

**BEFORE THE HEARINGS PANEL
AT THE FAR NORTH DISTRICT COUNCIL**

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

AND

IN THE MATTER of the hearing of submissions on The
Proposed Far North District Plan

Hearing Stream 9 – Rural, Horticulture &
Horticulture Processing: Rural Wide Issues
and Rural Production Zone

STATEMENT OF EVIDENCE BY VANCE ANDREW HODGSON

FOR THE NEW ZEALAND PORK INDUSTRY BOARD

14 NOVEMBER 2024

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SUMMARY STATEMENT

1. This planning evidence addresses the New Pork Industry Board (“**NZPork**”) submission on the Far North District Council’s (“**FNDC**”) s42A Report response to the submissions on the Proposed Far North District Plan (“**PDP**”), Hearing Stream 9 – Rural, Horticulture & Horticulture Processing: Rural Wide Issues and Rural Production Zone.
2. The submissions cover a number of provisions, but my planning evidence centres on matters concerning the activity status for intensive primary production activities and the standards for visitor accommodation.
3. Consistent with the Rural Production Zone Chapter Overview, I support the purpose of the Rural Production Zone to provide for primary production activities including non-commercial quarrying, farming, intensive indoor and outdoor primary production, plantation commercial forestry activities, and horticulture.
4. I support the recognition in the proposed plan that primary production activities in the rural production zone should be able to operate without experiencing reverse sensitivity effects based on complaints about noise, dust, heavy traffic and light spill (which may be temporary or seasonal in nature) that should be anticipated and tolerated in a rural environment.
5. I also agree that there is also a need to accommodate recreational and tourism activities that may occur in the rural environment, subject to them being complementary to the function, character and amenity values of the surrounding environment.
6. I agree that a maximum guest occupancy is a helpful control on the scale of visitor accommodation to address potential reverse sensitivity effects, I also support clarity in the plan that relevant setbacks are to be achieved where visitor accommodation is proposed in a new or existing residential unit, accessory building or minor residential unit.
7. I disagree with the PDP approach that intensive primary production failing to meet the restricted discretionary activity standards of RPROZ-R23 should be considered as a non-complying activity. Utilising a discretionary activity rule structure for intensive primary production in this circumstance

is in my opinion an appropriate resource management response to the purpose of the Rural Production Zone and outcomes sought.

8. My suggested amendments to the provisions of the PDP as they relate to those topics are included by provision, in Appendix 1.

QUALIFICATIONS AND EXPERIENCE

9. My full name is Vance Andrew Hodgson. I am a director of HPC Ltd, a resource management consultancy based in Waiuku. I have been employed in resource management related positions in local government and the private sector since 1994 and have been in private practice for 20 years. I hold a Bachelor of Resource and Environmental Planning (Hons) degree from Massey University.
10. I have worked in the public sector, where I was employed in student, assistant, and senior policy planning roles by the Franklin District Council. I have provided resource management consultancy services to various district and regional councils. The scope of work for the public sector has been broad, covering plan change processes, submissions to national standards/regulations/policy statements and regulatory matters, mediation, and appeals.
11. In private practice I regularly advise a range of private clients on statutory planning documents and prepare land use, subdivision, coastal permit, water permit and discharge permit resource consent applications. I have experience in resource consent applications, hearings and appeals on a range of activities, particularly for activities in the rural environment. I have provided independent resource management advice to NZPork on policy matters across New Zealand since 2013.
12. While these are not proceedings in the Environment Court, I consider the Environment Court's Code of Conduct for Expert Witnesses relevant, and I agree to comply with it. My qualifications as an expert are set out above. 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.

SCOPE OF EVIDENCE

13. This evidence provides a planning assessment of those provisions on which NZPork submitted and addresses the evaluation and recommendations to those submissions in the Section 42A Report, prepared for Hearing Stream 9 – Rural, Horticulture & Horticulture Processing: Rural Wide Issues and Rural Production Zone.
14. The submissions focused on the provisions for the rural zones and seek to ensure the provisions enable and support the ongoing primary production activities of pig farming in the district, recognising existing activities and making provision for growth and land use change.
15. I did not prepare the submissions for NZPork but have been asked to present planning evidence on the following matters:
 - Visitor accommodation.
 - The activity status for intensive primary production activities.
16. I note for the panel that I have also been asked to prepare planning evidence for Horticulture New Zealand on overlapping submissions concerning reverse sensitivity and sensitive activities. There is therefore some repetition across the two statements of evidence on these matters.
17. My evidence includes recommended amendments to the plan change provisions where appropriate. Appendix 1 includes a list of my suggested amendments to the plan change by provision order for ease of reference.
18. For the submissions of NZPork, I rely on the evidence provided by Hannah Ritchie the Environmental and Planning Manager for NZ Pork.

REVERSE SENSITIVITY AND SENSITIVE ACTIVITIES

Defining a 'Sensitive Activity'

19. Sensitive activity is defined in the PDP as follows:

means:

- a. *Residential activities;*
- b. *Education facilities and preschools;*
- c. *Guest and visitor accommodation;*
- d. *Health care facilities which include accommodation for overnight care;*

- e. Hospital;
- f. [Marae](#); or
- g. Place of assembly.

