

BEFORE THE INDEPENDENT HEARING PANEL

UNDER the Resource Management Act 1991 ("**RMA**")

IN THE MATTER OF Proposed Far North District Plan ("**PDP**")

STATEMENT OF EVIDENCE OF MELISSA MCGRATH ON BEHALF OF AUDREY CAMPBELL-FREAR

PLANNING (HORTICULTURE ZONE TOPIC)

18 November 2024

1. SUMMARY OF EVIDENCE

1.1 This evidence has been prepared on behalf of Ms Audrey Campbell-Frear as it relates to her submission and further submissions on Far North District Council's ("**Council**") PDP with regard to Hearing Stream 9. This evidence focuses on responses to the recommendations in the Rural Wide Issues and the Rural Production Zone, and Horticulture Zone ("**HZ**") s42A Reports ("**s42A**").

1.2 In summary, I disagree with the recommendation of the Reporting Planner to retain the HZ. The proposed HZ within the PDP is not the most appropriate mechanism to achieve the appropriate objectives, nor does it fully align with section 5 of the Act for the following reasons:

- (a) The RPROZ objectives already adequately address the need to protect highly productive land and provide for primary production activities, including horticulture.
- (b) The HZ introduces unnecessary duplication, imposes restrictive and inefficient rules, and fails to provide the flexibility required to allow landowners to fully utilise their land for a range of productive uses.
- (c) The HZ criteria, which limit the zone to the Kerikeri/Waipapa area, are overly narrow and fail to capture other areas of the district where horticultural activities could thrive, especially in relation to existing and proposed irrigation infrastructure.
- (d) The concern about reverse sensitivity within the Kerikeri/Waipapa horticulture area does not warrant the establishment of a separate zone, the RPROZ

already manages reverse sensitivity through its provisions, and the proposed HZ does not provide any additional protection in this respect.

- (e) Much of the land in the proposed HZ is already fragmented, making it unsuitable for large-scale horticultural operations.
- (f) While the Kerikeri/Waipapa area has a certain level of investment and infrastructure in place, there is no evidence to suggest that this area is more economically valuable or productive for horticulture than other parts of the district.
- (g) LUC 4 soils are not defined as highly productive under the NPS-HPL and should not be afforded additional protection.

2. INTRODUCTION

2.1 My full name is Melissa Ivy McGrath. I am a Senior Associate with Barker & Associates, a planning and urban design consultancy with offices across New Zealand.

2.2 I am a qualified planner with a Master of Resource Management from Massey University and am a Full Member of the New Zealand Planning Institute. I have 20 years' experience as a planner. During this time, I have been employed in various resource management positions in local government and private companies including experience with:

- (a) Statutory resource consent planning in the Northland and Auckland regions, including an extensive range of work in the Whangārei, Kaipara and Far North Districts. Of particular note, I worked for Far North District Council as a consent planner for 5 years, working with the operative Far North District Plan.
- (b) Consideration of submissions and formulation of policy and policy advice for Council's throughout New Zealand including, Whangārei District Council, Kaipara District Council, Far North District Council, and private clients, including as the District Plan Manager for Whangārei District Council.

2.3 I attach a copy of my CV in **Attachment 1** which provides further detail on my experience and expertise.

2.4 I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. I have complied with the Code of Conduct in preparing this

statement of evidence. Unless I state otherwise, this evidence is within my sphere of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

- 2.5 B&A staff have previously provided assistance to FNDC on the PDP. This related to assistance with the formulation of section 32 evaluations for a number of topics prior to the notification of the PDP. That engagement did not carry forward post notification of the PDP. In regard to these matters, I confirm the following:
- (a) B&A is an independent planning consultancy providing planning and resource management advice and services. B&A act on behalf of a number of private and public clients throughout the country;
 - (b) I have had no involvement in the preparation of provisions, the section 32 evaluation or any advice following notification for the topics (Rural Wide Issues and RPROZ and the HZ) within this PDP hearing; and
 - (c) I contributed to the section 32 evaluation of Heritage and Special Zones topics and reviewed the section 32 evaluation for the Earthworks and Minerals topic and confirm that these are not relevant to Ms Campbell-Frear's submission.
- 2.6 Noting the above, I have no conflict of interest to declare with respect of the hearing of Ms Campbell-Frear's submission within the PDP review.

Involvement with PDP on behalf of Ms Campbell-Frear

- 2.7 I have been engaged by Ms Audrey Campbell-Frear to provide independent planning evidence on her behalf for the PDP, being initially engaged in September 2022 to provide planning input into her original submission.
- 2.8 Ms Campbell-Frear made a submission (S209) and further submissions (FS172) on the PDP.
- 2.9 I confirm that I am very familiar with Far North, having grown up in Hokianga and worked as a consent planner for Far North District Council in the early 2000's. I have visited the site and surrounding area of Kerikeri which is the focus of Ms Campbell-Frear's submission on numerous occasions, the most recent being 18 October 2024.

Scope of Evidence

- 2.10 The matters addressed in my evidence are within the scope of the submission and further submissions made by Ms Campbell-Frear.
- 2.11 My evidence will address the following topics:
- (a) Relief Sought;
 - (b) Appropriateness of the HZ;
 - (c) Kerikeri/Waipapa Horticultural Area; and
 - (d) National Policy Statement for Highly Productive Land.
- 2.12 In preparing this evidence, I have relied upon GIS mapping and data analysis of Ms Zucchetto, Geospatial Consultant at Spatialize. Included as **Attachment 2** of this statement are the following maps prepared for the Kerikeri Irrigation Scheme and proposed HZ which I refer to:
- (a) Land parcels less than 2ha and ineligible for commercial reticulation;
 - (b) Land parcels less than 10ha;
 - (c) Lot size density;
 - (d) Land Use Capability Soils Classification;
 - (e) Land Use Classification; and
 - (f) Rateable Land Use.

3. RELIEF SOUGHT

- 3.1 The primary relief of Ms Campbell-Frear's submission is to delete the proposed HZ in its entirety, rezoning areas Rural Production, General Rural, Commercial or Rural Residential zones as appropriate. The basis for this relief sought is:
- (a) The HZ does not achieve the purpose of the RMA insofar as it does not promote the sustainable management of natural and physical resources;
 - (b) The HZ fails to give effect to the National Planning Standards and the National Policy Statement for Highly Productive Land ("**NPS-HPL**");

- (c) The HZ section 32 evaluation is incomplete and flawed for the following reasons:
- (i) The evaluation does not provide sufficient level of detail that corresponds to the scale and significance of creating a special purpose zone;
 - (ii) The evaluation fails to consider the full range of zoning options and identify reasonably practicable options to achieve objectives;
 - (iii) The evaluation fails to evaluate appropriate zone criteria and zone boundaries;
- (d) The PDP does not provide strategic direction or policy support for the suite of rural zones proposed, nor does it support the HZ;
- (e) The HZ has only been proposed within the Kerikeri/Waipapa area; and
- (f) The HZ provisions are not sufficiently different from the Rural Production Zone (“**RPROZ**”) (and in some instances are more permissive).

3.2 Whilst the matter of the spatial extent of zones has been scheduled to be addressed separately as part of Hearings 14, 15A – D in mid-2025, the Reporting Planner has addressed the matters of rural zone selection in the PDP and implementation of the NPS-HPL which are central to Ms Campbell-Frear’s relief sought and issues raised. I do not provide any discussion or recommendations with respect to the most appropriate zoning of Kerikeri fringe or the spatial extent of zones as per relief sought by Ms Campbell-Frear’s submission in this evidence as these matters will be addressed in the later hearings.

4. APPROPRIATENESS OF HORTICULTURE ZONE

4.1 The Reporting Planner has concluded that the selection of six rural zones in the PDP is appropriate including the HZ and has justified the use of the HZ in the PDP¹. I provide an evaluation in accordance with Section 32AA of the appropriateness of the HZ within this section of my evidence.

4.2 Section 32 specifies that an evaluation of a proposed plan must:

¹ Rural Wide Issues and the Rural Production Zone Section 42A Report, section 5.2.1.

