

DPR-081

**BEFORE THE HEARING COMMISSIONERS  
IN CENTRAL HAWKES BAY DISTRICT**

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

**AND**

**IN THE MATTER** of the Proposed Central Hawkes Bay District  
Plan Hearing 3 Rural

---

**STATEMENT OF EVIDENCE BY LYNETTE PEARL WHARFE  
FOR HORTICULTURE NEW ZEALAND  
31 MAY 2022**

---

## 1. SUMMARY

- 1.1 In this evidence I address submissions and further submissions made by HortNZ addressed in the s42A Report for Hearing 3- Rural Environment.
- 1.2 I have followed the same order as the s42A Report in this evidence and attach a table (Appendix 2) which sets out the HortNZ submission points and where they are addressed.
- 1.3 In Section 5 I set out the overall policy framework that I consider is consistent with the National Planning Standards Zone Framework for the General Rural Zone and the Rural Production Zone. This informs my responses to matters raised in the s42A Report where I seek a different outcome.
- 1.4 In particular, I seek to ensure that activities locating in the rural zones (other than primary production activities) either support primary production or require a rural location.

### *Key Issue 1 – Rural Environment Definitions.*

- 1.5 I generally support the s42A Report in respect of the definitions addressed but seek a new definition for highly productive land.

### *Key Issue 2 Strategic Directions – Rural Land Resource*

- 1.6 I generally support the s42A Report recommendations on many provisions but seek amendments to:
- (a) RLR-I1
  - (b) RLR-P3
  - (c) RLR-P4

### *Key Issue 3 – Functional need for a rural location*

- 1.7 I concur with the recommendations on provisions addressed in Key Issue 3 but seek a slight reformatting on RPROZ-P7 to better focus on functional or operational need for a rural location.

### *Key Issue 4 – Rural Production Zone Objectives and Policies not addressed elsewhere*

- 1.8 My evidence endorses many of the changes recommended in the s42A Report but I seek changes to RPROZ-O5 to focus on the activities rather than adverse effects.

### *Key Issue 5 General Rural Zone Issue Objectives and Policies not addressed elsewhere*

- 1.9 My evidence endorses many of the changes recommended in the s42A Report but seek changes to GRUZ-O3 similar to RPROZ-O5. I also seek that GRUZ-P8 be slightly reworded.

*Key Issue 6 – Rural Production Zone Rules, Standards and assessment matters not addressed elsewhere*

- 1.10 I agree with many of the s42a Report recommendations but seek changes to delete restaurants from RPROZ-S1 and to amend RPROZ-S6 Setback from neighbours, in particular the recommended change to provide a 5m setback for sites created before 28 May 201 and greater than 4000m<sup>2</sup>.

*Key Issue 7 – General Rural Zone Rules Standards and assessment matters not addressed elsewhere*

- 1.11 Consistent with the changes sought in Key Issue 6 I seek changes to GRUZ-S1 to delete restaurants and to amend GRUZ-S6 Setback from neighbours.

*Key Issue 8 -Rural Lifestyle provisions not addressed elsewhere*

- 1.12 I seek a change to the recommended change to RLZ-S5 setback from neighbours to ensure that there is a 15m setback on boundaries with the General Rural Zone and the Rural Production Zone, even if the site was created before 28 May 201 and greater than 4000m<sup>2</sup>.

*Key Issue 9 – Shading from trees*

- 1.13 I do not agree with the approach recommended in the s42A Report and seek that GRUZ-P6 and RPROZ-P6 are amended, that clause 1 b) is deleted from RPROZ-S6 and GRUZ-S6 and that the assessment matters are also amended to focus on the issue of shading from trees.

*Key Issue 10 – Noise provisions specific to rural activities*

- 1.14 I seek that NOISE S5 (29) be amended to provide for both percussive and avian distress alarm audible bird scarers.
- 1.15 I also seek that a 15 minute time frame apply to assessment of frost fan noise.

*Key Issue 11 – Subdivision provisions specific to the Rural Zones*

- 1.16 I do not consider a policy of 'avoiding fragmentation of rural land can be achieved through a controlled activity and seek that subdivision in the Rural Production Zone be restricted discretionary activity.

*Key Issue 12 – Artificial crop protection structures and workers and seasonal workers accommodation.*

1.17 I support inclusion of a specific rule for artificial crop protection structures and seek a minor amendment to include reference to the standards for setbacks.

1.18 I seek that the provision for seasonal worker accommodation be amended to a only a floor area applying and inclusion of the Code of Practice for Seasonal Worker Accommodation.

*Key Issue 13 – Intensive Primary Production – Definition Issues, Objectives and Policies*

1.19 I concur with the recommended changes in the s42A Report.

*Key Issue 14- Intensive Primary production – Rules, Standards assessment matters*

1.20 I concur with the recommended changes in the s42A Report.

*Key Issue 15 Post Harvest facilities and Rural Industry – Definitions, issues, Objectives and Policies*

1.21 I support the provisions for post-harvest facilities but seek changes for rural industry including the addition of a policy

1.22 I do not consider that the s42A Report recommendations for rural industry reflect that the activities are anticipated in the rural environment.

*Key Issue 16- Post Harvest facilities and Rural Industry – Rules, Standards assessment matters.*

1.23 I seek changes for rural industry including the addition of a permitted activity rule defaulting to restricted discretionary.

1.24 I do not consider that the s42A Report recommendations for rural industry reflect that the activities are anticipated in the rural environment.

*Key Issue 17 Agricultural Aviation Movements, Rural Airstrips and Helicopter landing areas – Definitions, rules and related noise standards*

1.25 I do not agree with the s42A Report in respect of provisions for agricultural aviation and identify a number of issues with the rules and standards, including lack of clarity and achieving the outcome sought in the s32 Report to provide for agricultural aviation activities as permitted.

1.26 Therefore I seek that the rule framework be amended and noise standards amended.

*Key Issue 18 National Grid and gas transmission network*

- 1.27 I consider that the provisions should be consistent with NZECP34:2001 and that there should also be consistency is where National Grid provisions are included in plans under the National Planning Standards framework.

*Key Issue 19 Camping grounds, community facilities, educational facilities and visitor accommodation in the Rural Zones*

- 1.28 In my opinion the provisions for Camping grounds, community facilities, educational facilities and visitor accommodation in the Rural Zones is not consistent with the policy framework in the Plan and seek amendments to better reflect the potential for adverse effects on primary production activities.

*Key Issue 20 Emergency Services and Firefighting Water supply in the Rural Zones.*

- 1.29 I agree with some changes recommended in the s42A Report but seek that there is specific recognition where a sprinkler system is installed, thereby reducing the amount of water required for fire fighting purposes.

*Conclusion*

- 1.30 I support a policy framework that will assist to achieving that objective and enabling primary production activities to occur in the district.
- 1.31 This approach is consistent with the strategic direction in the plan to provide for primary production activities which enable the economic social and cultural wellbeing of the community and will give effect to s5 of the RMA to provide for sustainable management of natural and physical resources.

## **2. QUALIFICATIONS AND EXPERIENCE**

- 2.1 My name is Lynette Pearl Wharfe. I am a planning consultant with The AgriBusiness Group. I have a BA in Social Sciences and post graduate papers in Environmental Studies, including Environmental Law, Resource Economics and Resource Management.
- 2.2 I am an accredited commissioner under the Making Good Decisions programme with Ministry for the Environment.
- 2.3 I have been a consultant with The AgriBusiness Group since 2002. The Agribusiness Group was established in 2001 to help build business capability in the primary sector.
- 2.4 I have spent over 20 years as a consultant, primarily to the agricultural industry and rural sector, specialising in resource management, environmental issues, and environmental education and facilitation, including 18 years of providing advice to Horticulture New Zealand (“**HortNZ**”) and its precursor organisations, NZ Vegetable and Potato Growers Federation, NZ Fruitgrowers Federation.
- 2.5 As part of providing advice to HortNZ for submissions and plans across the country I have been involved in development of Regional Policy Statements, Regional Plans and District Plans, including omnibus plans such as the Auckland Unitary Plan and the Marlborough RM Plan and district plans in Dunedin, Christchurch City, Waikato, Whakatane, Opotiki, Selwyn and Hastings so am familiar with the range of matters to be addressed in the Proposed Central Hawkes Bay District Plan (“**PCHBDP**”).
- 2.6 I have been involved as a consultant to HortNZ contributing to submissions and further submissions on the Proposed Central Hawkes Bay District Plan.
- 2.7 I have read the Environment Court’s Code of Conduct for Expert Witnesses, and I agree to comply with it. My qualifications as an expert are set out in Appendix 1. I confirm that the issues addressed in this brief of evidence are within my area of expertise, except where I state I am relying on what I have been told by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

## **3. SCOPE OF EVIDENCE**

- 3.1 This evidence provides a planning assessment of those provisions on which HortNZ submitted and further submitted which are addressed in Hearing 3: Rural Environment.

- 3.2 Attached to this evidence as Appendix 2 is a table that sets out all the HortNZ submission and further submission points addressed in Hearing 3. The submissions are organised by the Key Issues and will be addressed by each issue in this evidence.
- 3.3 Where I concur with the s42A Report recommendation on a submission point I do not specifically address the point in this evidence but identify in the table that I agree with the s42A Report recommendation.
- 3.4 In undertaking this assessment, I have considered:
- (a) The Section 42A Hearings Report for Hearing 3
  - (b) The Section 42A Reports for the Rural Environment
  - (c) The s32 Reports for PCHBDP for Rural Environment and Remaining District Wide activities
  - (d) Operative RPS for Hawkes Bay Region

#### **4. MY UNDERSTANDING OF HORTICULTURE NEW ZEALAND'S SUBMISSIONS**

- 4.1 HortNZ made submissions and further submission on the PCHBDP because horticulture is a key activity within the Central Hawkes Bay District.
- 4.2 The specific matters of concern in Hearing 3 Rural are recognition of rural production activities and ensuring that incompatible activities do not locate in the zone and create reverse sensitivity effects and that rural character is maintained.
- 4.3 The statement of Jordyn Landers for HortNZ sets out the industry response to matters addressed in this hearing.

#### **5. OVERALL POLICY FRAMEWORK FOR RURAL ENVIRONMENT**

- 5.1 The Rural environment within Central Hawkes Bay District is a large area which is divided into two main zones – General Rural Zone and Rural Production Zone (rural zones). There is also a Rural Lifestyle Zone.
- 5.2 The objectives have a clear focus on primary production:

*GRUZ-01 The General Rural Zone is predominantly used for primary production activities and ancillary activities.*

*RPROZ-01 The Rural Production Zone is predominantly used for primary production activities and associated ancillary activities.*

- 5.3 However, there are a range of competing uses seeking to locate within the zone.
- 5.4 Therefore a key matter for the rural zones is the determination as to what activities are appropriate within the zones.

#### *National Planning Standards*

- 5.5 The National Planning Standards provide guidance in the Zone Framework, which has descriptors for respective zones. The zone descriptors for the General Rural Zone, Rural Production Zone and Rural Lifestyle Zone are relevant to consideration of the Rural Environment in the PCHBDP:<sup>1</sup>

*General Rural Zone: Areas used predominantly for primary production activities, including intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.*

*Rural Production Zone: Areas used predominantly for primary production activities that rely on the productive nature of the land and intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.*

*Rural Lifestyle Zone: Areas used predominantly for a residential lifestyle within a rural environment on lots smaller than those of the General Rural and Rural Production Zones, while still enabling primary production to occur.*

- 5.6 The focus is clearly on providing for primary production activities (which is defined in the standard)<sup>2</sup>, while also providing for activities that support primary production activities and other activities that require a rural location.
- 5.7 Given this focus it is necessary that the PCHBDP test activities that are to be provided for within the rural zones to ensure that they meet

---

<sup>1</sup> National Planning Standards: Standard 8 Zone Framework, Ministry for the Environment 2019.

<sup>2</sup> Primary production means:

- a) Any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and
- b) Includes initial processing as an ancillary activity, of commodities that result from the listed activities in a)
- c) Includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but
- d) Excludes further processing of those commodities into a different product.



these criteria and so are appropriate within the rural zones. The key tests, if an activity is not primary production, is whether it:

- (a) supports primary production; or
- (b) requires a rural location.

5.8 The Council is required to implement National Planning Standard 8 by April 2024.

5.9 The PCHBDP General Rural Zone and Rural Production Zone are generally closely aligned with Standard 8: Zone Framework, but in assessing submissions and further submissions consistency with the zone framework for the Rural Zone can be achieved by applying the tests as to what activities are appropriate in the rural zone.

#### *Overall Planning Framework for the Rural Zones*

5.10 Based on the direction in the National Planning Standards a cascading of activities is appropriate for the rural environment – from activities that can only occur in rural areas through to those not anticipated in rural areas.

5.11 The following table groups activities that seek to locate in the rural environment according to the need to locate within a rural environment and an activity status reflecting the degree of reliance on utilising the rural resource.

5.12 This framework provides the context for my assessment as to the appropriateness of provisions in the rural zones, responses to the s42A Report and recommended changes.

5.13 Table 1: Activities in the rural environment

	<b>Activity</b>	<b>Appropriate Activity status</b>
1.	<p><i>Primary production</i> is provided for: -  Agricultural, pastoral, horticultural activities and ancillary activities (including residential and seasonal worker accommodation) are enabled  <i>Mining and quarrying</i> provided for subject to conditions  <i>Intensive indoor primary production</i> provided for subject to conditions  <i>Forestry</i></p>	<p>PA  PA - default to RDIS  PA – default to RDIS  NES Forestry</p>
2.	<p><i>Rural industry</i> and services – have a direct relationship with primary production. Would include packhouses, coolstores, feed mills and animal feed production, rural contractor depots, rural trucking depots, agricultural and horticultural research centres</p>	<p>PA subject to conditions  Default to RDIS</p>
3.	<p>Non- primary production related activities that have an <i>operational or functional need</i> to locate in a rural location. Activities reasonably anticipated would include network infrastructure, recreational activities that require a rural or open space setting including equestrian and horse training centres, walking or cycling trails, conservation activities.</p>	<p>PA subject to conditions  Default to DIS</p>
4.	<p>Non-rural related services such as industrial or commercial activities, and places of public assembly such as childcare, health facilities, (including retirement villages) educational facilities and spiritual activities, tourism and recreational activities not dependent on rural resource, visitor accommodation.</p>	<p>NC</p>
5.	<p>Rural residential / Rural lifestyle</p>	<p>NC Locate in specific Rural Lifestyle zones  OR  NC status for subdivision under X ha in rural zone  Or Overlay</p>

5.14 The Proposed Plan generally follows this framework, with a clear distinction between respective types of activities, and strengthens this by greater recognition of activities that directly support primary production and have a functional or operational need to locate within the rural zones.

5.15 However there are disparities with how rural industry is managed compared to non-rural related services such as educational facilities, commercial activities, and community activities, which I address in this evidence.

## 6. RURAL ENVIRONMENT VOLUME 1 STRATEGIC DIRECTION AND GENERAL MATTERS

### Key Issue 1 – Rural Environment Definitions

- 6.1 Key Issue 1 addresses definitions relevant to the rural environment topics.
- 6.2 HortNZ made a number of submissions and further submissions on definitions that are considered in the s42A Report for Key Issue 1.
- 6.3 I support the use of definitions from the National Planning Standards in the Plan.
- 6.4 Definitions which are supported and accepted in the s42A Report are not addressed in this evidence. These include:
- (a) Accessory building (81.004)
  - (b) Audible bird scaring devices (81.009)
  - (c) Crop support structures (81.011)
  - (d) Frost fans (81.013)
  - (e) Greenhouse (81.014)
  - (f) Primary production (81.024)
- 6.5 Definitions which are addressed in the s42A Report where I concur with the recommendation are not addressed further. These include:
- (a) Ancillary buildings and structures (primary production) (81.006)
  - (b) Reverse sensitivity (81.025)
  - (c) Shelterbelt (81.029)
  - (d) Special audible characteristics (81.030)
  - (e) New definition of land based primary production (81.032)
- 6.6 Definition which I specifically seek to address are:
- (a) Sensitive activities (81.028 FS17.10 and FS17 .147)
  - (b) New definition for highly productive land (81.033)

### *Sensitive activities*

- 6.7 HortNZ sought a change to the definition to include other activities that are sensitive to the effects of primary production and also to

separate out the definition of sensitive activities in terms of the National Grid which has a specific definition in the National Policy Statement for Electricity Transmission (NPSET).

- 6.8 The s42A Report is recommending that there be a separate definition for 'Sensitive activity (National Grid)' and I support that recommendation so that it is clear the use of the term in respect of the National Grid is limited and consistent with the NPSET.
- 6.9 I also support the addition of camping grounds, community facilities and health care facilities to the definition of sensitive activities. These activities involve areas where people congregate and maybe susceptible to effects from primary production activities. The Motor Caravan Assoc opposed the inclusion of camping grounds as they considered the activity is compatible with the rural environment. However recognition of camping activities in the rural environment as sensitive is important to ensure that incompatible activities do not inappropriately locate within the rural environment.
- 6.10 Therefore I support the s42A Report recommendation to include camping grounds, community facilities and health care facilities to the definition of sensitive activities.

*Highly productive land*

- 6.11 HortNZ sought that a definition be included for 'highly productive land' given the extent to which the term is used in the Plan.
- 6.12 The s42A Report recommends that the submission be rejected because highly productive land is effectively contained within the Rural Production Zone and there is a description of highly productive land in the Introduction to the RPROZ chapter.
- 6.13 I support the description in the Introduction but it has no status in terms of the plan provisions. For instance: a resource consent application that needs to consider highly productive land should be able to find clear direction in a section of the plan that has status. Such an outcome can be included in either a policy or a definition.
- 6.14 It is likely that the Plan will need to include a definition of highly productive land once the NPS for Highly Productive Land (NPSHPL) is gazetted. Inclusion of a definition at this stage would anticipate such a change, albeit that it may need to be amended when implementing the NPSHPL.
- 6.15 The components of highly productive land are clear, as described in the Introduction of the RPROZ chapter and I would support a definition based on these criteria:

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

Key Issue 2 - Strategic Directions – Rural Land Resource

- 6.16 HortNZ made a number of submissions and further submissions on provisions which are grouped together under Key Issue 2 – Strategic directions – Rural Land Resource.
- 6.17 The submissions are on the following provisions:
- (a) Strategic Directions RLR
  - (b) Strategic Directions Explanation to RLR11
  - (c) Strategic Directions Objective RLR-O1
  - (d) Strategic Directions Objective RLR-O2
  - (e) Strategic Directions Objective RLR-O3
  - (f) Strategic Directions Objective RLR-O4
  - (g) Strategic Directions Policy RLR-P1
  - (h) Strategic Directions Policy RLR-P2
  - (i) Strategic Directions Policy RLR-P3
  - (j) Strategic Directions Policy RLR-P4
  - (k) Strategic Directions Policy RLR-P5
  - (l) Strategic Directions RLR Principal Reasons
- 6.18 The s42A Report is recommending that many of the submission points be accepted. I only address those submission points where I do not concur with the recommendations or seek to specifically highlight an issue.
- 6.19 The Strategic Direction provisions are important in setting the context for how the rural environment in the district will be managed and the policy framework implemented in the Plan.

