

**BEFORE THE CENTRAL HAWKES BAY DISTRICT COUNCIL  
HEARINGS PANEL OF COMMISSIONERS**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** Hatuma Lime (Submitter no 98) on the  
Proposed Central Hawke's Bay Council  
District Plan Review

---

**STATEMENT OF EVIDENCE OF Claire Price (PLANNING),**

**Hearing 3 (Rural)**

**Evidence date: 27<sup>th</sup> May 2022**

**Hearing Commencement date: 15<sup>th</sup> June 2022**

---

## **1.0 QUALIFICATIONS AND EXPERTISE**

1.1 My name is Claire Price, and I am a Senior Planner at Stradegy Planning Limited, a private planning firm in Hawkes Bay. I hold the qualifications of Bachelor of Resource and Environmental Planning (Hons). I am a Full Member of the New Zealand Planning Institute. I have been a planning consultant based in Hawkes Bay, Wellington and Christchurch for over thirteen (13) years, providing consultancy services for a wide range of clients. Prior to private consultancy I was a planner at Whangarei District Council, Wellington City Council and Selwyn District Council, where I did both consent processing and policy planning.

1.2 In this matter, I was engaged by Hatuma Lime to prepare a submission to the Central Hawkes Bay Proposed District Plan in August 2021 and now seek to follow up how key submission points have progressed in Council officer recommendations as set out in the Section 42A Report, Volume 1 -4 for the Rural Hearing 3.

## **2.0 CODE OF CONDUCT**

2.1 I have read the Code of Conduct for Expert Witnesses issued as part of the Environment Court Practice Notes. I agree to comply with the code and am satisfied the matters I address in my evidence are within my expertise. I am not aware of any material facts that I have omitted that might alter or detract from the opinions I express in my evidence.

## **3.0 SCOPE OF EVIDENCE**

3.1 My evidence will address the following:

- a) A brief statement to give context for Hatuma Lime submission points on the rural provisions.
- b) Set out my view on the recommendations made in the S42A Reports on submissions points by Hatuma Lime. Views expressed are either in agreement with the recommendations, or do not agree which then frame the remainder of my evidence.
- c) Recommendations to address area of disagreement.

#### **4.0 TE MATA MUSHROOMS SUBMISSIONS (RURAL HEARING 3)**

- 4.1 The submission points from Hatuma Lime in relation to rural matters covered in the Section 42A report, Volume 1 – 4, have been tracked as set out in Table 1 and included in Appendix 1 of my evidence.
- 4.2 Hatuma Lime Company Limited (Hatuma Lime), operate two quarries within the Central Hawke’s Bay District. The Waipawa site which is located at 711 Tikokino Road, and the Hatuma site which is located at 520 Maharakeke Road.
- 4.3 The continuation of the two quarries to be operated in conjunction with land use consents is critically important.
- 4.4 Proposed District Plan (PDP) zones the land subject to both quarries as General Rural Zone.
- 4.5 Hatuma Lime are interested in the PDP subdivision provisions and seek to ensure reverse sensitivity considerations relating to lawfully established activities in the rural environment are required for any subdivision within the General Rural Zone.
- 4.6 In relation to the rural provisions of the PDP, Hatuma Lime are keen to ensure that lawfully established activities within the Rural Environment are seen as being part of that environment and given adequate recognition and protection from adverse reverse sensitivity effects.

#### **5.0 SECTION 42A HEARINGS REPORT**

- 5.1 I accept majority of the recommendations set out in the Section 42A reports and the areas of departure are minor wording changes to RLR Issue 1 and General Rural Zone Policy 7.
- 5.2 I consider the changes set out in my evidence to be within scope of the Hatuma Lime submissions and continue to achieve the planning framework recommended by the Officers.
- 5.3 These minor wording changes are set out in the table below and expanded upon in the Sections 6 to 7 of my evidence.

PROPOSED DISTRICT PLAN PROVISION(S)	SUBMISSION POINT No.	OPPOSE/SUPPORT	RELIEF / DECISION SOUGHT	SECTION 42A REPORT / COMMENTS FROM CLAIRE PRICE
<i>Part 2 – District-Wide Matters</i>				
<i>Strategic Direction – RLR Rural Land Resource</i>  <i>Issues</i>				
<p><b>RLR-11</b></p> <p><b><i>Incremental Loss of Highly Productive Land</i></b></p> <p><i>Land fragmentation and development that leads to the incremental and irreversible loss of highly productive land for primary production.</i></p>	S98.006	Support	Retain	<p>Key Issue 2, Officer report Vol 1</p> <p>ACCEPT IN PART</p> <p>COMMENTS</p> <p>Seek minor amendments.</p>
<i>Part 2 – District-Wide Matters</i>				
<i>Strategic Direction – RLR Rural Land Resource</i>				
<i>Objectives</i>				

PROPOSED DISTRICT PLAN PROVISION(S)	SUBMISSION POINT No.	OPPOSE/SUPPORT	RELIEF / DECISION SOUGHT	SECTION 42A REPORT / COMMENTS FROM CLAIRE PRICE
<p>RLR-O2</p> <p><i>The primary production role and associated amenity of the District's rural land resource is retained, and is not compromised by inappropriate subdivision, use and development.</i></p>	S98.007	Support in part	<p>Amend Objective RLR-02</p> <p><i>The primary production role, <u>lawfully established activities (such as quarries)</u> and associated amenity of the District's rural land resource is retained, and is not compromised by inappropriate subdivision, use and development.</i></p>	<p>Key Issue 2, Officer report Vol 1</p> <p>REJECT</p> <p>COMMENTS</p> <p>Accept that this objective is strategic and not ultimately trying to cover reverse sensitivity matters.</p> <p>Yet in the General Rural Zone Chapter there are no references to protect lawfully established land uses in the zones, that may not entirely be primary production activities, yet are operating within consented or authorised parameter and are vulnerable to reverse sensitivity.</p> <p>If not here in the Strategic objectives/policies, then a consequential amendment to GRUZ P7.</p>
<i>Part 2 – District-Wide Matters</i>				
<i>Strategic Direction – RLR Rural Land Resource</i>				
<i>Policies</i>				
RLR-P5	S98.010	Support in part	<p><i>To enable primary production and related activities to operate in rural</i></p>	Key Issue 2, Officer report Vol 1

PROPOSED DISTRICT PLAN PROVISION(S)	SUBMISSION POINT No.	OPPOSE/SUPPORT	RELIEF / DECISION SOUGHT	SECTION 42A REPORT / COMMENTS FROM CLAIRE PRICE
<i>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.</i>			<i>areas provided in the <u>General Rural Zone and Rural Zone Production</u> in accordance with accepted practices without being compromised by other activities demanding higher levels of amenity.</i>	REJECT  COMMENTS  Concur with Section 42A report
<i>Part 3 – Area Specific Matters</i>				
<i>Zones – RURA – Rural Zones, GRUZ General Rural Zone,</i>				
<i>Objectives</i>				
GRUZ-04  <i>The primary productive purpose and predominant character of the General Rural Zone are not compromised by potentially incompatible activities establishing.</i>	S98.013	Support	Amend GRUZ – 04 and provide more explanation as to what are incompatible activities.	Key Issue 5, Officer report Vol 2  REJECT  COMMENTS  No change to objective, but further explanation in policies (GRUZ-P7) that direct actions from the objective.