- (a) examine the extent to which the **objectives** of the proposal are the most appropriate way to achieve the purpose of the Act²; and
- (b) examine whether the **provisions**³ in the proposal are the most appropriate way to achieve the objectives⁴. [my emphasis added]

4.3 Zoning is a tool, a method, and by definition a provision, which must be evaluated as the most appropriate way to achieve the objectives. The Reporting Planner has considered the concept of a HZ, concluding that it is appropriate.

Appropriateness of Objectives

4.4 The Reporting Planner has recommended changes to RPROZ and HZ objectives in response to submissions and in their opinion to implement the NPS-HPL, however, the outcomes have remained largely the same as notified. I have addressed the Reporting Planner's recommended changes to objectives separately in section 6 of this evidence.

4.5 The Council pre-notification Rural Environment Section 32 Report evaluated⁵ the appropriateness of the proposed RPROZ and HZ objectives together, with no comparison or consideration of duplication, I have undertaken a comparison detailed in **Attachment 3**. This in my opinion raises the question of the appropriateness of the proposed objectives as applying to the rural environment.

Purpose of the RMA

4.6 Sustainable management under Section 5 of the RMA is to manage use, development and protection of natural resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety. Sustainable management requires a balanced approach to the management of use, development and protection of natural resources.

4.7 The Reporting Planner has opined that:

² Section 32(1)(a).

³ Provisions as defined by section 32(6) means, (a) for a proposed plan or change, the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change."

⁴ Section 32(1)(b).

⁵ Table 7.1.2.

“a specific zone that enables a significant natural (soils) and physical (supporting infrastructure) resource to be used to provide for the economic, social and cultural wellbeing is directly relevant to achieving the propose of the RMA and promotes the sustainable use of both the land and infrastructure resources invested in the horticulture industry”⁶.

- 4.8 This is general conclusion with respect to a zone and is not the evaluation required in accordance with Section 32.
- 4.9 Notwithstanding my concerns with whether the proposed strategic direction objectives are the most appropriate to achieve the purpose of the RMA⁷, the only strategic direction proposed for the rural environment is the efficient and effective operation of primary production activities⁸ and protection of highly productive land⁹. I consider that there is no direction or need to establish multiple and duplicative objectives within Rural Production and Horticulture zones to give effect to the proposed Strategic Direction.
- 4.10 As proposed the RPROZ objectives enable a range of use and development whilst seeking to protect the natural and physical resources of the zone which will enable people to provide for their social, cultural and economic wellbeing. All four RPROZ objectives utilise positive language such as ‘manage to ensure’, ‘protects’, ‘maintain’ which in my opinion align with section 5.
- 4.11 The HZ objectives as proposed are more restrictive than the RPROZ with directive avoidance language, seeking to limit activities only to horticultural activities. In my opinion the proposed HZ objectives are overly restrictive and limiting of the use of natural and physical resources for a purpose other than for horticultural activities¹⁰ and fail to enable people and communities to provide for their social, economic and cultural wellbeing as required to achieve section 5 the purpose of the Act.
- 4.12 The RPROZ and HZ proposed objectives do not recognise or provide for section 6 matters of national importance, as structured the PDP manages section 6 matters via district wide overlays and/or chapters.

⁶ Rural Wide Issues and the Rural Production Zone Section 42A Report, table 1.

⁷ Evidence on behalf of Ms Campbell-Frear to Hearing Topic 1 Strategic Direction.

⁸ SD-RE-O1.

⁹ SD-RE-O2.

¹⁰ HZ-O3, HZ-P3, HZ-P4 and HZ-P5.

- 4.13 Council is required to have particular regard to section 7 matters, whilst a number of matters apply generally to all zones and have been given effect to in District Wide Overlays/Chapters in the PDP, I consider that sections 7(b)¹¹ and 7(g)¹² are particularly relevant to the rural environment given the resource management issues¹³ identified by Council.
- 4.14 As proposed the HZ objectives seek to restrict and limit the use of natural and physical resources, which in my opinion does not promote efficiency, particularly when compared to the more enabling RPROZ objectives. For this reason, I consider that the proposed RPROZ objectives are in accordance with section 7(b) but the proposed HZ objectives are not.
- 4.15 Highly productive land¹⁴ throughout the rural environment is a finite resource as identified in the NPS-HPL¹⁵. Proposed objective RPROZ-O3 has particular regard to this finite resource. Proposed objective HZ-O3 has particular regard to this finite resource but limited to horticultural activities. For this reason, I consider that the proposed RPROZ objectives are in accordance with section 7(g) but the proposed HZ objectives are not.
- 4.16 For these reasons, I conclude that the proposed RPROZ suite of objectives will be the most appropriate way to achieve the purpose of the RMA.

Strategic Direction

- 4.17 The Council pre-notification Rural Environment Section 32 Report lists the proposed Strategic Direction objectives relevant to the Rural Environment but with no evaluation of the zone objectives relative to the Strategic Direction objectives. The Reporting Planner has determined that SD-RE-O1 and SD-RE-O2 provide sufficient strategic direction for the rural environment as a whole, and does not consider it the role of the strategic direction objectives to provide direction on specific zones. I have addressed the role and function of Strategic Direction objectives in my evidence to Hearing Topic

¹¹ Section 7(b) the efficient use and development of natural and physical resources.

¹² Section 7(g) any finite characteristics of natural and physical resources.

¹³ Section 4.4 of Pre-Notification Rural Environment Section 32 Report.

¹⁴ LUC 1-3 as defined in the NPS-HPL.

¹⁵ NPS-HPL Policy 1 - Highly productive land is recognised as a resource with finite characteristics and longterm values for land-based primary production.

1 Strategic Direction¹⁶, and again note that no evaluation of the appropriateness of the proposed Strategic Direction objectives has been undertaken.

- 4.18 Putting aside concerns I may have with the Strategic Direction objectives as proposed; I do not consider SD-RE-O1 and SD-RE-O2 afford any support or direction which necessitates the creation of a HZ at all or one limited to the Kerikeri/Waipapa area.

Strategic Direction Objective	RPROZ Discussion	Horticultural Zone Discussion
<p><i>SD-RE-O1: Primary production activities are able to operate efficiently and effectively and the contribution they make to the economic and social well-being and prosperity of the district is recognised</i></p>	<p>Proposed RPROZ-O2 and RPROZ-O3 enable the use of the RPROZ for primary production activities (which includes horticultural activities).</p> <p>None of the RPROZ objectives directly recognise the contribution of primary production activities to the economic and social wellbeing of the district.</p> <p>RPROZ objectives achieve SD-RE-O1.</p>	<p>Proposed HZ-O1 is focused upon enabling horticultural and ancillary activities only, which are a sub-set of primary production activities and does not achieve SD-RE-O1.</p>
<p><i>SD-RE-O2: Protection of versatile soils from inappropriate development to ensure their production potential for generations to come</i></p> <p><i>Note: Hearing 1 Reporting Planner has recommended that SD-RE-O2 be amended as follows:</i></p> <p><i>Protection of versatile soils highly productive land from inappropriate development to ensure their production</i></p>	<p>Proposed RPROZ-O3(a) seeks to protect highly productive land from sterilisation.</p> <p>Highly productive land has a different definition and scope to versatile soils, therefore this objective does not completely achieve SD-RE-O2 unless objective SD-RE-O2 is amended as recommended by the Hearing 1 Reporting Officer.</p>	<p>Proposed HZ-O3(a) seeks to avoid land sterilisation that reduces the potential for highly productive land to be used for horticultural activities.</p> <p>Highly productive land has a different definition and scope to versatile soils, therefore this objective does not completely achieve SD-RE-O2 unless objective SD-RE-O2 is amended as recommended by the Hearing 1 Reporting Officer.</p> <p>As for proposed HZ-O1, proposed HZ-O2 is focused</p>

¹⁶ Statement of Planning Evidence (Strategic Direction) of Melissa McGrath on Behalf of Audrey Campbell-Frear Section 7 (dated 10 May 2024).