*RLR-11*

- 6.20 The s42A Report is recommending a change to the Explanation of RLR-11 to recognise reverse sensitivity as a factor that can contribute to land fragmentation.
- 6.21 The recommended wording is:

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

6.22 This wording is slightly different to that sought in the submission by HortNZ as the submission did not seek that the addition be limited to 'new sensitive activities', which would be dependent on the definition of 'sensitive activities'. While reverse sensitivity generally arises from 'sensitive activities' it can also arise from activities that may be incompatible within the rural location – such as a quarry establishing next to an orchard with dust constraining the orchard operation.

6.23 Therefore in my opinion the wording should be amended as follows:

~~*New sensitive*~~ *Activities establishing on rural land, with the potential to compromise or constrain the operation of existing lawfully established primary production activities in the vicinity.*

#### RLR-P2

6.24 The s42A Report is recommending a change to RLR -P2 to delete 'where other feasible options exist' and replace with 'in the Rural Production Zone'.

6.25 I consider that this change better reflects the intent of the Rural Production Zone so support the recommendation.

#### RLR-P3

6.26 HortNZ made a submission on RLR-P3 seeking that the wording be amended to replace 'limiting' with 'restricting'.

6.27 The s42A Report is recommending changes to the policy (as set out below in blue) but not as sought by HortNZ and comments that there does not appear to be much distinction between 'limiting' or 'restricting'.

6.28 My concern is the construct of the policy with the words in contention highlighted:

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.

6.29 The policy direction is to 'limit further fragmentation'.

6.30 How the policy direction is achieved is also 'limiting'

- 6.31 I consider that the how the direction is achieved should build on the direction, rather than replicating the same word. The policy would then be:

*To limit further fragmentation of the District's rural land resource through ~~limiting~~ restricting lifestyle subdivision in the General Rural Zone, and particularly in the Rural Production Zone, and directing lifestyle site subdivision primarily to the Rural Lifestyle Zone.*

- 6.32 'Restricting' provides a clearer direction as to how the policy will be achieved and avoids duplication of the same word within the sentence, which is grammatically preferable.

#### RLR-P4

- 6.33 HortNZ made submissions on RLR-P4 regarding activities that may establish within the rural area and sought alternate wording.

- 6.34 The s42A Report does not accept the HortNZ wording but does recommend changes to the policy:

*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.*

- 6.35 In my opinion the policy direction 'to provide for a wide range of activities to establish' sends a message that 'the door is open'.

- 6.36 However it is then clarified with a number of limitations, including functional or operational need.

- 6.37 I recommend a slightly restructured RLR-P4 (my changes highlighted with the s42A recommended changes in blue) to provide clearer direction:

*To provide for a wide range of non-primary production activities to establish in the rural area:*

1. *which complement the resources of the rural area;*
2. *provided that they do not unduly compromise ~~the~~ primary production ~~role~~ and associated rural character and amenity ~~of the rural land resource~~, particularly in the Rural Production Zone.*
3. *while recognising that some non-primary production activities have an operational or functional need to locate in a rural area*

Key Issue 3 – Functional need for a rural location

6.38 HortNZ made four submissions which have been grouped together under the topic 'Functional need for a rural location'. These submissions are on:

- (a) GRUZ-P7 (81.111)
- (b) RPROZ-P7 (81.152)
- (c) GRUZ-AM8 (81 134)
- (d) RPROZ-AM9 (81.178)

6.39 In addition a further submission (FS17.116) was made on a submission by the Ministry of Education on GRUZ-AM8.

6.40 In Section 5 of this evidence I have set out my understanding of the policy framework necessary to implement the National Planning Standards Zone Framework, including the need to identify activities which aren't primary production activities but have a functional or operational need to locate in the rural zones.

6.41 The s42A Report is recommending that the HortNZ submission points be accepted and amendments made to the provisions as sought.

6.42 I concur with those recommendations.

6.43 I do consider that it would be more appropriate for the new clause recommended to be added to RPROZ-P7 be a standalone clause rather than inserting it into the proposed Clause 1:

*To ensure activities do not locate in the Rural Productive Zone where the activity:*

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

6.44 This would be consistent with the recommended change to GRUZ-P7 in a similar policy where the functional or operational need is a separate clause.



## 7. RURAL ENVIRONMENT VOLUME 2 RURAL ZONES, RURAL NOISE, RURAL SUBDIVISION

### Key Issue 4 – Rural Production Zone Objectives and Policies not addressed elsewhere

7.1 HortNZ made submissions and further submissions that are addressed in Key Issue 4:

- (a) RPROZ-O1
- (b) RPROZ-O2
- (c) RPROZ-O3
- (d) RPROZ-O4
- (e) RPROZ-O5
- (f) RPROZ-O6
- (g) RPROZ-P1
- (h) RPROZ-P2
- (i) RPROZ-P4
- (j) RPROZ-P8
- (k) RPROZ-P9

7.2 The s42A Report is recommending that many of these submissions be accepted and particularly endorse the recommended changes to RPROZ-P1, RPROZ-P2 and RPROZ-P4.

#### *RPROZ-O5*

7.3 I do not concur with the s42A Report recommendations on RPROZ-O5 which seeks to retain the objective as notified.

7.4 RPROZ-O5 is:

*Adverse effects of activities are managed to maintain rural character and amenity.*

7.5 HortNZ sought that RPROZ-O5 be amended to:

*Non-primary production related activities are managed to ensure that adverse effects do not compromise rural character and amenity or create reverse sensitivity effects.*

- 7.6 The s42A Report rejects the submission as it considers that it should not be focused on non-primary production activities and that reverse sensitivity is addressed in RPROZ-O6.
- 7.7 While RPROZ-O6 does address reverse sensitivity I consider that RPROZ-O5 is very broad in terms of application, as identified in the submission of Federated Farmers and that adverse effects may be managed for a range of purposes – not necessarily exclusively for maintaining rural character and amenity.
- 7.8 In my opinion, it is the activity, not the adverse effects, that are managed so the objective could be better worded to reflect this intent:

~~*Adverse effects of Activities are managed to ensure that adverse effects do not compromise maintain rural character and amenity.*~~

Key Issue 5 – General Rural Zone Issues, Objectives and Policies not addressed elsewhere

- 7.9 HortNZ made submissions and further submissions that are addressed in Key Issue 5:
- (a) GRUZ-O2
  - (b) GRUZ-O3
  - (c) GRUZ-O4
  - (d) GRUZ-P1
  - (e) GRUZ-P2
  - (f) GRUZ-P8
- 7.10 The s42A Report is recommending that many of these submissions be accepted and I particularly endorse the recommended changes to GRUZ-O2, GRUZ-P1, GRUZ-P2.
- 7.11 I note that there is an inconsistency between the recommended amendments in the s42A Report (3.5.1) and the strikethrough version of the GRUZ chapter in GRUZ-O2. For completeness the words ‘rural and land-based’ should be deleted from GRUZ-O2 (2).

*GRUZ-O3*

- 7.12 GRUZ-O3 is similar to RPROZ-O5 discussed above in that it should be the activity being managed, not the adverse effects.
- 7.13 Therefore I consider that the objective would be better worded

~~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-P8

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

7.15 In respect of RLR-P3 above I raised concern about the repeated use of the word 'limit'. While GRUZ-P8 is slightly different I consider that changing the second 'limit' to 'restrict' would better fit the policy intent:

*To limit residential and rural lifestyle subdivision that results in fragmentation of the rural and and/or ~~limits~~ restricts the use of rural land for productive purposes.*

#### Key Issue 6 – Rural Production Zone Rules, Standards, Assessment matters not addressed elsewhere

7.16 HortNZ made a number of submissions and further submissions that are addressed in Key Issue 6. These include:

- (a) RPROZ-R1 (2) – re AM
- (b) RPROZ-R7 (2) – re AM
- (c) RPROZ-S1 – re restaurants
- (d) RPROZ-S5 – setbacks from roads
- (e) RPROZ-S6 – setbacks from neighbours
- (f) RPROZ-AM1 – reverse sensitivity
- (g) RPROZ-AM6 - reverse sensitivity
- (h) RPROZ-AM12- reverse sensitivity
- (i) RPROZ-AM14- reverse sensitivity
- (j) RPROZ-Principal reasons

7.17 Many of the submissions points are recommended in the s42A Report to be accepted and I will only address those where I support a different outcome.

#### *Assessment matters*

7.18 HortNZ sought that the assessment matters for a number of specific activities be included in the rules where consent would be required such as RPROZ-R1 Residential Activity, R7 Home Business.

- 7.19 The s42A Report states that the assessment matters are broad matters for assessing the effects of the activity in a general sense (4.3.9) and that including them in the manner sought does not fit with the rule framework of the Plan.
- 7.20 It appears that the assessment matters would only apply if discretionary activity consent is required.
- 7.21 I consider that the assessment matters are valuable to assist in ensuring that an activity complies with the objectives and policies of the Plan and that it should be clear that the assessment matters will be considered. At present they are not even referenced where an activity defaults to a discretionary activity – such as RPROZ-R1 2) 3) or RPROZ-R7 2) 3).
- 7.22 To provide clarity in the Plan I consider that the relevant assessment matters should be listed where they may be considered as part of a discretionary activity.

*RPROZ-R9 Commercial activities not otherwise provided for*

- 7.23 HortNZ made submissions on RPROZ-R9 which are considered as part of Key Issue 16 in respect to Rural Industry.
- 7.24 I note that the s42A Report states:
- In my view, there is a legitimate place for small scale, one-off, commercial enterprises in the Rural Production Zone where it does not compromise the highly productive land resource or generate issues of reverse sensitivity.*
- 7.25 The issue I have with this statement is that no assessment is done as part of the permitted activity to determine whether the land resource will be compromised or reverse sensitivity effects generated.
- 7.26 Further the policy direction in the Plan is RPROZ-P9 to avoid establishment of commercial activities that are unrelated to primary production.
- 7.27 If the report writer considers that the activity is linked to primary production then an additional condition should be applied to this intent.
- 7.28 I address this issue further under Key Issue 16.

*RPROZ-S1 – Restaurants*

- 7.29 HortNZ sought the deletion of the activity thresholds in RPROZ-S1 for Restaurants as a permitted activity.

- 7.30 The s42A Report recommends that the submission be rejected on the basis that the provision would allow small cafes or dining experiences for a maximum of 40 people, with a maximum floor area for serving customers per site of 100m<sup>2</sup> excluding uncovered outdoor areas.
- 7.31 Therefore the facility could be considerably more than 100m<sup>2</sup> as kitchen and storage space is not included in the areas for serving customers.
- 7.32 The addition of outdoor areas considerably increases the potential for reverse sensitivity effects as customers would be sitting outdoors with rural production activities occurring adjacent to the restaurant outdoor seating areas.
- 7.33 Restaurants are a 'commercial activity' and RPROZ-P9 applies – to avoid establishment of commercial activities that are unrelated to the primary productive purpose of the zone.
- 7.34 In my opinion providing for restaurants as a permitted activity does not meet the objectives and policies of the Plan and is an inappropriate activity to be provided for as a permitted activity – even with limitations as set out in RPROZ-S1.
- 7.35 Requiring a resource consent will ensure an adequate assessment of effects on the productive land resource, effects on rural character, and potential reverse sensitivity effects from incompatible activities.
- 7.36 Therefore I disagree with the s42A Report recommendation and seek that RPROZ-S1 (5) 6) and 7) relating to restaurants be deleted.

*RPROZ-S6 Setback from neighbours*

- 7.37 HortNZ sought that the standard for setback from neighbours be 30m for residential activities, in the RPROZ zone.
- 7.38 This is based on experience with reverse sensitivity effects which are less likely to occur where there is clear separation between the residential activity and primary production activities.
- 7.39 Examples of plans with larger setbacks for residential activity are Western Bay of Plenty District and Tasman District which have setbacks of 30m and Central Otago has 25m. These are all horticultural growing areas that have recognised that a large setback assists in addressing potential conflicts and incompatibilities.
- 7.40 The s42A Report (4.3.39) rejects the HortNZ submission on the basis that a 15m setback would achieve a 30m separation on both sides of a shared boundary.

- 7.41 That 30m separation would be from residential activity to residential activity if there is a shared boundary - not residential activity to primary production activity the other side of the boundary. The setback in the standard applies to the boundary not adjacent residential activity.
- 7.42 It is the separation from the primary production activity that HortNZ is seeking to better manage through the application of a larger setback.
- 7.43 The s42A Report contends that a 30m setback for residential activities would result in substantially more land being lost from production but does not produce any evidence to support this contention.
- 7.44 The land surrounding a residential activity is still available for primary production use. In fact, more productive land could be lost by locating a residential activity adjacent to a boundary, thereby sterilising the neighbouring property from productive use in an effort to avoid reverse sensitivity effects, which is contrary to the objectives and policies of the zone.
- 7.45 I note that the larger setback is only sought in the Rural Production Zone, not the General Rural Zone, because of the need to protect highly productive land for primary production activities.
- 7.46 There is clear policy direction in the plan to enable primary production without being compromised by other activities such as RLR-P4, RLR-P5 and RPROZ-P5.
- 7.47 In my opinion, providing a 30m setback for residential activities from the boundary would assist in achieving the policy direction in the Plan.
- 7.48 The s42A Report (4.3.42) concurs that a 5m setback is not conducive to avoiding sensitive activities location close to and potential compromising primary production activities.
- 7.49 Yet in 4.3.44- 4.3.46 the writer recommends that a 5m setback apply to sites that were created prior to 28 May 2021.
- 7.50 While there may be issues relating to the ability to meet an enlarged setback, a 5m setback is likely to lead to the types of effects that the Plan is seeking to manage and minimise.
- 7.51 It is recognised that there is an issue for sites that were created when the Plan provided for a lesser setback.
- 7.52 Tasman District has a provision that if the site was created prior to the current plan and is less than 2500m<sup>2</sup> then a lesser setback of 5m can apply.

- 7.53 In my opinion, this approach enables a residential activity to still establish on a smaller site but avoids enabling larger sites which could encompass a larger setback to still be entitled to a smaller setback.
- 7.54 The recommended change to RPROZ-S6 is for sites created before 28 May 2021 and greater than 4000m<sup>2</sup> net site area.
- 7.55 I consider that it would be more appropriate that the change was limited to sites less than 4000m<sup>2</sup> as those of a greater size would have the ability to accommodate a larger setback under the new plan.
- 7.56 Therefore I support a setback for residential activities of 30m and a more focused set of provisions for sites created before May 2021.

<p>Sites created before 28 May 2021 and <del>greater</del> <u>less</u> than 4000m<sup>2</sup> net site area</p> <p>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</p>	<ol style="list-style-type: none"> <li>1. Minimum setback of buildings for a residential activity from side and rear boundaries is 5m.</li> <li>2. Minimum setback of buildings for all other activities from side and rear boundaries is 10m.</li> </ol>
---	---

Key Issue 7 – General Rural Zone Rules, Standards, Assessment matters not addressed elsewhere

- 7.57 HortNZ made a number of submissions and further submissions that are considered under Key Issue 7.
- 7.58 These provisions include:
- (a) GRUZ-R1 – AM
  - (b) GRUZ-S1 – Restaurants
  - (c) GRUZ-S4 – Setbacks from road and Rail network
  - (d) GRUZ-S5 – Setbacks from neighbours
  - (e) GRUZ-AM1 – Reverse sensitivity
  - (f) GRUZ-AM5 – Reverse sensitivity
  - (g) GRUZ-AM11 – Reverse sensitivity

## (h) GRUZ- AM13 - – Reverse sensitivity

- 7.59 I have addressed submissions relating to assessment matters above in respect of the Rural Production Zone and refer to Paras 7.18 above.
- 7.60 I have also addressed provision for restaurants in the Rural Production Zone.
- 7.61 The submission points, s42A Report response and my analysis are the same as for the Rural Production Zone, whereby I seek the deletion of GRUZ S1 Restaurants.
- 7.62 A number of submitters have sought to amend the setbacks from neighbours to 5m.
- 7.63 The s42A Report rejects these submissions and recommends that the 15m as notified is retained. I support that recommendation.
- 7.64 In regard to sites created before 28 May 2021 the s42A Report is recommending a change the same as for the Rural Production Zone to allow for a 5m setback where the site is greater than 4000m<sup>2</sup>.
- 7.65 I consider that it would be more appropriate that the change was limited to sites less than 4000m<sup>2</sup> as those of a greater size would have the ability to accommodate a larger setback under the new plan.
- 7.66 Therefore I support a setback for residential activities of 15m in the General Rural Zone and a more focused set of provisions for sites created before May 2021 to enable small sites to accommodate a residential dwelling.

Key Issue 8 – Rural Lifestyle Provisions not addressed elsewhere

- 7.67 HortNZ made two submissions which are addressed in Key Issue 8 relating to the provisions for the Rural Lifestyle Zone.
- 7.68 HortNZ specifically sought that the setbacks in RLZ-S5 – Setbacks from neighbours included a separation distance from the boundary of the General Rural Zone or the Rural Production Zone of 15m.
- 7.69 The s42A Report (6.3.6) is recommending that the change be accepted and RLZ-S5 be amended as sought as a method to manage potential reverse sensitivity effects.
- 7.70 However as a result of submissions by Surveying the Bay in Key Issue 6 the s42A Report is recommending that there be provisions for sites created before 28 May 2021 to have a minimum setback of 5m for residential activity.



