highly productive land resources being compromised. It is important that rural residential living be directed away from these finite resources to areas of lower productivity in the rural environment.

RLZ-I3 Managing Reverse Sensitivity

Rural residential activities establishing within, or at the interface of, the rural environment can create potential conflict with and compromise the effective and efficient operation of legitimate primary production activities, where rural residential activities have higher environmental expectations about amenity values than are reasonably achievable in terms of the working needs of rural activities.

Explanation

The Rural Zones include productive activities that can generate potential adverse effects from 24-hour harvesting operations, odour and noise associated with the use of farm machinery, heavy traffic, animals, cropping, frost protection and bird-scaring. The establishment of more sensitive rural residential activities within, or at the interface of, the rural environment can result in reverse sensitivity conflicts with legitimate rural activities and their ability to be effectively and efficiently carried out.

Objectives

- | | |
|---------------|---|
| RLZ-O1 | Low density residential needs are met within a Rural Lifestyle Zone located on land with soils of generally lower productivity in close proximity to the urban areas of Waipawa and Waipukurau. |
| RLZ-O2 | Compatible land use activities within the Rural Lifestyle Zone which enable sufficient flexibility for rural residential living and/or small-scale primary production activities, and which avoid or mitigate adverse effects within the zone and at the interface with other zones. |

Policies

- | | |
|---------------|--|
| RLZ-P1 | To maintain and enhance the attractive open space character of the Rural Lifestyle Zone with larger section sizes that are sufficient to accommodate a residential unit, minor residential unit and accessory buildings and an area of open space for amenity and/or productive purposes. |
| RLZ-P2 | To limit the number of residential units and minor residential units that can establish as of right on sites within the Rural Lifestyle Zone. |

RLZ-P3 To provide for home businesses, rural commercial activities, emergency service activities, visitor accommodation and educational facilities which are complementary to the rural residential use of the land and are compatible in scale with rural residential living in the zone.

Commented [JKS1]: S57.157 FENZ – Rural Topic, Volume 4, Key Issue 20.

RLZ-P4 To require activities within the Rural Lifestyle Zone to be self-sufficient in the provision of on-site water supply, wastewater and stormwater disposal, unless a reticulated supply is available to connect to.

RLZ-P5 To require buildings within the Rural Lifestyle Zone to be setback a minimum distance from property boundaries to avoid or mitigate potential adverse cross-boundary effects and land use conflicts.

RLZ-P6 To manage the bulk, scale and location of buildings within the Rural Lifestyle Zone to ensure they are in keeping with the low density rural residential character and amenity of the Zone.

RLZ-P7 To ~~limit the scale of~~ enable Community Facilities and Educational Facilities in the Rural Lifestyle Zone ~~to in a way that maintains the character and amenity of the zone~~ while providing for the social and cultural wellbeing and the health and safety of residents of the zone.

Commented [JKS2]: S73.022 Ministry of Education – Rural Topic, Volume 4, Key Issue 19.

RLZ-P8 To avoid adverse effects of shading from trees on adjoining public roads and properties.

3. Rule Overview Table

Use/activity	Rule Number
Residential activities	RLZ-R1
Primary production activities	RLZ-R2
Home businesses	RLZ-R3
Visitor accommodation	RLZ-R4
Commercial activities not otherwise provided for	RLZ-R5
Community facilities	RLZ-R6
Educational facilities	RLZ-R7
Emergency service activities and emergency aviation movements	RLZ-R8

Relocated buildings	RLZ-R9
Commercial boarding and/or breeding of cats, dogs, and other domestic pets	RLZ-R10
Post-harvest facilities	RLZ-R11
Any other activity not otherwise provided for	RLZ-R12
Intensive primary production activities	RLZ-R13
Industrial activities	RLZ-R14

Rules

It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities undertaken in the Rural Lifestyle Zone.

Also, check to see if consents are required from Hawke's Bay Regional Council, for instance in relation to:

- discharges of contaminants to land or water (e.g. on-site disposal of effluent, stormwater from industrial or trade premises).
- taking of water (e.g. from water courses or underground wells).
- discharge of contaminants to air (e.g. spray drift, odour).
- disturbance of the beds of rivers, lakes, or wetlands (i.e. earthworks in the bed, gravel extraction, culverts, and access structures).
- activities which impede access to rivers, lakes or wetlands, or artificial watercourse, within a land drainage or flood control scheme area.

RLZ-R1 Residential activities

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to:
 - i. one residential unit per site, and
 - ii. one minor residential unit per site:
 - a. limited to a maximum gross floor area of 100m² (exclusive of garages, and verandahs less than 20m²); and
 - b. must share vehicle access with the principal residential unit on the site; and

2. Activity status where compliance with condition RLZ-R1(1)(b) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. RLZ-AM1.
 - ii. RLZ-AM2.
 - iii. RLZ-AM3.
 - iv. RLZ-AM4.
 - v. RLZ-AM5.
 - vi. RLZ-AM11.

Commented [JKS4]: S90.044 Centralines Limited – Rural Topic, Volume 4, Key Issue 18.

- c. must be located no further than 25m from the principal residential unit on the site.
- b. Compliance with:
- RLZ-S2;
 - RLZ-S3;
 - RLZ-S4;
 - RLZ-S5;
 - RLZ-S6;
 - RLZ-S7;
 - RLZ-S8;
 - RLZ-S9;
 - RLZ-S10;
 - RLZ-S11;
 - RLZ-S12;
 - RLZ-S13;
 - RLZ-S14; and
 - RLZ-S15; and
 - RLZ-S16.
- vii. RLZ-AM12.
- b. Assessment matters in the following chapters:
- TRAN – Transport.
 - LIGHT – Light.
 - NOISE – Noise.

Commented [JKS5]: S57.159 FENZ – Rural Topic, Volume 4, Key Issue 20.

3. Activity status where compliance with condition RLZ-R1(1)(a) is not achieved: DIS

Commented [JKS3]: S57.159 FENZ – Rural Topic, Volume 4, Key Issue 20.

RLZ-R2 Primary production activities (including ancillary buildings and structures, but excluding post-harvest facilities, mining and quarrying)

1. Activity Status: PER

Where the following conditions are met:

a. Compliance with:

- RLZ-S2;
- RLZ-S3;
- RLZ-S4;
- RLZ-S5;
- RLZ-S6;
- RLZ-S7;
- RLZ-S8;
- RLZ-S9;
- RLZ-S10;
- RLZ-S11;
- RLZ-S12;
- RLZ-S13;
- RLZ-S14; and
- RLZ-S15; and
- RLZ-S16.

2. Activity status where compliance not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

a. Assessment matters:

- RLZ-AM1.
- RLZ-AM2.
- RLZ-AM3.
- RLZ-AM4.
- RLZ-AM5.
- RLZ-AM11.
- RLZ-AM12.

b. Assessment matters in the following chapters:

- TRAN – Transport.
- LIGHT – Light.
- NOISE – Noise.

Commented [JKS7]: S90.044 Centralines Limited – Rural Topic, Volume 4, Key Issue 18.

Commented [JKS8]: S57.160 FENZ – Rural Topic, Volume 4, Key Issue 20.

Commented [RM6]: S57.160 FENZ – Rural Topic, Volume 4, Key Issue 20

RLZ-R3 Home businesses

1. Activity Status: PER

Where the following conditions are met:

- a. Compliance with the relevant activity thresholds in RLZ-S1.
- b. Compliance with:
 - i. RLZ-S2;
 - ii. RLZ-S3;
 - iii. RLZ-S4;
 - iv. RLZ-S5;
 - v. RLZ-S6;
 - vi. RLZ-S7;
 - vii. RLZ-S8;
 - viii. RLZ-S9;
 - ix. RLZ-S10;
 - x. RLZ-S11;
 - xi. RLZ-S12;
 - xii. RLZ-S13;
 - xiii. RLZ-S14; *and*
 - xiv. RLZ-S15; *and*
 - xv. RLZ-S15.

2. Activity status where compliance with condition RLZ-R3(1)(b) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. RLZ-AM1.
 - ii. RLZ-AM2.
 - iii. RLZ-AM3.
 - iv. RLZ-AM4.
 - v. RLZ-AM5.
 - vi. RLZ-AM11.
 - vii. RLZ-AM12.
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

3. Activity status where compliance with condition RLZ-R3(1)(a) is not achieved: DIS

Commented [JKS10]: S90.044 Centralines Limited – Rural Topic, Volume 4, Key Issue 18.