20. Where interpretation is important in understanding the outcome sought by an objective or policy, and in determining the activity status of a rule, the definition must be clear. The PDP definition accords with my experience with activities that can be sensitive to the effects of primary production.

RPROZ-R4 Residential Visitor Accommodation

21. The submission of NZPork (\$55) made two submission points in opposition to RPROZ-R4.
22. The first point (\$55.033) opposed the permitted activity status of visitor accommodation. The submission highlighted that visitor accommodation is defined as a sensitive activity which can potentially cause reverse sensitivity effects on established intensive primary production activities. NZ Pork request the activity status be changed to restricted discretionary to thoroughly assess the potential impact of sensitive activities within RPROZ by way of the resource consent process.
23. The second point from NZ Pork (\$55.034) requested a sensitive activity setback from an existing intensive primary production activity like that in PER-2 of RPROZ-R1 relating to Mineral Extraction Zone.
24. I agree with the NZPork concern that even on a small scale, visitor accommodation in the rural environment is a sensitive activity (by PDP definition) that could cause reverse sensitivity effects on established primary production activities.
25. The scale controls in the PDP for this activity is that expressed in the definition and RPROZ-R4:

Definition

Visitor accommodation

means [land](#) and/or [buildings](#) used for accommodating visitors, subject to a tariff being paid, and includes any [ancillary activities](#).

RPROZ-R4

Permitted, where:

PER 1

The visitor accommodation is within a residential unit, accessory building or minor residential unit.

PER-2

The occupancy does not exceed 10 guests per night.

PER-3

The site does not share access with another site.

26. These are familiar controls that I am seeing being developed through current planning reviews across the country. I include examples in Appendix 2.
27. If primary production is to be protected from reverse sensitivity effects that may constrain their effective and efficient operation (RPZOZ-03(b)), and the establishment, design and location of new sensitive activities in the Rural Production zone to avoid where possible, or otherwise mitigate, reverse sensitivity effects on primary production activities (RPZOZ-P3), it is my opinion that these defined sensitive activities should be subject to controls.
28. The expectations of those undertaking or enjoying residential visitor accommodation that might have looked to leverage from a perception of rural character and amenity, might be quite different from the reality of the RPROZ, which has a purpose set out in the chapter overview that aligns with the zone name and description prescribed in the Zone Framework Standards of the National Planning Standards¹.
29. I do not necessarily agree with the drafting of RPROZ-P2(b) that includes visitor accommodation in a list of '*compatible activities that support primary production activities*'.

RPROZ-P2

b. enabling a range of compatible activities that support primary production activities, including ancillary activities, rural produce manufacturing, rural produce retail, visitor accommodation, small-scale educational facilities and home businesses; and

30. Rather than supporting primary production, these are activities that might require a rural location – as per the last part of the National Planning Standards zone description and as described in the chapter overview:

¹Rural 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.* Ministry for the Environment, November 2019. National Planning Standards Table 13: Zone names and descriptions

The Rural Production zone is the largest zone in the district and accounts for approximately 65% of all land. The Rural Production zone is a dynamic environment, influenced by changing farming and forestry practices and by a wide range of productive activities. The purpose of this zone is to provide for primary production activities including non-commercial quarrying, farming, intensive indoor and outdoor primary production, ~~plantation~~ commercial forestry activities, and horticulture. The Rural Production zone also provides for other activities that support primary production and have a functional need to be located in a rural environment, such as processing of timber, horticulture, apiculture and dairy products. There is also a need to accommodate recreational and tourism activities that may occur in the rural environment, subject to them being complementary to the function, character and amenity values of the surrounding environment...

31. The control applying a maximum guest occupancy is a useful method but still brings a gathering of people into an area that might be adjacent an existing farm and create new or compound existing conflict and complaints. Hannah Ritchie provides an example in her evidence.
32. The PDP proposes a maximum 10 guests per night. The plan examples I provide in Appendix 2 range from 5, 6, 8 guests. There is no consistency, and I cannot advise on the reasons for the numbers chosen, however it is reasonable to expect that the higher the number the greater chance of conflict.
33. Physical separation from primary production activities is an additional method that can be used and aligns with RPROZ-P3. It is a method applied through RPROZ-S3 to habitable buildings. It is also applied through RPROZ-S7 to sensitive activities relative to the boundaries of the Mineral Extraction Zone. Setbacks also apply to new intensive primary production activities through RPROZ-R23 and to buildings or structures used to house, milk or feed stock through RPROZ-S6.
34. The recommendation of the s42A report writer is to insert a setback standard (RPROZ-SX) of 300m for new sensitive activities from existing intensive indoor and outdoor primary production activities² and a restricted discretionary activity where compliance is not achieved. I support the recommendation which is consistent with the reciprocal

² Para 692 s42A Report Rural Wide Issues and the Rural Production Zone.

setback method that I am seeing develop in other district plans.

35. Setbacks are a blunt but effective method, and I appreciate that in this circumstance the residential units or accessory buildings may already have been established. However, visitors, may have different amenity expectations of the rural environment than those of existing residents that might otherwise accept primary production as part of the character and amenity of this environment.