- 7.71 I do not support a 5m setback of a rural lifestyle residential activity 5m from the zone boundary as the potential reverse sensitivity effects are significant.
- 7.72 The s42A Report in KI6 Para 4.3.42 states:
- In my view a 5m setback from an internal rural boundary in the Rural Production Zone is not conducive to avoiding sensitive activities locating close to and potentially compromising primary production activities.*
- 7.73 Yet the recommendation to amend RLZ-S5 provides for residential activity 5m from primary production activities.
- 7.74 The s42A Report states that the HortNZ submission (81.138) on RLZ-S5 is accepted. However it is partly negated by the change recommended as result of submissions by Surveying the Bay and will not lead to the outcome of avoiding sensitive activities locating close to and potentially compromising such primary production activities.
- 7.75 In my opinion, the change recommended to RLZ-S5 for a 15m setback from the rural zone boundaries should apply to all residential activities in the RLZ.
- 7.76 This would assist to achieve the objectives and policies of the Plan to enable primary production and not be compromised by reverse sensitivity effects.
- 7.77 Therefore, I seek an amendment to RLZ-S5 (3) by adding:
- except where located on a boundary with the General Rural Zone or Rural Production Zone where 15m will apply.*
- 7.78 Such a change will not apply to all boundaries of sites created before 28 May 2021- just the boundary where it meets the General Rural Zone or Rural Production Zone – if the site is on a zone boundary.
- 7.79 I do not regard this to be an onerous requirement given that 5m would still apply on other side or rear boundaries.
- 7.80 This would assist to achieve the objectives and policies of the Plan to enable primary production and not be compromised by reverse sensitivity effects.

#### Key Issue 9 – Shading from Trees

- 7.81 HortNZ made a number of submissions and further submissions that are grouped under Key Issue 9: Shading from trees:
- (a) GRUZ -P6 (81.110)

- (b) GRUZ- S6 shading of land and roads (81.128) and FS17.110 supporting NZ Pork
- (c) GRUZ-AM2 FS17.115 supporting NZ Pork
- (d) RPROZ-P6 (81.151)
- (e) RPROZ- S7 shading of land and roads (81.173) and FS17.147 supporting NZ Pork, FS 17.148 supporting Federated Farmers.
- (f) GRUZ-AM2 FS17.154 supporting NZ Pork

7.82 The key issues raised in the submissions are:

- (a) A policy framework of 'avoid'
- (b) The imposition of rules which don't recognise that shelterbelts and plantings are part of the rural landscape and rural character
- (c) The lack of justification in the s32 Report
- (d) The prescriptive nature of the standards for a minor effect
- (e) The extent of the criteria in the assessment matters.

7.83 The s42A Report Key Issue 9 addresses the submissions and recommends a change to the policies from 'avoid' to 'manage' and a change to the title of the Assessment matters to Continuous tree planting along boundaries.

7.84 The s42A Report does not address many of the matters raised in the submissions, particularly the lack of s32 Report support for the provisions in the Plan.

7.85 GRUZ-P3 and RPROZ-P6 establish the policy framework for the issue. The s42A Report is recommending that the policies be changed from 'avoid' to 'manage' and I support that change.

7.86 However the report also recommends amendments which change the focus from 'adverse effects of shading from trees' as notified to 'adverse effects of continuous tree planting along boundaries'.

7.87 This is a significant shift in the policy intent away from shading of trees, which no submitter sought.

7.88 Trees are planted in rural areas for a number of reasons, including for shelter for animals and crops as part of the primary production activity and contribute to the rural character of the area.

- 7.89 Trees, especially along boundaries, also assist in reducing reverse sensitivity effects as they provide a buffer between properties.
- 7.90 As such they are anticipated in the rural area and provide positive effects.
- 7.91 The objectives of both GRUZ and RPROZ recognise the primary production activities in the zones and adverse effects are managed to maintain rural character.
- 7.92 I do not find support in the objectives to amend the policy as recommended because the planting of trees contributes to rural character and are part of primary production activities.
- 7.93 The standards in GRUZ-S6 and RPROZ-S7 set rules which covers all boundaries regardless of the proximity of a sensitive activity on an adjoining property. They are an arbitrary set of provisions regardless of the effects – both positive and adverse.
- 7.94 There is no rationale or reasons set out in the s32 Report for the prescribed distances and heights.
- 7.95 Submitters sought that the standards be deleted and HortNZ sought that provisions in the operative plan be used to replace the standards.
- 7.96 The provisions in the operative plan provide a clear measurable outcome regarding shading by having a standard linked to shading of public roads between 10am – 2pm on the shortest day or residential units on neighbouring properties between 9am – 4pm on the shortest day. Such measures address the potential adverse effects and suitable species can be selected to meet that requirement and are targeted at specific areas which may be sensitive to shading from trees.
- 7.97 Hastings District Plan has a rule in the Rural Zone for shading of land, buildings and roads (5.2.5G) which is limited to shelterbelts of more than 20m to be setback 5m from the boundary or the boundary of a road. There is no limitation on height. The outcome sought is that adjoining land will not be significantly adversely affected by shading and safety of roads will be maintained.
- 7.98 The assessment matters in GRUZ-AM2 and RPROZ-AM2 include a range of matters that extend beyond the notified intent of managing adverse effects of shading. These include:
- (a) Health of vegetation or stock
  - (b) Risk of fire
  - (c) Windfall or root growth

- (d) Road safety from shading
- 7.99 I do not consider that health of vegetation or stock is a resource management issue.
- 7.100 Risk of fire and windfall can be managed through setbacks of residential buildings to reduce risk
- 7.101 Given these concerns with the approach to managing shading from trees I consider that a number of changes to the provisions are appropriate and seek the following changes:
- a) Amend GRUZ-P6 and RPSOZ-P6:
- Manage location of trees so that adjoining public roads and properties are not adversely affected by shading.*
- b) RPROZ-S6 and GRUZ-S6 by deleting clause 1 b)
- c) Amend GRUZ-AM2 and RPROZ-AM2 by deleting clause 1a).
- 7.102 Such an approach would be consistent with Hastings District Plan and address the issues of shading that were in the notified Plan.

Key Issue 10 – Noise provisions specific to Rural activities not addressed elsewhere

- 7.103 HortNZ made submissions seeking changes to provisions relating to audible bird scaring devices and frost fans which are addressed in Key Issue 10.
- 7.104 The s42A Report is recommending that these submissions be rejected.

*Audible bird scaring devices*

- 7.105 NOISE S5 (27-29) provides for audible bird scaring devices subject to three standards.
- 7.106 HortNZ sought that Standard 29 be amended to 65dB A<sub>SEL</sub> rather than 50dBA L<sub>AE</sub>.
- 7.107 A level of 65dB A<sub>SEL</sub> is consistent with other district plans:
- 7.108 Western Bay of Plenty, Horowhenua, Gisborne, Marlborough, Whangarei and Hurunui are all based on 65dBA.
- 7.109 The s42A Report (8.3.4) refers to a discussion with the acoustic expert who considers that 50dB LAE is necessary to manage that audible avian distress alarm type of bird scaring devices.

- 7.110 In my opinion, such an approach is penalising users of percussive audible bird scaring devices which can operate at 65dBA SEL.
- 7.111 Some plans, such as Hastings, have different standards for the different devices.
- 7.112 I support that approach because the limits then reflect the effects of the different devices.
- 7.113 In my opinion S(5) 29 could be amended as follows:

*Where audible sound is used over a short of variable time duration no event from an avian distress alarm shall exceed 50dBA LAE or 65dBA SEL from a percussive audible bird scaring device when assessed at the notional boundary of any other site in the General Rural, Rural Production Zone or Rural Lifestyle Zone or within the site boundary of any site in the General Residential or Settlement Zones.*

*Frost fans*

- 7.114 HortNZ sought that the noise level for frost fans be amended to 65dB LAeq<sub>15min</sub>, and for measurement at the notional boundary for the Rural Lifestyle Zone.
- 7.115 The s42A Report writer has discussed this with the acoustic consultant, who recommends amendment to measurement at the notional boundary but sets out three reasons why he considers an increase in the noise level is not appropriate.
- 7.116 I disagree with the reasons provided because mediation in the Environment Court is confidential to the parties in the room and general consensus of acoustic experts in a specific case should not be taken as a precedent for a district plan rule.
- 7.117 While the Environment Court adopted a limit of 55dB LAeq in Marlborough there are other plans that have a higher limit, including Hastings.
- 7.118 I note that the proposed provision is taken over a 10minute time frame whereas the Environment Court decision had a 15 minute timeframe over which the noise would be assessed.
- 7.119 A 15 minute time frame better provides for the fluctuations in sound from a frost fan.
- 7.120 In my opinion NOISE S5 (30) should be amended to 55dB LA<sub>eq (15 mins)</sub>

Key Issue 11 – Subdivision provisions specific to the Rural Zones

- 7.121 HortNZ made a number of submissions and further submissions that are considered under Key Issue 11.
- 7.122 A submission (81.081) was made seeking that the three year period for subdivision be deleted and that the activity status be restricted discretionary in the Rural Production Zone, rather than controlled.
- 7.123 Further submissions opposed changes sought to amend the size of sites for subdivision.
- 7.124 HortNZ also supported a number of the Assessment matters - AM11, AM12 and AM13.
- 7.125 The s42A Report writer clearly sets out the background and rationale for the subdivision provisions, including size of sites. I agree with the assessment (9.3.13-14) that it is important to protect highly productive land. Such an approach gives effect to the objectives and policies in the Plan.
- 7.126 However I do not concur with the assessment (9.3.27) that a controlled activity status is appropriate in the Rural Production Zone.
- 7.127 The objectives and policies are very clear about enabling primary production activities, avoiding fragmentation, maintaining rural character and avoiding reverse sensitivity effects.
- 7.128 RLR-O3 in the strategic directions is:  
*The District's highly productive land is protected from further fragmentation.*
- 7.129 RLR-P3 states (as recommended in the s42A Report):  
*To limit the 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.*
- 7.130 Policy RPROZ-P9 (as recommended in the s42A Report):  
*To avoid residential and rural lifestyle subdivision that results in fragmentation of land within the Rural Production Zone and/or which limits the use of land for primary production purposes (including through the potential creation or exacerbation of reverse sensitivity effects.)* (Includes recommended changes in s42A Report).
- 7.131 A controlled activity consent cannot be declined.
- 7.132 I do not consider that a policy direction of 'avoid' can be achieved through a controlled activity consent.

- 7.133 The rule framework needs to enable a full evaluation of the effects of the subdivision and the ability to decline the application if it is shown to contribute to fragmentation of land or limit the use of land for primary production purposes.
- 7.134 A default activity standard of Discretionary where standards cannot be met is appropriate.
- 7.135 Therefore I support the submission to amend SUB-R5 (5) for the Rural Production Zone to RDIS and SUB-R5 (6) to DIS.

## 8. RURAL ENVIRONMENT VOLUME 3 RURAL ACTIVITIES

### Key Issue 12 – Artificial crop protection structures and workers and seasonal workers accommodation

- 8.1 HortNZ made submissions on artificial crop protection structures and seasonal worker accommodation.
- 8.2 The s42A report is recommending that a specific rule be included for artificial crop protection structures and I concur with that recommendation.
- 8.3 A number of councils have included specific rules for artificial crop protection structures, including Western Bay of Plenty, Whakatane, Whangarei, Opotiki, Hastings and Far North.
- 8.4 One of the reasons why they have included a specific rule for artificial crop protection structures is because the nature of the structures don't fit neatly within the planning framework for buildings and structures, so a bespoke response has been considered the most appropriate.
- 8.5 Since a number of such rules were developed the National Planning Standard has issued the definition standard, that includes a definition of 'building' which is significantly different to the definition which had been in many earlier district plans, which had generally relied on the Building Act definition.
- 8.6 The NPS definition of building is:

*means a temporary or permanent movable or immovable physical construction that is:*

- (a) *Partially or fully roofed; and*
- (b) *Fixed or located on or in land;*

*But excludes any motorised vehicle or other mode of transport that could be moved under its own power.*

- 8.7 There is uncertainty as to whether a cover of permeable material constitutes a 'roof'.
- 8.8 There is no definition of 'roof' in the RMA, National Planning Standards, Building Act 2004 or the Building Code.
- 8.9 The Building Code does have performance standards in relation to roofs with the clear expectation that they prevent external moisture entering (Clause E2).
- 8.10 On that basis, the horizontal cloth cover on an artificial crop protection structure will not be a 'roof' and so not a building under the National Planning Standards definition and the definition in the PCHBDP.
- 8.11 It is my understanding that the bespoke rule for artificial crop protection structures is working very well in district plans as it includes all the requirements for the structures within the one rule and there is clarity as to what is required.
- 8.12 The rule that is sought in the HortNZ submission was developed for the Western Bay of Plenty District Plan in conjunction with stakeholders, such as NZTA, to ensure that potential adverse effects were adequately addressed. The limitation of cloth colour adjacent to roads and boundaries arose out of that process to ensure that the reflectivity of the cloth did not present a risk as white cloth adjacent to a road was considered to be a potential glare hazard, otherwise a greater setback would be required. Limitations of colour adjacent to boundaries was to limit amenity effects.
- 8.13 Therefore it is appropriate to include a rule for artificial crop protection structures as recommended in the s42A Report.
- 8.14 I do note that there is one amendment required regarding setbacks from neighbours.
- 8.15 GRUZ-S5 and RPROZ-S6 are recommended to be amended to include a specific setback for artificial crop protection structures but the new recommended rules do not include a reference to the standards.
- 8.16 Therefore GRUZ-RXX Artificial crop protection structures and RPROZ-RXX Artificial crop protection structures should both be amended by adding either GRUZ S5 or RPROZ-S6 to the list in 1 b).

### *Greenhouses*

- 8.17 HortNZ also made a submission on RPROZ-S2 Total Building coverage seeking the deletion of 'Greenhouses ~~where crops are grown under or within these structures directly in the soil of the site.~~



- 8.18 This submission point is addressed at 2.3.3 of the s42A Report and is rejected on the basis that productive soil could be lost unless the limitation exists.
- 8.19 In my opinion the soil would not be lost to production as it would be either under the structure or utilised on the site.
- 8.20 Greenhouses are a horticultural growing system and it is important that they can establish where there are adequate services to support the system.
- 8.21 A limitation as in RPROZ-S2 is constraining in that regard.
- 8.22 The National Planning Standards does not distinguish greenhouses or classify them as intensive indoor primary production so, in my opinion, the district plan should regard them as an appropriate primary production system.
- 8.23 Therefore I support the HortNZ submission to amend RPROZ-S2 by deleting: ~~Greenhouses where crops are grown under or within these structures directly in the soil of the site.~~

*Seasonal worker accommodation*

- 8.24 HortNZ also made submissions on seasonal worker accommodation which are addressed in Key Issue 14.
- 8.25 The relevant rules are GRUZ-R2 and RPROZ-S2, along with a definition of seasonal worker accommodation.
- 8.26 The rules as notified include two measure to determine if a permitted activity is met:
- (a) A maximum floor area of 125m<sup>2</sup>
  - (b) A maximum number of people to be accommodated on site of 24.
- 8.27 HortNZ sought that only one measure apply.
- 8.28 They also sought inclusion of reference to the Code of Practice for Seasonal Worker Accommodation.
- 8.29 The s42A Report is recommending that both submissions be rejected.
- 8.30 In 2.3.13 the s42A Report states that HortNZ sought the removal of both the limitation measures and replace with just the Code of Practice.
- 8.31 The submissions actually sought the deletion of EITHER 1 a) i) OR 1) a) ii) – not both.

- 8.32 It is highly unlikely that 24 people could be accommodated in 125m<sup>2</sup> so there is somewhat of a disjunct between the two thresholds.
- 8.33 Other plans have used a range of thresholds for a permitted activity:
- (a) Opotiki – no more than 12 workers
  - (b) Selwyn – Recommended to be no more than 12 workers
  - (c) Hastings – 125m<sup>2</sup>
- 8.34 The number of 12 workers was established as it basically equates to a van load of workers who could then be transported to site in the one vehicle and restricts the effects of the permitted activity.
- 8.35 Likewise the limitation of the area limits the level of effects.
- 8.36 The purpose for seeking reference to the Code of Practice for Seasonal Worker accommodation is linked to provision for disability structures, which the Code of Practice acknowledges are not necessary where the expectation for seasonal workers is that they are able bodied, as set out in 2.3.16 of the s42A Report.
- 8.37 There were a number of issues that arose from growers seeking consents for seasonal worker accommodation and being required to put in disability access and facilities which were not relevant to the type of accommodation being established.
- 8.38 Rather than specifying that disability facilities are not required, compliance with the Code of Practice provided a link for council to assess the appropriateness of the proposed facilities.
- 8.39 The Code of Practice for Seasonal Worker Accommodation has been adopted in a number of district plans and appears to have addressed the issue that was previously of concern.
- 8.40 It also ensures that the accommodation is of an adequate standard for the purposes of housing workers.
- 8.41 Therefore I support inclusion of the Code of Practice for Seasonal Worker Accommodation as a condition in GRUZ-R2 and RPROZ-R2.
- 8.42 In terms of the thresholds in the rules I consider that only one threshold should be used and prefer such a threshold to be based on the area of the facility, so is consistent with Hasting District Plan.
- 8.43 Therefore I seek the following changes to RPROZ-R2 and GRUZ-R2:
- (a) Deletion of clause 1 a) ii)
  - (b) Addition of a new clause 1 a) ii): Is in accordance with the Code of Practice for Seasonal Worker Accommodation.

Key Issue 13 – Intensive Primary Production – Definition, Issues, Objectives and Policies

- 8.44 HortNZ made submissions and further submissions on matters relating to intensive primary production, mainly relating to the definitions in the Plan.
- 8.45 The s42A Report is recommending that the definitions be amended to include the definition of intensive indoor primary production as in the National Planning Standards, an additional definition for intensive outdoor primary production, and an amendment to the definition of intensive primary production.
- 8.46 I support that suite of changes as it clarifies the intent of the provisions for intensive primary production.
- 8.47 The s42A Report is also recommending changes to the following provisions to specifically include intensive primary production:
- (a) RLR-Introduction, M1, and Principal Reasons
  - (b) GRUZ Introduction, O1 and P1
  - (c) RPROZ- Introduction, O1 and P1
- 8.48 I concur with the recommended changes as they clarify the status of intensive primary production in the Plan.