Commented [JKS11]: S57.175 FENZ – Rural Topic, Volume 4, Key Issue 20.

Commented [JKS9]: S57.175 FENZ – Rural Topic, Volume 4, Key Issue 20.

RLZ-R4 Visitor accommodation

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to:
 - i. Length of stay for any one guest must be no greater than 3 months in any 12-month period.
Note: activities involving longer term tenancy within a residential unit are assessed as a 'Residential Activity'.
- b. Compliance with the relevant activity thresholds in RLZ-S1.
- c. Compliance with:
 - i. RLZ-S2;
 - ii. RLZ-S3;
 - iii. RLZ-S4;
 - iv. RLZ-S5;
 - v. RLZ-S6;

2. Activity status where compliance with condition RLZ-R4(1)(c) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. RLZ-AM1.
 - ii. RLZ-AM2.
 - iii. RLZ-AM3.
 - iv. RLZ-AM4.
 - v. RLZ-AM5.
 - vi. RLZ-AM11.
 - vii. RLZ-AM12.
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.

Commented [JKS13]: S90.044 Centralines Limited – Rural Topic, Volume 4, Key Issue 18.

Commented [JKS14]: S57.161 FENZ – Rural Topic, Volume 4, Key Issue 20.

- vi. RLZ-S7;
- vii. RLZ-S8;
- viii. RLZ-S9;
- ix. RLZ-S10;
- x. RLZ-S11;
- xi. RLZ-S12;
- xii. RLZ-S13;
- xiii. RLZ-S14; **and**
- xiv. **RLZ-S15; and**
- xv. **RLZ-S16.**

- ii. LIGHT – Light.
- iii. NOISE – Noise.

3. Activity status where compliance with conditions RLZ-R4(1)(a) and/or RLZ-R4(1)(b) is not achieved: DIS

Commented [JKS12]: S57.161 FENZ – Rural Topic, Volume 4, Key Issue 20.

RLZ-R5 Commercial activities not otherwise provided for

1. Activity Status: PER

Where the following conditions are met:

- a. Any retail sales are limited to produce reared or produced on the site.
- b. Compliance with activity thresholds in RLZ-S1.
- c. Compliance with:
 - i. RLZ-S2;
 - ii. RLZ-S3;
 - iii. RLZ-S4;
 - iv. RLZ-S5;
 - v. RLZ-S6;
 - vi. RLZ-S7;
 - vii. RLZ-S8;
 - viii. RLZ-S9;
 - ix. RLZ-S10;
 - x. RLZ-S11;
 - xi. RLZ-S12;
 - xii. RLZ-S13;
 - xiii. RLZ-S14; **and**
 - xiv. **RLZ-S15; and**
 - xv. **RLZ-S16.**

2. Activity status where compliance with condition RLZ-R5(1)(c) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. RLZ-AM1.
 - ii. RLZ-AM2.
 - iii. RLZ-AM3.
 - iv. RLZ-AM4.
 - v. RLZ-AM5.
 - vi. **RLZ-AM11.**
 - vii. **RLZ-AM12.**
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

Commented [JKS16]: S90.044 Centralines Limited – Rural Topic, Volume 4, Key Issue 18.

Commented [JKS17]: S57.162 FENZ – Rural Topic, Volume 4, Key Issue 20.

3. Activity status where compliance with conditions RLZ-R5(1)(a) and/or RLZ-R5(1)(b) is not achieved: DIS

Commented [JKS15]: S57.162 FENZ – Rural Topic, Volume 4, Key Issue 20.

RLZ-R6 Community facilities

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to 100m² gross floor area per site.
- b. Compliance with:
 - i. RLZ-S2;
 - ii. RLZ-S3;

2. Activity status where compliance with condition RLZ-R6(1)(b) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- iii. RLZ-S4;
- iv. RLZ-S5;
- v. RLZ-S6;
- vi. RLZ-S7;
- vii. RLZ-S8;
- viii. RLZ-S9;
- ix. RLZ-S10;
- x. RLZ-S11;
- xi. RLZ-S12;
- xii. RLZ-S13;
- xiii. RLZ-S14; ~~and~~
- xiv. ~~RLZ-S15; and~~
- xv. ~~RLZ-S16.~~

- a. Assessment matters:
 - i. RLZ-AM1.
 - ii. RLZ-AM2.
 - iii. RLZ-AM3.
 - iv. RLZ-AM4.
 - v. RLZ-AM5.
 - vi. ~~RLZ-AM11.~~
 - vii. ~~RLZ-AM12.~~
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

Commented [JKS19]: S90.044 Centralines Limited – Rural Topic, Volume 4, Key Issue 18.

Commented [JKS20]: S57.163 FENZ – Rural Topic, Volume 4, Key Issue 20.

Commented [JKS18]: S57.163 FENZ – Rural Topic, Volume 4, Key Issue 20.

3. Activity status where compliance with condition RLZ-R6(1)(a) is not achieved: DIS

RLZ-R7 Educational facilities

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to ~~400m²~~200m² gross floor area per site.
- b. Compliance with:
 - i. RLZ-S2;
 - ii. RLZ-S3;
 - iii. RLZ-S4;
 - iv. RLZ-S5;
 - v. RLZ-S6;
 - vi. RLZ-S7;
 - vii. RLZ-S8;
 - viii. RLZ-S9;
 - ix. RLZ-S10;
 - x. RLZ-S11;
 - xi. RLZ-S12;
 - xii. RLZ-S13;
 - xiii. RLZ-S14; ~~and~~
 - xiv. ~~RLZ-S15; and~~
 - xv. ~~RLZ-S16.~~

2. Activity status where compliance with condition RLZ-R7(1)(b) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. RLZ-AM1.
 - ii. RLZ-AM2.
 - iii. RLZ-AM3.
 - iv. RLZ-AM4.
 - v. RLZ-AM5.
 - vi. ~~RLZ-AM11.~~
 - vii. ~~RLZ-AM12.~~
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

Commented [JKS21]: S73.023 Ministry of Education – Rural Topic, Volume 4, Key Issue 19.

Commented [JKS23]: S90.044 Centralines Limited – Rural Topic, Volume 4, Key Issue 18.

Commented [JKS24]: S57.164 FENZ – Rural Topic, Volume 4, Key Issue 20.

Commented [JKS22]: S57.164 FENZ – Rural Topic, Volume 4, Key Issue 20.

3. Activity status where compliance with condition RLZ-R7(1)(a) is not achieved: DIS

RLZ-R8 Emergency service activities and emergency aviation movements

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to 100m² gross floor area per site.
- b. Compliance with:
 - i. RLZ-S2;
 - ii. RLZ-S3;
 - iii. RLZ-S4;
 - iv. RLZ-S5;
 - v. RLZ-S6;
 - vi. RLZ-S7;
 - vii. RLZ-S8;
 - viii. RLZ-S9;
 - ix. RLZ-S10;
 - x. RLZ-S11;
 - xi. RLZ-S12;
 - xii. RLZ-S13;
 - xiii. RLZ-S14; and
 - xiv. RLZ-S15; and
 - xv. RLZ-S16.

2. Activity status where compliance with condition RLZ-R8(1)(b) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. RLZ-AM1.
 - ii. RLZ-AM2.
 - iii. RLZ-AM3.
 - iv. RLZ-AM4.
 - v. RLZ-AM5.
 - vi. RLZ-AM11.
 - vii. RLZ-AM12.
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

3. Activity status where compliance with condition RLZ-R8(1)(a) is not achieved: DIS

Commented [JKS25]: S57.166 FENZ – Rural Topic, Volume 4, Key Issue 20.

Commented [JKS27]: S90.044 Centralines Limited – Rural Topic, Volume 4, Key Issue 18.

Commented [JKS28]: S57.165 FENZ – Rural Topic, Volume 4, Key Issue 20.

Commented [RM26]: S57.165 FENZ – Rural Topic, Volume 4, Key Issue 20

RLZ-R9 Relocated buildings

1. Activity Status: PER

Where the following conditions are met:

- a. The building must be for the purpose of accommodating a permitted or consented activity on the site.
- b. Compliance with RLZ-S15.