THE ACTIVITY STATUS FOR INTENSIVE PRIMARY PRODUCTION

36. NZ Pork [S55.039] sought that the non-complying activity status prescribed in RPROZ-R23 for new intensive primary production activity where RDIS-1 is not achieved (300m setback) be amended too Discretionary.
37. The s42A recommendation is to reject this request as per the reasoning set out in paragraph 671³.

With respect to an appropriate activity status for failing to comply with the 300m setback, I disagree with NZ Pork that non-complying is an inappropriate activity status. In particular, the adverse noise and odour effects generated intensive primary production activities can be significant and are more likely to impact adjacent sensitive activities when this 300m distance is not complied with. While I agree with NZ Pork that the management of effects, imposition of mitigating consent conditions and potential decline of a consent application are all possible under a discretionary activity status, in my opinion, the non-complying activity status sends the correct message that failing to comply with the 300m setback is not an outcome that is desirable in the RPROZ.

38. I support the setback, but I disagree that non-compliance should fall to be considered non-complying, and I am not drawn to that planning approach through the RPROZ objective and policies nor the strategic objectives for the rural environment.
39. My recent experience with plan reviews and pig farming activities has primarily been in the South Island, where, as described by Ms Ritchie, there is a concentration of pig farming activities of various forms and a greater potential for adverse effects and conflict. The regulatory frameworks

³ Para 671 s42A Report Rural Wide Issues and the Rural Production Zone.

developing through those process can be summarised as follows:

40. The Partially Operative Selwyn District Plan (Appeals Version). Notified in 2021 and decisions released in 2023 this plan responded directly to pig farming activities and definition issues with legacy provisions. The plan provides a definition of *Intensive Primary Production* that includes *Intensive Indoor Primary Production* and *Intensive Outdoor Primary Production*. The activity is Permitted subject to meeting setback and locational plan requirements. Non-compliance with the setbacks is a Restricted Discretionary Activity with a Non-Complying Activity status only where a locational plan is not provided. Refer Appendix 3.
41. The Hurunui District Plan Change 4 Intensive Primary Production and Effluent Disposal. Notified in 2020 and operative in 2021 this also responded directly to pig farming activities and definition issues with legacy provisions. The operative plan provides a definition of *Intensive Primary Production* that includes *Intensive Indoor Primary Production* and *Intensive Outdoor Primary Production*. The activity is Permitted subject to meeting setback and locational plan requirements. Non-compliance a Discretionary Activity. Refer Appendix 4.
42. The Proposed Waimakariri District Plan. Notified 2023 with hearings yet to conclude, *Intensive Indoor Primary Production* and *Intensive Outdoor Primary Production* are defined with a proposed Restricted Discretionary Activity status. Non-compliance with standards a Discretionary Activity. Refer Appendix 5.
43. The Mackenzie District Plan Change 23 General Rural Zone. Notified in 2023 with decisions released 5 August 2024, introduced a definition of *Intensive Primary Production* that includes intensive indoor primary production and intensive outdoor primary production activity. The activity status for Intensive Primary Production is a Restricted Discretionary subject to standards and non-compliance a Discretionary Activity. Refer Appendix 6.
44. The Proposed Timaru District Plan. Notified in 2022 with hearings commencing in 2024, *Intensive Indoor Primary Production* and *Intensive Outdoor Primary Production* are defined with a proposed Permitted Activity status. Non-

compliance with standards a Restricted Discretionary or Discretionary Activity. Refer Appendix 7.

45. In addition to the South Island examples provided above, NZPork has in recent times also been through a plan review process in the Central Hawkes Bay and New Plymouth where decisions released in 2023 have confirmed a Controlled and Restricted Discretionary Activity status respectively in these plans for these activities.
46. Plan Change 42 of the Taupō District Plan which was a review of Rural Chapters. Decisions released on 14 June 2024 confirmed *Intensive Indoor Primary Production* as Permitted subject to meeting requirements. Non-compliance a Restricted Discretionary Activity.
47. The common theme through all of these examples is the use of a setback to separate activities that might conflict. This is used as a Permitted, Controlled or Restricted Discretionary Activity performance standard. None treat non-compliance with a non-complying activity status.
48. The plans described above have recognised the importance of intensive primary production and the need for the activity to be in the rural environment. The Ministry for the Environment, November 2019, National Planning Standards⁴, has made this explicit in the Zone Name and Descriptions set out in the mandatory directions of Chapter 8. Zone Framework Standard:

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.*

49. Intensive indoor primary production can have a range of effects on the environment. In discussing national guidance

⁴ [national-planning-standards-november-2019-updated-2022.pdf \(environment.govt.nz\)](#)

for assessing and managing odour and dust discharges under the RMA, the Section 32 report for the PDP comments as follows⁵:

In relation to odour and dust discharges, the management of air quality is the responsibility of regional councils, while district councils are responsible for managing land uses which have the potential to discharge odour and dust which may cause amenity effects, such as intensive indoor primary production.