<i>potential for generations to come</i>		upon horticultural activities only, which are a sub-set of production potential and does not achieve SD-RE-O2.
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Duplication

4.19 The proposed RPROZ and HZ objectives are largely duplicated, with the following differences:

- (a) the HZ seeking to avoid fragmentation of land for horticultural use whilst the RPROZ is silent on fragmentation;
- (b) the HZ seeks to avoid land sterilisation that reduces the potential for highly productive land to be used for a horticulture activity, whilst the RPROZ seeks to protect highly productive land from sterilisation;
- (c) the HZ seeks to avoid any reverse sensitivity effects that may constrain the effective and efficient operation of primary production activities, whilst the RPROZ seeks to protect productive activities from reverse sensitivity; and
- (d) the HZ does not enable compatible activities with a functional use.

In my opinion this duplication (and difference in expression) is unnecessary and as previously discussed the differences in the HZ objectives are not appropriate.

Provisions are the Most Appropriate to Achieve Objectives – Identifying Other Reasonably Practicable Options for Achieving the Objectives

4.20 The Council pre-notification Rural Environment Section 32 Report evaluates status quo (Option 1), the suite of zones proposed (Option 2) and a suite of zones limited to those provided for under the National Planning Standards (Option 3). The pre-notification Section 32 Report does not evaluate alternative spatial layer options, zone criteria or spatial zone locations. The Reporting Planner has also not evaluated alternative options. In my opinion section 32(1)(b) has not been complied with.

National Planning Standards – Special Purpose Zone

4.21 Council have proposed the HZ as a ‘special purpose zone’, which in my opinion fails to give effect to the National Planning Standards and does not comply with the zone framework standard 8, mandatory direction 3 which specifies *that a special purpose*

zone must only be created when the **proposed land use activities or anticipated outcomes** of the additional zone meet **all** of the special purpose zone criteria [my emphasis added]. I consider each of the criteria below.

a. Are significant to the district, region or country

- 4.22 The Reporting Planner has relied upon the Council Rural Economic Report prepared in support of the Pre-notification Section 32 Rural Environment Report to conclude “that the HZ meets this criteria due to the value that the Kerikeri Irrigation North and South regions bring to both the region and district”.
- 4.23 I disagree with this conclusion, Mr Foy in his evidence has considered the economic significance of the HZ to the district concluding that whilst there is a large presence of horticultural activity within Kerikeri, horticulture has consistently been a relatively small contributor to district GDP and employment, and Kerikeri has been a minority contributor to the district’s horticulture industry, with more horticulture activity located outside Kerikeri than inside.
- 4.24 With reliance upon Mr Foy’s evidence, I do not consider the value of the Kerikeri Irrigation Scheme to be significant to the district, region or country and alone does not warrant a separate zone. The proposed HZ has been applied selectively to the Kerikeri/Waipapa area and has not been mapped throughout the district. The proposed land use activities are enabled and appropriately managed via the proposed RPROZ and as previously discussed anticipated outcomes are provided for by the proposed RPROZ.

b. Are impracticable to be managed through another zone

- 4.25 The Reporting Planner has concluded that it is “impracticable” to manage the proposed land use activities or anticipated outcomes through another zone, considering that providing clear, effective and simple direction to achieve outcomes sought for the HZ would not be achievable if it was absorbed into the RPROZ.
- 4.26 In my opinion the proposed HZ could be managed via National Planning Standards Zones, either the RPROZ or the General Rural Zone. The purpose of the RPROZ is to provide for areas predominantly used for primary production activities¹⁷, whilst the General Rural Zone is to provide for primary production activities and a range of

¹⁷ National Planning Standards, Zone Framework Standard

activities that support primary production. Council has not utilised the General Rural Zone, nor has section 32 evaluation been undertaken to consider this option.

- 4.27 I consider that clear, effective and simple provisions can be established within the RPROZ to address and manage the resource management issues identified for the Rural Environment and to achieve the RPROZ objectives including with respect to horticultural activities. In fact, the Reporting Officer has recommended changes to the RPROZ and HZ provisions in response to the NPS-HPL which afford a higher level of protection of highly productive land and Land Use Capability Class 4 soils (“**LUC 4**”), which indicates that it is not impracticable.

c. Are impractical to be managed through a combination of spatial layers

- 4.28 The Reporting Planner has also considered that it would be impractical to manage the land use and outcomes via spatial layers because it would result in carve outs from the RPROZ provisions to a spatial layer. Whilst I consider that a single zone can simply manage the land use activities and outcomes sought by the proposed HZ, I also consider that another practical method would be to identify and map as a district wide overlay the land which is necessary to be afforded with a greater level of management for horticultural activities in addition to the underlying zone. In my opinion “carve outs” from the underlying zone provisions are exactly how an overlay spatial layer is intended to operate under the National Planning Standards, and does operate effectively in many district plans, and is not a reasonable basis for determining that the use of spatial layers is “impractical”.
- 4.29 In my opinion the proposed HZ does not comply with the National Planning Standards zone framework standard 8, mandatory direction 3. There are other reasonably practicable and practical options for achieving the most appropriate objectives, and the proposed HZ is not the most appropriate way to achieve the most appropriate objectives.

Assessing the efficiency and effectiveness of the provisions in achieving the objectives

- 4.30 The Reporting Planner has recommended amendments to the RPROZ and HZ policies to give effect to the NPS-HPL, generally concluding that these amended policies are efficient and effective. I discuss the implementation of the NPS-HPL further in section 6 of this evidence.
- 4.31 The Reporting Planner considers that a single zone:

“would necessitate much more complex rules and a lengthy list of objectives and policies...considered to not be the most efficient or effective way to direct land use or subdivision outcomes for the Kerikeri-Waipapa horticulture area”.¹⁸

- 4.32 As illustrated in **Attachment 4** the policies and rules of RPROZ and HZ are largely the same and this duplication is not efficient and effective. If different rules were needed to be incorporated into a single zone to achieve the objectives, I do not consider this to be overly complex. I note that the Reporting Planner has recommended this approach, recommending additions to the RPROZ rules which effectively create a ‘carve out’ for HPL for example:

RPROZ-R17 Emergency Service Facility

Activity Status: Permitted

Where:

PER-1 The combined GFA of all buildings on the site does not exceed 150m².

PER-2 The activity is not located on highly productive land.

- 4.33 The Reporting Planner states that a “desired outcome of the HZ is prioritising primary production activities that can make use of the irrigation infrastructure over other activities that might need a rural location but don’t need access to water”¹⁹. This desired outcome is not achieved via proposed policy HZ-P3 which seeks to enable Horticulture Activities and Ancillary Activities only. Non-horticultural rural production activities e.g. farming, are permitted activities within both the RPROZ and the HZ, therefore the HZ is equally as enabling of non-horticultural rural production as it is horticulture, exactly the same as RPROZ.
- 4.34 The HZ allows existing residential and commercial activities to continue where these are lawfully established whilst limiting any further development. Change of use or change of scale would require resource consent. The Reporting Planner states that the aim is to ‘hold the line’ at current levels of non-rural development. As illustrated in the rateable land use maps in **Attachment 2**, the HZ is comprised of a range of land use activities, 12.7% of the properties located within the proposed zone are rated and used for productive use, 9.4% of properties are rated for horticultural activities. 87.3%

¹⁸ Rural Wide Issues and the Rural Production Zone Section 42A Report, paragraph 75.

¹⁹ Rural Wide Issues and the Rural Production Zone Section 42A Report, paragraph 75c.

of the zone is used for other land use activities²⁰. Given the restrictive rules proposed, there will be a significant compliance cost (including resource consent cost and uncertainty) to 90.6% of properties within this zone, resulting in inefficient provisions.