2. Activity status where compliance not achieved: RDIS

Matters over which discretion is restricted:

- a. Whether the building is structurally sound, the condition of the building and the works needed to bring the exterior of the building up to an external visual appearance that is tidy, of appropriate standard, and compatible with other buildings in the vicinity.
- b. The bulk and location of the building in relation to the requirements of the zone.
- c. The need for structural repairs and reinstatement of the building and

	<p>the length of time for completion of that work.</p> <p>d. The imposition of a performance bond to ensure compliance with the consent conditions.</p> <p><i>Note: this rule applies to the building only. Any activities occurring within the building are subject to the District Plan rules relating to the activity itself.</i></p>
RLZ-R10 Commercial boarding and/or breeding of cats, dogs, and other domestic pets	
<p>1. Activity Status: DIS</p> <p>Where the following conditions are met: N/A</p>	<p>2. Activity status where compliance not achieved: N/A</p>
RLZ-R11 Post-harvest facilities	
<p>1. Activity Status: DIS</p> <p>Where the following conditions are met: N/A</p>	<p>2. Activity status where compliance not achieved: N/A</p>
RLZ-R12 Any other activity not otherwise provided for	
<p>1. Activity Status: DIS</p> <p>Where the following conditions are met: N/A</p>	<p>2. Activity status where compliance not achieved: N/A</p>
RLZ-R13 Intensive primary production activities (other than commercial boarding and/or breeding of cats, dogs, and other domestic pets)	
<p>1. Activity Status: NC</p> <p>Where the following conditions are met: N/A</p>	<p>2. Activity status where compliance not achieved: N/A</p>
RLZ-R14 Industrial activities	
<p>1. Activity Status: NC</p> <p>Where the following conditions are met: N/A</p>	<p>2. Activity status where compliance not achieved: N/A</p>

Rural Lifestyle Zone Standards

RLZ-S1 Activity Threshold	
Commercial Activities Visitor Accommodation Home Businesses (excludes retail sales)	1. Maximum gross floor area per site is 50m ² . 2. Personnel limited to: a. At least one person resident on the site must carry out the activity. b. A maximum of three additional employees (in addition to those resident on the site). <i>Note: Visitor accommodation within an existing residential unit or existing minor residential unit will be exempt from the 50m² maximum floor area, provided the existing residential activity does not cease.</i>
Retail Sales of produce reared or produced on the site	3. Maximum gross floor area per site is 50m ² . 4. Limited to the following hours of operation: a. 0800 – 2200 hours, seven days a week.
Cumulative Limits	5. Maximum combined gross floor area per site, for any of the above activities, is 75m ² . 6. Maximum combined outdoor display area per site, for any of the above activities, is 75m ² . <i>Note: Cumulative limits are calculated per site, not per activity.</i>
RLZ-S2 Height of Buildings	
All	1. Maximum height of any building(s) is 10m. <i>Note: in all instances, height is measured from the natural ground level.</i>
RLZ-S3 Height in Relation to Boundary	
All	1. No part of a building must exceed a height of 2 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary, except for the following: a. chimneys, ventilation shafts, lift and stair shafts and spires, poles and masts that meet the maximum height standard for the relevant zone, provided the maximum dimension of these structures measured parallel to the boundary under consideration must not exceed 3m;

	<ul style="list-style-type: none"> b. domestic water storage tanks, provided the maximum dimension of these structures measured parallel to the boundary under consideration must not exceed 3m; c. solar panels or solar hot water systems (and associated hardware), provided that the panels do not protrude more than 500mm from the surface of the roof. <p>2. Where an internal boundary of a site immediately adjoins an access or part of an access which is owned or partly owned with that site, or has a registered right-of-way over it in favour of that site, the height in relation to boundary is measured from the far side of the access.</p>
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RLZ-S4 Setback from Roads and Rail Network

Residential Activities (including accessory buildings)	<ul style="list-style-type: none"> 1. Minimum setback of any building(s) from road boundaries is 5m. 2. Minimum setback of any building(s) from the Rail Network Boundary is 5m.
Accessory Buildings associated with Primary Production Activities	<ul style="list-style-type: none"> 3. Minimum setback of any building(s) from road boundaries is 5m. 4. Minimum setback of stockyards and stock loading ramps/races fronting roads that are classified as Arterial or Primary Collector Roads is 20m. 5. Minimum setback of any building(s) from the Rail Network Boundary is 5m.
All Other Buildings	<ul style="list-style-type: none"> 6. Minimum setback of any building(s) from road boundaries is 20m, except that: <ul style="list-style-type: none"> a. buildings less than 10m² in gross floor area, and buildings used by Emergency Service Activities, may be located within the above setbacks from road boundaries. 7. Minimum setback of any building(s) from the Rail Network Boundary is 5m.

RLZ-S5 Setback from Neighbours

All Buildings (excluding Accessory Buildings)	<ul style="list-style-type: none"> 1. Minimum setback of buildings for an activity from <u>internal side and rear</u> boundaries, <u>or boundary with the General Rural Zone or Rural Production Zone</u>, is 15m. Domestic water storage tanks up to 2m in height are exempt from this standard.
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Commented [RM29]: S81.138 Hort NZ - Rural Topic, Key Issue 8

Accessory Buildings	2. Minimum setback of buildings for an activity from internal side and rear boundaries is 5m. Domestic water storage tanks up to 2m in height are exempt from this standard.
Sites created before 28 May 2021 and greater than 4000m² net site area Where a subdivision consent application to create a site is lodged with Council before 28 May 2021, and accepted under section 88 of the RMA 1991 and thereafter granted	3. Minimum setback of buildings for a residential activity from side and rear boundaries is 5m , except where located on a boundary with the General Rural Zone or Rural Production Zone where 15m will apply . 4. Minimum setback of buildings for all other activities from side and rear boundaries is 10m .
RLZ-S6 Setback from Existing Intensive Primary Production Activities	
Sensitive Activities	1. Minimum setback of buildings for sensitive activities from any buildings or enclosure housing animals reared intensively, or from organic matter and effluent storage, treatment and utilisation associated with intensive primary production activities, is 200 metres.
RLZ-S7 Shading of Land and Roads	
Trees on boundaries	1. Trees forming a continuous line for a distance of more than 20 metres on a side or rear boundary of a property under separate ownership: <ol style="list-style-type: none"> must be planted a minimum distance of 5m from an adjoining property boundary and be maintained so that the branches do not extend over that boundary; and where planted a distance between 5m and 10m from an adjoining property boundary, must be maintained at a height of no more than their distance from the boundary +4m (for example, at a distance of 5m from the boundary, the height limit is 9m; at a distance of 9m from the boundary, the height limit is 13m).
Trees adjoining public roads	2. Trees forming a continuous line for a distance of more than 20 metres within 5 metres of a public road must be maintained at a height of less than 9 metres.

Commented [LW30]: Refer to 7.67-7.80 in evidence of L Wharfe

Commented [RM31]: S128.002 Surveying the Bay - Rural Topic, Key Issue 6

RLZ-S8 Hours of Operation

Community Facilities	<ol style="list-style-type: none">1. Limited to the following hours of operation:<ol style="list-style-type: none">a. 0700 – 2200 hours, seven days a week; except where:<ol style="list-style-type: none">i. the entire activity is located within a building; andii. each person engaged in the activity outside the above hours resides permanently on the site; andiii. there are no visitors, customers, or deliveries to the activity outside the above hours.
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RLZ-S9 Heavy Vehicle Storage

All	<ol style="list-style-type: none">1. There must be no more than one heavy vehicle stored on a site.
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RLZ-S10 Screening of Outdoor Storage and Service Areas

Non-Residential Activities	<ol style="list-style-type: none">1. Any outdoor storage (including waste) or service area associated with non-residential activities must be fully screened from adjoining sites and from the street by fencing to a maximum height of 2 metres, and/or by landscaping.2. If using landscaping to achieve the above rule, trees must have a minimum height of 2 metres at the time of planting (PB95) and shrubs must have a minimum height of 1 metre at the time of planting and be able to grow to 2 metres in height.2.3. <u>Screening shall not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.</u>
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Commented [JKS32]: S57.172 FENZ – Rural Topic, Volume 4, Key Issue 20.

RLZ-S11 Electricity Safety Distances

All	<ol style="list-style-type: none">1. <u>Any activity, including the establishment of buildings and structures within the vicinity of overhead electric lines must comply with the New Zealand Electrical Code of Practice for Electrical Safety Distances (NZCECP 34:2001).</u>
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Commented [JKS33]: Error corrected pursuant to clause 16(2), First Schedule of the RMA.