50. In addition to odour and dust, the PDP extends the effects range assessment for intensive indoor primary production through RPROZ-R23 to include noise, character, traffic impacts, visual dominance, privacy, the number and types of animals, effluent management, vermin, site management and supervision, landscaping and natural hazards. An extensive assessment.
51. The s42A report identifies adverse noise and odour effects as a particular concern.
52. I note that a reasonable level of noise is anticipated in the Rural Production Zone as per those prescribed in NOISE-S1. Ms Ritchie sets out the industry knowledge of noise from intensive pig farming activity noting that in pig farming there is little noise where direct feed systems are used.
53. Odour effects are also managed at a regional level. The Regional Air Quality Plan for Northland prescribes that air discharges from any new *Intensive Pig Farming*⁶ are a Discretionary Activity⁷. The are also rules for farm wastewater discharges in the Proposed Regional Plan for Northland (Feb 2024) which has a permitted activity⁸ arrangement subject to standards that include no discharge within 20 metres of a neighbouring nor any discharge that would cause an offensive or objectionable odour beyond the property boundary.
54. Tracking through the RPROZ framework (as per the s42A recommendations version), the RPROZ Overview describes the purpose of the zone is to provide for primary production

⁵ Section 32 Report Rural Environment May 2022

⁶ Means pig farming carried out predominantly within buildings or fenced outdoor areas where the stocking density precludes the maintenance of pasture or ground cover. Regional Air Quality Plan for Northland

⁷ Rule 10.1 (7) and 10.3 Regional Air Quality Plan for Northland

⁸ Rule C.6.3.1 Proposed Regional Plan for Northland

activities including non-commercial quarrying, farming, intensive indoor and outdoor primary production, plantation commercial forestry activities, and horticulture. The Overview also discusses the particular issues of reverse sensitivity effects on primary production activities.

55. The objectives include RPROZ-O1 and O2, where the Rural Production zone is managed to ensure its availability for primary production activities and used for primary production activities. RPROZ-O3 protects primary production activities from reverse sensitivity effects.
56. RPROZ-O4 requires that rural character and amenity associated with a rural working environment is maintained. I reference to the Overview to understand the nature of that rural character and amenity which is characterised by primary production activities including intensive indoor and outdoor primary production, other activities that support primary production such as processing produce facilities, and recreation and tourism that is complementary to the function, character and amenity values of the surrounding environment.
57. Looking to the policies, RPROZ-P1 is the enablement of primary production activities with the reasonable internalisation of effects. RPROZ-P2(a) enables primary production as the predominant land use. RPROZ-P3 addresses new sensitivity activities and reverse sensitivity effects on primary production.
58. RPROZ-P4 takes the Overview and defines the rural character and amenity of the Rural Production Zone to include:
 - a. *a predominance of primary production activities;*
 - b. *low density development with generally low site coverage of buildings or structures;*
 - c. *typical adverse effects such as odour, noise and dust associated with a rural working environment; and*
 - d. *a diverse range of rural environments, rural character and amenity values throughout the district.*
59. RPROZ-P5 address land uses to be avoided in the Rural Production Zone that might be incompatible with the zones purpose, character and amenity, undermine highly

productive land and might not have a functional need to be there.

60. RPROZ-P7 identifies that when assessing and managing the effects of land use, consideration should be given to whether the proposal will increase production potential in the zone, relies on soil productivity and scale and character considerations, and setbacks, fencing, screening or landscaping to address potential conflicts.
61. The framework does not naturally lead to a non-complying activity status for intensive primary production activities that fail the key 300m setback performance standard. As I read the framework the focus is on enabling primary production activities as the predominant land use, provided they internalise adverse effects onsite where practicable, while recognising that typical adverse effects associated with primary production should be anticipated and accepted within the Rural Production zone.
62. I don't read a hard limit approach as suggested by the s42A report where a primary production activity might fail a performance standard. This is not the structure of the PDP where a non-complying activity status is applied to residential dwellings, minor residential units, papakainga housing that fail standards (all sensitive activities) or industrial/commercial and landfills.
63. I have referred to the section 32A Report to understand why the 300m setback might be considered a hard limit for intensive primary production activities where non-compliance is not an outcome desirable in the RPROZ. I find no explanation on this.
64. Chapter 1.1 of the s32 Report notes that the Rural Production Zone is the largest zone in the District and accounts for approximately 65% of all land. The purpose of this zone is to provide for primary production activities, including intensive indoor primary production activities
65. Chapter 1.4 of the s32 Report notes that the Rural Residential Zone is to be primarily used for residential activities while still providing for farming activities on larger lots with a non-complying status for intensive indoor primary production in this zone.

66. Chapter 3.2 of the s32 Report notes that the National Planning Standard definition for the Rural Production Zone includes areas used predominantly for primary production activities that rely on the productive nature of the land and intensive indoor primary production.
67. Chapter 3.2.4 of the s32 Report notes that the Northland Regional Policy Statement states that primary production activities (such as dairy farming, horticulture, apiculture, forestry, aquaculture and intensive indoor primary production) are the biggest contributor to Northland's economy.
68. Chapter 3.5.3 of the s32 Report notes the relevance of the Good Practice Guide for Assessing and Managing Dust 2016 and Good Practice Guide for Assessing and Managing Odour 2016 and the district council's responsibility for managing land uses which have the potential to discharge odour and dust which may cause amenity effects, such as intensive indoor primary production.
69. Chapter 5.3.2 of the s32 Report notes that the proposed management approach for the Rural chapters includes the summarised policy of providing for intensive indoor primary production in the RPROZ and avoiding the activity in the RLZ and RRZ.
70. As per the evidence of Ms Ritchie for NZPork, there are many different types of intensive primary production farming systems and many operational variables. 300m may not be the most appropriate minimum setback distance in all instances. For example, the number of pigs, the type of housing and ventilation, and whether manure is stored or spread on site can have a large influence on potential effects.
71. In my opinion a Discretionary Activity rule would give effect to the objective and policy suite and enable an assessment where needed to focus on effects of concern.
72. Ms Ritchie also identifies a disparity in the rule framework that favours sensitive activities over intensive primary production activities in the RPROZ in the activity status arrangement for non-compliance in RPROZ-SX.
73. As previously stated, I also support the s42A Report recommendation to include Standard RPROZ-SX – Sensitive