- 4.35 The pre-notification Rural Environment Section 32A Report asserts that a new special purpose zone [HZ] will be applied only to the Kerikeri/Waipapa area, stating key criteria²¹. No analysis of the efficiency or effectiveness of the HZ criteria has been undertaken. I conclude that the HZ criteria is not the most efficient and effective to achieve the most appropriate objectives based upon the following assessment:

Table 1: Efficiency and Effectiveness of HZ Key Criteria

Key Criteria	Comment
Must have an existing Rural Production zoning	Reliance upon an existing zone is clear and measurable, spatially identified being efficient. The ODP became operative in September 2009, being 15 years old, the land use and development pattern of the RPROZ will have changed significantly which is not efficient.
Must be in the Kerikeri / Waipapa area	This criterion represents a very small area of the Far North District, limitation of the zone to this location would not effectively capture all possible land within which the appropriate objectives would apply. This criterion does not capture all areas within Far North District which are serviced or proposed to be serviced by water resources, irrigation infrastructure existing and proposed dams.
Must be highly productive land	This criterion is efficient and effective in implementing the NPS-HPL.
Must have access to a water source, such as an irrigation scheme or dam to support horticultural activities	Accessibility to water sources is variable and can change subject to availability and capacity of the water resource, necessary approval for water takes, physical infrastructure resources.

²⁰ I note that these numbers are based upon the GIS analysis, Mr Foy has undertaken GIS analysis in parallel due to evidence time constraints, but these are generally consistent.

²¹ Pre-notification Rural Environment Section 32A Report, Section 5.2.2

	<p>Water sources can also be established within a site to serve a horticultural activity.</p> <p>There are many existing and proposed water sources to support horticultural activities within the Far North District outside Kerikeri/Waipapa which have not been proposed as HZ.</p>
Must have infrastructure available to support horticulture in the surrounding environment eg. commercial packhouses	Infrastructure such as commercial packhouses whilst essential to prepare produce for market, can be accessed via transportation between locations or established within or proximate to a site to serve a horticultural activity.
May have existing horticulture occurring.	<p>This criterion is not a requirement, it is common for land use activities to change.</p> <p>As stated above 90.6% of the HZ is used for land use activities other than horticulture.</p>

5. KERIKERI/WAIPAPA HORTICULTURAL AREA

5.1 The Reporting Planner discusses additional reasons²² for using a special purpose HZ only in the Kerikeri/Waipapa area, considering that Kerikeri/Waipapa Horticulture Industry is unique²³. I address these reasons in turn.

Kerikeri/Waipapa Irrigation Scheme is Regionally Significant Infrastructure

5.2 No definition of “regionally significant irrigation infrastructure” is provided by Council. I note that the Northland Regional Policy Statement definition of regionally significant infrastructure²⁴ does not include irrigation schemes. It is unclear on what basis the Kerikeri/Waipapa Irrigation Scheme could be considered “regionally significant”.

5.3 The Kerikeri/Waipapa Irrigation Scheme was constructed in the 1980’s being owned by a private co-operative and is an aging asset which is subject to on-going

²² Rural Wide Issues and the Rural Production Zone Section 42A Report, Table 1 and paragraph 75

²³ “Due to the location of regionally significant irrigation infrastructure and wider processing, packaging and storing infrastructure which is not present elsewhere in the District” Rural Wide Issues and the Rural Production Zone Section 42A Report, Table 1.

²⁴ RPS definition refers to Appendix 3 for a list of identified regionally significant infrastructure.

maintenance²⁵. The Irrigation Scheme therefore has a limited lifespan and could cease to operate at any time. Access to water is controlled by the Kerikeri Irrigation Company (“KIC”), which limits landowners ability to access this resource for the purpose of productive activities. The KIC states²⁶ that it will not provide commercial water supply for any block less than 2ha of land, which equates to 59% of properties within the proposed HZ as illustrated in the various lot size maps included in **Attachment 2**. The KIC reserves the right to cease supply at any time a block of any size ceases to operate as a commercial horticultural activity²⁷. Water is allocated by irrigable hectare size, which affords a disadvantage to smaller blocks. This raises the question of the practicality of the Kerikeri/Waipapa Irrigation Scheme being able to continue to service the Kerikeri/Waipapa horticulture area to continue to achieve productivity. For these reasons access to water is not guaranteed for the life of the PDP.

- 5.4 Whilst the Kerikeri/Waipapa Irrigation Scheme may be the largest existing scheme operating in the District, there are other water sources throughout the District, including bores, irrigation schemes or aquifer access²⁸. Two consented dams: Otawere Water Storage Reservoir at Waimate North and Matawii Water Storage Reservoir at Kaikohe, both consented under the Fast Track regime to provide water supply for irrigation purposes.

Location of Horticulture Processing, Packaging and Storing Infrastructure

- 5.5 Council has proposed to establish a Horticulture Processing Facilities Zone (also special purpose) will applies to a total of 70.07 hectare of land across the district²⁹, where existing horticultural processing and storage facilities operates. This zone is not limited to the Kerikeri/Waipapa area which indicates that proximity to processing and storage facilities is not unique to the Kerikeri/Waipapa area. Whist it is acknowledged that these facilities exist and proximity of horticulture activities to these facilities improves economic efficiency, these activities are not uncommon within a RPROZ and

²⁵ <https://keriirrigation.co.nz/wp-content/uploads/2018/10/Newsletter-September-2018.pdf>.

²⁶ <https://keriirrigation.co.nz/schemes/>.

²⁷ <https://keriirrigation.co.nz/schemes/>.

²⁸ The Aupōuri Aquifer (from which an annual take of more than 4.5 million m³ was consented in 2021, per <https://www.nrc.govt.nz/news/2021/september/aupouri-aquifer-consents-granted/>).

²⁹ Pre-notification Horticulture Processing Facility Section 32 Report, Section 2.2.

are provided for as permitted activities within the proposed Light and Heavy Industrial Zones and the RPROZ.

Prevent increase in reverse sensitivity

5.6 The Reporting Planner states that the HZ intends to protect the Kerikeri/Waipapa horticulture industry from reverse sensitivity effects. I do not consider that a separate HZ is necessary to address reverse sensitivity effects. Furthermore, as proposed I do not consider that the HZ achieves any more management of potential reverse sensitivity effects than that of the proposed RPROZ:

- (a) The proposed RPROZ and HZ have the same bulk and location standards³⁰, therefore separation of activities and prevention of reverse sensitivity is the same with respect to these standards.
- (b) The proposed HZ limits the number of permitted residential units when compared to the RPROZ, however the proposed minimum lot size as a controlled activity for the HZ as notified (10ha) is far smaller than that of the RPROZ (40ha) which has the potential to establish similar development rights.
- (c) The HZ is comprised of 1601 lots (of a total 2,115) which are currently identified and rated as residential, rural lifestyle or other land use activities which are considered sensitive to horticultural activities and therefore potential for reverse sensitivity effects. Existing Horticultural Activities are practically constrained by the existing proximity of sensitive activities.

Manage Land Fragmentation

5.7 The purpose of the HZ is to manage land fragmentation and reverse sensitivity effects and achieve greater protection of highly productive land. The Reporting Planner opines that “the biggest threat to Land Use Capability 4 (“**LUC 4**”) land remaining in productive use is land fragmentation”³¹. As illustrated in the maps included in **Attachment 2**, the proposed HZ (particularly along Kerikeri Road) is already

³⁰ Noting that the Reporting Officer has recommended amendments to which establish differences in building or structure coverage.

³¹ Rural Wide Issues and the Rural Production Zone Section 42A Report Paragraph 126.

fragmented not only by existing residential and commercial activities, but by smaller allotments.

- 5.8 As notified the PDP proposed a minimum lot size of 10ha as a controlled activity and 4ha as a discretionary activity within the HZ. As illustrated in the maps included in **Attachment 2**, 93% of the parcels in the proposed HZ are smaller than 8ha, 94% of parcels are smaller than 10ha, and 59% of parcels are smaller than 2ha and well are below any commonly accepted size that would support most forms of viable horticulture production.
- 5.9 The Reporting Planner concludes³² 10ha sized lots are an appropriate size to enable high yield horticultural operations, considering that there is a risk that 4ha lots could still be used for rural lifestyle purposes. In order to give effect to the NPS-HPL and protect HPL the Reporting Planner has recommended no controlled activity subdivision and a minimum lot size of 8ha as a discretionary activity within the HZ. Therefore, I conclude that the HZ and in particular LUC 4 is already fragmented and its productive use is compromised.