Key Issue 14 – Intensive Primary Production – Rules, Standards, Assessment matters

- 8.49 HortNZ made submissions on assessment matters for Intensive Primary Production (81.121, 81.165).
- 8.50 The s42A Report (4.3.3) is recommending that the submissions are rejected as it is not appropriate to include assessment matters in Rule RPROZ-R14 (2) and GRUZ-R14(2).
- 8.51 GRUZ-AM9 and RPROZ-AM10 relate specifically to intensive primary production activities and so are relevant to when consent for the activity is sought, however there is not specific reference to the assessment matters in the related rules.
- 8.52 The s42A Report is recommending that GRUZ-AM9 and RPROZ-AM10 be referenced if compliance with the property setback is not met.

8.53 This inclusion is appropriate and I concur with the s42A Report.

Key Issue 15 – Post harvest facilities and Rural Industry – Definitions, Issues, Objectives and Policies

8.54 Key Issue 15 addresses post-harvest facilities and rural industry.

8.55 HortNZ made submissions and further submissions on this topic.

8.56 Submissions were made across a range of provisions relating to these activities:

- (a) Definitions – rural industry
- (b) RLR Strategic directions – O2, O4, P5, M1
- (c) RPROZ – Intro, O1, O4, P1, P3, P5, P7, P9
- (d) GRUZ – I2, O1, P1, P3

8.57 The range of submissions and changes sought indicate that submitters consider that this topic is not adequately addressed in the Plan.

8.58 The s42A Report rejects a significant number of submissions and is only recommending minor changes to the policy framework. This approach appears to be stemmed from the need to preserve the rural area for primary production.

8.59 I accept the priority for primary production and highly productive land in the policy framework.

8.60 But I also consider that there is a need to provide for rural industry in the rural environment to ensure that such activities can support primary production.

8.61 Rural industry is specifically identified in the National Planning Standards Zone descriptions as being appropriate in the Rural Production Zone and the General Rural Zone.

8.62 I note that in 5.3.23 the s42A Report writer considers that the National Planning Standards are 'guides' and that they do not translate into mandatory direction, as this is the prerogative of each council.

8.63 I consider that the Zone descriptions in the National Planning Standards provide clarity as to what could reasonably be anticipated in the respective zones and that inclusion of a definition of rural industry and specific reference to rural industry in the descriptors for the General Rural Zone and the Rural Production Zone indicate that this is a matter for council to consider and address.

- 8.64 I support the approach of the National Planning Standards identifying rural industry, as set apart from industrial activities, as I am aware of considerable pressures in some districts where industrial activities seek to locate in rural zones. By making the distinction it is identifying that rural industry, but not industrial activities, are appropriate in rural zones.
- 8.65 The policy framework in the Plan clearly identifies in RPROZ-P9 and GRUZ-P9 that industrial or commercial activities unrelated to primary production purpose of the zones are avoided.
- 8.66 I support that policy intent.
- 8.67 However there is no corresponding policy framework for rural industry. In the strikethrough version of the GRUZ and RPROZ chapters attached to the s42A Report there is no reference in the policy framework for rural industry, even though there are rules to provide for the activity.
- 8.68 In my opinion that is a policy gap which needs to be addressed.
- 8.69 The s42A Report is recommending that the National Planning Standards definition for rural industry be included in the Plan:
- Means an industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production.*
- 8.70 I support the recommended to include the definition of rural industry.
- 8.71 It is important to note that the definition of rural industry includes 'industry or business' so is not limited to 'industrial activities' related to primary production, and could include rural services and commercial activities.
- 8.72 There are a range of places in the policy framework where there could be recognition of rural industry and the range of submissions provide considerable scope.
- 8.73 The RLR objectives include objectives and direction for primary production and highly productive land and residential activities and other activities unrelated to primary production but there are no objectives for activities that support primary production.
- 8.74 Likewise the objectives and policies for the GRUZ and RPROZ chapters focus on primary production activities but not for activities that support primary production. I do not support the recommended changes to GRUZ-P3 and RPROZ-P3 to change rural commercial activities' to 'commercial activities'.

- 8.75 Commercial activities are specifically sought to be avoided in GRUZ-P9 and RPROZ-P9. Including commercial activities in GRUZ-P3 and RPROZ-P3 contradicts the specific policies to avoid these activities.
- 8.76 I have considered whether rural industry could be retrofitted into the existing policy framework or whether new standalone provisions would be more appropriate.
- 8.77 I consider that an amendment to GRUZ-P3 and RPROZ-P3 would provide recognition of rural industry by deleting 'rural commercial activities' and replacing with 'rural industry'.
- 8.78 Alternatively a new policy could be included in both GRUZ and RPROZ chapters as follows:

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

Key Issue 16 - Post harvest facilities and Rural Industry - Rules, Standards, Assessment matters

- 8.79 Key Issue 16 follows on from Key Issue 15 in relation to post-harvest facilities and rural industry.
- 8.80 HortNZ sought inclusion of specific rules for rural industry and other submitters sought similar provisions.
- 8.81 The s42A Report is recommending that a new Discretionary Rule be included for rural industry and assessment matters as sought by Silver Fern Farms.
- 8.82 The HortNZ submission sought that RPROZ-R9 and GRUZ-R9, which currently provide for commercial activities not otherwise provided for, be renamed rural industry.
- 8.83 The s42A Report rejects this submission (6.3.18) as it is necessary to provide for small scale commercial activities.
- 8.84 In my opinion, this approach is not consistent with GRUZ-P9 and RPROZ-P9 which seek that commercial activities are avoided.
- 8.85 As set out above in respect of the policy framework, the National Planning Standards clearly anticipate activities that support primary production, including associated rural industry, to locate within the Rural Production Zone and the General Rural Zone.
- 8.86 The writer identifies (6.3.14) that the approach to the rural areas is to provide for primary production and then provide for other supporting activities that similarly require a rural location provided they do not compromise the primary production role of the rural zones

- 8.87 Yet the writer supports commercial activities, while not providing for rural services and industry which are more clearly aligned with the purpose of the zone to provide for, and support, primary production.
- 8.88 In addition, the s42A Report is recommending or supporting that activities that are not generally anticipated in the rural zones are accorded a Restricted Discretionary Status – such as community facilities, educational facilities, and camping grounds.
- 8.89 In my opinion an activity that supports primary production and is anticipated in the rural zones should not have a more stringent activity status than activities that are not generally anticipated in the rural zones.
- 8.90 While a rule is recommended for rural industry as a discretionary activity it does not provide for ‘small-scale’ rural industry or businesses as a permitted activity, that are more appropriately located within the rural zones than commercial activities which are provided for as a permitted activity.
- 8.91 I support the following changes to the rules for rural industry:
- (a) Inclusion of a permitted activity rule for rural industry up to 200m<sup>2</sup>
  - (b) Amendment of GRUZ-RXX Rural industry and RPROZ-RXX Rural Industry to RDIS

Key Issue 17 Agricultural Aviation Movements, Rural Airstrips and Helicopter landing areas – Definitions, Rules and Related noise standards

- 8.92 HortNZ made a number of submissions and further submissions relating to agricultural aviation movements, rural airstrips and helicopter landing areas.
- 8.93 These activities are collectively managed through:
- (a) Definitions
    - i. Agricultural aviation movements
    - ii. Rural airstrip
    - iii. Helicopter landing area
    - iv. Airport/ aerodrome
    - v. Noise sensitive activity
  - (b) NOISE provisions – particularly P3 and S5 (11-18)
  - (c) General Rural Zone provisions – GRUZ-R4 and R5

- (d) Rural Production Zone provisions RPROZ R4 and R5
- 8.94 The s42A Report is recommending that nearly all submissions on these provisions are rejected, and does not accept the matters raised in the submissions.
- 8.95 The s42A Report does recommend a new discretionary rule for airport/ aerodrome and helicopter depots which clarifies that such regular use requires a resource consent.
- 8.96 My understanding of the issue is that the intent is to provide for agricultural aviation activities as a permitted activity but to manage other aerial activities, especially where land is being used as a depot or base.
- 8.97 However, the way the rules are currently drafted it is unclear and normal agricultural aviation activities could be required to obtain resource consent.
- 8.98 As I understand the notified provisions agricultural aviation would be able to function as a permitted activity if:
- (a) The relevant zone rule is met - RPROZ-R4 or GRUZ-R4; and
  - (b) The activity is not occurring on a new, or expansion of an existing, rural airstrip or helicopter landing area - GRUZ-R5 or RPROZ-R5; and
  - (c) The activity occurs from an airstrip or helicopter landing area which has not been used more than 14 calendar days in a year – refer NOISE S(5)
- 8.99 If the requirement of S5 (11, 13 or 16) of 14 calendar days cannot be met then the activity would need to meet requirements in NOISE S5 regarding noise limits. If those limits cannot be met then a resource consent would be required.
- 8.100 If the activity was to occur on new or expanded existing rural airstrip or helicopter landing area then GRUZ-R5 or RPROZ-R5 would apply including:
- (a) Setback distances
  - (b) Limitation on number of movements
  - (c) Limitations on building area – including fertiliser bins
- 8.101 There are a number of issues that emerge from further analysis of these provisions.



- 8.102 There is a fundamental difference in interpretation as to how RPROZ-R5 and GRUZ-R5 applies. In 7.3.38 of the s42A Report the writer states that the rules would apply as soon as any one of the conditions in the rules is exceeded – including the setbacks and flight limits. In the writers opinion such a breach would then require resource consent.
- 8.103 I interpret the rules differently. I consider that it is when there is a new or expansion of an existing rural airstrip or helicopter landing area that the provisions in RPROZ-R5 or GRUZ-R5 would be triggered – not for every activity off a current rural airstrip or helicopter landing area.
- 8.104 This difference in interpretation is fundamental to how the provisions would work and creates uncertainty and lack of clarity.
- 8.105 In addition, existing use rights would also need to be considered.
- 8.106 The effect is further exacerbated because, while rural airstrips are in a set place, helicopter landing areas can vary according to the nature of the activity that is being undertaken and a number of areas may be used throughout an operation – depending on location of water supply, loading fertiliser or efficiency of the operation. Hence if the s42A Report interpretation is applied each area used for landing would be regarded as a ‘new helicopter landing area’ and hence require resource consent if setbacks and flights limits are not met.
- 8.107 I consider such an approach to be unworkable and not consistent with the intent of the s32 Report that agricultural aviation activities be permitted.
- 8.108 Another issue with the proposed rules GRUZ-R5 1 b) and RPROZ R5 1b) is that it they rely on the application being for the ‘same site’.
- 8.109 A limitation based on ‘same site’ is impractical, especially for fixed wing aircraft. Rural airstrips for fixed wing aircraft for primary production purposes usually serve a number of properties in the district.
- 8.110 ‘Site’ is defined in the plan using the National Planning Standards definition, including being a single title. This would limit a farmer or grower to only using the aircraft or helicopter for the ‘site’ on which the airstrip or helicopter landing areas is located, rather than servicing the entire property, which may be made up of a number of ‘sites’.
- 8.111 A further issue is how the 14 calendar days in NOISE S(5) were arrived at. The s42A Report writer refers to advice from acoustic consultant (7.3.17). I requested a copy of the advice and was informed that it was verbal advice and not recorded. Therefore there

is no documentation of the rationale for how the 14 calendar days in the NOISE provisions was set for submitters to respond to.

- 8.112 I understand from operators that a limitation of 14 calendar days is problematic and unworkable.
- 8.113 In addition, while S(5) (11-12) manages agricultural aviation movements there is no linkage to the use of airstrips or landing areas so the standard is that agricultural aviation movements are exempt for 14 calendar days with no reference to use of airstrips. In effect, an operator could only operate for 14 days in a year and then need resource consent.
- 8.114 There is also a similar lack of rationale for the 1000 movements in RPROZ-R5 1b) and GRUZ-R5 1b).
- 8.115 There is a lack of cross reference between the zone rules GRUZ-R4 and RPROZ-R4 and the Noise rules as there is no requirement to comply with GRUZ-S10 or RPROZ-S10 which link to the noise standards.
- 8.116 It is my understanding that the proposed rules have been modelled on provisions in the Proposed Selwyn District Plan, which is still going through the Schedule 1 process and has been subject to a number of submissions and hearings. The s42A Report for the Selwyn hearing recommended changes to the provisions to clarify the intent that agricultural aviation activities should be permitted.
- 8.117 Part of the issues arising from the Selwyn provisions are the use of two measures – agricultural aviation movements and then rural airstrips and helicopter landing areas, which has caused confusion. These terms have been replicated in the Central Hawkes Bay proposed rules. It should be clear what activity is being managed.
- 8.118 Given all these issues with the current framework I consider that the provisions could be simplified with a clear focus on what activity is to be managed.
- 8.119 It appears that there are three distinct activities to be managed:
- (a) Providing for agricultural aviation activities from rural airstrips and helicopter landing areas on an intermittent basis
  - (b) Managing other aircraft uses of rural airstrips and helicopter landing areas
  - (c) Managing land use for aircraft base or heliport on a regular basis.

- 8.120 I have considered how the proposed provisions could be amended to better encompass the three distinct activities and concluded that an amended framework based on the proposed rules would better address the issues and provide clarity.
- 8.121 The structure would be:
- (a) GRUZ-R4 and RPROZ-R4 Use of rural airstrips and helicopter landing areas for agricultural aviation movements ancillary to primary production – Permitted – no conditions or noise controls
  - (b) GRUZ-R5 and RPROZ-R5 Use of rural airstrips and helicopter landing areas for activities other than agricultural aviation – Permitted with conditions based on proposed GRUZ-R5 - Default RDIS.
  - (c) GRUZ-RXX and RPROZ-RXX Use of land for aircraft base or depot DIS activity as recommended in the s42A Report.
- 8.122 The NOISE provisions could be amended as sought by submitters to delete the reference to 14 calendar days for agricultural aviation movements and include agricultural aviation activities ancillary to primary production as a permitted activity.
- 8.123 In my opinion this approach would address concerns of other submitters about use of rural airstrips for activities other than agricultural aviation ancillary to primary production and provide clear direction for the level of activity for other activities. I consider this to be an effective and efficient planning approach and that there is considerable scope in the submission made to amend the provisions as proposed.

## **9. RURAL ENVIRONMENT VOLUME 4- OTHER ACTIVITIES**

### Key Issue 18 - National Grid and Gas Transmission Network in Rural Zones

- 9.1 HortNZ made submissions and further submission of provisions addressed in Key Issue 18 – National Grid and Gas Transmission network in rural zones.
- 9.2 HortNZ has been involved with Transpower over a number of years in respect of provisions for the National Grid, particularly as they interface with horticultural activities.
- 9.3 The suite of provisions proposed in the Plan are similar to those adopted elsewhere in other district plans.
- 9.4 In particular, HortNZ seeks that NZECP34:2001 the New Zealand Electricity Code of Practice for Electricity Safe Distances is the basis

of provisions in plans as it is regulation with which growers need to comply.

- 9.5 However, there is now the issue of the planning framework under the National Planning Standards and where and how provisions should be addressed.
- 9.6 Transpower is seeking that the provisions for the National Grid be located within the Energy and Infrastructure chapter, rather than in the relevant zone chapters.
- 9.7 Interestingly, Transpower sought the opposite in the Selwyn District Plan hearing – seeking that the provisions be located in zone chapters rather than the Energy and Infrastructure chapter.
- 9.8 I consider that the provisions are more accessible for plan users in zone chapters.
- 9.9 However, the National Planning Standards District-wide matters Standard 7 states (5) that provisions relating to energy, infrastructure and transport must be located in one or more chapters under Energy, Infrastructure and transport, including the management of reverse sensitivity effects between infrastructure and other activities.
- 9.10 From a planning perspective I seek that there is national consistency as to where the provisions are located.
- 9.11 I support the Federated Farmers submissions that seek that provisions for a pole be retained in the Plan as they do not require the same setbacks as for towers. Therefore I support the retention of '8m from a pole' in GRUZ-S13/ RPROZ-S15 3). Such an approach is consistent with NAECP34:2001.
- 9.12 I support the changes recommended in the s42A Report in respect of the gas pipeline where references to the gas pipeline are deleted as a standard in a number of rules.
- 9.13 The Gas network is managed through easements over properties which it traverses and as such is the more appropriate mechanism for addressing potential issues arising from the location of the pipeline.

Key Issue 19 – Camping grounds, Community facilities, Educational Facilities and visitor accommodation in the Rural Zones

- 9.14 HortNZ made submissions and further submissions on a suite of activities that are addressed in Key Issue 19:
- (a) Camping grounds
  - (b) Community facilities

- (c) Educational facilities
- (d) Visitor accommodation.

9.15 In my opinion providing for these activities needs to be clearly linked to the functional or operational need to locate in the rural area as discussed in Key Issue 3. Such an approach is consistent with the National Planning Standards Zone Framework which I have based my framework on in Section 5 of this evidence.

#### *Camping grounds*

- 9.16 HortNZ opposed submissions by the NZ Motor Caravan Association and sought that camping grounds be retained as a discretionary activity as it is likely that camping grounds in the rural areas could conflict with primary production activities.
- 9.17 The s42A Report is recommending that camping grounds be amended to Restricted Discretionary – RPROZ-R16 and GRUZ- R16.
- 9.18 The s42A Report is also recommending that camping grounds be included as a sensitive activity, indicating that they are sensitive to the effects of noise, dust, spray residue, odour or visual effects of nearby activities.
- 9.19 I support the inclusion of camping grounds in the definition of sensitive activities.
- 9.20 However I do not support the recommendation to amend the activity status to RDIS.
- 9.21 There are Assessment matters in the Plan (GRUZ-AM11 and RPROZ-AM12) which would be specifically considered as part of a discretionary consent application.
- 9.22 However the way that the plan is structured those matters would not be considered as part of a restricted discretionary consent application.
- 9.23 The s42A Report refers to the assessment matters in 3.3.20 but the recommendation on activity status does not include compliance with those assessment matters.
- 9.24 While the listed standards in GRUZ-R16 and RPROZ-R16 may be relevant, I consider consideration of the assessment matters and alignment with the objectives and policies in the plan are more important where an activity may create reverse sensitivity effects.
- 9.25 The objectives and policies do not anticipate the establishment of camping grounds in the rural zones as they are a sensitive activity

(GRUZ-O4 and P5 and RPROZ-O6 and P5) and also a commercial activity (RPROZ-P9 and GRUZ-P9)

- 9.26 The s42A Report is recommending that Rural Industry – an activity that has a functional or operational need to locate in the rural area - be a Discretionary activity.
- 9.27 In my opinion, it is inconsistent to provide a lesser activity status for an activity that does not require a rural location as compared to an activity such as rural industry.
- 9.28 Therefore I do not agree with the s42A Report recommendation to amend the activity status for camping grounds to restricted discretionary and seek that it be retained as Discretionary.