PROPOSED DISTRICT PLAN PROVISION(S)	SUBMISSION POINT No.	OPPOSE/SUPPORT	RELIEF / DECISION SOUGHT	SECTION 42A REPORT / COMMENTS FROM CLAIRE PRICE
<i>Policies</i>				
<p><i>GRUZ-P7</i></p> <p><i>To ensure incompatible activities do not locate in the General Rural Zone where the activity will:</i></p> <ol style="list-style-type: none"> <li><i>1. undermine the primary productive purpose and predominant character of the General Rural Zone;</i></li> <li><i>2. constrain the establishment and use of land for primary production; and/or</i></li> <li><i>3. result in reverse sensitivity and/or lead to land use conflict.</i></li> </ol>	S98.016	Support	Retain policy	<p>Key Issue 5, Officer report Vol 2</p> <p>ACCEPT</p> <p>COMMENTS</p> <p>Link to S98.007</p> <p>This policy has gone through some changes, and has the potential to pick up more of the issue set out to manage reverse sensitivity in relation to existing lawfully established activities.</p>

**6.0 RLR -Issue 1 (submission point S98.006)**

6.1 Key Issue 2, Volume 1 of the Section 42A Report.

6.2 The recommendation made within the Section 42A report includes amendments to the explanation of Issue 1 and introduces reverse sensitivity upfront in the strategic part of the PDP.

6.3 I consider the intent of the amendments to be appropriate.

6.4 Yet, a further amendment to clarifying both primary production activities and existing lawfully established activities to be protected from reverse sensitivity would be more appropriate and would read as follows:

*5. New sensitive activities establishing on rural land, with the potential to compromise or constrain the operation of existing lawfully established **activities and** primary production activities in the vicinity (reverse sensitivity).*

6.5 The reason being the District Plan should be protecting reverse sensitivity from future primary production activities and existing lawfully established activities within the rural environment.

6.6 This change is considered to be within scope of the original submission point.

6.7 Refer to Appendix 2 of my evidence for a tracked changed and commented version of the Part 2A – Strategic Direction – RLR, Proposed District Plan.

**7.0 RLR -Objective 2 (submission point S98.007) and GRUZ Policy 7 (S98.016)**

7.1 The relief sought in submission point S98.007 is to recognise “lawfully established activities (such as quarries)” alongside the primary production as rural land resources to be retained and not compromised by inappropriate subdivision, use and development. This submission point is recommended to be rejected, as it is ultimately the wrong place in the policy framework to insert this type of recognition.

7.2 Yet in the General Rural Zone Chapter there are no references to protect lawfully established land uses in the zones. Activities that may not be categorised entirely as primary production activities, yet are operating within consented or authorised parameters, are still vulnerable to reverse sensitivity from new sensitive activities.



7.3 To that end, I consider further amendments to GRUZ Policy 7 would pull through the explanation in RLR Issue 1 (subclause 5) into a policy format that gives plan uses direction on matters arising between lawfully established activities and potential reverse sensitivity effects and reads:

*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~~

2a. will, or potentially, undermine the effective operation of lawfully established activities;

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.

7.4 These amendments are considered to be within scope of submission points S98.007 and S98.016.

7.5 Refer to Appendix 2 of my evidence for a tracked changed and commented version of the Part 3C – Area Specific Matters – GRUZ, Proposed District Plan.

## **8.0 CONCLUSION**

8.1 In conclusion, I am of the opinion that the recommendations made in the Section 42A reports on the Hatuma Lime submission points are appropriate subject to the wording changes set out in my evidence above.

8.2 These amendments are to better achieve the purpose of the RMA.

Claire Price

Senior Planner

Strategy Planning Limited

28 May 2022

APPENDIX 1

Hatuma Lime Tracked Submission Points

PROPOSED DISTRICT PLAN PROVISION(S)	SUBMISSION POINT No.	OPPOSE/SUPPORT	RELIEF / DECISION SOUGHT	SECTION 42A REPORT / COMMENTS FROM CLAIRE
	<i>Part 1 – Introduction and General Provisions</i>			
	<i>Interpretation – Definitions</i>			
<p>“reverse sensitivity”</p> <p><i>the potential for the operation of an existing lawfully established activity to be compromised, constrained or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived environmental effects generated by an existing activity</i></p>	S98.004	Support	Retain	<p>Key Issue 1, Officer report Vol 1</p> <p>ACCEPT Concur with Section 42A report</p>
<p>“Sensitive activity”</p> <p><i>Means</i></p> <p><i>activities which are sensitive to noise, dust, the use and storage of hazardous substances, spray residue, odour or visual effects of nearby activities. Includes residential activities, marae, urupā, visitor accommodation, rest homes, retirement villages, day care facilities, educational facilities and hospitals.</i></p>	S98.005	Support	Retain	<p>Key Issue 1, Officer report Vol 1</p> <p>ACCEPT IN PART</p> <p>COMMENTS Concur with Section 42A report.</p>
	<i>Part 2 – District-Wide Matters</i>			
	<i>Strategic Direction – RLR Rural Land Resource Issues</i>			
<p><b>RLR-I1</b></p> <p><b>Incremental Loss of Highly Productive Land</b></p> <p><i>Land fragmentation and development that leads to the incremental and irreversible loss of highly productive land for primary production.</i></p>	S98.006	Support	Retain	<p>Key Issue 2, Officer report Vol 1</p> <p>ACCEPT IN PART</p> <p>COMMENTS Accept subject to an amendment, refer to body of evidence.</p>
	<i>Part 2 – District-Wide Matters</i>			
	<i>Strategic Direction – RLR Rural Land Resource Objectives</i>			