Future proof high levels of investment/valuable market

- 5.10 Whilst high levels of investment may have occurred with the establishment and on-going maintenance of the Kerikeri/Waipapa Irrigation Scheme, as I have previously discussed this is a privately owned and operated scheme which affords no certainty of water supply to growers within the proposed HZ.
- 5.11 Mr Foy has assessed that there is “no material difference in horticultural productivity between places within and outside the HZ” and he also concludes that “the “significant value” ascribed to the Kerikeri/Waipapa Irrigation Scheme is not generating a greater level of economic output than in areas not covered by the scheme (if the S32 report’s assessment is accurate). That, in turn, indicates that the area proposed to be HZ in the PDP is not more valuable for horticultural activities than other parts of the district where those activities are being carried out...”³³.
- 5.12 With reliance upon Mr Foy’s evidence, I conclude that the proposed HZ is not necessary to future proof high levels or investment or a valuable market.

³² Rural Wide Issues and the Rural Production Zone Section 42A Report, Appendix 4.

³³ Mr Foy’s evidence paragraph 6.1.

Soils Classed as Land Use Capability 4 Productive Potential

5.13 The Reporting Planner references the Council Pre-notification Rural Environment Section 32 Report, which asserts that LUC 4 has productive potential due to the presence of irrigation infrastructure³⁴, however I note that the Section 32 Report does not cite any source for this statement. In his evidence statement Mr Hanmore provides further discussion with respect to LUC 4 soils and the ability of available water sources to increase their productivity, concluding that:

“There are limited LUC class 4 units within Northland that have the potential to sustainably lift production above their class four classification by irrigation. LUC class 4 units within the proposed horticultural zone that are within the Kerikeri irrigation scheme are dominated by land that has moisture deficits over the summer but that could not sustainably lift production through irrigation due to the risk of erosion and slope steepness.”

5.14 I rely upon Mr Hanmore’s expertise and I do not consider that the productive potential of LUC 4 warrants protection afforded by the proposed HZ as it is not highly productive for the following reasons:

- (a) LUC 4 is defined as having severe limitations to arable use, restricting choice of crops grown, necessitating intensive conservation treatment, and/or very careful management³⁵.
- (b) LUC 4 is not defined³⁶ by the NPS-HPL as highly productive, because Northland Regional Council (“**NRC**”) has not completed mapping in accordance with clause 3.4(1), nor does the NPS-HPL apply to it in accordance with clause 3.4(7) prior to NRC mapping.

³⁴ FNDC Rural Environmental Economic Analysis – Update report, dated August 2020, which states “alternative soil types [to LUC 1-3] are less suitable for horticultural production (although plentiful water supply can help counter that) page x (Executive Summary)

³⁵ Ministry for Primary Industries, Target Land and Land Use Capability Classes, <https://www.mpi.govt.nz/dmsdocument/58-target-land-and-land-use-capability-classes>

³⁶ means land that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceases to be highly productive land).

- (c) LUC 4 is not defined by the Northland Regional Policy Statement as highly versatile soils³⁷.
- (d) As previously discussed, the Kerikeri/Waipapa Irrigation Scheme has limited capacity to service commercial horticulture, which in turn reduces the productive capacity of the LUC 4 soils.

6. NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND

- 6.1 Central Government have recently gazetted changes to the NPS-HPL, and have signalled further amendments to be consulted on in early 2025. The Reporting Planner states that the signalled future amendments to the NPS-HPL create uncertainty as to the future effectiveness of the NPS-HPL to protect land with productive potential against growth pressures in the future³⁸. In my opinion national direction is for the government to determine and Council is to give effect to this direction.

Mapping of HPL

- 6.2 The Reporting Planner states that whilst the land included in the HZ is considered to be valuable irrespective of the NPS-HPL direction, it is their opinion that the HZ, which includes LUC 4 land, aligns with the direction in Clause 3.4(3) of the NPS-HPL in that it provides the option for regional councils to map other classes of land that are highly productive³⁹.
- 6.3 As I interpret clause 3.4(3) of the NPS-HPL it applies the onus and required of mapping HPL as defined by the NPS to Regional Council only. NRC have not adopted maps identifying HPL, more importantly they have not publicly notified maps identifying HPL, and the Reporting Planner has recorded that that the process of mapping HPL and introducing those maps into the RPS is currently on hold pending further updates from the government about NPS-HPL amendments⁴⁰. It is not the District Council's function to zone LUC 4 land on the basis that it should be protected for a future mapping process.

³⁷ Highly Versatile Soils are Land Use Capability Classes 1c1, 2e1, 2w1, 2w2, 2s1, 3e1, 3e5, 3s1,3s2, 3s4 - as mapped in the New Zealand Land Resource Inventory.

³⁸ Rural Wide Issues and the Rural Production Zone Section 42A Report paragraph 115a.

³⁹ Table 1 (paragraph 71) of the Rural Wide Issues and Rural Production Zone s42A.

⁴⁰ Rural Wide Issues and the Rural Production Zone Section 42A Report footnote 23.

- 6.4 Whilst I acknowledge that Council must implement operative national policy statements, Central Government have very clearly signalled that further amendments, including removal of the requirement to map LUC 3 soils or reduction of protection requirements for LUC 3 soils, to the NPS-HPL are imminent. I note that Council not intend to release PDP decisions until 2026, by that time the NPS-HPL is highly likely to have changed.
- 6.5 In my opinion the HZ as proposed, particularly the inclusion of LUC 4 soil, does not implement the NPS-HPL.

Recommended Provisions to Implement NPS-HPL

- 6.6 The Reporting Planner has recommended a number of amendments to the rural provisions to give effect to the NPS-HPL. My primary position remains that HZ is not appropriate, however, should the hearing panel be of a mind to retain the HZ I have considered the provisions. Changes recommended include:
- (a) Aligning definitions;
 - (b) Strengthening policy direction⁴¹;
 - (c) Manage subdivision of HPL in accordance with clause 3.8;
 - (d) Managing activities on HPL in accordance with clause 3.9;
 - (e) Ensuring reverse sensitivity provisions are strong enough to give effect to clause 3.13; and
- 6.7 I support the recommended changes to align the PDP definitions with the NPS-HPL.
- 6.8 I support recommended changes to the HZ overview to refer to NPS-HPL and HPL.
- 6.9 For reasons already discussed in this evidence, I do not support the recommended changes to include reference to LUC 4 within the HZ Overview, HZ-O3, HZ-P1, HZ-P2, HZ-P5 and HZ-P7, in my opinion such elevation of LUC 4 does not give effect to the NPS-HPL.

⁴¹ Horticulture Zone Section 42A Report, Minor Amendments to HZ Overview, HZ-O3, HZ-P1, HZ-P2, HZ-P5 and HZ-P7.

- 6.10 I do not support recommended rules HZ-RY and HZ-RZ which require discretionary activity consent for the extension of existing commercial and industrial activities. As previously discussed in this evidence, the HZ is comprised of range of existing land uses that are primary production or horticultural activities. This proposed rule further restricts future development, increasing consenting and development cost.
- 6.11 I do not support the recommended change to SUB-S1 minimum lot size and activity status applying subdivision within the HZ. As previously discussed, the HZ is already severely fragmented and utilised for a range of land use that is not land based primary production, I consider that the productive potential of the HZ is already compromised and further restriction of subdivision will not avoid fragmentation or afford protection from reverse sensitivity effects both of which are already present in the proposed zone.