Activities Setback from Intensive Indoor and Intensive Outdoor Primary Production Activities - as a means of reducing the likelihood of reverse sensitive effects.

74. As a reciprocal setback I am of the opinion that where buildings and structures are used for new sensitive activity and the 300m setback is not met, then the activity should be considered a Discretionary Activity. This aligns with the RPROZ objective and policy framework and in particular (RPZOZ-03(b)) and RPROZ-P3.

APPENDIX 1 – PROPOSED AMENDMENTS TO PLAN CHANGE PROVISIONS

The provisions in the Proposed Fare North District Plan are shown in **green text** with amendments as recommended in the S42A Report are shown in ~~strikeout~~ and *blue italics*. Amendments recommended in this evidence are shown with deleted text is shown as ~~strikeout~~ and new text as underlined in black.

Provision	Proposed Plan including amendments in S42A Report	As Recommended in this Evidence
<p><u>RPROZ-R23</u></p> <p><u>Intensive indoor and outdoor primary production</u></p> <p><u>Rural Production zone</u></p>	<p><u>Activity status: Restricted discretionary</u></p> <p><u>Where:</u></p> <p><u>RDIS-1</u> Buildings or structures Any hardstand areas, treatment systems, buildings housing animals and any other structures associated with an intensive indoor or outdoor primary production activity are setback at least 300m from any sensitive activity on a site under separate ownership.</p> <p><u>Matters of discretion are restricted to:</u></p> <p>a. <u>odour, noise and dust effects;</u> b. <u>impacts on the transport network;</u> c. <u>the scale, character and appearance of the building(s);</u> d. <u>the siting of the building(s) and outdoor areas relative to adjoining sites;</u> e. <u>whether the building(s) are visually dominant and create a loss of privacy for surrounding residential units and their associated outdoor areas;</u> f. <u>the number and types of animals;</u> g. <u>method of effluent management and disposal;</u> h. <u>likely presence of vermin;</u> i. <u>the frequency and nature of management and supervision;</u> j. <u>landscaping or screening; and</u> k. <u>any natural hazard affecting the site or surrounding area.</u></p> <p><u>Activity status where compliance not achieved with RDIS-1: Non-complying</u></p>	<p><u>Activity status: Restricted discretionary</u></p> <p><u>Where:</u></p> <p><u>RDIS-1</u> Buildings or structures Any hardstand areas, treatment systems, buildings housing animals and any other structures associated with an intensive indoor or outdoor primary production activity are setback at least 300m from any sensitive activity on a site under separate ownership.</p> <p><u>Matters of discretion are restricted to:</u></p> <p>l. <u>odour, noise and dust effects;</u> m. <u>impacts on the transport network;</u> n. <u>the scale, character and appearance of the building(s);</u> o. <u>the siting of the building(s) and outdoor areas relative to adjoining sites;</u> p. <u>whether the building(s) are visually dominant and create a loss of privacy for surrounding residential units and their associated outdoor areas;</u> q. <u>the number and types of animals;</u> r. <u>method of effluent management and disposal;</u> s. <u>likely presence of vermin;</u> t. <u>the frequency and nature of management and supervision;</u> u. <u>landscaping or screening; and</u> v. <u>any natural hazard affecting the site or surrounding area.</u></p> <p><u>Activity status where compliance not achieved with RDIS-1: Non-complying Discretionary</u></p>

<p><u>RPROZ-SX</u></p> <p><u>Sensitive activities setback from intensive indoor and outdoor primary production activities</u></p> <p><u>Rural Production zone</u></p>	<p><u>All buildings and structures used for new sensitive activities will be setback 300m from any hardstand areas, treatment systems, buildings housing animals and any other structures associated with an intensive indoor or outdoor primary production activity located on an adjoining site under separate ownership.</u></p> <p><u>Where the standard is not met, matters of discretion are restricted to:</u></p> <p><u>a. Potential reverse sensitivity effects and measures taken to mitigate these effects, such as landscaping or screening</u></p> <p><u>b. Whether there are alternative options for the location of the sensitive activity</u></p>	<p><u>All buildings and structures used for new sensitive activities will be setback 300m from any hardstand areas, treatment systems, buildings housing animals and any other structures associated with an intensive indoor or outdoor primary production activity located on an adjoining site under separate ownership.</u></p> <p><u>Where the standard is not met Discretionary matters of discretion are restricted to:</u></p> <p><u>a. Potential reverse sensitivity effects and measures taken to mitigate these effects, such as landscaping or screening</u></p> <p><u>b. Whether there are alternative options for the location of the sensitive activity</u></p>
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APPENDIX 2 – DISTRICT PLAN EXAMPLES: VISITOR ACCOMMODATION