PROPOSED DISTRICT PLAN PROVISION(S)	SUBMISSION POINT No.	OPPOSE/SUPPORT	RELIEF / DECISION SOUGHT	SECTION 42A REPORT / COMMENTS FROM CLAIRE
<i>RLR-O2</i>  <i>The primary production role and associated amenity of the District's rural land resource is retained, and is not compromised by inappropriate subdivision, use and development.</i>	S98.007	Support in part	Amend Objective RLR-02  <i>The primary production role, lawfully established activities (such as quarries) and associated amenity of the District's rural land resource is retained, and is not compromised by inappropriate subdivision, use and development.</i>	Key Issue 2, Officer report Vol 1  REJECT  COMMENTS Accept subject to an amendment to GRUZ Policy 7 refer to body of evidence.
<i>RLR-O3</i>  <i>The District's highly productive land is protected from further fragmentation.</i>	S98.008	Support	Retain RLR-O3	Key Issue 2, Officer report Vol 1  ACCEPT  COMMENTS Concur with Section 42A report
<i>RLR-O4</i>  <i>Residential living 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.</i>	S98.009	Support	Retain Objective RLR-04	Key Issue 2, Officer report Vol 1  ACCEPT  COMMENTS Concur with Section 42A report
	<i>Part 2 – District-Wide Matters</i>			
	<i>Strategic Direction – RLR Rural Land Resource</i>			
	<i>Policies</i>			
<i>RLR-P5</i>  <i>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.</i>	S98.010	Support in part	<i>To enable primary production and related activities to operate in rural areas provided in the General Rural Zone and Rural Zone Production in accordance with accepted practices without being</i>	Key Issue 2, Officer report Vol 1  REJECT  COMMENTS Concur with Section 42A report

PROPOSED DISTRICT PLAN PROVISION(S)	SUBMISSION POINT No.	OPPOSE/SUPPORT	RELIEF / DECISION SOUGHT	SECTION 42A REPORT / COMMENTS FROM CLAIRE
			<i>compromised by other activities demanding higher levels of amenity.</i>	
<i>Part 3 – Area Specific Matters</i>				
<i>Zones – RURAL – Rural Zones, GRUZ General Rural Zone,</i>				
<i>Issues</i>				
<b>GRUZ-11</b>  <b><i>Protecting the Life-Supporting Capacity of the District's Soil Resource</i></b>  <i>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.</i>	S98.011	Support	Retain	Key Issue 5, Officer report Vol 2  ACCEPT  COMMENTS Concur with Section 42A report
<i>Part 3 – Area Specific Matters</i>				
<i>Zones – RURA – Rural Zones, GRUZ General Rural Zone,</i>				
<i>Objectives</i>				
<b>GRUZ-01</b>  <i>The General Rural Zone is predominantly used for primary production activities and ancillary activities.</i>	S98.012	Support	Retain	Key Issue 5, Officer report Vol 2  ACCEPT  COMMENTS Concur with Section 42A report
<b>GRUZ-04</b>  <i>The primary productive purpose and predominant character of the General Rural Zone are not compromised by potentially incompatible activities establishing.</i>	S98.013	Support	Amend GRUZ – 04 and provide more explanation as to what are incompatible activities.	Key Issue 5, Officer report Vol 2  REJECT  COMMENTS Concur with Section 42A report
<i>Policies</i>				

PROPOSED DISTRICT PLAN PROVISION(S)	SUBMISSION POINT No.	OPPOSE/SUPPORT	RELIEF / DECISION SOUGHT	SECTION 42A REPORT / COMMENTS FROM CLAIRE
<p><i>GRUZ-P1</i></p> <p><i>To allow land-based primary production and ancillary activities which are compatible with the primary productive purpose and predominant character and amenity of the General Rural Zone.</i></p>	S98.014	support	Retain	<p>Key Issue 5, Officer report Vol 2</p> <p>ACCEPT</p> <p>COMMENTS Concur with Section 42A report</p>
<p><i>GRUZ-P5</i></p> <p><i>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.</i></p>	S98.015	Support	Retain	<p>Concur with Section 42A report</p>
<p><i>GRUZ-P7</i></p> <p><i>To ensure incompatible activities do not locate in the General Rural Zone where the activity will:</i></p> <ol style="list-style-type: none"> <li><i>1. undermine the primary productive purpose and predominant character of the General Rural Zone;</i></li> <li><i>2. constrain the establishment and use of land for primary production; and/or</i></li> <li><i>3. result in reverse sensitivity and/or lead to land use conflict.</i></li> </ol>	S98.016	Support	Retain policy	<p>Key Issue 5, Officer report Vol 2</p> <p>ACCEPT</p> <p>COMMENTS Accept subject to an amendment, refer to body of evidence.</p>
<p><i>GRUZ-P8</i></p> <p><i>To limit residential and rural lifestyle subdivision that results in fragmentation of the rural land and/or which limits the use of rural land for productive purposes.</i></p>	S98.017	Support	Retain policy	<p>Key Issue 5, Officer report Vol 2</p> <p>ACCEPT</p> <p>COMMENTS Concur with Section 42A report</p>

APPENDIX 2

Recommended changes to the Section 42A Report

Provisions of the Proposed District Plan

## 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 primary 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 Region<sup>1</sup>.

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 area<sup>2</sup>. 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

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

<sup>2</sup> '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 purposes<sup>3</sup>. 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

---

<sup>3</sup> '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. New sensitive activities establishing on rural land, with the potential to compromise or constrain the operation of existing lawfully established activities and primary production activities in the vicinity (reverse sensitivity).

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.**
- RLR-O3**      **The District's highly productive land is protected from further fragmentation.**
- RLR-O4**      **Residential living 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 [CP2]: S98.006 Hatuma Lime – Rural Topic, Key Issue 2

Formatted: Underline

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

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

## 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 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 activities to establish, which complement the resources of the rural area, 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, 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 [RM5]: S116.010 Silver Fern Farms - Rural Topic, Key Issue 2

Commented [RM6]: S116.011 Silver Fern Farms - Rural Topic, Key Issue 2

Commented [RM7]: S79.016 Transpower, S81.042 Hort NZ - Rural Topic, Key Issue 2

## 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 [RM8]: S42.014 Pork Industry - Rural Topic, Key Issue 13

Commented [RM9]: 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 Ōtane.

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 [RM10]: S42.014 Pork Industry - Rural Topic, Key Issue 13

Commented [RM11]: 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 [RM12]: 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 [RM13]: 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 [RM14]: 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 activitiesA diversity of activity in the rural area.**
- RLR-AER5**      **Maintaining and enhancing rural character and amenity including avoiding reverse sensitivity effects.**

Commented [RM15]: S81.045 Hort NZ - Rural Topic, Key Issue 2

## 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 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 [RM4]:** S81.105 Hort NZ - Rural Topic, Key Issue 5

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

**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.
- 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:~~
- ~~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~~
- GRUZ-P3** To manage the scale of post-harvest facilities and ~~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.
- 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.~~
- GRUZ-P7** To ensure incompatible activities do not locate in the General Rural Zone where the activity ~~will~~:

Commented [RM5]: S42.043 Pork Industry - Rural Topic, Key Issue 13 and S102.041 Te Mata Mushrooms - Rural Topic, Key Issue 15

Commented [RM6]: S121.178 Federated Farmers, S81.107 Hort NZ - Rural Topic, Key Issue 5

Commented [RM7]: S27.022 Egg Producers, S121.179 Federated Farmers - Rural Topic, Key Issue 5

Commented [RM8]: S81.108 Hort NZ - Rural Topic, Key Issue 15

Commented [RM9]: S121.183 Federated Farmers, S81.110 Hort NZ - Rural Topic, Key Issue 9

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
- 2a. will, or potentially, undermine the effective operation of lawfully established activities;
- 2-3. will result in reverse sensitivity and/or lead to land use conflict; and/or;
- 3-4. does not have a functional or operational need for a rural location.