7. CONCLUSION

- 7.1 In conclusion, I continue to support the primary relief sought by Ms Campbell-Frear, in my opinion, the proposed HZ within the PDP is not the most appropriate mechanism to achieve the appropriate objectives, nor does it fully align with section 5 of the Act for the following reasons:
- (a) The RPROZ objectives already adequately address the need to protect highly productive land and provide for primary production activities, including horticulture.
 - (b) The HZ introduces unnecessary duplication, imposes restrictive and inefficient rules, and fails to provide the flexibility required to allow landowners to fully utilise their land for a range of productive uses.
 - (c) The HZ criteria, which limit the zone to the Kerikeri/Waipapa area, are overly narrow and fail to capture other areas of the district where horticultural activities could thrive, especially in relation to existing and proposed irrigation infrastructure.
 - (d) The concern about reverse sensitivity within the Kerikeri/Waipapa horticulture area does not warrant the establishment of a separate zone, the RPROZ already manages reverse sensitivity through its provisions, and the proposed HZ does not provide any additional protection in this respect.
 - (e) Much of the land in the proposed HZ is already fragmented, making it unsuitable for large-scale horticultural operations.

- (f) While the Kerikeri/Waipapa area has a certain level of investment and infrastructure in place, there is no evidence to suggest that this area is more economically valuable or productive for horticulture than other parts of the district.
- (g) LUC 4 soils are not defined as highly productive under the NPS-HPL and should not be afforded additional protection.

Melissa McGrath

Date: 18 November 2024

LIST OF ABBREVIATIONS USED IN THIS STATEMENT OF EVIDENCE:

Council	Far North District Council
RPS	Northland Regional Policy Statement
RMA	Resource Management Act 1991
S32	Section 32 of the RMA / Council's Section 32 Evaluation Report
S42A	Section 42A of the RMA / Council's Section 42A Report
PDP	Far North District Plan
RPROZ	Rural Production Zone
HZ	Horticulture Zone
NPS-HPL	National Policy Statement for Highly Productive Land
LUC 4	Land Use Capability 4 (Soil Classification)
KIC	Kerikeri Irrigation Company
NRC	Northland Regional Council

Attachment 1 – Melissa McGrath CV



Melissa McGrath

Senior Associate

BA; MRP; MNZPI

Melissa has 20 years of experience in resource management planning, with a Masters in Resource Management. Melissa has worked for local authorities throughout the Northland Region, preparing changes to various district plans. During her time at Whangārei District Council as District Plan Manager, Melissa led the rolling review of the District Plan, Melissa has worked internationally with Pacific Aid undertaking policy work in Vanuatu. Melissa previously worked in private consultancy undertaking consenting and policy work throughout New Zealand. Melissa has a range of planning experience in consenting, policy development, consultation and public engagement.

Projects / Key Experience

Policy: Managing District Plan Review, leading council hearing and appeal management. Preparation of Private and District Plan Changes including section 32 evaluation, 42A Reporting, attendance at hearings and preparation of written right of reply and Environment Court Mediation and Expert Witness. Managing and working alongside technical consultants. Community / Stakeholder engagement including presentations on marae and Council workshops.

Particular Projects: Leading Whangārei District Plan Rolling Review, managing topics such as three waters infrastructure, transport including review of Council Engineering Standards. Reporting planner for network utilities plan change in particular implementing the National Policy Statement on Electricity Transmission and National Environmental Standards for Electricity Transmission Activities. Preparation of Whangārei Growth Strategy 30/50. Preparation of Draft Port Vila City Plan (Vanuatu).

Resource Consents: Reporting on a number of land use and subdivision consents throughout New Zealand addressing a wide range of environmental, economic, social and cultural issues. Presenting evidence at resource consent hearings on behalf of Council as reporting planner, submitters and applicants at resource consent hearings. Preparing resource consent and notice of requirement applications on behalf of network utility operators.

Non-statutory work: Preparation of submissions on District Plans, Central Government legislation and policy documents. Preparation and management of non-statutory documents to assist Māori Land owners develop papakāinga on their ancestral lands.

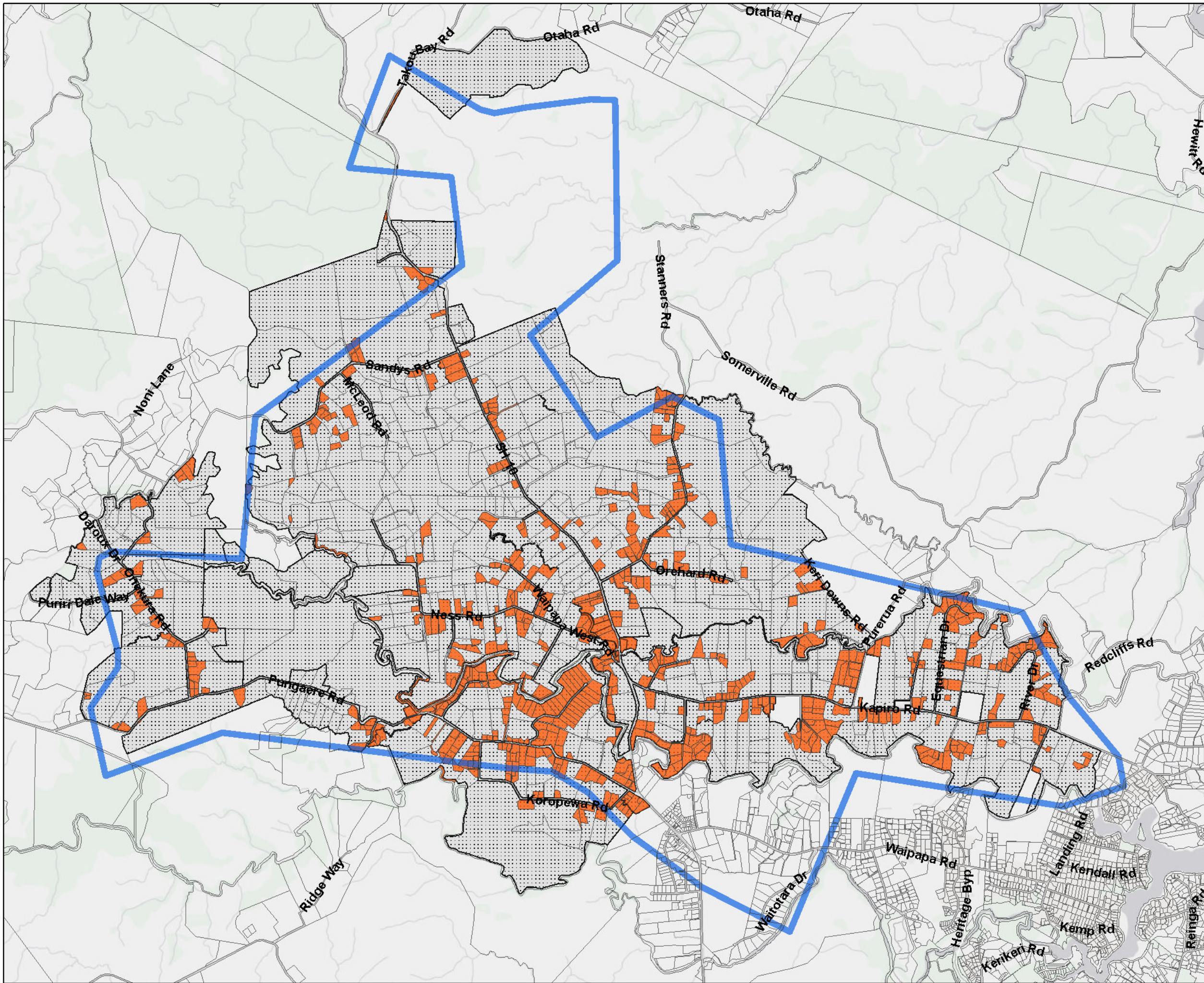
Expertise

- Strategic policy
- District Plan changes, private and public
- Resource consent processing, application preparation and management
- Public consultation