Partially Operative Selwyn District Plan (Appeals Version)

GRUZ-R15	Visitor Accommodation 1
	<p>Activity Status: PER</p> <p>1. The establishment of a new, or the expansion of an existing visitor accommodation</p> <p>Where:</p> <ul style="list-style-type: none"> a. Accommodation is offered to not more than five guests for reward or payment at any one time; b. The registered proprietor resides permanently on-site; c. The visitor accommodation is set back 10m from any boundary; and d. The visitor accommodation is not located within the Airport 50dB Noise Control Overlay. <p>And this activity complies with the following rule requirements:</p> <p>GRUZ-REQ10 Sensitive Activity Setback from Intensive Primary Production</p> <p>GRUZ-REQ11 Sensitive Activity Setback from Mineral Extraction</p> <p>Activity status when compliance not achieved:</p> <p>2. When compliance with any of GRUZ-R15.1.a or GRUZ-R15.1.b is not achieved: DIS</p> <p>2A. When compliance with GRUZ-R15.1.c is not achieved: NC.</p> <p>3. When compliance with any rule requirement listed in this rule is not achieved: Refer to relevant rule requirement</p> <p>Notification</p> <p>4. Absent its written approval, any application under GRUZ-R15.2A shall be notified to Christchurch International Airport Limited.</p>

Proposed Waikato District Plan (Appeals Version)

GRUZ-R10	Visitors' accommodation [000047, 000049, 000055, 000086] {000079}
<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <ul style="list-style-type: none"> (a) Have no more than 5 guests; and (b) Be within a building that was existing as at 17 January 2022; and (c) Standards GRUZ-R10(a) and (b) do not apply to occupation of a single residential unit for short term rental. 	<p>(2) Activity status where compliance not achieved: DIS</p>

Proposed Waimakariri District Plan

GRUZ-R7 Visitor accommodation

This rule does not apply to any camping ground provided for under GRUZ-R34.

Activity status: PER

Activity status when compliance not achieved: DIS

Where:

1. the activity shall be undertaken within a residential unit, minor residential unit or accessory building; and
2. a maximum of eight visitors shall be accommodated per site.

Proposed Timaru District Plan

GRUZ-R9	Residential visitor accommodation	
General Rural Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The visitor accommodation is contained within, and ancillary to the use of, an existing principal residential unit; and</p> <p>PER-2 The maximum occupancy is six guests per night.</p>	Activity status where compliance not achieved with: Discretionary

APPENDIX 3 – PARTIALLY OPERATIVE SELWYN DISTRICT PLAN

INTENSIVE INDOOR PRIMARY PRODUCTION	means primary production activities that principally occur within buildings and involve growing fungi, or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry.
INTENSIVE OUTDOOR PRIMARY PRODUCTION	Primary production activities involving the keeping or rearing of livestock (excluding calf-rearing for a specified time period), that principally occurs outdoors, which by the nature of the activity, precludes the maintenance of pasture or ground cover. It excludes pig production for domestic use which involves no more than 25 weaned pigs or six sows and intensive winter grazing, where livestock are grazed on an annual forage crop at any time in the period that begins on 1 May and ends with the close of 30 September of the same year.
INTENSIVE PRIMARY PRODUCTION	Any activity defined as intensive indoor primary production or intensive outdoor primary production.

GRUZ- R18 Intensive Primary Production

<p>Activity status: PER 1. The establishment of a new, or expansion of an existing intensive primary production activity</p> <p>Where: a. the activity does not involve the production of mushrooms.</p> <p>And this activity complies with the following rule requirements: GRUZ-REQ8 Intensive Primary Production Setback GRUZ-REQ9 Intensive Primary Production Location Plan</p>	<p>Activity status when compliance not achieved: 2. When compliance with any of GRUZ-R18.1 is not achieved: DIS 3. When compliance with any rule requirement listed in this rule is not achieved: Refer to relevant Rule Requirement</p>
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GRUZ-REQ8 Intensive Primary Production Setback

1. All paddocks, structures, buildings and areas of paved or otherwise impervious material used to house stock, and any wastewater treatment systems associated with intensive primary production, shall be located a minimum distance of 300m from the notional boundary of any lawfully established existing sensitive activity on another site, and 1km from any residential zone.

Note: The measurement shall be taken from the outside extent of the building or structure.

Activity status when compliance not achieved:
 2. When compliance with any of GRUZ-REQ8.1 is not achieved: RDIS

Matters for discretion:

3. The exercise of discretion in relation to GRUZ-REQ8.2 is restricted to the following matters:

- a. The effect on amenity from any discharge of odour or dust;
- b. The location of the paddock, building, structure or impervious area housing stock;
- c. The design of the building housing stock;
- d. The location and design of the wastewater treatment system; and
- e. Any mitigation proposed to reduce the effect or dispersion of odour or dust.