Commented [CP10]: S98.016 and S98.007 Hatuma Lime, Rural Topic, Key Issue 5

Commented [RM11]: 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 the use of rural land for productive purposes.

**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 [JKS12]: 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>
Agricultural aviation movements ancillary to primary production activities	GRUZ-R4
Rural airstrips and/or helicopter landing areas	GRUZ-R5
Post-harvest facilities	GRUZ-R6
Home businesses	GRUZ-R7
Visitor accommodation	GRUZ-R8

Commented [RM13]: consequential amendment as a result of S81.114 Hort NZ - Rural Topic, Key Issue 12

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 [RM14]:** consequential amendment as a result of S102.059 Te Mata Mushrooms - Rural Topic, Key Issue 16

**Commented [RM15]:** 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 [RM16]:** 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:

- a. Limited to:
  - i. one residential unit per site with an area less than 20 hectares, and
  - ii. 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
  - iii. 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
  - iv. three additional residential units (i.e. a total of four) per site with an area of 100 hectares or greater, and
  - v. one minor residential unit per site:
    - a. limited to a maximum gross floor area of 100m<sup>2</sup> (exclusive of garages, and verandahs less than 20m<sup>2</sup>); and
    - b. must share vehicle access with the principal residential unit on the site; and
    - c. must be located no further than 50m from a principal residential unit on the 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).

### 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)):

- 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-R1(1)(a) and/or GRUZ-R1(1)(c) is not achieved: DIS

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

Commented [JKS18]: S90.043 Centralines – Rural Topic, Volume 4, Key Issue 18

Commented [JKS19]: S57.140 FENZ – Rural Topic, Volume 4, Key Issue 20.

Commented [RM17]: S57.140 FENZ - Rural Topic, Key Issue 20

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

*Note 1: an existing principal residential unit may become the minor residential unit provided that all standards and terms are met.*

*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).*

**GRUZ-R2 Seasonal workers accommodation**

**1. Activity Status: PER**

**Where the following conditions are met:**

- a. Limited to:
  - i. A maximum gross floor area of 125m<sup>2</sup>.
  - ii. A maximum number of people to be accommodated on site of 24.
  - iii. All new buildings are relocatable in design or able to be reconfigured to buildings accessory to land-based primary production.
  - iv. The site is not a 'lifestyle site' (a site created through the lifestyle site subdivision provisions of the District Plan).
- 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).

**2. Activity status where compliance with condition GRUZ-R2(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-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 condition GRUZ-R2(1)(a) is not achieved: RDIS**

**Matters over which discretion is restricted:**

- 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.

**Commented [JKS21]:** S90.043 Centralines – Rural Topic, Volume 4, Key Issue 18.

**Commented [JKS22]:** S57.141 FENZ – Rural Topic, Volume 4, Key Issue 20.

**Commented [JKS20]:** S57.156 FENZ – Rural Topic, Volume 4, Key Issue 20.

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

*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).*

- 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.

**4. Activity status where compliance with condition GRUZ-R2(1)(c) is not achieved: DIS**

**5. Activity status where compliance with condition GRUZ-R2(1)(d) is not achieved: NC**

**GRUZ-R3 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:
  - 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
  - ix. GRUZ-S15.

**2. Activity status where compliance with condition GRUZ-R3(1)(a) 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.

**Commented [JKS25]:** S90.043 Centralines – Rural Topic, Volume 4, Key Issue 18

**Commented [JKS26]:** S57.142 FENZ – Rural Topic, Volume 4, Key Issue 20.

**Commented [JKS23]:** S57.142 FENZ – Rural Topic, Volume 4, Key Issue 20.

<p>b. <a href="#">Compliance with GRUZ-S12 (setback from gas transmission network).</a></p> <p>c. Compliance with GRUZ-S13 (setbacks from National Grid).</p>	<p>ii. LIGHT – Light.</p> <p>iii. NOISE – Noise.</p>
<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><b>3. Activity status where compliance with condition GRUZ-R3(1)(b) is not achieved: DIS</b></p> <p><b>4. Activity status where compliance with condition GRUZ-R3(1)(c) is not achieved: NC</b></p>

Commented [RM24]: S81.114 Hort NZ - Rural Topic, Key Issue 18

**GRUZ-RXX Artificial Crop Protection Structures**

<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></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; and</u></p> <p>iii. <u>GRUZ-S13 Setbacks from National Grid.</u></p>	<p><b>2. Activity status where compliance not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted:</b></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>
--	---

Commented [RM27]: S81.114 Hort NZ - Rural Topic, Key Issue 12

Commented [JKS28]: S90.043 Centralines – Rural Topic, Volume 4, Key Issue 18.

**GRUZ-R4 Agricultural aviation movements ancillary to primary production activities**

<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>N/A</p>	<p><b>2. Activity status where compliance not achieved: N/A</b></p>
--	---

**GRUZ-R5 New, or expansion of existing, rural airstrips and/or helicopter landing areas**

<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>a. The rural airstrip or helicopter landing area is located a minimum distance of:</p> <p>i. 2km from any General Residential, Large Lot Residential (Coastal),</p>	<p><b>2. Activity status where compliance with condition GRUZ-R5(1)(d) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p>
--	---



<p>Settlement, or Rural Lifestyle Zone boundary, and</p> <ul style="list-style-type: none"> <li>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</li> <li>iii. 50m from a State Highway.</li> </ul> <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 100m<sup>2</sup> gross floor area of buildings ancillary to the activity per site.</p> <p>d. Compliance with:</p> <ul style="list-style-type: none"> <li>i. GRUZ-S2;</li> <li>ii. GRUZ-S3;</li> <li>iii. GRUZ-S4;</li> <li>iv. GRUZ-S5;</li> <li>v. GRUZ-S6;</li> <li>vi. GRUZ-S7;</li> <li>vii. GRUZ-S8;</li> <li>viii. GRUZ-S9; and</li> <li>ix. GRUZ-S10.</li> </ul> <p>e. Compliance with GRUZ-S12 (gas transmission network).</p> <p>f. Compliance with GRUZ-S13 (setbacks from National Grid).</p>	<ul style="list-style-type: none"> <li>a. Assessment matters: <ul style="list-style-type: none"> <li>i. GRUZ-AM1.</li> <li>ii. GRUZ-AM2.</li> <li>iii. <a href="#">GRUZ-AM14</a>.</li> </ul> </li> <li>b. Assessment matters in the following chapters: <ul style="list-style-type: none"> <li>i. TRAN – Transport.</li> <li>ii. LIGHT – Light.</li> <li>iii. NOISE – Noise.</li> </ul> </li> </ul> <p><b>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</b></p> <p><b>4. Activity status where compliance with condition GRUZ-R5(1)(f) is not achieved: NC</b></p>
---	--