*Community facilities*

- 9.29 The Plan proposed that community facilities be permitted in GRUZ-R10 and RPROZ-R10.
- 9.30 HortNZ sought that community facilities be changed from restricted discretionary to discretionary so that they could be assessed against the policy framework and assessment matters GRUZ-AM8 and RPROZ-AM9.
- 9.31 Only if the community facility exceeds 100m<sup>2</sup> would the activity become discretionary and the assessment matters applied. Otherwise, only compliance with the stated standards is needed and an assessment against the objectives and policies and assessment matters not required, including whether there is a functional or operational need to locate in the rural area.
- 9.32 I agree that there may be situations to establish community facilities in the rural area to support rural communities. In such cases there would be a clear functional or operational need to locate in the rural area.
- 9.33 Marae would be a community facility and are listed as a sensitive activity.
- 9.34 However, I am aware of community facilities establishing in rural areas and leading to significant reverse sensitivity effects on primary production activities. While the permitted activity standard is 100m<sup>2</sup> it does not include outdoor spaces for recreation or sports activities where people would be outside and in proximity to primary production activities. Such facilities did not have a functional or operational need to locate within the rural area.

- 9.35 My opinion on this is similar to that for camping grounds – an activity needs to be able to demonstrate that they meet the objectives and policies of the plan and also the relevant assessment matters.
- 9.36 In addition an activity that may have no functional or operational need to locate in the rural area should not be accorded a lesser activity status than activities, such as rural industries, which have a legitimate need to locate in the rural area.
- 9.37 If the plan had a standard relating to functional or operational need to locate in the rural area and compliance was required with that standard, it may be possible to provide for community activities without a full discretionary consent assessment.
- 9.38 However, the plan does not have such a standard and the s42A Report rejects the submissions to add the assessment matters to the matters to which discretion is restricted in the rules for community facilities.
- 9.39 Therefore I cannot support the s42A Report recommendation to retain community facilities as a permitted activity with a default to restricted discretionary and seek that it be amended to discretionary.

#### *Educational facilities*

- 9.40 HortNZ made submissions on the provisions of educational facilities and the matters canvassed are similar to community facilities.
- 9.41 Educational facilities are provided for in GRUZ-R11 and RPROZ-R11 as a permitted activity with a limit of 100m<sup>2</sup> and a default status of restricted discretionary.
- 9.42 There are assessment criteria in GRUZ-AM8 and RPROZ-AM9 but these would only apply if an activity is discretionary – if the floor area is exceeded or setbacks not met.
- 9.43 HortNZ sought that the activity be discretionary and that the assessment matters apply.
- 9.44 The s42A Report is recommending that the submissions be rejected.
- 9.45 In addition the s42A Report is recommending that the floor area be increased to 200m<sup>2</sup>, as sought by the Ministry of Education.
- 9.46 HortNZ opposed the submission of the Ministry of Education as it would not provide for an adequate assessment of effects of larger facilities.
- 9.47 There does not appear to be any clear justification for the increase to 200m<sup>2</sup>. In addition the area does not include outdoor areas that a facility may have and use, including playgrounds and sports fields.

- 9.48 Educational facilities includes child care facilities so it could be reasonably anticipated that a child care facility could establish in the rural area without any requirement to consider reverse sensitivity or the need to locate in the area.
- 9.49 The issues with educational facilities are similar to community facilities. There are situations where there is a functional or operational need for an educational facility to locate within the rural area.
- 9.50 Recommended policy GRUZ-P2 and RPROZ-P2 both provide a framework for non-primary production activities that have a functional or operational need for a rural location and how they will be managed.
- 9.51 But in the present rule framework there is no mechanism to assess that need.
- 9.52 Therefore I do not support the recommended changes to GRUZ-R11 and RPROZ-R11 and seek that the activity status be amended to discretionary.

*Visitor accommodation*

- 9.53 HortNZ made submissions on GRUZ-R8 and RPROZ-R8 which both provide for visitor accommodation.
- 9.54 The rules provide for visitor accommodation where the length of stay for any one guest must be no greater than 3 months in any 12 months period.
- 9.55 HortNZ sought that this clause be deleted and replaced with a limitation of no more than 4 guests at one time.
- 9.56 The s42A Report is recommending that the submissions be rejected and the rule retained as notified.
- 9.57 The writer considers that the limitation of 3 months is necessary to ensure the temporary nature of the activity, rather than being akin to a residential activity.
- 9.58 I concur that visitor accommodation should not be used as a proxy for residential activity, but consider that a length of 3 months is a considerable length of time for a paying temporary guest.
- 9.59 While not entirely applicable to visitor accommodation the plan has a definition of temporary event which describes it as: 'A short term or intermittent use of any land, buildings and structures for an activity'.
- 9.60 In my opinion, 3 months is not 'short-term' and is more suggestive of a longer term residency than temporary.



- 9.61 The definition of visitor accommodation is:
- Means land and/or buildings used for accommodating visitors, subject to a tariff being paid, and includes any ancillary activities.*
- 9.62 This definition limits the use of the facility.
- 9.63 I support the submission of HortNZ to seek a limit on the number of visitors that can be accommodated at any one point in time as a permitted activity.
- 9.64 Such a condition means that the scale of the activity is restricted.
- 9.65 The s42A Report does not consider that the restriction on number is necessary to limit the scale of the activity because it would be limited by the 100m<sup>2</sup> floor area in S1.
- 9.66 Visitor accommodation is a commercial activity which Policies GRUZ-P9 and RPROZ-P9 seek to avoid where they are unrelated to the primary productive use of the zone and are incompatible with the character and amenity of the rural area.
- 9.67 As a permitted activity which defaults to RDIS with limited matters of discretion there is no ability to assess the appropriateness of the facility in terms of meeting the policy or compliance with RPROZ-AM8 and GRUZ-AM7 for visitor accommodation.
- 9.68 Therefore I consider that providing for visitor accommodation without such an assessment should be confined to ensure that the scale is small and potential for adverse effects such as reverse sensitivity limited.
- 9.69 The following changes are sought to GRUZ-R8 and RPROZ-R8 for visitor accommodation:
- (a) Amend 1 ) i) to length of stay for any one guest must be no greater than 1 month in any 12 month period
  - (b) Add a new clause 1 a) ii) there must be no more than 4 guests at any one point in time
  - (c) Amend 2) to DIS and include reference to RPROZ-AM8 and GRUZ-AM7

Key Issue 20 - Emergency Services and Firefighting Water supply in the Rural Zones.

- 9.70 HortNZ made a number of submissions and further submissions on the provisions for firefighting water supply in rural zones. Many of the further submissions opposed submission by Fire and Emergency NZ (FENZ) who have sought a range of provisions in the plan.

- 9.71 The s42A Report is recommending changes to the Plan to encompass many of the changes sought by FENZ and recommends that submissions by HortNZ be rejected.
- 9.72 I do support a limitation of any firefighting water requirements to buildings where there is a habitable room, as opposed to all development as sought by FENZ.
- 9.73 However I do not support the recommended GRUZ-S15 and RPROZ-S17 as the standard would require 45,000 litres of water even if a sprinkler system is installed where a lesser quantity of water is required in the Firefighting Water Supplies Code of Practice.
- 9.74 Therefore the standard should include a lesser amount to recognise where sprinklers are installed in a building.
- 9.75 The Firefighting Water Supplies Code of Practice has a table that sets out requirements and I consider that reference to the Code is preferable, rather than interpreting and prescribing the standards in the Code into the Plan.
- 9.76 Therefore I support reference to SNA PAS 4509:2008 NZ Fire Service Firefighting Water Supplies Code of Practice in GRUZ-S15 and RPROZ-S17 rather than listing some requirements from the Code in the Plan.

## **10. CONCLUSION**

- 10.1 This evidence addresses submission and further submission points related to the rural zones – the General Rural Zone and the Rural Production Zone.
- 10.2 The approach taken in addressing these submissions in Hearing is consistent with the policy framework that I set out in Section 5 of this evidence which implements the zone framework in the National Planning Standards for the General Rural Zone and the Rural Production Zone.
- 10.3 The rural area of Central Hawkes Bay contains significant areas of highly productive land and retaining use of that land for primary production is a critical issue for the Plan to address.
- 10.4 I support a policy framework that will assist to achieving that objective and enabling primary production activities to occur in the district.
- 10.5 This approach is consistent with the strategic direction in the plan to provide for primary production activities which enable the economic social and cultural wellbeing of the community and will give effect to

s5 of the RMA to provide for sustainable management of natural and physical resources.

**Lynette Wharfe**

**31 May 2022**

## Appendix 1: Experience of Lynette Wharfe

Some of the projects I have been involved in that I consider are particularly relevant in this context are:

- a) Project Manager and facilitator for a Sustainable Management Fund (“**SMF**”) Project ‘Reducing nitrate leaching to groundwater from winter vegetable crops’, to develop management tools for vegetable growers to implement best practice for fertiliser applications, to assist in changing fertiliser usage.
- (b) Managed an SMF project for NZ Agrichemical Education Trust communicating the revised NZS 8409:2004 Management of Agrichemicals to local authorities throughout NZ, including development and leading workshops with councils.
- (c) Revised the Manual for the Introductory GROWSAFE® Course for the NZ Agrichemical Education Trust, to make the Manual more user friendly and accessible and to align it with the Hazardous Substances and New Organisms legislation. (
- (d) Managing the research component for SFF project – SAMSN – developing a framework for the development of Sustainable Management Systems for agriculture and horticulture.
- (e) Project Manager MAF Operational Research Project Effectiveness of Codes of Practice investigating the use of codes of practice in the agriculture and horticulture sectors.
- (f) Undertook a review of Current Industry and Regional Programmes aimed at reducing pesticide risk, including assessing a number of Codes of Practice.
- (g) Contributed as a project team member for a Sustainable Farming Fund project ‘Environmental best practice in agricultural and rural aviation’ that included developing a Guidance Note on agricultural aviation, which is now on the Quality Planning website.
- (h) Undertook a review of agrichemical provisions in the Auckland Regional Air Land and Water Plan and developed a risk-based response for inclusion in the Proposed Auckland Unitary Plan.
- (i) Member of the Rural Advisory Group for the development of the National Planning Standards.

**Appendix 2: Table of HortNZ submission and further submission points**

**Central Hawkes Bay District Plan – Hearing provisions – by Hearing topic**

Hearing 3– Rural

S42A Report Vol 1 -4 Key Issues - 1-20

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
S81.004	<b>Definition Accessory building</b>	Retain definition of accessory building but clarify relationship with ‘ancillary buildings and structures (primary production)’.	1	1	A		Agree with s42A Report recommendation
S81.006	<b>Definition Ancillary buildings and structures (primary production)</b>	Retain definition.	1	1	A		Agree with s42A Report recommendation
S81.009	<b>Definition Audible bird scaring device</b>	Retain definition.	1	1	A		Agree with s42A Report recommendation
S81.011	<b>Definition Crop support structures</b>	Retain definition.	1	1	A		Agree with s42A Report recommendation
S81.013	<b>Definition Frost fan</b>	Retain definition.	1	1	A		Agree with s42A Report recommendation
S81.014	<b>Definition Greenhouse</b>	Retain definition.	1	1	A		Agree with s42A Report recommendation
S81.024	<b>Definition Primary production</b>	Retain definition.	1	1	A		Agree with s42A Report recommendation
S81.025	<b>Definition Reverse sensitivity</b>	Retain definition.	1	1	A		Agree with s42A Report recommendation
S81.028	<b>Definition Sensitive activity</b>	Amend to include a broader range of sensitive activities: activities which are sensitive to noise, dust, the use and storage of	1	1	A/P	6.7	Agree with s42A Report recommendation

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
		hazardous substances, spray residue, odour or visual effects of nearby activities. Includes residential activities, marae, urupā, visitor accommodation, <u>camping grounds</u> , rest homes, retirement villages, day care facilities, educational facilities, <u>community facilities, health care facilities</u> and hospitals. AND include a separate definition specifically in relation to the national grid: <u>Sensitivity activity (national grid) includes schools, residential buildings and hospitals</u>					
FS17.10	Definition Sensitive Activity	O/P S/P Transpower 79.013	1	1	A/P	6.7	Agree with s42A Report recommendation
FS17.147	Definition Sensitive Activity	Support NZ Pork Industry Bd 42.008 to include camping grounds, community facilities, commercial activities and healthcare facilities	1	1	A/P	6.7	Agree with s42A Report recommendation
S81.029	<b>Definition Shelterbelt</b>	Amend to delete the height threshold: a continuous line of trees or a hedge <del>that exceeds 2m in height</del> along all or part of a property boundary which has been planted for shelter purposes.	1	1	A		Agree with s42A Report recommendation
S81.030	<b>Definition Special audible characteristics</b>	Include the definition of special audible characteristics from the National Planning Standard in the Plan.	1	1	R		Agree with s42A Report recommendation
S81.032	<b>Definition New definition – land-based primary production</b>	Include a definition for ‘land-based primary production’. <u>A subset of primary production, excluding aquaculture.</u>	1	1	A		Agree with s42A Report recommendation

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
		OR amend all references to 'land based primary production' throughout the plan.					
S81.033	<b>Definition New definition – highly productive land</b>	Clarify the spatial scope referred to as 'highly productive land' by providing a definition, which should include LUC 1,2 and 3.	1	1	R	6.11	<i>Highly productive land includes Land Use Capability Class 1-3 soils and Class 7 soils that have a high value for viticultural production.</i>
S81.001	<b>Strategic Directions RLR</b>	General sub pt.	1	2	A/P		Agree with s42A Report recommendation
S81.034	<b>Strategic Directions Explanation to RLR-I1</b>	Expand the numbered list in the explanation (to how land fragmentation can result in loss of versatility/productive capacity) by adding a point about reverse sensitivity: <u>5. Reverse sensitivity can lead to constraints on established rural production operations</u>	1	2	A/P	6.20.	Amend RLR-I1 as follows: <del>New</del> <i>sensitive Activities establishing on rural land, with the potential to compromise or constrain the operation of existing lawfully established primary production activities in the vicinity.</i>
S81.035	<b>Strategic Directions Objective RLR-O1</b>	Retain.	1	2	A		Agree with s42A Report recommendation
S81.036	<b>Strategic Directions Objective RLR-O2</b>	Retain.	1	2	A/P		Agree with s42A Report recommendation
S81.037	<b>Strategic Directions Objective RLR-O3</b>	Retain objective.	1	2	A	.	Agree with s42A Report recommendation
S81.038	<b>Strategic Directions</b>	Retain.	1	2	A		Agree with s42A Report recommendation



Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
	<b>Objective RLR-O4</b>						
S81.039	<b>Strategic Directions Policy RLR-P1</b>	Retain.	1	2	A		Agree with s42A Report recommendation
S81.040	<b>Strategic Directions Policy RLR-P2</b>	Retain policy. (Subject to retention of UFD-O2 addressing the complementary need to retain and protect highly productive from (planned) urban development – otherwise we seek amendment to include reference to planned development in here as well).	1	2	A/P		Agree with s42A Report recommendation
S81.041	<b>Strategic Directions Policy RLR-P3</b>	To limit the amount of further fragmentation of the District's rural land resource through <del>limiting</del> <u>restricting</u> lifestyle subdivision, particularly in the Rural Production Zone.	1	2	R	6.26	Amend RLR-P3 as follows:  <i>To limit further fragmentation of the District's rural land resource through <del>limiting</del> <u>restricting</u> 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.</i>
S81.042	<b>Strategic Directions Policy RLR-P4</b>	Amend Policy RLR P4 as follows: <del>To provide for a wide range of activities to establish, which complement the resources of the rural area, provided that they do not compromise the primary production role and associated amenity of the rural land resource, particularly in the Rural Production Zone.</del> <u>To manage non-primary production activities that have an operational or</u>	1	2	A/P	6.33	Amend RLR-P4 as follows: <del>To provide for a wide range of non-primary production activities to establish in the rural area:</del> 1. <del>which complement the resources of the rural area;</del> 2. <del>provided that they do not unduly</del> <u>compromise</u> primary production and associated rural character and amenity,

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
		<u>functional need to locate in a rural location, provided they do not compromise primary production and the associated rural character</u>					<i>particularly in the Rural Production Zone.</i> 3. <i>while recognising that some non-primary production activities have an operational or functional need to locate in a rural area</i>
FS17.16	Strategic Directions Policy RLR-P4	S/P – Transpower 79.016, amend as sought by HortNZ.	1	2	A/P		As above
FS17.17	Strategic Directions Policy RLR-P4	O – James Bridge 105.004 focus on all rural land (not just HPL)	1	2	A		As above
S81.043	<b>Strategic Directions Policy RLR-P5</b>	Retain policy.	1	2	A		Agree with s42A Report recommendation
S81.044	<b>Strategic Directions RLR – Principal Reasons</b>	The Plan aims to prevent large number of small holdings <i>for non-primary productive purposes</i> in the rural environment.	1	2	R		Agree with s42A Report recommendation
S81.045	<b>Strategic Directions RLR- AER4</b>	Amend RLR-AER4: <del><i>A diversity of activity in the rural area</i></del> <i>Activities in the rural area are primary production and related activities.</i>	1	2	A/P		Agree with s42A Report recommendation
S81.111	<b>GRUZ-P7</b>	Amend, as follows: 1. <u><i>Or,</i></u> <u><i>Does not have a functional or operational need for a rural location</i></u>	1	3	A/P		Agree with s42A Report recommendation
S81.134	<b>GRUZ -AM8</b>	Add to GRUZ-AM8: <u><i>The functional or operational need to locate in the Rural Production Zone.</i></u>	1	3	A/P		Agree with s42A Report recommendation
FS17.116	GRUZ -AM8	O/P – Ministry of Education 73.035, Accept HortNZ submission to amend	1	3	A/P		Agree with s42A Report recommendation