RLZ-S12 Transport (Access, Parking, Loading)

All	<ol style="list-style-type: none">1. Activities must comply with the provisions of the TRAN – Transport chapter.
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RLZ-S13 Light

All	1. Activities must comply with the provisions of the LIGHT – Light chapter.
RLZ-S14 Noise	
All	1. Activities must comply with the provisions of the NOISE – Noise chapter.
RLZ-S15 Relocated Buildings	
All	<ol style="list-style-type: none"> 1. Any relocated building intended for use as a dwelling or for visitor accommodation must have previously been designed, built and used as a dwelling or for visitor accommodation. 2. The relocated building must comply with all other relevant performance standards for the zone. 3. A Building Pre-Inspection Report must be submitted to the Council with each application to relocate a building. The report must: <ol style="list-style-type: none"> a. state whether the building is structurally sound; b. describe the condition of the building and identify all reinstatement works needed to bring the exterior of the building up to an external visual appearance that is tidy, workmanlike and compatible with other buildings in the vicinity; c. state the proposed timetable to complete the external reinstatement works (including connections to all infrastructure services and closing in and ventilation to the foundations) within 12 months from the date the building is moved to the site; d. provide clear photographs of the building in its current state; and e. provide such plans and elevations of the building as are necessary to illustrate the new site location and likely external design and appearance of the building as a result of the reinstatement work. 4. The Building Pre-Inspection Report must be prepared by: <ol style="list-style-type: none"> a. A Member of Engineering New Zealand (the Institute of Engineering Professionals) (Structural and Civil); or b. A member of the New Zealand Institute of Building Surveyors; or c. An independent person, persons, or company as approved by Central Hawke's Bay District Council Building Control Authority; or

	<p>d. A Building Control Officer (or equivalent) from the Territorial Local Authority where the building is being relocated from outside of the District.</p> <p>5. The Council must be notified of the intended delivery date at least 48 hours before the building is relocated. Relocation must not be undertaken until the site is visited by Council officers to inspect the standard of the site, footpath, vehicle entrance and road. This standard will be met provided that the building is relocated within 5 days of the notified date.</p> <p>6. The building must be placed on permanent foundations no later than two weeks from the date the building is moved to the site.</p> <p>7. All external reinstatement works identified in the Building Pre-Inspection Report, including connections to all infrastructure services and closing in and ventilation to the foundations, must be completed within 12 months from the date the building is moved to the site.</p> <p>8. The owner of the site on which the relocated building is placed must certify to the Council that the reinstatement work identified in the Building Pre-Inspection Report will be completed within the 12-month period. The site owner will be responsible for ensuring this work is completed.</p> <p><i>Note: All necessary building consents under the Building Act 2004 (including consent to place the building on permanent foundations) must be obtained prior to the relocated building being placed on the destination site, unless otherwise agreed in writing by the Council.</i></p>
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RLZ-S16 Water supply for firefighting

<p>All buildings (excluding accessory buildings that do not include a habitable room)</p>	<p>1. Where water is not supplied to a site by Council or a private community supply, or water is supplied by Council but is a restricted supply flow, access to a water supply for firefighting purposes shall be made available to all buildings on a site that is or will be:</p> <p>a. accessible to firefighting equipment; and</p> <p>b. between 6 and 90 metres from the buildings on the site; and</p> <p>c. on the same site as the buildings (except where the specified volume or flow of water is in a pond, dam or river that is within the required distances); and</p> <p>d. either:</p> <p>i. stores at least 45,000 litres, in addition to a potable water supply on the site; or</p>
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- ii. provides at least 25 litres per second for a minimum of 30 minutes.

Note: Further advice and information about managing fire risk and storage of water for firefighting purposes can be obtained from Fire and Emergency New Zealand and SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice.

Note: The above does not replace Regional Council rules which control the taking and use of groundwater and surface water.

Commented [JKS34]: S57.174 FENZ – Rural Topic, Volume 4, Key Issue 20.

Assessment Matters

For Discretionary Activities, Council's assessment is not restricted to these matters, but it may consider them (among other factors).

RLZ-AM1 Height of Buildings, Height in Relation to Boundary, Setback from Roads and Rail Network, Setback from Neighbours

1. The degree to which the proposed buildings:
 - a. will be compatible with the character and amenity of the area, including the nature and scale of other buildings in the surrounding area;
 - b. will overshadow adjoining sites and result in reduced sunlight and daylight;
 - c. will cause a loss of privacy through being over-looked from neighbouring buildings;
 - d. will block views from properties in the vicinity, or from roads or public open space in the surrounding area;
 - e. will diminish the openness and attractiveness of the street scene;
 - f. will detract from the amenity of adjoining sites, in terms of such matters as noise, odour, dust, glare or vibration occurring as a result of the building; and
 - g. will adversely affect the safe and efficient operation of the land transport network.
2. The ability of the applicant to:
 - a. provide adequate opportunity for garden and tree planting around buildings;
 - b. provide adequate vehicle parking and manoeuvring space on site;
 - c. provide adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site;
 - d. mitigate any adverse effects of increased height or exceedance of the height in relation to boundary, such as through increased separation distances between the building and adjoining sites or the provision of screening; and
 - e. mitigate any adverse effects on people affected by the proposal.
3. The ability of the applicant to adequately dispose of effluent, which avoids:
 - a. any potential contamination of groundwater;

- b. any potential slope instability problems;
- c. any potential odour, noise and vibration nuisance to neighbours; and
- d. any potential seepage of effluent at ground surface.
- 4. The degree to which the non-compliance with the standard allows more efficient, practical and/or pleasant use of the remainder of the site.
- 5. The degree to which alternative practical locations are available for the building.

RLZ-AM2 Setback for Sensitive Activities from Existing Intensive Primary Production Activities

- 1. The likelihood of the proposed activity to generate reverse sensitivity effects on the intensive primary production activity and the potential impact these effects may have on the continuing effective and efficient operation of the intensive primary production activity.
- 2. The extent to which alternative locations have been considered.

RLZ-AM3 Shading of Land and Roads

- 1. Trees on Boundaries
 - a. The degree to which planting within the setback area can adversely affect the health of vegetation or stock, or cause a significant increase in the risk of fire.
 - b. The degree to which the planting of trees will overshadow adjoining sites and result in reduced sunlight and daylight, and/or result in the loss of productive land.
 - c. The degree to which trees may potentially damage structures due to wind fall or root growth.
- 2. Trees adjoining Public Roads
 - a. The degree to which planting will cause shading and ice forming on roads in winter, or root damage to the road.
 - b. The degree to which trees may potentially cause a road safety risk due to wind fall.

RLZ-AM4 Heavy Vehicle Storage

- 1. The degree to which the vehicles being stored can be viewed from adjoining sections, the road and public places and the degree to which screening (either by fences, buildings, or landscaping) may mitigate any adverse visual impact.
- 2. The degree of noise that may be generated from the starting, manoeuvring and mechanical repair of vehicles on site and the degree to which this will contrast with the existing noise environment.
- 3. Where a heavy vehicle to be stored has been used for the cartage of animals the procedures to be adopted for the washing down of the vehicles and the disposal of the waste and wash water.

RLZ-AM5 Screening of Outdoor Storage and Service Areas

1. The degree to which the visual characteristics of the activity to be established are compatible with the character and amenity of the surrounding area and the degree to which screening or landscaping can mitigate any adverse impact.

RLZ-AM6 Residential Activities

1. The impact of the scale of the residential activity on the character and amenity values of adjoining activities and the surrounding rural lifestyle environment.
2. Any cumulative effects of the residential activity, including adverse effects on traffic and road safety.
3. Whether the activity can be adequately serviced.

RLZ-AM7 Commercial Activities, Visitor Accommodation and Home Businesses

1. Whether the proposal will maintain or enhance the character and amenity values of the surrounding area.
2. The impact of the scale, character and/or effects of the activity and its compatibility with surrounding activities, including proximity to sensitive activities.
3. The potential for the activity to generate more than minor adverse effects on the environment in terms of noise, dust, glare, vibration, and road safety.
4. Whether the proposal will have any potential for reverse sensitivity effects to arise.