**Commented [JKS29]:** S90.043 Centralines – Rural Topic, Volume 4, Key Issue 18.

**GRUZ-R6 Post-harvest facilities**

<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <ul style="list-style-type: none"> <li>a. Limited to 2500m<sup>2</sup> gross floor area per site, or 200m<sup>2</sup> gross floor area per site where located within the Coastal Environment Area.</li> <li>b. Compliance with: <ul style="list-style-type: none"> <li>i. GRUZ-S2;</li> <li>ii. GRUZ-S3;</li> <li>iii. GRUZ-S4;</li> <li>iv. GRUZ-S5;</li> </ul> </li> </ul>	<p><b>2. Activity status where compliance with condition GRUZ-R6(1)(b) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <ul style="list-style-type: none"> <li>a. Assessment matters: <ul style="list-style-type: none"> <li>i. GRUZ-AM1.</li> <li>ii. GRUZ-AM2.</li> <li>iii. <a href="#">GRUZ-AM14</a>.</li> <li>iv. <a href="#">GRUZ-AM15</a>.</li> </ul> </li> </ul>
--	--

**Commented [JKS32]:** S90.043 Centralines – Rural Topic, Volume 4, Key Issue 18.

**Commented [JKS33]:** S57.143 FENZ – Rural Topic, Volume 4, Key Issue 20.

<ul style="list-style-type: none"> <li>v. GRUZ-S6;</li> <li>vi. GRUZ-S7;</li> <li>vii. GRUZ-S8;</li> <li>viii. GRUZ-S9; <del>and</del></li> <li><del>GRUZ-S10; and</del></li> <li>ix. GRUZ-S15.</li> </ul>	<ul style="list-style-type: none"> <li>b. Assessment matters in the following chapters: <ul style="list-style-type: none"> <li>i. TRAN – Transport.</li> <li>ii. LIGHT – Light.</li> <li>iii. NOISE – Noise.</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>c. <del>Compliance with GRUZ-S12 (setback from gas transmission network);</del></li> <li>d. Compliance with GRUZ-S13 (setbacks from National Grid).</li> </ul>	<p><b>3. Activity status where compliance with conditions GRUZ-R6(1)(a) and/or GRUZ-R6(1)(c) is not achieved: DIS</b></p> <p><b>4. Activity status where compliance with condition GRUZ-R6(1)(d) is not achieved: NC</b></p>

**Commented [JKS30]:** S57.143 FENZ – Rural Topic, Volume 4, Key Issue 20.

**Commented [RM31]:** S81.116 Hort NZ - Rural Topic, Key Issue 18

**GRUZ-R7 Home businesses**

<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <ul style="list-style-type: none"> <li>a. Compliance with GRUZ-S1 (the relevant activity thresholds).</li> <li>b. Compliance with: <ul style="list-style-type: none"> <li>i. GRUZ-S2;</li> <li>ii. GRUZ-S3;</li> <li>iii. GRUZ-S4;</li> <li>iv. GRUZ-S5;</li> <li>v. GRUZ-S6;</li> <li>vi. GRUZ-S7;</li> <li>vii. GRUZ-S8;</li> <li>viii. GRUZ-S9; <del>and</del></li> <li>ix. GRUZ-S10; <del>and</del></li> <li>x. GRUZ-S15.</li> </ul> </li> <li>c. Compliance with: <ul style="list-style-type: none"> <li>i. GRUZ-S11 (setback from existing intensive primary production); and</li> <li>ii. GRUZ-S12 (setback from gas transmission network).</li> </ul> </li> <li>d. Compliance with GRUZ-S13 (setbacks from National Grid).</li> </ul>	<p><b>2. Activity status where compliance with condition GRUZ-R7(1)(b) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <ul style="list-style-type: none"> <li>a. Assessment matters: <ul style="list-style-type: none"> <li>i. GRUZ-AM1.</li> <li>ii. GRUZ-AM2.</li> <li>iii. GRUZ-AM3.</li> <li>iv. GRUZ-AM14.</li> <li>v. GRUZ-AM15.</li> </ul> </li> <li>b. Assessment matters in the following chapters: <ul style="list-style-type: none"> <li>i. TRAN – Transport.</li> <li>ii. LIGHT – Light.</li> <li>iii. NOISE – Noise.</li> </ul> </li> </ul> <p><b>3. Activity status where compliance with conditions GRUZ-R7(1)(a) and/or GRUZ-R7(1)(c) is not achieved: DIS</b></p> <p><b>4. Activity status where compliance with condition GRUZ-R7(1)(d) is not achieved: NC</b></p>
---	--

**Commented [JKS35]:** S90.043 Centralines – Rural Topic, Volume 4, Key Issue 18.

**Commented [JKS36]:** S57.156 FENZ – Rural Topic, Volume 4, Key Issue 20.

**Commented [JKS34]:** S57.156 FENZ – Rural Topic, Volume 4, Key Issue 20.

## GRUZ-R8 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 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:
  - 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).

### 2. Activity status where compliance with condition GRUZ-R8(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-R8(1)(a), GRUZ-R8(1)(b) and/or GRUZ-R8(1)(d) is not achieved: DIS

### 4. Activity status where compliance with condition GRUZ-R8(1)(e) is not achieved: NC

**Commented [JKS38]:** S90.043 Centralines – Rural Topic, Volume 4, Key Issue 18.

**Commented [JKS39]:** S57.144 FENZ – Rural Topic, Volume 4, Key Issue 20.

**Commented [JKS37]:** S57.144 FENZ – Rural Topic, Volume 4, Key Issue 20.

## 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;

### 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.

**Commented [JKS42]:** S90.043 Centralines – Rural Topic, Volume 4, Key Issue 18.

<ul style="list-style-type: none"> <li>v. GRUZ-S6;</li> <li>vi. GRUZ-S7;</li> <li>vii. GRUZ-S8;</li> <li>viii. GRUZ-S9; <b>and</b></li> <li>ix. GRUZ-S10; <b>and</b></li> <li>x. GRUZ-S15.</li> </ul> <p>d. Compliance with GRUZ-S12 (setback from gas transmission network);</p> <p>e. Compliance with GRUZ-S13 (setbacks from National Grid).</p>	<ul style="list-style-type: none"> <li>v. GRUZ-AM15.</li> </ul> <p>b. Assessment matters in the following chapters:</p> <ul style="list-style-type: none"> <li>i. TRAN – Transport.</li> <li>ii. LIGHT – Light.</li> <li>iii. NOISE – Noise.</li> </ul>
	<p><b>3. Activity status where compliance with conditions GRUZ-R9(1)(a) and/or GRUZ-R9(1)(d) is not achieved: DIS</b></p>
	<p><b>4. Activity status where compliance with conditions GRUZ-R9(1)(b) and/or GRUZ-R9(1)(e) is not achieved: NC</b></p>