Notification:

4. Any application arising from GRUZ-REQ8.2 shall not be subject to public notification

GRUZ-REQ9 Intensive Primary Production Location Plan

1. Intensive primary production shall be undertaken in accordance with a detailed plan showing the location of:

- a. all paddocks, structures, or buildings, and areas of paved or otherwise impervious material used to house stock, and
- b. any wastewater treatment systems associated with the intensive primary production.

This plan shall be provided to the Selwyn District Council Planning Manager prior the activity establishing. An updated plan shall be provided to the Selwyn District Council if the activity changes or expands.

Activity status when compliance not achieved:
 2. When compliance with any of GRUZ-REQ9.1 is not achieved: NC

APPENDIX 4 – HURUNUI OPERATIVE DISTRICT PLAN

<p><u>Intensive indoor primary production</u></p>	<p>means <u>primary production activities</u> that principally occur within buildings and involve growing fungi, or keeping or rearing livestock (excluding calf-rearing for three months in any calendar year) or poultry.</p>
<p><u>Intensive outdoor primary production</u></p>	<p>means <u>primary production activities</u> involving the keeping or rearing of livestock, that principally occurs outdoors, where the regular feed source for the livestock is substantially provided from off-site sources, but excludes:</p> <ul style="list-style-type: none"> • calf-rearing for three months in any calendar year; • pig production for domestic self-subsistence home use, which involves no more than 25 weaned pigs or six sows, • <u>extensive pig farming</u>; • <u>free-range poultry farming</u>; and • the feeding of supplementary feed during adverse weather events such as drought or snow.
<p><u>Intensive primary production</u></p>	<p>means any activity defined as <u>intensive indoor primary production</u> or <u>intensive outdoor primary production</u>.</p>

3.4.2 Permitted activities

1. In the Rural Zone and Hanmer Basin Management Area, all activities are a permitted activity, unless they are specified as a controlled, restricted discretionary, discretionary or non-complying activity below, and provided the activity complies with the standards within Rule 3.4.3.

- 4A. Separation distances for intensive primary production activities
- (a) Prior to the establishment of a new intensive primary production activity, or the expansion of an existing intensive primary production activity, a plan showing the location of all paddocks, hard-stand areas, structure, buildings used to house stock, and treatment systems associated with the intensive primary production activity shall be provided to the Hurunui District Council.
- (b) No new intensive primary production activity, or expansion of an existing primary production activity, may be established within:
- (i) 500 m of the notional boundary of an existing sensitive activity on a separate lot under different ownership; or
- (ii) 100 m of the boundary with a separate lot under different ownership; or
- (iii) 1000 m of the boundary with a Residential or Open Space Zone.
- Note 1: For the purpose of Rule 3.4.3.4A, an "existing" sensitive activity includes a proposed sensitive activity for which a building consent and/or resource consent has been obtained and has not lapsed.*

3.4.6 Discretionary activities

The following activities are discretionary activities:

1. Any activity not specified as a permitted, restricted discretionary or non-complying activity within the Rural – Hurunui Lakes Area.
- Note: This does not apply to activities managed under the National Environmental Standards for Plantation Forestry 2017.*
2. Any permitted activity that does not meet any one or more of the standards for permitted activities and is not otherwise specified as a controlled activity, a restricted discretionary activity or a non-complying activity;
 3. Mineral extraction activities that are not provided for as a permitted activity;
- Note: This rule does not apply to forestry quarrying as defined in the National Environmental Standards for Plantation Forestry 2017.*
4. Mineral extraction activities where the operational area is located more than 500 m from a Residential, Business or Open Space Zone;
- Note: This rule does not apply to forestry quarrying as defined in the National Environmental Standards for Plantation Forestry 2017.*
5. New sensitive activities located less than 500 m from the operational area for a lawfully established mineral extraction activity other than riverbed gravel extraction or on farm site;
 6. Outdoor rifle and shotgun shooting ranges;
 7. Any sensitive activity that does not meet the separation distances under Rule 3.4.3.4; or 3.4.3.6;
 8. Any intensive primary production activity that does not meet Rule 3.4.3.4A;

APPENDIX 5 – PROPOSED WAIMAKARIRI DISTRICT PLAN

INTENSIVE INDOOR PRIMARY PRODUCTION	means primary production activities that principally occur within buildings and involve growing fungi, or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry. (National Planning Standard definition)
INTENSIVE OUTDOOR PRIMARY PRODUCTION	means primary production activities involving the keeping or rearing of livestock, or commercial aquaculture, where the regular feed source for the production of goods is substantially provided other than from the site concerned. The activity may be undertaken entirely outdoors or in a combination of indoors and outdoors, including within an outdoor enclosure. It includes: <ul style="list-style-type: none"> a. free-range pig farming; b. free-range poultry or game bird farming; c. intensive goat farming and; d. aquaculture; it excludes the following: <ul style="list-style-type: none"> e. woolsheds; f. dairy sheds; g. calf pens or wintering accommodation for stock; h. pig production for domestic use which involves no more than 25 weaned pigs or six sows.