RLZ-AM8 Hours of Operation

1. The degree to which additional visitors, employees, customers, or suppliers to the site will result in traffic generation and pedestrian activity that is incompatible with the character of the surrounding area.
2. Any adverse effects of the extended hours in terms of noise, vibration, glare, loss of privacy, traffic and/or parking congestion.

RLZ-AM9 Community Facilities and Educational Facilities

1. The degree to which the proposed buildings will be compatible and integrate with the character of the surrounding area, including the layout, height, bulk, and scale of buildings.
2. Any adverse effects from the proposed activity in terms of:
 - a. any potential for reverse sensitivity effects to arise;
 - b. loss of privacy to neighbours through being over-looked, including by buildings;
 - c. loss of openness and attractiveness of the street scene;
 - d. noise, vibration, and glare; and
 - e. admission of sunlight and daylight to adjoining sites.
3. The volume and type of traffic which may be generated by the activity and the ability to avoid or mitigate any adverse effects on the function of the road network and/or the safety of pedestrians, cyclists and vehicles using the road network (including cumulative effects) through the provision of appropriate on-site parking, vehicle queuing, loading, manoeuvring and access design.

4. Whether the amenity of the residential environment will be adversely affected by the scale and/or intensity of the activity. The following matters will be considered:
 - a. the number of patrons and/or staff on the site at any one time;
 - b. the hours of operation to maintain the amenity of the area;
 - c. the proximity of the activity to adjacent activities;
 - d. the anticipated number of transportation movements (including pedestrians and vehicular traffic); and
 - e. whether the proposed activity is located in an area where there are already one or more non-residential activities in close proximity and the resultant cumulative effect on amenity.
5. Whether landscaping and/or screening is proposed to mitigate potential adverse visual effects of the activity.

RLZ-AM10 General

1. Whether the activity is of a type or scale that means that it is better located in another zone (for example, where infrastructure and labour force are more readily available, and the receiving environment is less sensitive).
2. Effects on the visual amenity values of the surrounding area, recognising the rural or rural residential character of the locality.
3. Whether the activity can be adequately serviced. The site must be capable of sustaining the infrastructural needs of the development.
4. The impact of the scale, character and/or effects of the activity and its compatibility with surrounding activities, including proximity to sensitive activities and wāhi tapu, wāhi taonga and sites of significance identified in SASM – SCHED3 Schedule of Sites and Areas of Significance to Māori, as well as any potential for reverse sensitivity effects on primary production to arise.
5. The potential for the activity to generate more than minor effects on the environment in relation to traffic, parking demand, or visitor numbers.
6. The ability of the roading hierarchy to accommodate any additional traffic generated by the activity, including effects on road safety.
7. The potential for the activity to generate more than minor adverse effects in terms of noise, dust, glare, odour or vibration, and the extent to which mitigation options have been considered and evaluated.

RLZ-AM11 Electricity Safety Distances

1. Impacts on the operation, maintenance, upgrading and development of the electricity network.
2. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.
3. The risk to the structural integrity of any support structures associated with the electricity network.
4. Technical advice provided by the National Grid owner (Transpower) or electricity distribution network operator (Centralines Limited).

Commented [JKS35]: S90.044 Centralines Limited, Key Issue 18, Volume 4, Rural Topic.

RLZ-AM12 Water supply for firefighting

1. The extent of compliance with SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice and health and safety of the community, including neighbouring properties.
2. Technical advice provided by Fire and Emergency New Zealand.

Commented [JKS36]: S57.175 – Rural Topic, Volume 4, Key Issue 20.

Methods

Methods, other than the above rules, for implementing the policies:

RLZ-M1 Other Provisions in the District Plan

Other sections of the District Plan contain additional rules and standards applying to activities in the Rural Lifestyle Zone:

1. NU – Network Utilities – includes rules and standards relating to network utility operations.
2. TRAN – Transport – includes rules and standards relating to access, parking, and loading.
3. HAZS – Hazardous Substances – includes rules relating to the storage, handling and use of hazardous substances, and rules applying to major hazardous facilities.
4. NH – Natural Hazards – includes rules applying in areas specifically identified as subject to natural hazards.
5. HH – Historic Heritage – includes rules applying specifically to identified heritage buildings.
6. TREE – Notable Trees – includes rules applying specifically to identified notable trees.
7. SASM – Sites and Areas of Significance to Māori – includes rules applying specifically to identified sites of significance.
8. SUB – Subdivision – includes rules and standards applying to subdivision.
9. EW – Earthworks – includes rules and standards relating to earthworks and land disturbance, mining, quarrying and mineral prospecting and exploration.
10. NOISE – Noise – includes rules and standards relating to the emission of noise.
11. LIGHT – Light – includes rules and standards relating to light and glare.
12. PKH – Papakāinga and Kaumātua Housing, and associated Marae-based Development – includes rules and standards relating to papakāinga and kaumātua housing and marae-based developments on Māori land.
13. SIGN – Signs – includes rules and standards relating to the design and installation of signs.
14. TEMP – Temporary Activities – includes rules and standards relating to temporary activities, temporary buildings, and temporary events.

RLZ-M2 Bylaws

The Central Hawke's Bay District Council Bylaws – Part 13: 2008 *The Keeping of Animals, Poultry and Bees*.

Principal Reasons

The principal reasons for adopting the policies and methods:

The Rural Lifestyle Zone provides areas for people to live in a semi-rural environment, in close proximity to the urban areas of Waipawa and Waipukurau on rolling-to-hilly land with soils of generally lower productivity.

In addition to providing for residential activities within the zone, the District Plan allows the establishment of a range of other activities (i.e. primary production activities, rural commercial activities, home businesses and visitor accommodation) to enable people in the zone to have sufficient flexibility to use their land in a way that enables them to fulfil their rural residential choice. Some activities, however, such as intensive primary production activities and industrial activities, are not provided for in the zone, as they are generally not compatible with the character and amenity values of the zone and, given the smaller size of the sites in the zone, there is less opportunity for them to be separated sufficiently from sensitive activities within the zone, or on land in adjoining zones.

In maintaining the open character and rural qualities of the Rural Lifestyle Zone, it is intended that multiple residential units will not be allowed to establish on the site. The District Plan permits a single residential unit plus one minor residential unit with a limited floor area on each site. The limitation on the floor area is to ensure that the minor residential unit is ancillary to the principal residential unit. The District Plan also limits the scale of permitted commercial activities, visitor accommodation, home businesses, and community facilities which have the potential to adversely affect the open character of the zone (due to the low density of residential activities) and the amenity of the zone with effects, such as noise, traffic generation and disturbance. Where these activities are larger than the permitted scale, they are better located in other zones, to maintain the character and amenity of the Rural Lifestyle Zone and to assist with the efficient and effective use of the Commercial and General Industrial Zones.

While the zone is located in close proximity to urban areas that are fully serviced, unless a reticulated service is available to connect to, activities establishing within the Rural Lifestyle Zone will be required to make independent provision for on-site water supply, wastewater and stormwater disposal.

At the interface of Rural Lifestyle Zone and other rural zone boundaries, and between Rural Lifestyle Zone activities and rural activities, there is potential for conflicts to occur between different activities and expectations about amenity. The District Plan, therefore, requires buildings within the Rural Lifestyle Zone to be setback a minimum distance from property boundaries to avoid or mitigate potential adverse cross-boundary effects and land use conflicts.

Anticipated Environmental Results

The environmental results anticipated from the policies and methods:

- | | |
|-----------------|---|
| RLZ-AER1 | Specific areas of low-density residential development and/or small-scale primary production activities on rolling to hilly land with soils of generally lower versatility, where potential interface effects with adjoining productive activities and urban activities can be managed. |
| RLZ-AER2 | Alternative residential choice in close proximity to the urban areas of Waipawa and Waipukurau. |

- RLZ-AER3** **Retention of the low density rural residential character and amenity of the Rural Lifestyle Zone by way of:**
- **dominance of open space and plantings over buildings;**
 - **dominance of low-density housing; and**
 - **compatibility between activities within the zone, with residential use as the predominant activity.**
- RLZ-AER4** **Diversity in building architecture, providing for individual and community expression.**

NOISE – Noise

Introduction

It is almost inevitable that any activity undertaken in the environment will produce some noise effects. The RMA defines 'noise' as including vibration. Often noise has minimal effects (e.g. everyday household noises) or are of limited duration (e.g. lawn mowing). But in some cases, the effects of noise can become more significant, causing annoyance and having an impact on physical well-being and appreciation of amenity (such as sleep disturbance and noise-induced stress). Noise is often identified as a nuisance and the major cause of complaints and ongoing conflicts between neighbouring property owners.