Affiliations

- Full Member of the New Zealand Planning Institute

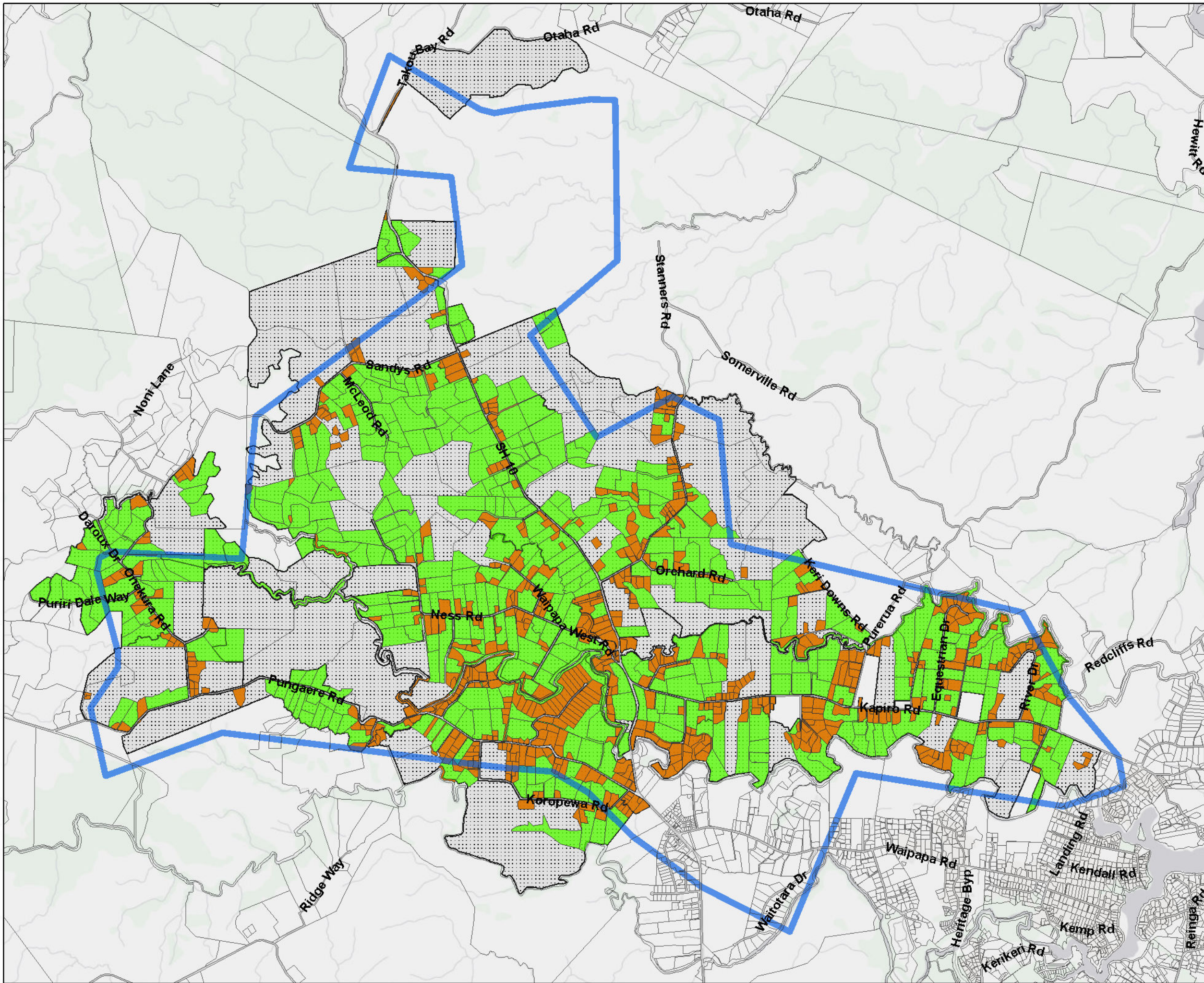
Attachment 2 – GIS Maps







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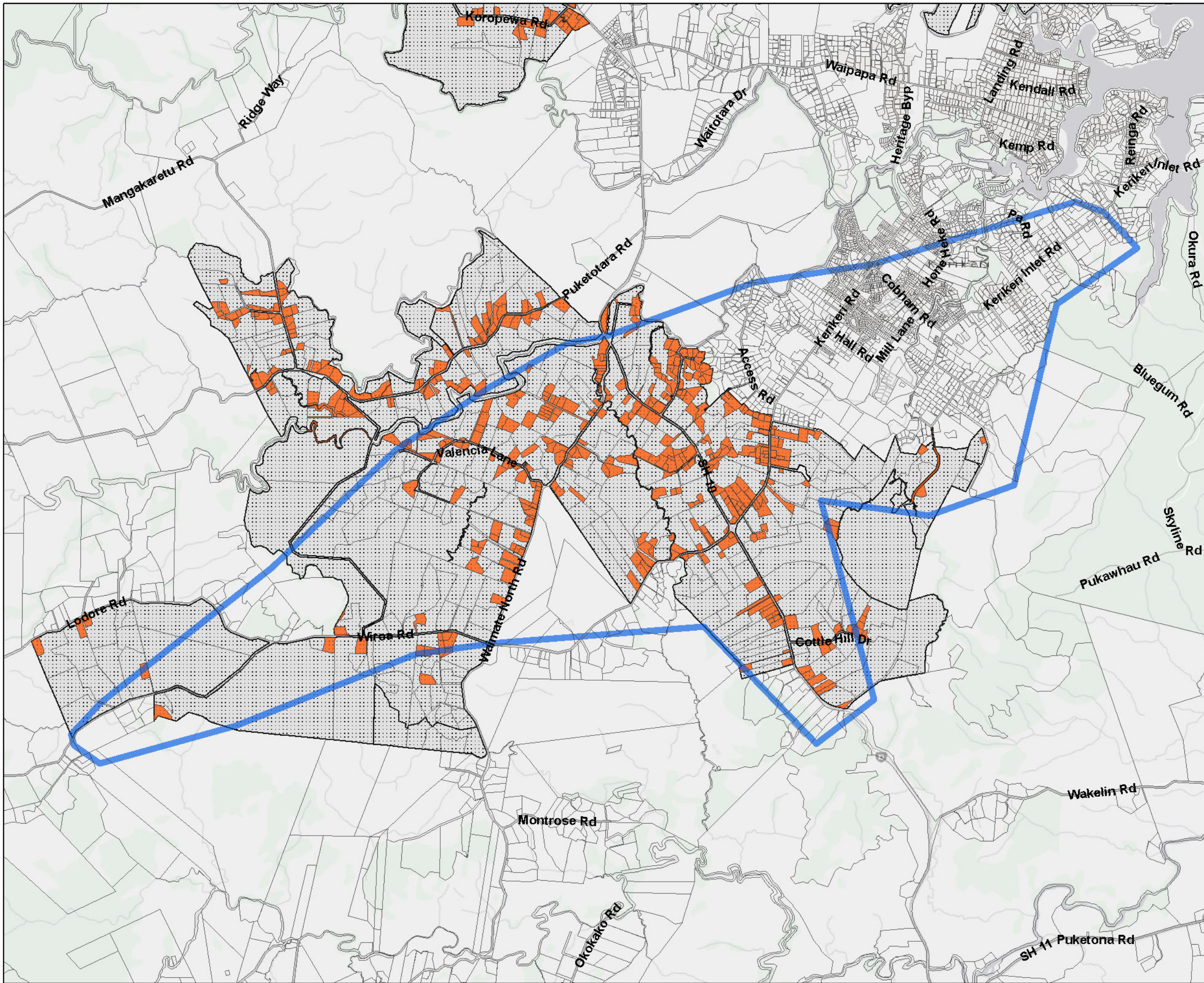
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-  Kerikeri Irrigation Scheme
-  Land parcel within Proposed Horticulture Zone ineligible to connect for commercial reticulation (<2ha) (732)