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
		GRUZ-AM8 in the General Rural Zone.					
S81.152	<b>RPROZ-P7</b>	To ensure non-rural activities do not locate in the Rural Productive Zone where the activity: <u>Has no functional or operational need for a rural location and will be...</u>	1	3	A	6.44	Amend RPROZ-P7 as follows:  <i>To ensure activities do not locate in the Rural Productive Zone where the activity:</i> 1. <i>has no functional or operational need for a rural location;</i> 2. <i>will be inconsistent with the primary productive purpose and predominant character of the Rural Productive Zone;</i> 3. <i>will constrain the establishment and use of land for primary production;</i> 4. <i>exhibits no exceptional or unusual features that would differentiate it from possible later applications, which in combination would lead to incremental creep of urban activities and/or sporadic urban activities onto the highly productive land of the District; and/or</i> 5. <i>will result in reverse sensitivity and/or lead to land use conflict.</i>
S81.178	<b>RPROZ-AM9</b>	Add to RPROZ-AM9: <u>The functional or operational need to locate in the Rural Production Zone.</u>	1	3	A		Agree with s42A Report recommendation

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
S81.140	<b>RPROZ-01</b>	Retain objective.	2	4	A/P		Agree with s42A Report recommendation
S81.141	<b>RPROZ-02</b>	Retain objective.	2	4	A		Agree with s42A Report recommendation
S81.142	<b>RPROZ-03</b>	Retain objective.	2	4	A		Agree with s42A Report recommendation
S81.143	<b>RPROZ-04</b>	Amend as follows: ‘The predominant character of the Rural Production Zone is maintained, which includes: 4. <u>Overall</u> low-density built form, with open space and few structures; 5. a predominance of rural <del>and land-based</del> primary production activities and associated buildings such as barns and sheds, <u>post harvest facilities, seasonal worker accommodation</u> and artificial crop protection structures and crop support structures, <u>which may vary across the district and seasonally</u> ; 6. sounds, <del>and</del> smells <u>and traffic</u> associated with <del>legitimate</del> primary production activities <u>and anticipated from a working rural environment</u> ;	2	4	A/P		Agree with s42A Report recommendation
S81.144	<b>RPROZ-05</b>	Amend RPROZ-05 as follows: <del>Adverse effects of activities are managed to maintain rural character and amenity.</del>	2	4	R	7.3	Amend RPROZ-05 as follows:  <i>Activities are managed to ensure that adverse effects do not</i>

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
		<u>Non- primary production related activities are managed to ensure that adverse effects do not compromise rural character and amenity or create reverse sensitivity effects.</u>					<i>compromise rural character and amenity.</i>
S81.145	<b>RPROZ-O6</b>	Retain objective.	2	4	A		Agree with s42A Report recommendation
S81.146	<b>RPROZ-P1</b>	Amend RPROZ-P1 as follows: <del>To allow land-based</del> <i>Enable</i> primary production and ancillary activities, <i>recognising the which are compatible</i> with the primary productive purpose and predominant character and amenity of the Rural Production Zone.	2	4	A/P		Agree with s42A Report recommendation
S81.147	<b>RPROZ-P2</b>	Replace RPROZ-P2 with: <i>'Provide for non- primary production activities that have a functional need or operational need for a rural location that are managed to ensure that:</i> i) <i>Their scale, intensity and built form are in keeping with rural character</i> ii) <i>They maintain a level of amenity in keeping with the rural character of the rural environment</i> iii) <i>They minimise reverse sensitivity effects on existing rural production activities, intensive farming, mineral extraction or rural industrial activities.</i> <i>Adverse effects are avoided remedied or mitigated'</i>	2	4	A/P	.	Agree with s42A Report recommendation

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
FS17.128	RPROZ-P2	O – Transpower 79.112, changes sought by the submitter would enable activities which could have adverse effects on primary production in the rural zone	2	4	A		Agree with s42A Report recommendation
FS17.127	RPROZ-P2	S/P – Egg Producers, 27.012 provide clarity (and amend as sought by HortNZ)	2	4	A/P		Agree with s42A Report recommendation
S81.149	<b>RPROZ-P4</b>	Amend RPROZ-P4 as follows: 'To manage the bulk, scale and location of buildings to maintain the character and amenity of the rural areas, <u>whilst recognising that it is a rural working environment.</u> '	2	4	A		Agree with s42A Report recommendation
S81.153	<b>RPROZ-P8</b>	Retain RPROZ-P8	2	4	A/P		Agree with s42A Report recommendation
FS17.130	RPROZ-P8	S/P – Silver Fern Farms Ltd, 116.036 the addition sought by the submitter provides clarity to the policy	2	4	A/P		Agree with s42A Report recommendation
FS17.131	RPROZ-P8	O – FFNZ 121.214, policy of 'limit' establishes a clear framework to address the identified effects of fragmentation and use of rural land	2	4	A		Agree with s42A Report recommendation
S81.154	<b>RPROZ-P9</b>	Retain RPROZ-P9	2	4	A		Agree with s42A Report recommendation
S81.105	<b>GRUZ – O2</b>	Amend as follows: 'The predominant character of the Rural Production Zone is maintained, which includes: 1. <u>Overall</u> low-density built form, with open space and few structures;	2	5	A/P	7.11	Agree with s42A Report recommendation  Except delete 'rural and land based' from clause 2.

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
		<p>2. a predominance of rural <del>and land-based</del> primary production activities and associated buildings such as barns and sheds, <u>post harvest facilities, seasonal worker accommodation and artificial crop protection structures and crop support structures, which may vary across the district and seasonally;</u></p> <p>3. sounds, <del>and</del> smells <u>and traffic</u> associated with legitimate primary production activities <u>and anticipated from a working rural environment;</u></p>					
S17.84	<b>GRUZ-O3</b>	Support Federated Farmers 121.176	2	5	R	7.13	Amend GRUZ-O3 as follows: <del>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.</del>
S81.106	<b>GRUZ-O4</b>	Retain	2	5	A		Agree with s42A Report recommendation
S81.107	<b>GRUZ-P1</b>	Amend RPROZ-P1 as follows: <del>To allow land-based</del> <u>Enable</u> primary production and ancillary activities, <u>recognising the which are compatible with the primary productive purpose</u>	2	5	A		Agree with s42A Report recommendation

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
		and predominant character and amenity of the General Rural Zone.					
FS17.89	<b>GRUZ-P2</b>	S – Egg Producers Federation of NZ (27.022) changes sought clarify nature of other activities that may located in the rural environment	2	5	A/P		Agree with s42A Report recommendation
FS17.90	GRUZ-P2	O – Transpower NZ (79.096) - changes sought by the submitter would enable activities which could have adverse effects on primary production in the rural zone. The focus should be on activities which have a functional or operational need to locate in the rural zone	2	5	A/P		Agree with s42A Report recommendation
FS17.91	<b>GRUZ-P8</b>	O – FFNZ 121.185. Policy of 'limit' established clear f/work	2	5	A	7.15	Amend GRUZ-P8 as follows  <i>To limit residential and rural lifestyle subdivision that results in fragmentation of the rural and and/or <del>limits</del> restricts the use of rural land for productive purposes.</i>
FS17.77	<b>General Zones</b>	O Surveying the Bay Ltd 128.002	2	6	R		Agree with s42A Report recommendation
S81.155	<b>RPROZ-R1 Residential activities</b>	Assessment matter RPROZ-AM6 relates to residential activities and should be listed in RPROZ-R1 2a)	2	6	R	7.18-22	List reference to relevant assessment matters when part of a discretionary activity
S81.160	<b>RPROZ-R7 Home businesses</b>	Assessment matter RPROZ-AM8 relates to home businesses and should be listed in RPROZ-R7 2a)	2	6	R		As above
S81.167	<b>RPROZ-S1 Activity Threshold</b>	Delete Restaurants	2	6	R	7.29- 7.36	Delete RPROZ-S1 (5) 6) and 7) relating to restaurants.



Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
S81.171	<b>RPROZ-S5 Setback from Roads and Rail Network</b>	For consistency/greater clarity, amend RPROZ-S5: <del>Accessory Buildings</del> <u>Ancillary buildings and structures</u> associated with primary production:	2	6	A/P		Agree with s42A Report recommendation
S81.172 Pt	<b>RPROZ-S6 Setbacks from neighbours</b>	For consistency/greater clarity, amend RPROZ-S5: <del>Accessory Buildings</del> <u>Ancillary buildings and structures</u> associated with primary production:  Amend to increase the setback for residential activities: <u>Residential Activities</u> <u>Minimum setback of buildings for an activity from internal boundaries is 30m. Domestic water storage tanks up to 2m in height are exempt from this standard</u>  Amend to include a setback specific to artificial crop protection structures: <u>Artificial crop protection structures</u> <u>Minimum setback from internal boundaries of 1m</u>	2	6	A/P	7.37 – 7.55	Amend RPROZ-S6 by adding a new line Residential activities Minimum setback from side and rear boundary is 30m  Amend recommended change for sites created before 28 May 2021 and greater than 4000m2 net site area to: sites created before 28 May 2021 and <del>greater</del> <u>less</u> than 4000m2 net site area
FS17.146	RPROZ-S6 Setbacks from neighbours	O – The Surveying Company, 50.016 There needs to be greater setbacks for residential buildings from internal boundaries to enable reverse sensitivity effects to be managed	2	6	A		As above
S81.175, 176, 179, 180,	<b>RPROZ-AM1, AM6, AM8, AM9, AM12, AM14.</b>	Retain reference to reverse sensitivity (and the need to assess this) in the assessment matters	2	6	A		Agree with s42A Report recommendation

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
FS17.155	<b>RPROZ-Principal Reasons</b>	S – NZ Pork 42.086	2	6	A		Agree with s42A Report recommendation
S81.112	<b>GRUZ-R1 Residential activities</b>	Add to 2(a): <u>GRUZ-AM5</u>	2	7	R		Agree with s42A Report recommendation
S81.123	<b>GRUZ-S1 Activity thresholds</b>	Delete Restaurants	2	7	R	7.59	Delete GRUZ-S1 (5) 6) and 7) relating to restaurants
S81.126	<b>GRUZ-S4 Setback from Roads and Rail Network</b>	For consistency/greater clarity, amend GRUZ-S4: <del>Accessory Buildings</del> <i>Ancillary buildings and structures</i> associated with primary production:	2	7	A		Agree with s42A Report recommendation
S81.127 Pt	<b>GRUZ-S5 Setbacks from neighbours</b>	For consistency/greater clarity, amend GRUZ-S6: <del>Accessory Buildings</del> <i>Ancillary buildings and structures</i> associated with primary production: Amend to include a setback specific to artificial crop protection structures: <i>Artificial crop protection structures</i> <i>Minimum setback from internal boundaries of 1m</i>	2	7	A	7.63	Amend recommended change for sites created before 28 May 2021 and greater than 4000m2 net site area to: Sites created before 28 May 2021 and <del>greater</del> less than 4000m2 net site area
FS17.108	GRUZ-S5 Setbacks from neighbours	O - The Surveying Company (HB) Ltd; 50.014 needs to be greater setbacks for residential buildings from internal boundaries	2	7	A		Agree with s42A Report recommendation to reject submission
FS17.109	GRUZ-S5 Setbacks from neighbours	O/P – James Bridge, 105.023 Support the intent of the submitter, provided sufficient setbacks remain from primary production sites	2	7	A/P		Agree with s42A Report recommendation to reject submission
S81.131, 132, 135, 136	<b>GRUZ-AM1, AM5, AM7, AM8, AM11, AM13</b>	Retain reference to reverse sensitivity (and the need to assess this) in the assessment matters	2	7	A		Agree with s42A Report recommendation

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
S81.003	<b>RLZ</b>	- Retain the 'RLZ - Rural Lifestyle Zone', subject to submissions on specific provisions in this chapter	2	8	A/P		Agree with s42A Report recommendation except for change below
S81.138	<b>RLZ-S5 Setbacks from Neighbours</b>	Amend: Minimum setback of buildings for an activity from internal boundaries, <u>or boundary with the General Rural or Rural Productive Zone</u> is 15m. Domestic water storage tanks up to 2m in height are exempt from this standard	2	8	A	7.67-7.80	Agree with s42A Report recommendation to amend RLZ-S5 (1)  Amend RLZ-S5 (3): Minimum setback of buildings for residential activity from side and rear boundaries is 5m, <u>except where located on a boundary with the General Rural Zone or Rural Production Zone where 15m will apply.</u>
S81.110	<b>GRUZ-P6</b>	Amend GRUZ-P6 as follows: <u>Manage location of trees so that adjoining public roads and properties are not adversely affected by shading.</u>	2	9	A/P	7.81-7.102	Amend GRUZ-P6 as follows: <u>Manage location of trees so that adjoining public roads and properties are not adversely affected by shading.</u>
S81.128	<b>GRUZ-S6 Shading of Land and Roads</b>	Retain operative provision	2	9	R	7.81-7.102	Amend GRUZ-S6 by deleting clause 1b)
FS17.110	GRUZ-S6 Shading of Land and Roads	S- NZ Pork, 42.056 support the deletion of S6 as an alternative	2	9	R	7.81-7.102	As above
FS17.115	<b>GRUZ-AM2</b>	S – NZ Pork, 42.058 because matters go beyond shading of land and roads	2	9	R	7.81-7.102	Amend GRUZ-AM2 by deleting clause 1a).
S81.151	<b>RPROZ-P6</b>	Amend RPROZ-P6 as follows: <u>Manage location of trees so that adjoining public roads and properties are not adversely affected by shading.</u>	2	9	A/P	7.81-7.102	Amend RPROZ-P6 as follows: <u>Manage location of trees so that adjoining public roads and properties are not adversely affected by shading.</u>

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
S81.173	<b>RPROZ-S7 Shading of Land and Roads</b>	Retain operative provision	2	9	R	7.81-7.102	Amend RPROZ-S6 by deleting clause 1b)
FS17.147	RPROZ-S7 Shading of Land and Roads	S – NZ Pork 42.080 support the deletion of S7 as an alternative	2	9	R	7.81-7.102	As above
FS17.148	RPROZ-S7 Shading of Land and Roads	S – FFNZ, 121.225 support the deletion of S7 as an alternative	2	9	R		As above
FS17.154	<b>RPROZ-AM2</b>	S – NZ Pork, 42.082 The matters go beyond shading of land and roads	2	9	R	7.81-7.102	Amend RPROZ-AM2 by deleting clause 1a)
S81.099	<b>NOISE-S5 (7)</b>	Include 'Stock' in the exemption in NOISE-S5 (7)	2	10	R		Agree with s42A Report recommendation
S81.103	<b>NOISE-S5 (27- 29)</b>	Amend NOISE-S5 (27) and (29) so Rural Lifestyle is measured at the notional boundary as for General Rural and Rural Production Zones. Amend NOISE-S5 (29) to delete 50dBA LAE and include a measure of 65dB ASEL.	2	10	A/P	7.105 – 7.113	Amend S(5) 29 as follows: <i>Where audible sound is used over a short of variable time duration no event from an avian <u>distress alarm shall exceed 50dBA LAE or 65dBA SEL from a percussive audible bird scaring device when assessed at the notional boundary of any other site in the General Rural, Rural Production Zone or Rural Lifestyle Zone or within the site boundary of any site in the General Residential or Settlement Zones</u></i>
S81.104	<b>NOISE-S5 (30)</b>	Amend NOISE-S5 (30) so Rural Lifestyle is measured at the notional boundary as for General Rural and Rural Production Zones. Amend 55 dB LAeq 10mins. To 65dB LAeq 15mins.	2	10	A/P	7.114	Amend NOISE S5 (30) to 55dB LAeq (15 mins)

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
S81.081	<b>SUB-R5</b>	Delete (1)(ii) <del>A site is only eligible to be subdivided to create a lifestyle site once every 3 years, and at least 3 years has elapsed from the date the subject title was created</del> AND, For the RPROZ zone, amend the activity status to RDIS, rather than Controlled (defaulting to DIS).	2	11	R	7.121-7.137.	Amend SUB-R5 (5) for the RPROZ to RDIS, rather than Controlled, defaulting to DIS.
S17.60	<b>SUB-S1</b>	O – Regeneration Holdings Ltd (124.001) – support intent, but concerned 10000m2 (GRUZ) and 4000m2 (RPROZ) may allow fragmentation and RS	2	11	A		As above
S81.082	<b>SUB-S4</b>	Retain (subject to amendments sought in zone setbacks), OR amend to require a 30m setback for a building platform from internal boundary in the RPROZ zone.	2	11	A		As above
S81.083	<b>SUB-AM11</b>	Retain	2	11	A/P		Agree with s42A Report recommendation
S81.084	<b>SUB-AM12</b>	Retain.	2	11	A/P		Agree with s42A Report recommendation
S81.085	<b>SUB-AM13</b>	Retain, but amend - rural production activity is not a defined term, amend to primary production.	2	11	A/P		Agree with s42A Report recommendation
S81.008	<b>Definition Artificial crop protection structures</b>	Retain definition.	3	12	A		Agree with s42A Report recommendation
S81.027	<b>Definition Seasonal worker accommodation</b>	Retain definition.	3	12	A		Agree with s42A Report recommendation