**Commented [JKS43]:** S57.264 FENZ – Rural Topic, Volume 4, Key Issue 20.

**Commented [JKS40]:** S57.264 FENZ – Rural Topic, Volume 4, Key Issue 20.

**Commented [RM41]:** S81.118 Hort NZ - Rural Topic, Key Issue 18

**GRUZ-R10 Community facilities**

<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <ul style="list-style-type: none"> <li>a. Limited to 100m<sup>2</sup> gross floor area per site.</li> <li>b. Compliance with: <ul style="list-style-type: none"> <li>i. GRUZ-S2;</li> <li>ii. GRUZ-S3;</li> <li>iii. GRUZ-S4;</li> <li>iv. GRUZ-S5;</li> <li>v. GRUZ-S6;</li> <li>vi. GRUZ-S7;</li> <li>vii. GRUZ-S8;</li> <li>viii. GRUZ-S9; <b>and</b></li> <li>ix. GRUZ-S10; <b>and</b></li> <li>x. GRUZ-S15.</li> </ul> </li> <li>c. Compliance with: <ul style="list-style-type: none"> <li>i. GRUZ-S11 (setback from existing intensive primary production); and</li> <li>ii. GRUZ-S12 (setback from gas transmission network);</li> </ul> </li> <li>d. Compliance with GRUZ-S13 (setbacks from National Grid).</li> </ul>	<p><b>2. Activity status where compliance with condition GRUZ-R10(1)(b) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <ul style="list-style-type: none"> <li>a. Assessment matters: <ul style="list-style-type: none"> <li>i. GRUZ-AM1.</li> <li>ii. GRUZ-AM2.</li> <li>iii. GRUZ-AM3.</li> <li>iv. GRUZ-AM14.</li> <li>v. GRUZ-AM15.</li> </ul> </li> <li>b. Assessment matters in the following chapters: <ul style="list-style-type: none"> <li>i. TRAN – Transport.</li> <li>ii. LIGHT – Light.</li> <li>iii. NOISE – Noise.</li> </ul> </li> </ul>
	<p><b>3. Activity status where compliance with conditions GRUZ-R10(1)(a) and/or GRUZ-R10(1)(c) is not achieved: DIS</b></p>
	<p><b>4. Activity status where compliance with condition GRUZ-R10(1)(d) is not achieved: NC</b></p>

**Commented [JKS46]:** S90.043 Centralines – Rural Topic, Volume 4, Key Issue 18.

**Commented [JKS47]:** S57.145 FENZ – Rural Topic, Volume 4, Key Issue 20.

**Commented [JKS44]:** S57.145 FENZ – Rural Topic, Volume 4, Key Issue 20.

**Commented [RM45]:** S81.119 Hort NZ - Rural Topic, Key Issue 18

**GRUZ-R11 Educational facilities**

**1. Activity Status: PER**

Where the following conditions are met:

- a. Limited to 100m<sup>2</sup>200m<sup>2</sup> 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-R11(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-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-R11(1)(a) and/or GRUZ-R11(1)(c) is not achieved: DIS**

**4. Activity status where compliance with condition GRUZ-R11(1)(d) is not achieved: NC**

**Commented [JKS48]:** S73.020 Ministry of Education – Rural Topic, Volume 4, Key Issue 19.

**Commented [JKS51]:** S90.043 Centralines – Rural Topic, Volume 4, Key Issue 18.

**Commented [JKS52]:** S57.146 FENZ – Rural Topic, Volume 4, Key Issue 20.

**Commented [JKS49]:** S57.146 FENZ – Rural Topic, Volume 4, Key Issue 20.

**Commented [RMS0]:** S81.120 Hort NZ - Rural Topic, Key Issue 18

**GRUZ-R12 Emergency service activities and emergency service activities**

**1. Activity Status: PER**

Where the following conditions are met:

- a. Limited to 100m<sup>2</sup> 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.

**2. Activity status where compliance with condition GRUZ-R12(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.

**Commented [JKS53]:** S57.148 FENZ – Rural Topic, Volume 4, Key Issue 20.

**Commented [JKS55]:** S90.043 Centralines – Rural Topic, Volume 4, Key Issue 18.

**Commented [JKS56]:** S57.147 FENZ – Rural Topic, Volume 4, Key Issue 20.

**Commented [JKS54]:** S57.147 FENZ – Rural Topic, Volume 4, Key Issue 20.

c. Compliance with GRUZ-S12 (setback from gas transmission network).	iii. NOISE – Noise.
d. Compliance with GRUZ-S13 (setbacks from National Grid).	<b>3. Activity status where compliance with conditions GRUZ-R12(1)(a) and/or GRUZ-R12(1)(c) is not achieved: DIS</b>
	<b>4. Activity status where compliance with condition GRUZ-R12(1)(d) is not achieved: NC</b>

**GRUZ-R13 Relocated buildings**

<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>a. The building must be for the purpose of accommodating a permitted or consented activity on the site.</p> <p>b. Compliance with GRUZ-S14.</p>	<p><b>2. Activity status where compliance not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted:</b></p> <p>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.</p> <p>b. The bulk and location of the building in relation to the requirements of the zone.</p> <p>c. The need for structural repairs and reinstatement of the building and 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>
--	---

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

<p><b>1. Activity Status: CON</b></p> <p><b>Where the following conditions are met:</b></p>	<p><b>2. Activity status where compliance with condition GRUZ-R14(1)(b) is not achieved: RDIS</b></p>
---	---

**Commented [RM57]:** consequential amendment S42.003 Pork Industry Board – Rural Topic, Key Issue 13

- 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;
  - 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).

**Matters over which control is reserved:**

- 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.