Sensitivity to noise and expectations around what is acceptable noise varies depending on the character of the area, the duration of the noise, the distance and other buffering between the noise and the receiver, as well as the sensitivities of the individual.

The District Plan can minimise the risks and consequences of excessive noise through controls on the activity source of noise or on development near inherently noisy activities. Noise standards in the District Plan are consistent with the types of daily activities which occur within each zoned area. For example, the noise limit for noise received in the General Residential Zone is consistent with the types of daily activities which occur in an urban backyard, and the need for uninterrupted sleep. Similarly, commercial and industrial zones require noise limits which allow intended activities to take place, but with appropriate control of noise effects on more sensitive surrounding zones. Limits are also placed on noise associated with the operation of the Waipukurau Aerodrome.

The purpose of the noise standards in the District Plan is therefore to enable those activities with noise associated with them to operate, while controlling noise to a reasonable level in order to protect the amenity of the receiving environment.

The primary duty relating to noise under the RMA is contained in section 16. Section 16 imposes an overarching general duty on every person to adopt the best practicable option to ensure that the emission of noise does not exceed a reasonable level. Enforcement of the section 16 duty is generally through the issuing of an enforcement order or abatement notice.

Temporary noise issues are dealt with under sections 326 and 327 of the RMA, which provide for intervention through the issuing of an excessive noise direction. The meaning of 'excessive noise' does not apply to any noise emitted by any:

- Aircraft being operated during, or immediately before or after, flight; or
- Vehicle being driven on a road (within the meaning of Section 2(1) of the Transport Act 1998); or
- Train, other than when being tested (when stationary), maintained, loaded, or unloaded.

Issues

NOISE-I1 Exposure to excessive noise can adversely affect amenity values and the health and wellbeing of people and communities.

Explanation

Excessive noise can unreasonably interfere with people's peace and comfort, and their health and well-being. It is therefore important that the emission of noise is appropriately controlled, and the effects of noise mitigated, and that excessive noise is avoided, where the noise is under human control.

Objectives

NOISE-O1 Ensure residents of the District are exposed to an appropriate level of noise for the zone in which they reside/live/work

NOISE-O2 Activities generate noise effects that are compatible with the role, function and predominant character of each receiving zone

NOISE-O3 Avoid, remedy or mitigate conflict and reverse sensitivity effects arising for existing lawfully established activities as a result of new noise sensitive activities establishing in close proximity to them.

NOISE-O4 Where the locational, functional or operational needs are such that activities of importance to the community could not otherwise meet noise and vibration standards, enable these activities by allowing a whole or partial exemption from those noise standards.

Policies

NOISE-P1 To maintain the predominant character and amenity of each zone by controlling the level of noise and vibration received in each zone, particularly at night.

NOISE-P2 To ensure that noise sensitive activities and the addition of habitable space to existing noise sensitive activities in the Commercial and General Industrial Zones, within 100m of state highways and the rail network, and within identified airnoise boundaries for the Waipukurau Aerodrome shown on the Planning Maps, are acoustically designed and constructed to mitigate noise arising from legitimately established activities.

NOISE-P3 To recognise that noise associated with agricultural, viticultural and horticultural activities is appropriate for the working nature of the rural environment by exempting it from the noise limits. The operation of noisy equipment (in particular, rural airstrips, audible bird scaring

devices and frost fans) is provided for, subject to appropriate controls.

NOISE-P4	To manage the emission of noise associated with the Waipukurau Aerodrome through identification of airnoise boundaries on the Planning Maps and accompanying noise limits.
NOISE-P5	To allow noisy construction and demolition activities subject to ensuring the protection of the community from unreasonable noise.
NOISE-P6	To allow noisy activities of limited duration and frequency which are of importance to the community, such as noise associated with the operation of emergency services and temporary military training activities, subject to appropriate controls.
NOISE-P7	To allow noise arising from temporary events subject to controls in terms of frequency, duration, timing and maximum noise limits.
NOISE-P8	To allow noise arising from recreational activities of a normal recreational nature, such as sporting events and playground activities, subject to the overarching duty to avoid unreasonable noise

Rule Overview Table

Use/activity	Rule Number
Emission of noise	NOISE-R1

Rules

Note: The provisions of this chapter do not apply to plantation forestry. Plantation forestry is regulated separately under the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 which specifically addresses noise associated with plantation forest activities.

It is important to note that in addition to the provisions in this chapter, zone chapters and a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities involving the emission of noise.

NOISE-R1 Emission of noise		
All Zones	1. Activity Status: PER	2. Activity status where compliance not achieved: RDIS
	Where the following conditions are met: a. Compliance with:	Matters over which discretion is restricted:

i. NOISE-S1;	a. NOISE-AM1.
ii. NOISE-S2;	b. NOISE-AM2.
iii. NOISE-S3;	c. NOISE-AM3.
iv. NOISE-S4; and	d. NOISE-AM4.
v. NOISE-S5.	e. NOISE-AM5.
	f. NOISE-AM6.
	g. NOISE-AM7.
	h. NOISE-AM8.
	i. NOISE-AM9.
	j. NOISE-AM10.
	k. NOISE-AM11.

Standards

NOISE-S1 Measurement and Assessment of Noise	
General	<p>1. Noise will be measured and assessed using the following standards:</p> <ul style="list-style-type: none"> a. NZS 6801:2008 Acoustics – Measurement of Environmental Sound b. NZS 6802:2008 Acoustics – Environmental Noise c. NZS 6803:1999 Acoustics – Construction Noise d. NZS 6805:1992 Airport Noise Management and Land Use Planning e. NZS 6806: 2010 Acoustics – Road Traffic Noise: New and altered roads f. NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas g. NZS 6808: 2010 Acoustics – Wind farm noise h. NZS 6809:1999 Acoustics – Port Noise Management and Land Use Planning <p>2. Noise levels will be measured and assessed within the site boundary of the noise receiver unless specified otherwise. The assessment position for houses, dwellings and habitable buildings in the General Rural Zone and the Rural Production Zone is within the notional boundary as defined in NZS6801.</p> <p><i><u>Note:</u> When it becomes evident a measurement location is not suitable, Council may, through the resource consent process, agree to the use of an alternative measurement location.</i></p>
NOISE-S2 Vibration	
General	<p>1. Vibration from any activity will be measured and assessed as follows:</p>

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	<ul style="list-style-type: none"> a. Vibration received at a building with regard to building damage: <ul style="list-style-type: none"> i. ISO 4866:2010 Mechanical vibration and shock – vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures.
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NOISE-S3 Noise Sensitive Activities within 100m of State Highways and the Rail Network

General	<ol style="list-style-type: none"> 1. The following Minimum External Sound Insulation Level Standards applies to all habitable spaces within any building that contains a noise sensitive activity within 100 metres of the sealed edge of a State Highway or the Rail Network Boundary, either: <ul style="list-style-type: none"> a. Provide a design report prepared by an acoustic specialist prior to construction of the habitable spaces, demonstrating that road-traffic/rail network sound levels will not exceed 40 dB $L_{Aeq(24hr)}$ inside all habitable spaces; or b. Provide a design report prepared by an acoustic specialist prior to construction of the habitable spaces, demonstrating that road-traffic/rail network sound levels will not exceed 57 dB $L_{Aeq(24hr)}$ outside the most affected part of the building exterior. 2. The following applies to all buildings that contains a noise sensitive activity within 100 metres of the sealed edge of a State Highway or the Rail Network Boundary: <ul style="list-style-type: none"> a. Where new habitable spaces with openable windows are proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. The supplementary source of air is to achieve compliance with the Building Act to ensure adequate ventilation and fresh air.
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NOISE-S4 Noise Limits – Zone Specific

Receiving Zone(s):