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
S81.113	<b>GRUZ-R2 Seasonal worker accommodation</b>	Delete 1(a)(i) A maximum gross floor area of 125m <sup>2</sup> (Or the standard of no less than 24 people). AND include: <i>'Be constructed in accordance with the specific Code of Practice for Seasonal Worker Accommodation'</i> . AND exclude the upgrading of existing facilities from new requirements.	3	12	R	8.24 - 8.44	Amend GRUZ-R2 by: Deleting 1(a) ii) A maximum number of people to be accommodated in site of 24 AND Include a new 1 a) ii) as follows: <i>'Be constructed in accordance with the specific Code of Practice for Seasonal Worker Accommodation'</i> .
S81.114 Pt	<b>GRUZ-R3 Primary production activities (including ancillary buildings and structures, but excluding post-harvest facilities, mining and quarrying)</b>	Amend: ... b. Compliance with GRUZ-S12 ( <del>setback from gas transmission network</del> ) ... AND, for clarity include a specific permitted activity rule for ACPS's (refer to proposed drafting above in section).	3	12	A/P		Agree with s42A Report recommendation
S81.125	<b>GRUZ-S3 Height in Relation to Boundary</b>	Amend: ... <i>This does not apply to artificial crop protection structures.</i>	3	12	A		Agree with s42A Report recommendation
S81.127 Pt	<b>GRUZ-S5 Setbacks from neighbours</b>	For consistency/greater clarity, amend GRUZ-S6: <i>Accessory Buildings Ancillary buildings and structures associated with primary production:</i> Amend to include a setback specific to artificial crop protection structures: <i>Artificial crop protection structures</i>	3	12	A/P	8.15	Agree with s42A Report recommendation in respect of artificial crop protection structures.  Note that GRUZ-S6 should be included in GRUZ-RXX Artificial crop protection structures in 1 b) as a matter of compliance

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
		<u>Minimum setback from internal boundaries of 1m</u>					
S81.156	<b>RPROZ-R2 Seasonal workers accommodation</b>	Delete 1(a)(i) (i) A maximum gross floor area of 125m <sup>2</sup>  Or the standard of no more than 24 people Include: <i>'Be constructed in accordance with the specific Code of Practice for Seasonal Worker Accommodation'</i> AND exclude the upgrading of existing facilities from new requirements.	3	12	R	8.24 - 8.44	Amend RPROZ-R2 by: Deleting 1(a) ii) A maximum number of people to be accommodated in site of 24 AND Include a new 1 a) ii) as follows: <i>'Be constructed in accordance with the specific Code of Practice for Seasonal Worker Accommodation'</i> .
S81.157 Pt	<b>RPROZ-R3 Primary production activities (including ancillary buildings and structures, but excluding post-harvest facilities, mining and quarrying)</b>	Amend: ... b. Compliance with i. RPROZ-S13 (building restrictions near Waipukurau Aerodrome); and ii. RPROZ-S14 (setback from gas transmission network) ... AND, for clarity include a specific permitted activity rule for ACPS's (refer to proposed drafting above in section)	3	12	A/P		Agree with s42A Report recommendation in respect of a specific rule for artificial crop protection structures.
S81.168	<b>RPROZ-S2 Total Building Coverage</b>	Amend: Netting, structures ( <i>including artificial crop protection structures and crop support structures</i> ), and greenhouses where crops are grown under or within these structures directly in the soil of	3	12	A/P	8.17-8.23	Delete from RPROZ-S2: and greenhouses where crops are grown under or within these structures directly in the soil of the site

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
		<del>the site</del> , are excluded from total building coverage calculations.					
S81.170	<b>RPROZ-S4 Height in Relation to Boundary</b>	Amend: ... <i><u>This does not apply to artificial crop protection structures.</u></i>	3	12	A		Agree with s42A Report recommendation
S81.172 Pt	<b>RPROZ-S6 Setbacks from neighbours</b>	For consistency/greater clarity, amend RPROZ-S6: <del>Accessory Buildings</del> <i><u>Ancillary buildings and structures</u></i> associated with primary production:  Amend to increase the setback for residential activities: <i><u>Residential Activities</u></i> <i><u>Minimum setback of buildings for an activity from internal boundaries is 30m. Domestic water storage tanks up to 2m in height are exempt from this standard</u></i>  Amend to include a setback specific to artificial crop protection structures: <i><u>Artificial crop protection structures</u></i> <i><u>Minimum setback from internal boundaries of 1m</u></i>	3	12	A/P	8.15	Agree with s42A Report recommendation in respect to setback for artificial crop protection structures.  Note that RPROZ-S6 should be included in RPROZ-RXX Artificial crop protection structures in 1 b) as a matter of compliance
S81.018	<b>Definition Intensive primary production</b>	Delete definition of Intensive primary production and replace with the definition from the National Planning Standards: <i><u>Intensive indoor primary production means primary production activities that principally occur within buildings and involve growing fungi, or keeping</u></i>	3	13	A		Agree with s42A Report recommendation



Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
		<i>or rearing livestock (excluding calf-rearing for a specified time period) or poultry</i>					
FS17.1	Definition Intensive primary production	O/P – NZ Pork, 42.004 because want to replace definition (rather than just add new ‘intensive indoor primary production’)	3	13	A/P		Agree with s42A Report recommendation
FS17.7	Definition Intensive primary production	O – FFNZ 121.238, HNZ seeks planning standards definition	3	13	A/P		Agree with s42A Report recommendation
FS17.2	<b>Definition Seeking new – ‘Intensive outdoor primary production’</b>	O/P – NZ Pork 42.005, we want to replace definition of intensive primary production, but accept new definition for intensive outdoor primary production.	3	13	A		Agree with s42A Report recommendation
FS17.80	<b>GRUZ – Introduction</b>	S – NZ Pork (42.039), clear focus on primary production in GRUZ	3	13	A		Agree with s42A Report recommendation
FS17.81	<b>GRUZ-I2</b>	S/P – NZ Pork (42.040), clear focus on primary production in GRUZ	3	13	A		Agree with s42A Report recommendation
S81.109	<b>GRUZ-P5</b>	Retain	3	13	A		Agree with s42A Report recommendation
FS17.087	<b>GRUZ – PXXX New policy</b>	S/P – Te Mata Mushrooms; 102.051 ensure recognition of economic benefits of primary production	3	13	R		Agree with s42A Report recommendation
FS17.118	<b>RPROZ - Introduction</b>	S – NZ Pork 42.065	3	13	A		Agree with s42A Report recommendation
S81.150	<b>RPROZ-P5</b>	Retain RPROZ – P5 but amend references to ‘intensive primary production’ to ‘intensive <u>indoor</u> primary production’	3	13	A/P		Agree with s42A Report recommendation
FS17.129	RPROZ-P5	O – Te Mata Mushrooms, 102.070 policy framework provides sufficient scope to assessed reduced setbacks through a consent process	3	13	A		Agree with s42A Report recommendation

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
FS17.125	<b>RPROZ – PX new policy</b>	S/P - Te Mata Mushrooms, 102.075 Ensure recognition of the economic benefits of primary production	3	13	R		Agree with s42A Report recommendation
S81.121 Pt	<b>GRUZ-R14 Intensive primary production activities (other than commercial boarding and/or breeding of cats, dogs, and other domestic pets)</b>	As sought elsewhere in this submission – replace the definition of Intensive primary production, with the National Planning Standards definition for Intensive Indoor Primary Production. Delete 1c) <del>iii. GRUZ-S12 (setback from gas transmission network)</del> Assessment matter GRUZ-AM9 relates to intensive indoor primary production and should be listed in 2(a)	3	14	R		Agree with s42A Report recommendation
S81.137	<b>GRUZ-AM9</b>	Amend to refer to 'Intensive <i>Indoor</i> Primary Activities ..' – consistent with other change we seek in our submission.	3	14	R		Agree with s42A Report recommendation
S81.165 Pt	<b>RPROZ-R14 Intensive primary production activities (other than commercial boarding and/or breeding of cats, dogs, and other domestic pets)</b>	As sought elsewhere in this submissions – replace the definition of Intensive primary production, with the National Planning Standards definition for Intensive Indoor Primary Production. Delete 1d) <del>iii)</del> <del>iii. RPROZ-S14 (setback from gas transmission network)</del> Assessment matter RPROZ-AM10 relates to intensive indoor primary production and should be listed in RPROZ-R14 2a)	3	14	R		Agree with s42A Report recommendation
S81.023	<b>Definition Post-harvest facilities</b>	Retain definition.	3	15	A/P		Agree with s42A Report recommendation

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
FS17.8	Definition Post-harvest facilities	O/P – Te Mata Mushrooms, 102.008 submitter seeks a definition for rural industrial activity and rural service activities. HortNZ seeks that the National Planning Standards definition for Rural Industry.	3	15	A/P		Agree with s42A Report recommendation
S81.026	<b>Definition Rural industry</b>	Include the definition for rural industry from the National Planning Standard: <i>Rural Industry</i> <i>Means an industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production.</i>	3	15	A		Agree with s42A Report recommendation
FS17.14	<b>Strategic Directions Objective RLR-O2</b>	O/P/ S/P – Te Mata Mushrooms, 102.013 include rural industry in RLR-O2.	3	15	R	8.54-8.91	Provide greater recognition for rural industry through new policies and rules
FS17.18	<b>Strategic Directions RLR-M1</b>	S/P – Te Mata Mushrooms, 102.021 amend to clarify that rural zones may include rural industries or other activities which require a rural location.	3	15	A/P	8.54-8.91	Provide greater recognition for rural industry through new policies and rules
FS17.83	<b>GRUZ-O1</b>	S/P/O/P – Te Mata Mushrooms (102.037) - Ensure that any changes to the objective wording retain a clear focus on providing for primary production activities in the GRUZ.	3	15	A	8.54-8.91	Provide greater recognition for rural industry through new policies and rules
FS17.82	<b>GRUZ-OXX new objective</b>	S/P – Te Mata Mushrooms (102.038) - Provision for any non-primary production activities should relate to the functional or operational need to locate in the GRUZ so that the scope does not widen for inappropriate activities to locate in the rural zone	3	15	A/P	8.54-8.91	Provide greater recognition for rural industry through new policies and rules

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
FS17.88	<b>GRUZ-P1</b>	O – Te Mata Mushrooms (102.041) framework for other activities should be in separate policies – as sought by HortNZ.	3	15	A/P	8.54-8.91	Provide greater recognition for rural industry through new policies and rules
S81.108	<b>GRUZ-P3</b>	Amend rural commercial activities to ' <u>rural industry</u> '	3	15	R	8.54-8.91	Amend GRUZ-P3 by deleting 'rural commercial activities' and replacing with 'rural industry'
FS17.86	<b>GRUZ – PXXX New policy</b>	S/P – Te Mata Mushrooms; 102.050 needs to be recognition of rural industry	3	15	R	8.54-8.91	Provide greater recognition for rural industry through new policies and rules
S81.116 Pt	<b>GRUZ- R6 Post-harvest facilities</b>	Assessment matter GRUZ-AM6 relates to post harvest facilities and should be listed in 2(a) Delete 1c) <del>GRUZ-S12 (setback from gas transmission network)</del>	3	15	R		Agree with s42A Report recommendation
S81.139	<b>RPROZ - Introduction</b>	Retain RPROZ Introduction but amend to refer to rural industry Para 6 – use 'rural industry'" There are a small number <u>of rural industries commercial or industrial activities</u> within the Zone that are of small scale and largely servicing primary production and rural communities.	3	15	A/P	8.54-8.91	Agree with s42A Report recommendation
FS17.120	<b>RPROZ-O1</b>	S/P /O/P – Te Mata 102.060 Mushrooms, should be a separate objective for rural industry	3	15	A/P	8.54-8.91	Provide greater recognition for rural industry through new policies and rules
FS17.121	RPROZ-O1	S/P /O/P – Silver Fern Farms, 11.028 should be a separate objective for rural industry	3	15	A/P	8.54-8.91	Provide greater recognition for rural industry through new policies and rules

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
FS17.119	<b>RPROZ-OX New objective</b>	S/P – Te Mata Mushrooms; 102.063 Ensure that any changes to the objectives have a clear focus on providing for primary production activities in the RPROZ	3	15	A/P	8.54-8.91	Provide greater recognition for rural industry through new policies and rules
FS17.126	<b>RPROZ-P1</b>	O – Te Mata Mushrooms, 102.066 f/work for other activities should be in separate policies	3	15	A/P	8.54-8.91	Provide greater recognition for rural industry through new policies and rules
S81.148	<b>RPROZ-P3</b>	Amend by replacing ‘rural commercial activities’ with ‘ <u>rural industry</u> ’.	3	15	R	8.54-8.91	Amend RPROZ-P3 by deleting ‘rural commercial activities’ and replacing with ‘rural industry’
FS17.124	<b>RPROZ – PX new policy</b>	S/P – Te Mata Mushrooms, 102.074 accept need to recognise rural industry in the policy framework. HortNZ seek this is achieved by amending P3.	3	15	R	8.54-8.91	Provide greater recognition for rural industry through new policies and rules
S81.118 Pt	<b>GRUZ-R9 Commercial activities not otherwise provided for</b>	Rename ‘rural industry’. Assessment matter GRUZ-AM7 relates to commercial activities and should be listed in 2(a) Delete 1d) <del>GRUZ-S12 (setback from gas transmission network)</del>	3	16	R	8.54-8.91	Inclusion of a permitted activity rule for rural industry up to 200m2  Amendment of recommended GRUZ-RXX Rural industry to RDIS from DIS
FS17.106	<b>GRUZ-R19</b>	S/P – Te Mata Mushrooms, 102.058 It should be clear that rural industry is not included in GRUZ-R19.	3	16	A	8.54-8.91	Provide greater recognition for rural industry through new policies and rules
FS17.94	<b>GRUZ RXX New rule</b>	O/P Te Mata Mushrooms 102.059 seeking new rule for rural industrial activities and rural service activities	3	16	A	8.54-8.91	Provide greater recognition for rural industry through new policies and rules
S81.130	<b>GRUZ-AM7 Commercial activities, visitor accommodation, Home businesses</b>	Rename Commercial activities to ‘ <u>Rural industry</u> ’	3	16	R	8.54-8.91	Provide greater recognition for rural industry through new policies and rules

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
S81.133	<b>GRUZ-AM7 Commercial activities, visitor accommodation, Home businesses</b>	Retain reference to reverse sensitivity (and the need to assess this) in the assessment matters GRUZ AM7 (4)	3	16	A		Agree with s42A Report recommendation
S81.159 Pt	<b>RPROZ-R6 Post-harvest facilities</b>	Assessment matter RPROZ-AM7 relates to post harvest facilities and should be listed in RPROZ-R6 2a) Delete 1c) ii) <del>ii. RPROZ S14 (setback from gas transmission network)</del>	3	16	R		Agree with s42A Report recommendation
S81.162 Pt	<b>RPROZ-R9 Commercial activities not otherwise provided for</b>	Rename 'rural industry' Assessment matter RPROZ-AM8 relates to commercial activities and should be listed in RPROZ-R9 2a) Delete 1d) iii) <del>iii. RPROZ S14 (setback from gas transmission network)</del>	3	16	R	8.54-8.91	Inclusion of a permitted activity rule for rural industry up to 200m2  Amendment of recommended RPROZ-RXX Rural industry to RDIS from DIS
FS17.133	<b>RPROZ – RZ New rule</b>	O/P – Te Mata Mushrooms, 102.084 HortNZ also seeks provision in the rules for rural industry but seek that it be provided through changes to RPROZ-R9 rather than a new rule	3	16	A	8.54-8.91	Provide greater recognition for rural industry through new policies and rules
FS17.134	<b>RPROZ – RXX New rule</b>	O/P – Silver Fern Farms, 116.039 HortNZ also seeks provision in the rules for rural industry but seek that it be provided through changes to RPROZ-R9 rather than a new rule	3	16	A	8.54-8.91	Provide greater recognition for rural industry through new policies and rules
S81.177	<b>RPROZ-AM8 Commercial activities, visitor accommodation, Home businesses</b>	Rename Commercial activities to ' <u>Rural industry</u> '	3	16	R	8.54-8.91	Provide greater recognition for rural industry through new policies and rules

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
S81.005	<b>Definition Agricultural aviation movements</b>	Retain definition	3	17	A		Agree with s42A Report recommendation
S81.015	<b>Definition Helicopter landing area</b>	Amend the definition of Helicopter landing area to exclude intermittent use for agricultural aviation movements OR Replace with the definition of helicopter depot as in the Draft Plan: a site regularly used as a base for the operation, servicing, refuelling and storage of helicopters.	3	17	R		Agree with s42A Report recommendation
FS17.5	Definition Helicopter landing area	S/P – NZ Agricultural Aviation Assn, 43.009 amend as sought by HortNZ or use CAA terms.	3	17	R		Agree with s42A Report recommendation
S81.022	<b>Definition Noise sensitive activity</b>	Amend the definition of noise sensitive activity to apply to buildings for the activities: Noise sensitive activity means <u>any buildings used for the following activities</u> : a. Residential activity b. Marae c. Place of worship d. Visitor accommodation e. Educational facilities f. Day care facility g. Health care facility h. Resthome or retirement village	3	17	R		Agree with s42A Report recommendation

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
		But does not include an activity that is not lawfully established					
FS17.9	<b>Definition Rural airstrip</b>	O/P – FFNZ 121.248, it should be clear that a ‘rural airstrip’ is for the intermittent use of aircraft ancillary to primary production activities	3	17	R		Agree with s42A Report recommendation
FS17.69	<b>NOISE-S4</b>	S/P – NZ Agricultural Aviation Assn (43.010) – ensure activities can be undertaken in early morning and late afternoon	3	17	A/P		Agree with s42A Report recommendation
S81.100	<b>NOISE-S5 (11)</b>	Amend NOISE-S5 (11) to provide a total exemption for agricultural aviation movements	3	17	R	8.92-8.123	Amend NOISE s5 (11) to delete the reference to 14 days in any calendar year for agricultural aviation movements
S17.70	NOISE-S5 (11)	S – NZ Agricultural Aviation Assn (43.001) – should not be a limit on agricultural aviation movement	3	17	R	8.92-8.123	As above
S17.71	<b>NOISE-S5 (11) and (12)</b>	FS17 S – FFNZ (121.109) – should not be a limit on agricultural aviation movement	3	17	R	8.92-8.123	As above
S81.101	<b>NOISE-S5 (13)</b>	Amend S5 (13) as follows: and agricultural aviation movements <del>for up to 14 days in any calendar year</del> Amend NOISE-S5 (13) so Rural Lifestyle is measured at the notional boundary as for General Rural and Rural Production Zones.	3	17	A/P	8.92-8.123	Amend NOISE s5 (13) to delete the requirement: For up to 14 days in any calendar year
S17.72	NOISE-S5 (13)	S – NZ Agricultural Aviation Assn (43.003) – should not be a limit on agricultural aviation movement	3	17	R	8.92-8.123	As above



Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
S81.102	<b>NOISE-S5 (16)</b>	Amend S5 (16) as follows: and agricultural aviation movements <del>for up to 14 days in any calendar year.</del> Amend NOISE-S5 (16) so Rural Lifestyle is measured at the notional boundary as for General Rural and Rural Production Zones.	3	17	A/P	8.92-8.123	Amend NOISE s5 (16) to delete the requirement: For up to 14 days in any calendar year
FS17.73	NOISE-S5 (16)	S – NZ Agricultural Aviation Assn (43.004) – should not be a limit on agricultural aviation movement	3	17	R	8.92-8.123	As above
S81.115	<b>GRUZ-R4 Agricultural aviation movements ancillary to primary production activities</b>	Retain	3	17	A	8.92-8.123	Amend to: GRUZ-R4 Use of rural airstrips and helicopter landing areas for agricultural aviation movements ancillary to primary production – Permitted – no conditions or noise controls
FS17.98	GRUZ-R4	S – FFNZ 121.189, inclusion of 'landing areas' is implicit in the rule providing for agricultural aviation movements	3	17	R	8.92-8.123	As above
FS17.99	<b>GRUZ-R5</b>	S- NZAAA 43.006	3	17	R	8.92-8.123	Amend to: GRUZ-R5 Use of rural airstrips and helicopter landing areas for activities other than agricultural aviation – Permitted with conditions based on proposed GRUZ-R5 - Default RDIS.  Agree with new GRUZ-RXX Use of land for aircraft base or depot – DIS as recommended in s42A Report.