**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**

**4. Activity status where compliance with conditions GRUZ-R14(1)(a)(i) and/or GRUZ-R14(1)(d) is not achieved: NC**

**Commented [JKS60]:** S90.043 Centralines – Rural Topic, Volume 4, Key Issue 18.

**Commented [JKS61]:** S57.149 FENZ – Rural Topic, Volume 4, Key Issue 20.

**Commented [JKS58]:** S57.149 FENZ – Rural Topic, Volume 4, Key Issue 20.

**Commented [RM62]:** S102.055 Te Mata Mushrooms – Rural Topic, Key Issue 14

**Commented [RM59]:** S81.121 Hort NZ - Rural Topic, Key Issue 18

<b>GRUZ-RXX Rural industry (other than post-harvest facilities)</b>	
<b>1. Activity Status: DIS</b>  <u>Where the following conditions are met:</u> <b>N/A</b>  <u>Subject to (but not limited to) the following assessment matter:</u>  a. <u>The necessity of a rural location.</u>	<b>2. Activity status where compliance not achieved: N/A</b>
<b>GRUZ-RXX Airport / aerodrome (other than rural airstrip), and helicopter depot</b>	
<b>1. Activity Status: DIS</b>  <u>Where the following conditions are met:</u> <b>N/A</b>	<b>2. Activity status where compliance not achieved: N/A</b>
<b>GRUZ-R15 Commercial boarding and/or breeding of cats, dogs, and other domestic pets</b>	
<b>1. Activity Status: DIS</b>  Where the following conditions are met: <b>N/A</b>	<b>2. Activity status where compliance not achieved: N/A</b>
<b>GRUZ-R16 Camping grounds</b>	
<b>1. Activity Status: DISRDIS</b>  <u>Where the following conditions are met:</u> <b>N/A</b>  a. <u>Compliance with:</u> i. <u>GRUZ-S2;</u> ii. <u>GRUZ-S3;</u> iii. <u>GRUZ-S4;</u> iv. <u>GRUZ-S5;</u> v. <u>GRUZ-S6;</u> vi. <u>GRUZ-S7;</u> vii. <u>GRUZ-S8;</u> viii. <u>GRUZ-S9;</u> ix. <u>GRUZ-S10; and</u> x. <u>GRUZ-S15.</u>  b. <u>Compliance with:</u> i. <u>GRUZ-S11 (setback from existing intensive primary production); and</u> ii. <u>GRUZ-S12 (setback from gas transmission network).</u>	<b>2. Activity status where compliance not achieved: N/ADIS</b>

**Commented [RM63]:** S102.059 Te Mata Mushrooms - Rural Topic, Key Issue 16

**Commented [RM64]:** S58.001 Calder, FS25.100 Federated Farmers, FS10.22 Aerospread Ltd, FS14.27 Agricultural Aviation Association - Rural Topic, Key Issue 17

**Commented [JKS65]:** 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



<p>c. <u>Compliance with GRUZ-S13 (setbacks from National Grid).</u></p> <p><b>Matters over which discretion is restricted:</b></p> <p>d. <u>Assessment matters (where relevant to the infringed standard(s):</u></p> <p>i. <u>GRUZ-AM1.</u></p> <p>ii. <u>GRUZ-AM2.</u></p> <p>iii. <u>GRUZ-AM3.</u></p> <p>iv. <u>GRUZ-AM14.</u></p> <p>v. <u>GRUZ-AM15.</u></p> <p>e. <u>Assessment matters in the following chapters:</u></p> <p>i. <u>TRAN – Transport.</u></p> <p>ii. <u>LIGHT – Light.</u></p> <p>iii. <u>NOISE – Noise.</u></p>	
<p><b>GRUZ-R17 Relocatable building depots</b></p>	
<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>
<p><b>GRUZ-R18 Any other activity not otherwise provided for</b></p>	
<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>
<p><b>GRUZ-R19 Industrial activities (other than post-harvest facilities <u>and rural industry</u>)</b></p>	
<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>

Commented [RM66]: S102.058 Te Mata Mushrooms - Rural Topic, Key Issue 16

**Standards**

<p><b>GRUZ-S1 Activity Threshold</b></p>	
<p><b>Commercial Activities</b></p>	<p>1. Maximum gross floor area per site is 100m<sup>2</sup>.</p> <p>2. Personnel limited to:</p>
<p><b>Visitor Accommodation</b></p>	<p>a. At least one person resident on the site must carry out the activity.</p>

<b>Home Businesses</b>  <b>(excludes retail sales and restaurants)</b>	<p>b. A maximum of three additional employees (in addition to those resident on the site).</p> <p><i>Note: Visitor accommodation within an existing residential unit or existing minor residential unit will be exempt from the 100m<sup>2</sup> maximum floor area, provided the existing residential activity does not cease.</i></p>
<b>Retail Sales of produce reared or produced on the site</b>	<p>3. Maximum gross floor area per site is 100m<sup>2</sup>.</p> <p>4. Limited to the following hours of operation:</p> <p>a. 0800 – 2200 hours, seven days a week.</p>
<b>Restaurants</b>	<p>5. Maximum gross floor area for serving customers per site is 100m<sup>2</sup> (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>a. 0800 – 2200 hours, seven days a week.</p>
<b>Cumulative Limits</b>	<p>8. Maximum combined gross floor area per site, for any of the above activities, is 100m<sup>2</sup>.</p> <p>9. Maximum combined outdoor display area per site, for any of the above activities, is 100m<sup>2</sup>.</p> <p><i>Note: Cumulative limits are calculated per site, not per activity.</i></p>
<b>GRUZ-S2 Height of Buildings</b>	
<b>All (except frost fans)</b>	<p>1. Maximum height of any building(s) is 10m.</p>
<b>Frost Fans</b>	<p>2. Maximum height, measured to the tip of the blade at its highest point, is 15m.</p>
	<p><i>Note: in all instances, height is measured from the natural ground level.</i></p>
<b>GRUZ-S3 Height in Relation to Boundary</b>	
<b>All</b>	<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> <p>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;</p>

	<ul style="list-style-type: none"> <li>b. domestic water storage tanks, provided the maximum dimension of these structures measured parallel to the boundary under consideration must not exceed 3m;</li> <li>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.</li> </ul> <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>
--	---