General Residential Zone	<ol style="list-style-type: none"> 1. Noise from any activity (other than those specific activities in NOISE-S5) must not exceed the following limits (dB) when measured within this receiving zone: <ul style="list-style-type: none"> a. 0700 - 2200 hours – 50 L_{Aeq} b. All other times – 40 L_{Aeq} / 70 L_{Amax}
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Rural Lifestyle Zone Large Lot Residential Zone (Coastal)	2. Noise from any activity (other than those specific activities in NOISE-S5) must not exceed the following limits (dB) when measured within these receiving zones: <ul style="list-style-type: none"> a. To be measured and assessed within the notional boundary: <ul style="list-style-type: none"> i. 0700 - 2200 hours – 50 L_{Aeq} ii. All other times – 40 L_{Aeq} / 70 L_{Amax}
General Rural Zone Rural Production Zone	3. Noise from any activity (other than those specific activities in NOISE-S5) must not exceed the following limits (dB) when measured within these receiving zones: <ul style="list-style-type: none"> a. To be measured and assessed within the notional boundary: <ul style="list-style-type: none"> i. 0700 - 2200 hours – 55 L_{Aeq} ii. All other times – 45 L_{Aeq} / 70 L_{Amax}
Commercial Zone	4. Noise from any activity (other than those specific activities in NOISE-S5) must not exceed the following limits (dB) when measured within this receiving zone: <ul style="list-style-type: none"> a. 0700 - 2200 hours – 65 L_{Aeq} b. All other times – 60 L_{Aeq} / 75 L_{Amax} c. Octave band noise levels shall not exceed: <ul style="list-style-type: none"> i. 75dB $L_{eq(1\text{ minute})}$ at 63Hz ii. 65dB $L_{eq(1\text{ minute})}$ at 125Hz
General Industrial Zone	5. Noise from any activity (other than those specific activities in NOISE-S5) must not exceed the following limits (dB) when measured within this receiving zone: <ul style="list-style-type: none"> a. 0700 - 2200 hours – 70 L_{Aeq} b. All other times – 60 L_{Aeq} / 75 L_{Amax}

NOISE-S5 Specific Activities exempt from the Noise Limits in NOISE-S4.

Note: Regardless of the exemptions below, all land uses are subject to section 16 and Part 12 of the RMA.

All Specific Activities listed under this standard	1. Noise shall be measured within the site boundary of a receiving site, or within the notional boundary of rural dwellings or habitable buildings (where stated).
Construction	2. Must comply with the provisions of NZS6803:1999 – Construction Noise.
Emergency Service Activities	3. Exempt, provided the noise source is a warning device or siren (including their routine testing and maintenance), when measured within the site boundary of a receiving site, or within the notional boundary of rural dwellings or habitable buildings.

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Generators for continued power supply	4. Exempt, provided it is for temporary emergency use.
Recreational Activities of an everyday recreational nature	5. Exempt, providing the activity does not involve motorised activities or amplified sound. Examples include sporting events and playground activities.
Activities within the grounds of an Educational Facility	6. Exempt, providing the noise generated is through use of grounds and facilities during events associated with the educational facility concerned, and by students who live on site. Examples include use of school facilities for sport during term time and by student boarders who live on site.
Activities involving stock, vehicles and mobile machinery associated with primary production	7. Exempt, providing noise is limited in duration and machinery is not in a fixed location, and is generated by vehicles and mobile machinery associated with primary production activities and sections 16 and 17 of the RMA have been satisfied. Examples include stock sale yards and transporting areas, harvesting, spraying, and planting machinery.
Prospecting and Exploration (quarrying) activities	8. Must comply with the relevant zone noise limits at the specified measurement and assessment position for those zone(s), except that blasting noise and associated vibration must comply with the following: <ul style="list-style-type: none"> a. Occur only between 0700 hours and 1900 hours, and b. No more than 2 events per hour, with a maximum of 8 events per day, and c. All occupiers of dwellings or habitable buildings within a 2 kilometre range are advised in writing no less than 5 working days prior to the blasting occurring, and d. Overblast pressure incident on dwellings or habitable buildings does not exceed 115dB L_{Zpeak}, and e. Ground borne vibration does not exceed the limits specified in DIN4150-3 Part 3:2016 Vibrations in Buildings.
Temporary events (other than temporary military training)	9. Must comply with the zone noise limits at the specified measurement and assessment position for those zone(s), except as follows (on a per site basis): <ul style="list-style-type: none"> a. For 4 events in any 12 month period – a noise limit of 80dB $L_{Aeq(1\text{ hour})}$ within the respective adjacent zone(s) providing the event and pre event rehearsal do not individually exceed 3 hours in duration. Octave band noise levels at houses, dwellings or habitable buildings must not exceed: <ul style="list-style-type: none"> i. 95dB $L_{eq(1\text{ min})}$ at 63Hz

	<ul style="list-style-type: none"> ii. 85dB L_{eq(1 min)} at 125Hz iii. Secondary sub-clause iv. Secondary sub-clause <p>b. For 2 events in any 12 month period – a noise limit of 70dB L_{Aeq(1 hour)} within the respective adjacent zone(s) providing the event does not exceed 12 hours per day over a two day period.</p> <p>Octave band noise levels at dwellings or habitable buildings must not exceed:</p> <ul style="list-style-type: none"> i. 85dB L_{eq(1 min)} at 63Hz ii. 75dB L_{eq(1 min)} at 125Hz
Emergency Aviation Movements	10. Exempt.

<p>Agricultural Aviation Movements <u>ancillary to primary production</u></p>	<p>11. Exempt for up to 14 days in any calendar year. 12.11. Otherwise, must comply with the noise limits as for rural airstrips (NOISE-S5(13), (14) & (15)) and helicopter landing areas (NOISE-S5(16), (17) & (18)).</p>
<p>Rural Airstrips <u>other than for agricultural aviation movements</u></p>	<p>13.12. The day-night average sound level (L_{dn}) generated by aircraft movements (excluding emergency aviation movements, and agricultural aviation movements for up to 14 days in any calendar year) must not exceed 55 dB L_{dn}, measured at the notional boundary of any building containing a noise sensitive activity on a separate site under different ownership in the General Rural and Rural Production Zones, or at the boundary of any site containing a noise sensitive activity in all other zones.</p> <p>14.13. Aircraft noise must be measured and assessed in accordance with the provisions of NZS 6805:1992 Airport Noise Management and Land Use Planning.</p> <p>15.14. Aircraft maintenance and engine testing that is ancillary to aircraft operations is excluded from the calculations above and must comply with the zone-specific noise limits in NOISE-S4.</p>
<p>Helicopter Landing Areas <u>other than for agricultural aviation movements</u></p>	<p>16.15. The day-night average sound level (L_{dn}) generated by helicopter movements (excluding emergency aviation movements, and agricultural aviation movements for up to 14 days in any calendar year) must not exceed 50 dB L_{dn} measured at the notional boundary of any building containing a noise sensitive activity on a separate site under different ownership in the General Rural and Rural Production Zones, or at the boundary of any site containing a noise sensitive activity in all other zones.</p> <p>17.16. Noise may be averaged over periods of seven consecutive days and the averaged value must not exceed 50 dB L_{dn}, and in any case the limit must not be exceeded by 3 dB on any day.</p> <p>18.17. Helicopter noise must be measured and assessed in accordance with the provisions of NZS 6807:1994 – Noise management and land use planning for helicopter landing areas.</p>