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
FS17.100	GRUZ-R5	S – FFNZ 121.190, Amend GRUZ-R5 as sought by the submitter to provide an exclusion for agricultural aviation movements ancillary to primary production activities	3	17	R	8.92-8.123	As above
S81.158	<b>RPROZ-R4 Agricultural aviation movements ancillary to primary production activities</b>	Retain.	3	17	A	8.92-8.123	Amend to: RPROZ-R4 Use of rural airstrips and helicopter landing areas for agricultural aviation movements ancillary to primary production – Permitted – no conditions or noise controls
FS17.138	RPROZ-R4 Agricultural aviation movements ancillary to primary production activities	S - Federated Farmers 121.218 to add 'landing areas'	3	17	R	8.92-8.123	As above
FS17.139	<b>RPROZ-R5</b>	S – NZAAA 43.008	3	17	R	8.92-8.123	Amend to: RPROZ-R5 Use of rural airstrips and helicopter landing areas for activities other than agricultural aviation – Permitted with conditions based on proposed GRUZ-R5 - Default RDIS.  Agree with new RPROZ-RXX Use of land for aircraft base or depot – DIS as recommended in s42A Report.
FS17.75	<b>GRUZ – General</b>	O/P – Transpower NZ (79.125) structural changes	4	18	A/P	9.1	Ensure consistency with National Planning Standards

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
FS17.79	GRUZ – General Rural Zone	O/P – Transpower NZ (79.095) structural changes	4	18	A/P	9.1	Ensure consistency with National Planning Standards
FS17.92	<b>GRUZ- Rules</b>	O/P – Transpower, 79.097 structural changes	4	18	A/P	9.1	Ensure consistency with National Planning Standards
FS17.93	GRUZ- Rules	O/P – Centralines Ltd 90.43 – seeking new matters of discretion, these extend beyond compliance with safe electrical distances	4	18	R		Agree with s42A Report recommendation
S81.114 Pt	<b>GRUZ-R3 Primary production activities (including ancillary buildings and structures, but excluding post-harvest facilities, mining and quarrying)</b>	Amend: ... b. <del>Compliance with GRUZ-S12 (setback from gas transmission network)</del> ... AND, for clarity include a specific permitted activity rule for ACPS's (refer to proposed drafting above in section)	4	18	A		Agree with s42A Report recommendation re gas transmission network
S81.116 Pt	<b>GRUZ- R6 Post-harvest facilities</b>	Assessment matter GRUZ-AM6 relates to post harvest facilities and should be listed in 2(a) Delete 1c) <del>GRUZ-S12 (setback from gas transmission network)</del>	4	18	A		Agree with s42A Report recommendation re gas transmission network
S81.118 Pt	<b>GRUZ-R9 Commercial activities not otherwise provided for</b>	Rename 'rural industry'. Assessment matter GRUZ-AM7 relates to commercial activities and should be listed in 2(a) Delete 1d) <del>GRUZ-S12 (setback from gas transmission network)</del>	4	18	A		Agree with s42A Report recommendation re gas transmission network
S81.119 Pt	<b>GRUZ-R10 Community facilities</b>	Assessment matter GRUZ-AM7 relates to commercial activities and should be listed in 2(a)	4	18	A		Agree with s42A Report recommendation re gas transmission network

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
		Delete 1c) i) <del>GRUZ-S12 (setback from gas transmission network)</del>					
S81.120 Pt	<b>GRUZ-R11 Educational facilities</b>	Assessment matter GRUZ-AM8 relates to educational facilities and should be listed in GRUZ-R11 2a) Delete 1d) <del>GRUZ-S12 (setback from gas transmission network)</del>	4	18	A		Agree with s42A Report recommendation re gas transmission network
S81.121 Pt	<b>GRUZ-R14 Intensive primary production activities (other than commercial boarding and/or breeding of cats, dogs, and other domestic pets)</b>	As sought elsewhere in this submission – replace the definition of Intensive primary production, with the National Planning Standards definition for Intensive Indoor Primary Production. Delete 1c) iii) <del>GRUZ-S12 (setback from gas transmission network)</del> Assessment matter GRUZ-AM9 relates to intensive indoor primary production and should be listed in 2(a)	4	18	A		Agree with s42A Report recommendation re gas transmission network
FS17.111	<b>GRUZ-S7</b>	S – FFNZ 121.196	4	18	A	9.1	Ensure consistency with NZECP34:2001
FS17.112	<b>GRUZ-S12</b>	S – FFNZ 121.198	4	18	R	9.1	Ensure consistency with NZECP34:2001
S81.129	<b>GRUZ-S13 Setback from National Grid Yard and National Grid Substation</b>	Amend s13 3) b) to artificial crop protection structures or crop <del>protection</del> support structure.	4	18	A		Agree with s42A Report recommendation
FS17.113	GRUZ-S13 Setback from National Grid Yard and National Grid Substation	S/P, FFNZ, 121.200 is a separate standard – S7 that addresses electrical safe distances and does not need to be repeated in S13	4	18	A/P		Agree with s42A Report recommendation
FS17.117	<b>RPROZ</b>	O/P – Transpower, 79.111 structural change	4	18	A/P		Ensure consistency with National Planning Standards

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
FS17.132	<b>RPROZ Rules</b>	O/P – Centralines Ltd, 90.045 seeks new matters of discretion beyond non-compliance with safe electrical distances	4	18	R		Agree with s42A Report recommendation
S81.157 Pt	<b>RPROZ-R3 Primary production activities (including ancillary buildings and structures, but excluding post-harvest facilities, mining and quarrying)</b>	Amend: ... b. Compliance with i. RPROZ-S13 (building restrictions near Waipukurau Aerodrome); and ii. <del>RPROZ-S14 (setback from gas transmission network)</del> ... AND, for clarity include a specific permitted activity rule for ACPS's (refer to proposed drafting above in section)	4	18	A		Agree with s42A Report recommendation re gas transmission network
S81.159 Pt	<b>RPROZ-R6 Post-harvest facilities</b>	Assessment matter RPROZ-AM7 relates to post harvest facilities and should be listed in RPROZ-R6 2a) Delete 1c) ii) ii. <del>RPROZ-S14 (setback from gas transmission network)</del>	4	18	A		Agree with s42A Report recommendation re gas transmission network
S81.162 Pt	<b>RPROZ-R9 Commercial activities not otherwise provided for</b>	Rename 'rural industry' Assessment matter RPROZ-AM8 relates to commercial activities and should be listed in RPROZ-R9 2a) Delete 1d) iii) iii. <del>RPROZ-S14 (setback from gas transmission network)</del>	4	18	A		Agree with s42A Report recommendation re gas transmission network
S81.163 Pt	<b>RPROZ-R10 Community facilities</b>	Amend activity status to RDIS (or DIS). Delete 1c) iii)	4	18	A	9.29	Amend activity status to DIS

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
		iii. <del>RPROZ-S14 (setback from gas transmission network)</del> Assessment matter RPROZ-AM9 relates to community facilities and should be listed in RPROZ-R10 2a)					
S81.164 Pt	<b>RPROZ-R11 Educational facilities</b>	Amend activity status to RDIS (or DIS). Assessment matter RPROZ-AM9 relates to educational facilities and should be listed in RPROZ-R11 2a) Delete 1c) iii)f iii. <del>RPROZ-S14 (setback from gas transmission network)</del>	4	18	A	9.40	Disagree with s42A Report recommendation. Amend rule to DIS.  Agree with s42A Report recommendation re gas transmission network
S81.165 Pt	<b>RPROZ-R14 Intensive primary production activities (other than commercial boarding and/or breeding of cats, dogs, and other domestic pets)</b>	As sought elsewhere in this submissions – replace the definition of Intensive primary production, with the National Planning Standards definition for Intensive Indoor Primary Production. Delete 1d) iii) iii. <del>RPROZ-S14 (setback from gas transmission network)</del> Assessment matter RPROZ-AM10 relates to intensive indoor primary production and should be listed in RPROZ-R14 2a)	4	18	A/P		Agree with s42A Report recommendation re gas transmission network
FS17.149	<b>RPROZ-S8</b>	S – FFNZ 121.226	4	18	A		Agree with s42A Report recommendation re gas transmission network
FS17.150	<b>RPROZ-S14</b>	S – FFNZ 121.228	4	18	R		Agree with s42A Report recommendation re gas transmission network

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
S81.174	<b>RPROZ-S15 Setback from National Grid Yard and National Grid Substation</b>	Amend S15 3) b) to artificial crop protection structures or crop protection support structure.	4	18	A		Agree with s42A Report recommendation
FS17.152 FS17.151	RPROZ-S15 Setback from National Grid Yard and National Grid Substation	S/P – FPNZ,121.230 and 229 there is a separate standard – S8 that addresses electrical safe distances and does not need to be repeated in S15.	4	18	A/P		Ensure consistency with NZECP34:2001
S81.117	<b>GRUZ-R8 Visitor accommodation</b>	Amend (1)(a)(i) <del>Length of stay for any one guest must be no greater than 3 months in any 12-month period.</del> <u>Limited to no more than 4 guests at one time</u>  Assessment matter GRUZ-AM7 relates to visitor accommodation and should be listed in GRUZ-R8 2a)	4	19	R	9.53	Amend GRUZ- R8 1 ) i) to length of stay for any one guest must be no greater than 1 month in any 12 month period  Add a new clause 1 a) ii) there must be no more than 4 guests at any one point in time  Amend 2) to DIS and include reference to GRUZ-AM7
S81.119 Pt	<b>GRUZ-R10 Community facilities</b>	Assessment matter GRUZ-AM7 relates to commercial activities and should be listed in 2(a) Delete 1c) i) <del>GRUZ-S12 (setback from gas transmission network)</del>	4	19	R	9.29	Amend activity status in GRUZ-R10 to DIS
FS17.102	GRUZ-R10 Community facilities	S – NZ Pork, 42.050 change in activity status is supported as it would enable assessment of effects on primary production activities	4	19	R		As above

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
FS17.103	GRUZ-R10 Community facilities	O - Heretaunga Tamatea Settlement Trust, 120.025 Controlled activity status for community facilities, across the whole of the rural zone, over 100m2 does not provide for an adequate assessment of effects	4	19	A		As above
S81.120 Pt	<b>GRUZ-R11 Educational facilities</b>	Assessment matter GRUZ-AM8 relates to educational facilities and should be listed in GRUZ-R11 2a) Delete 1d) <del>GRUZ-S12 (setback from gas transmission network)</del>	4	19	R	9.40	Disagree with s42A Report recommendation. Amend rule GRUZ-R11 to DIS.
FS17.104	GRUZ-R11 Educational facilities	S NZ Pork 42.051	4	19	R		As above
FS17.105	GRUZ-R11 Educational facilities	O – MoE, 73.020 Amending the gross floor areas does not provide for an adequate assessment of effects of larger facilities	4	19	A/P		As above
S81.122	<b>GRUZ R16 Camping grounds</b>	Retain DIS activity status.	4	19	A/P	9.16	Disagree with s42A Report recommendation Retain DIS activity status for GRUZ-R16
S81.161	<b>RPROZ-R8 Visitor accommodation</b>	Amend to activity status to require consent – unless activity thresholds are amended so as to capture very small scale accommodation that is unlikely to result in reverse sensitivity effects. Assessment matter RPROZ-AM8 relates to visitor accommodation and should be listed in RPROZ-R8 2a)	4	19	R	9.54	Amend RPROZ- R8 1 ) i) to length of stay for any one guest must be no greater than 1 month in any 12 month period  Add a new clause 1 a) ii) there must be no more than 4 guests at any one point in time  Amend 2) to DIS and include reference to RPROZ-AM8



Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
FS17.141	RPROZ-R8 Visitor accommodation	S – NZ Pork, 42.072 change in activity status is supported as it would enable assessment of effects on primary production activities	4	19	R		As above
S81.163 Pt	<b>RPROZ-R10 Community facilities</b>	Amend activity status to RDIS (or DIS). Delete 1c) iii) iii. <del>RPROZ-S14 (setback from gas transmission network)</del> Assessment matter RPROZ-AM9 relates to community facilities and should be listed in RPROZ-R10 2a)	4	19	R	9.29	Amend activity status in RPROZ-R10 to DIS
FS17.142	RPROZ-R10 Community facilities	S – NZ Pork, 42.074 change in activity status is supported as it would enable assessment of effects on primary production activities	4	19	R		As above
S81.164 Pt	<b>RPROZ-R11 Educational facilities</b>	Amend activity status to RDIS (or DIS). Assessment matter RPROZ-AM9 relates to educational facilities and should be listed in RPROZ-R11 2a) Delete 1c) iii)f iii. <del>RPROZ-S14 (setback from gas transmission network)</del>	4	19	R	9.40	Disagree with s42A Report recommendation. Amend rule RPROZ-R11 to DIS.
FS17.143	RPROZ-R11 Educational facilities	O – MoE, 73.025 Amending the gross floor areas does not provide for an adequate assessment of effects of larger facilities	4	19	R		As above
FS17.144	RPROZ-R11 Educational facilities	S – NZ Pork, 42.051 change in activity status is supported as it would enable assessment of effects on primary production activities	4	19	R		As above

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
S81.166	<b>RPROZ-R16 Camping grounds</b>	Retain DIS activity status.	4	19	A/P	9.16	Disagree with s42A Report recommendation Retain DIS activity status for RPROZ-R16
FS17.85	<b>GRUZ – PXXX New policy</b>	O – Fire and Emergency; Subdivision is the appropriate point in time to consider rural water firefighting requirements. The policy sought extends beyond provision of firefighting water supply.	4	20	R		Agree with s42A Report recommendation
FS17.95	<b>GRUZ-R1 Residential activities</b>	O – Fire and Emergency NZ, 57.140 Rural water for firefighting should be linked to subdivision	4	20	R		Agree with s42A Report recommendation
FS17.96	<b>GRUZ-R2 Seasonal worker accommodation</b>	O – Fire and Emergency NZ, 57.141 Rural water for firefighting should be linked to subdivision	4	20	R		Agree with s42A Report recommendation
FS17.97	<b>GRUZ-R3</b>	O – Fire and Emergency NZ, 57.142 Rural water for firefighting should be linked to subdivision	4	20	R		Agree with s42A Report recommendation
FS17.101	<b>GRUZ- R6 Post-harvest facilities</b>	O – Fire and Emergency NZ, 57.143 Rural water for firefighting should be linked to subdivision	4	20	R		Agree with s42A Report recommendation
FS17.107	<b>GRUZ-SX New standard</b>	O – Fire and Emergency NZ, 57.155 Rural water for firefighting should be linked to subdivision	4	20	R		Disagree with s42A Report recommendation and include reference to SNA PAS 4509:2008 NZ Fire Service Firefighting Water Supplies Code of Practice in GRUZ--S15
S81.124	<b>GRUZ-S2 Height of Buildings</b>	Retain.	4	20	A		Agree with s42A Report recommendation
FS17.114	<b>GRUZ-AM x New assessment matter</b>	Oppose Fire and Emergency 57.156	4	20	R		Agree with s42A Report recommendation

Sub no.	Provision	Decision sought	S42 A Vol	S42A Key Issue	S42A Report rec.	Reference to evidence if specifically addressed	HNZ planning response
FS17.123	<b>RPROZ – PX new policy</b>	O – Fire and Emergency (57.177) Reject the submission or include as a condition of subdivision, not all rural development.	4	20	R		Agree with s42A Report recommendation
FS17.135	<b>RPROZ-R1 Residential activities</b>	O – Fire and Emergency, 57.178 Rural water for firefighting should be linked to subdivision	4	20	R		Agree with s42A Report recommendation
FS17.137	<b>RPROZ-R3 Primary production activities</b>	O – Fire and Emergency, 57.180 Rural water for firefighting should be linked to subdivision	4	20	R		Agree with s42A Report recommendation
FS17.140	<b>RPROZ-R6 Post-harvest facilities</b>	O – Fire and Emergency, 57.181 Rural water for firefighting should be linked to subdivision	4	20	R		Agree with s42A Report recommendation
S81.169	<b>RPROZ-S3 Height of Buildings</b>	Retain.	4	20	A		Agree with s42A Report recommendation
FS17.145	<b>RPROZ-SXX new standard</b>	O – Fire and Emergency, 57.194 Rural water for firefighting should be linked to subdivision	4	20	R	9.70	Disagree with s42A Report recommendation and include reference to SNA PAS 4509:2008 NZ Fire Service Firefighting Water Supplies Code of Practice in RPROZ-S17 r
FS17.153	<b>RPROZ-AMXX new assessment matter</b>	O – Fire and Emergency, Rural water for firefighting 57.195 should be linked to subdivision	4	20	R		Agree with s42A Report recommendation