**Commented [RM67]:** S81.125 Hort NZ - Rural Topic, Key Issue 12

**GRUZ-S4 Setback from Roads and Rail Network**

<b>Residential Activities (including accessory buildings)</b>	<ul style="list-style-type: none"> <li>1. Minimum setback of any building(s) from road boundaries is 5m.</li> <li>2. Minimum setback of any building(s) from the Rail Network Boundary is 5m.</li> </ul>
<b>Seasonal Workers Accommodation</b>	<ul style="list-style-type: none"> <li>3. Minimum distance of any building(s) from road boundaries is 15m.</li> </ul>
<b>Accessory Buildings associated with Primary Production Activities Ancillary Buildings and Structures (Primary Production)</b>	<ul style="list-style-type: none"> <li>4. Minimum setback of any building(s) from road boundaries is 5m.</li> <li>5. Minimum setback of stockyards and stock loading ramps/races fronting roads that are classified as Arterial or Primary Collector Roads is 20m.</li> <li>6. Minimum setback of any building(s) from the Rail Network Boundary is 5m.</li> </ul>
<b>All Other Buildings (including Post-Harvest Facilities)</b>	<ul style="list-style-type: none"> <li>7. Minimum setback of any building(s) from road boundaries is 20m, except that: <ul style="list-style-type: none"> <li>a. buildings less than 10m<sup>2</sup> in gross floor area, and buildings used by Emergency Service Activities, may be located within the above setbacks from road boundaries.</li> </ul> </li> <li>8. Minimum setback of any building(s) from the Rail Network Boundary is 5m.</li> </ul> <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 [RM68]:** S81.126 Hort NZ - Rural Topic, Key Issue 7

**GRUZ-S5 Setback from Neighbours**

<p><b>Residential Activities adjacent to an existing plantation forest on an adjoining site</b></p>	<p>1. Minimum setback of buildings from an existing plantation forest on an adjoining site is 40m.</p>
<p><b>All Other Activities (excluding Accessory Buildings and Ancillary Buildings and Structures (Primary Production))</b></p>	<p>2. Minimum setback of buildings for an activity from <u>internal side and rear</u> boundaries is 15m. <u>Farm and Domestic</u> water storage tanks up to 2m in height are exempt from this standard.</p>
<p><b>Accessory Buildings Ancillary Buildings and Structures (Primary Production)</b></p>	<p>3. Minimum setback of buildings for an activity from <u>internal side and rear</u> boundaries is 5m. <u>Farm and Domestic</u> water storage tanks up to 2m in height are exempt from this standard.</p>
<p><b>Artificial Crop Protection Structures</b></p>	<p>4. <u>Minimum setback from side and rear boundaries of 1m.</u></p>
<p><b>Sites created before 28 May 2021 and greater than 4000m<sup>2</sup> net site area</b></p> <p><u>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</u></p>	<p>5. <u>Minimum setback of buildings for a residential activity from side and rear boundaries is 5m.</u></p> <p>6. <u>Minimum setback of buildings for all other activities from side and rear boundaries is 10m.</u></p>

**Commented [RM70]:** Clause 16(2) of Schedule 1 of the RMA, S121.224 Federated Farmers - Rural Topic, Key Issue 7

**Commented [RM69]:** S81.127 Hort NZ - Rural Topic, Key Issue 7

**Commented [RM72]:** Clause 16(2) of Schedule 1 of the RMA, S121.224 Federated Farmers - Rural Topic, Key Issue 7

**Commented [RM71]:** S81.127 Hort NZ - Rural Topic, Key Issue 7

**Commented [RM73]:** S81.127 Hort NZ - Rural Topic, Key Issue 12

**Commented [RM74]:** S128.002 Surveying the Bay - Rural Topic, Key Issue 6

**GRUZ-S6 Shading of Land and Roads Continuous Tree Planting along Boundaries**

<p><b>Trees on boundaries</b></p>	<p>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:</p> <ul style="list-style-type: none"> <li>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</li> </ul>
-----------------------------------	---

**Commented [RM75]:** Clause 16(2) of Schedule 1 of the RMA, S42.056 Pork Industry Board, S121.195 Federated Farmers - Rural Topic, Key Issue 9

	<p>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).</p>
<b>Trees adjoining public roads</b>	<p>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.</p>
<p><i>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.</i></p>	
<p><b>GRUZ-S7 Electricity Safety Distances</b></p>	
<b>All</b>	<p>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 34:2001).</p>
<p><b>GRUZ-S8 Transport (Access, Parking, Loading)</b></p>	
<b>All</b>	<p>1. Activities must comply with the provisions of the TRAN – Transport chapter.</p>
<p><b>GRUZ-S9 Light</b></p>	
<b>All</b>	<p>1. Activities must comply with the provisions of the LIGHT – Light chapter.</p>
<p><b>GRUZ-S10 Noise</b></p>	
<b>All</b>	<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>

**Commented [JKS76]:** Error corrected pursuant to clause 16(2), First Schedule of the RMA.

**GRUZ-S11 Setback from Existing Intensive Primary Production Activities**

<b>Sensitive Activities</b>	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.
-----------------------------	--

**GRUZ-S12 Setback from Gas Transmission Network**

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

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

<b>Sensitive Activities</b>	1. <del>Minimum setback of buildings and structures from the designated boundary of a National Grid substation is 25m.</del>
<b>All Buildings and Structures</b>	<ol style="list-style-type: none"> <li>2. Under the National Grid conductors (wires):             <ol style="list-style-type: none"> <li>a. on all sites within any part of the National Grid Yard, all buildings and structures must:                 <ol style="list-style-type: none"> <li>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</li> <li>ii. be a fence less than 2.5m high; or</li> <li>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</li> <li>iv. be an uninhabited horticultural building or structure (but not a commercial greenhouse).</li> </ol> </li> <li>b. all buildings or structures permitted by a. must comply with the following conditions:                 <ol style="list-style-type: none"> <li>i. <del>demonstrate that safe electrical clearance distances required by NZECP 34:2001 New Zealand Electricity Code of Practice for</del></li> </ol> </li> </ol> </li> </ol>

**Commented [JKS77]:** S79.095 Transpower - Rural Topic, Volume 4, Key Issue 18

**Commented [RM78]:** S121.199 Federated Farmers - Rural Topic, Key Issue 18

**Commented [JKS79]:** S121.200 Federated Farmers - Rural Topic, Volume 4, Key Issue 18.

*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:

- 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:
  - i. meets the requirements of the *NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances* for separation distances from the conductor;
  - ii. is 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 *NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances* to be located within 12m of a tower or 8m of a pole support structure.

**Commented [JKS80]:** S79.095 Transpower – Rural Topic, Volume 4, Key Issue 18.

**Commented [JKS81]:** S81.129 Horticulture NZ, Rural Topic, Volume 4, Key Issue 18.

**GRUZ-S14 Relocated Buildings**

All

- 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:
  - 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:
    - 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 on a site that is or will be:
  - a. accessible to firefighting equipment; and
  - b. between 6 and 90 metres from the buildings on the site; and
  - 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
  - d. either:
    - i. stores at least 45,000 litres, in addition to a potable water supply on the site; or
    - 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 [JKS82]:** 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. 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.

Commented [RM83]: Clause 16(2) of Schedule 1 of the RMA, S42.058 - Rural Topic, Key Issue 9

**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 2,500m<sup>2</sup> 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 [RM84]: 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, carparks, 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 [RM85]:** 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 [JKS86]:** 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 [JKS87]:** 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.