GRUZ-R17 Intensive indoor primary production

Activity status: RDIS

Activity status when compliance not achieved N/A

Matters of discretion are restricted to:

- RURZ-MD1 - Natural environment values
- RURZ-MD2 - Housing of Animals
- RURZ-MD3 - Character and amenity values of the activity

GRUZ-R18 Intensive outdoor primary production

Activity status: RDIS

Activity status when compliance not achieved N/A

Matters of discretion are restricted to:

- RURZ-MD1 - Natural environment values
- RURZ-MD2 - Housing of Animals
- RURZ-MD3 - Character and amenity values of the activity

GRUZ-R37 Any other activity not provided for in this zone as a permitted, controlled, restricted discretionary, discretionary, non-complying, or prohibited activity, except where expressly specified by a district wide provision

Activity status: DIS

Activity status when compliance not achieved: N/A

APPENDIX 6 – MACKENZIE DISTRICT PLAN

intensive primary production	<p>means either:</p> <ul style="list-style-type: none"> a. primary production activities that principally occur within buildings and involve growing fungi, or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry. b. primary production activities involving the keeping or rearing of livestock that principally occurs outdoors, which by the nature of the activity, precludes the maintenance of pasture or ground cover, but excludes intensive winter grazing, where livestock are grazed on an annual forage crop at any time in the period that begins on 1 May and ends with the close of 30 September of the same year.
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GRUZ-R19	Intensive Primary Production	
GRUZ	<p>Activity Status: RDIS</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity does not involve the production of mushrooms. 2. All paddocks, hard-stand areas, structures and/or buildings used to house stock, and wastewater treatment systems associated with intensive primary production, shall be located a minimum distance of 300m from the notional boundary of any lawfully established existing sensitive activity on another site, and 1km from any residential zone. 3. The activity shall be undertaken in accordance with a plan showing the location of all paddocks, hard-stand areas, structures or buildings used to house stock, and wastewater treatment systems associated with the intensive primary production. This plan shall be provided to the Mackenzie District Council Planning Manager prior the activity establishing. An updated plan shall be provided if the activity changes or expands. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. The effect on amenity from any discharge of odour or dust. b. The location of the paddock, building, structure or impervious area housing stock. c. The design of the building housing stock. d. The location and design of the wastewater treatment system to manage odour related effects. e. Any mitigation proposed to reduce the effect or dispersion of odour or dust. 	Activity status when compliance is not achieved with R19.1 to R19.3: DIS

APPENDIX 7 – PROPOSED TIMARU DISTRICT PLAN

INTENSIVE INDOOR PRIMARY PRODUCTION	means primary production activities that principally occur within buildings and involve growing fungi, or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry.
INTENSIVE OUTDOOR PRIMARY PRODUCTION	means primary production activities involving the keeping or rearing of livestock that principally occurs outdoors, where the regular feed source for the livestock is substantially provided from off-site sources, but excludes: <ul style="list-style-type: none"> a. calf-rearing for three months in any calendar year; b. pig production for domestic self-subsistence home use; c. extensive pig farming; d. free range poultry farming; and e. the feeding of supplementary feed during adverse weather events such as drought or snow.
INTENSIVE PRIMARY PRODUCTION	means any activity defined as intensive indoor primary production or intensive outdoor primary production.

GRUZ-R1		Primary production and intensive primary production, not otherwise listed in this chapter
General Rural Zone	Activity status: Permitted	Activity status where compliance not achieved with PER-3: Restricted Discretionary
	Where:	Matters of discretion are restricted to:
	PER-1 The activity does not include any offensive trade; and	1. the ability to manage grazing practices to ensure amenity effects on adjoining neighbours are minimised.
	PER-2 GRUZ-S5 is complied with; and	Activity status where compliance not achieved with PER-4: Restricted Discretionary
PER-3 For grazing of stock within 50m of a residential unit under different ownership located in the Māori Purpose Zone, permanent ground cover of no less than 90% must be maintained, except during crop renewal or resowing.	Matters of discretion are restricted to:	1. any adverse effect on adjoining properties; and 2. mitigation measures.
PER-4 For milking sheds and buildings used to house or feed stock are located at least 200m from any land in the Māori Purpose Zone, Settlement Zone and Residential Zones.	Activity status where compliance not achieved with PER-1 or PER-2: Discretionary	
Note: any associated building and structure must be constructed in accordance with GRUZ-R13.		

GRUZ-S5	Intensive primary production activities and new farm effluent disposal areas	
<p>General Rural Zone</p>	<p>1. Prior to the establishment of:</p> <ul style="list-style-type: none"> a. a new intensive primary production activity; or b. the expansion of an existing intensive primary production activity; or c. a new farm effluent disposal area; <p>a plan showing the location of all paddocks, hard-stand areas, structures, buildings used to house stock, and treatment systems associated with the intensive primary production activity shall be provided to Council's District Planning Unit; and</p> <p>2. No new:</p> <ul style="list-style-type: none"> a. intensive primary production (including expansion of an existing intensive primary production), except calf rearing for less than three months in any calendar year; or b. farm effluent disposal area (including expansion of an existing farm effluent area), <p>may be established within:</p> <ul style="list-style-type: none"> i. 500m of the notional boundary of an existing sensitive activity on a separate site under different ownership; or ii. 100m of the boundary with a separate lot under different ownership; or iii. 1000m of the boundary with any of the Residential zones, Rural Lifestyle zone, Rural Settlement zone, Māori Purpose zone or Open Space and recreation zones. 	<p>Matters of discretion are restricted to: Not applicable</p>