<p>Waipukurau Aerodrome/ Airport</p>	<p>19.18. _____ Must comply with the provisions of NZS 6805:1992 Airport Noise Management and Land Use Planning.</p> <p>20.19. _____ The Waipukurau Aerodrome must be managed so that the noise from aircraft operations does not exceed 65 dB L_{dn} outside the Air Noise Boundary (ANB) or 55 dB L_{dn} outside the Outer Control Boundary (OCB) as shown on the Planning Maps.</p> <p>24.20. _____ Compliance with the ANB and OCB will be determined on the basis of the following:</p> <ul style="list-style-type: none"> a. A log of annual aircraft movements will be provided to the Council by 1 February each year, detailing the total number of fixed-wing and helicopter movements for the previous calendar year. b. Where the total number of annual aircraft movements are less than 6500 per year no compliance contouring is required. c. Where the total number of annual aircraft movements is greater than 6500, the operators of Waipukurau Aerodrome must produce 55 dB, and 65 dB Annual Aircraft Noise Contours (AANC), using airport noise prediction software and records of actual aircraft movements for the busiest 3 consecutive months of the previous year. These AANC are to be submitted to the Council to show compliance or otherwise with the OCB and ANB. The preparation of AANC will be required every 2 years thereafter. d. Where the AANC show that the calculated noise level exceeds 64 dB at any point on the ANB, noise measurements using infield monitoring are required for a minimum of 1 month (at one measurement location) to demonstrate compliance with the noise limit of the ANB, as shown on the Planning Maps. <p>22.21. _____ Exemptions to these noise rules are provided for:</p> <ul style="list-style-type: none"> a. Aircraft operating in an emergency for medical or national / civil defence reasons. b. Air shows. c. Military operations. d. Aircraft using the airfield as a necessary alternative to an airfield elsewhere. e. Aircraft taxiing. f. Aircraft engine testing.
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Wind farm wind turbine generators	23-22. Must comply with NZS 6808: 2010 Acoustics – Wind farm noise.
Residential units/ occupancies/ habitable spaces in Commercial and General Industrial Zones	<p>24-23. Provided the total internal noise level in any habitable room does not exceed 35 dB $L_{Aeq(24\text{ hours})}$ while at the same time complying with the ventilation requirements of clause G4 of the New Zealand Building Code. The total noise level must include all intrusive noise and mechanical services.</p> <p>25-24. In determining the external noise level, an assumption that the noise incident upon the noise sensitive facade is from at least 3 separate activities simultaneously generating the maximum allowable noise level for that zone.</p> <p>26-25. Compliance with the above must be confirmed in writing by a suitably qualified and experienced acoustic consultant.</p>
Audible bird scaring devices	<p>27-26. Noise from audible explosive bird scaring devices must only be operated between the period 30mins before sunrise and 30mins after sunset, and must not exceed 100dB L_{Zpeak}, when measured within the notional boundary of any other site in the General Rural or Rural Production Zones, or within the site boundary of any site in the Rural Lifestyle, General Residential or Settlements Zones.</p> <p>28-27. Discrete sound events of a bird scaring device including shots or audible sound must not exceed 3 events within a 1-minute period and must be limited to a total of 12 individual events per hour.</p> <p>29-28. Where audible sound is used over a short or variable time duration, no event may result in a noise level greater than 50dBA L_{AE} when assessed at the notional boundary of any other site in the General Rural or Rural Production Zones, or within the site boundary of any site in the Rural Lifestyle, General Residential or Settlement Zones.</p>
Frost fans	30-29. Noise generated by frost fans must not exceed 55 dB $L_{Aeq\ 10min}$ when assessed within the notional boundary of any other site in the General Rural or Rural Production Zones, or within the site boundary of any site in the Rural Lifestyle, General Residential or Settlement Zones.
Temporary military training activities	<p>31-30. Weapons firing and/or the use of explosives:</p> <p>a. Notice is provided to the Council at least 5 working days prior to the commencement of the activity.</p>

- b. The activity complies with the following minimum separation distances to the notional boundary of any building housing a noise sensitive activity:
 - i. 0700 – 1900 hours: 500m
 - ii. 1900 – 0700 hours: 1,250m
- c. Where the minimum separation distances specified above cannot be met, then the activity must comply with the following peak sound pressure level when measured at the notional boundary of any building housing a noise sensitive activity:
 - i. 0700 – 1900 hours: 95 dBC
 - ii. 1900 – 0700 hours: 85 dBC

32.31. Mobile noise sources:

- a. Must comply with the noise limits set out in Tables 2 and 3 of NZS6803:1999 Acoustics – Construction Noise, with reference to ‘construction noise’ taken to refer to mobile noise sources.
- b. Note: Mobile noise sources (other than firing of weapons and explosives) include personnel, light and heavy vehicles, self-propelled equipment, earthmoving equipment.

33.32. Fixed (stationary) noise sources:

- a. Must comply with the noise limits set out in the table below when measured at the notional boundary of any building housing a noise sensitive activity.

Time (Monday to Sunday)	L _{Aeq} (15 min)	L _{AF} (max)
0700 – 1900 hours	55 dB	N/A
1900 – 2200 hours	50 dB	
2200 – 0700 hours	45 dB	75 dB

- b. Note: Fixed (stationary) noise sources (other than firing of weapons and explosives) include power generation, heating, ventilation or air conditioning systems, or water or wastewater pumping/treatment systems.

34.33. Helicopter landing areas:

- a. Must comply with NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas.
- b. Noise levels will be measured in accordance with NZS6801:2008 Acoustics – Measurement of Sound.

Assessment Matters

For Discretionary Activities, Council's assessment is not restricted to these matters, but it may consider them (among other factors).

NOISE-AM1 Compatibility

1. The nature of the zone within which the noise generating activity is located and its compatibility with the expected environmental results for that zone, including proximity of any existing noise sensitive activities.

NOISE-AM2 Ambient Noise Levels

1. Existing ambient noise levels.

NOISE-AM3 Vehicle Noise

1. If traffic generation during the night-time period is of concern, whether the noise level exceeds 55dB $L_{Aeq} (1 \text{ hour})$ at the façade of a habitable space.
2. If it is likely that vehicles associated with an activity while travelling on public roads will generate more than 55dB $L_{Aeq} (1 \text{ hour})$ at the façade of a habitable space.

NOISE-AM4 Degree of Exceedance of Noise Limits

1. The length of time for which specified noise levels will be exceeded, particularly at night, with regard to likely disturbance that may be caused.

NOISE-AM5 Community Benefit of Entertainment Activities

1. The value and nature of entertainment activities and their benefit to the wider community, having regard to the frequency of noise intrusion and the practicality of mitigating noise, or utilising alternative sites.

NOISE-AM6 Extent to which Achieving Relevant Limits is Practicable

1. The extent to which achieving the relevant limits is practicable, given any existing activities which create noise, particularly on the interface with commercial, industrial, or recreational activities and whether the environment is subject to significant noise intrusion from road, rail or air transport activities.

NOISE-AM7 Assessment of Noise and Mitigation Options

1. The level of involvement of a suitably qualified and experienced acoustic consultant in the assessment of potential noise effects and/or mitigation options to reduce noise emissions.

NOISE-AM8 Other Relevant Standards, Codes of Practice and Assessment Methods

1. Any other relevant standards, codes of practice or assessment methods based on robust acoustic principles.

NOISE-AM9 Effects on Cultural Values

1. Effects of noise on cultural values associated with any sites and areas of significance to Maori identified in SASM-SCHED3 and on the Planning Maps, or marae.

NOISE-AM10 Waipukurau Aerodrome

1. In respect of noise associated with aircraft engines at the Waipukurau Aerodrome:
 - a. The degree to which excessive noise generation will affect the enjoyment of any public place or residential area in the vicinity.
 - b. The degree to which the noise contrasts with the characteristics of the existing noise environment in terms of level, duration and timing, and the impact of any cumulative increase.
 - c. The nature of measures to mitigate excessive noise levels and the degree to which they would be successful.

Methods

Methods, other than rules, for implementing the policies:

NOISE-M1 Noise Management Plans

Encouraging the establishment and operation of effective Noise Management Plans for specific sites or sector groups.

NOISE-M2 New Zealand Standards

Reference to various New Zealand Standards for measuring and assessing noise emission.

NOISE-M3 Industry Best Practice

Encouraging adoption of industry best practice e.g. Helicopter Association International's 'Fly Neighbourly' programme.

NOISE-M4 Section 16 RMA Unreasonable Noise

Control emission of unreasonable noise under section 16 of the RMA.

NOISE-M5 Monitoring and Enforcement

Monitoring and enforcement of noise as part of Council's functions under the RMA.

Principal Reasons

The principal reasons for adopting the policies and methods:

The District Plan seeks to control the level of noise and vibration received in each zone by setting noise limits that reflect the character and amenity of each zone, but also provides for those activities which are recognised as having different aural qualities associated with them, subject to specific noise standards. Activities such as construction, noise associated with normal agricultural, viticultural, and horticultural operations, emergency service activities and temporary events such as concerts are provided for, subject to specific standards and the overarching duty to ensure noise does not exceed a reasonable level.

Anticipated Environmental Results

The environmental results anticipated from the policies and methods:

NOISE-AER1	Residents are exposed to an appropriate level of noise.
NOISE-AER2	The amenity of residential areas and established noise-sensitive activities is safeguarded.
NOISE-AER3	Sufficient flexibility for noise-generating activities in the Rural Production, Plains Production and Commercial and General Industrial Zones, as well as noise associated with the operation of the Waipukurau Aerodrome, is provided.
NOISE-AER4	Events and activities of limited duration or frequency that are inherently noisy are not unreasonably constrained.
NOISE-AER5	Noise-sensitive activities located out-of-zone have adequate sound insulation.