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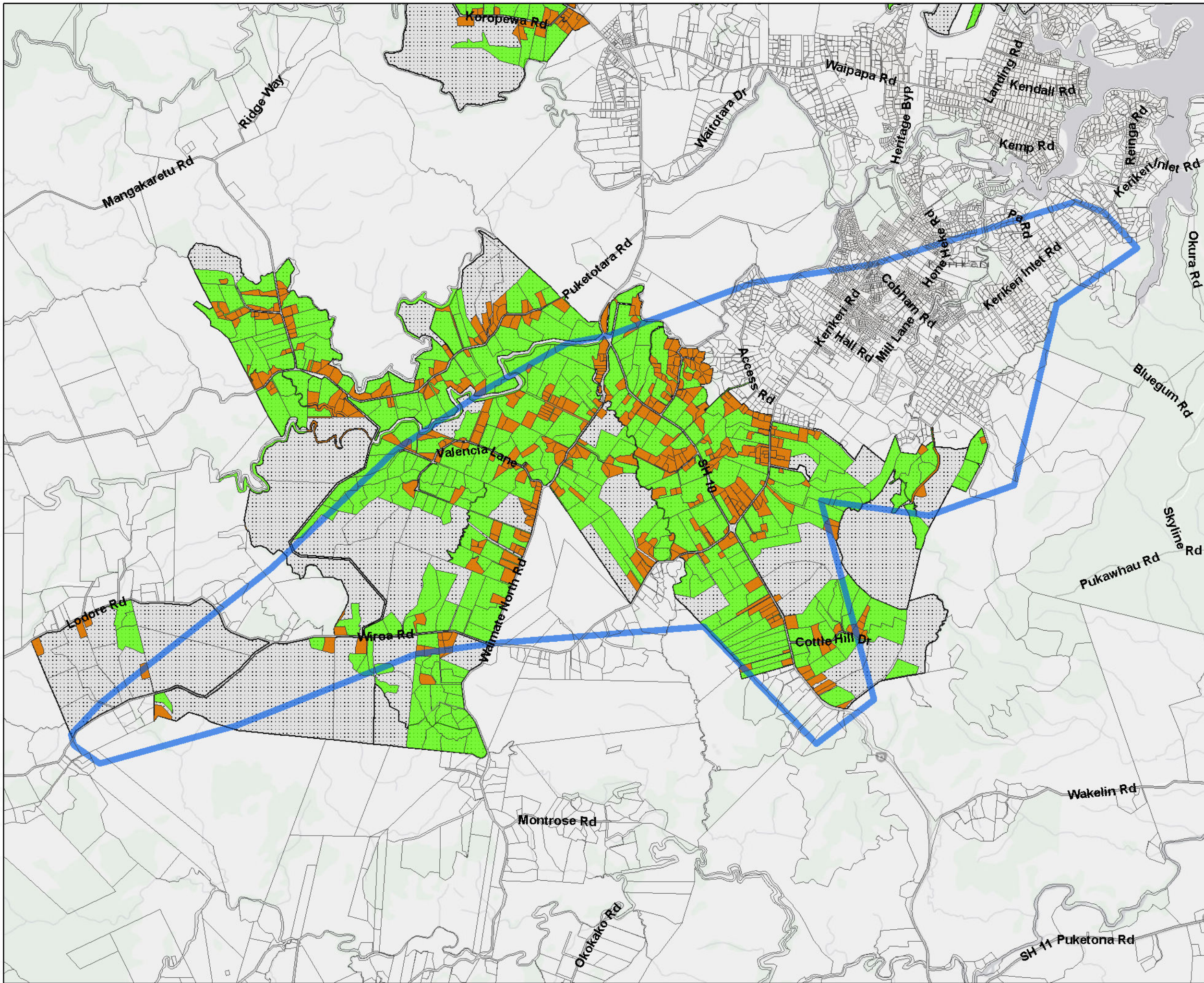
- Legend**
-  Proposed Horticulture Zone
 -  Kerikeri Irrigation Scheme
 -  Land parcel within Proposed Horticulture Zone ineligible to connect for commercial reticulation (<2ha) (732)
 -  Land parcel within Proposed Horticulture Zone below a suitable size for productive horticulture activities (<10ha) (1,143)

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





- Legend**
-  Proposed Horticulture Zone
 -  Kerikeri Irrigation Scheme
 -  Land parcel within Proposed Horticulture Zone ineligible to connect for commercial reticulation (<2ha) (496)

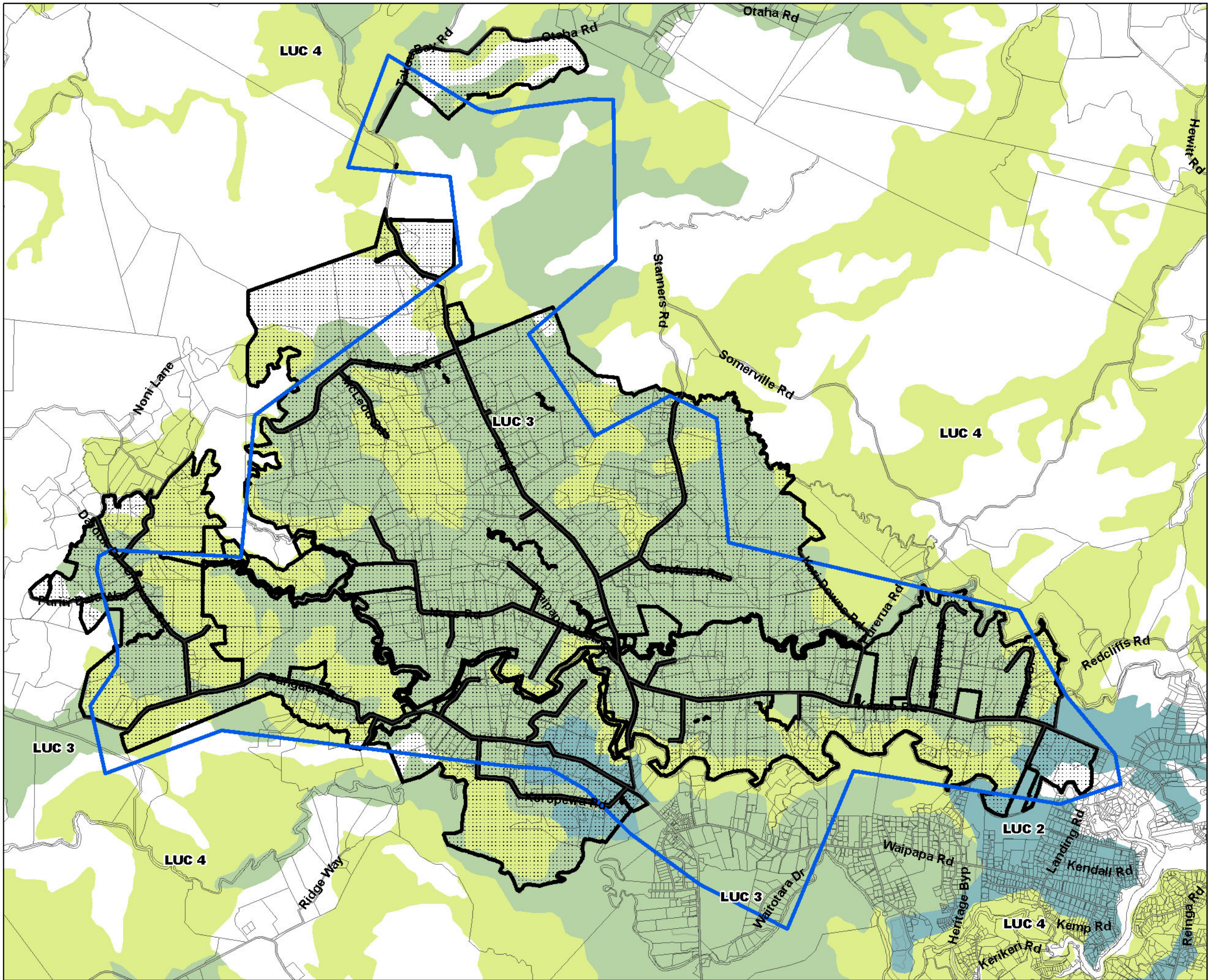
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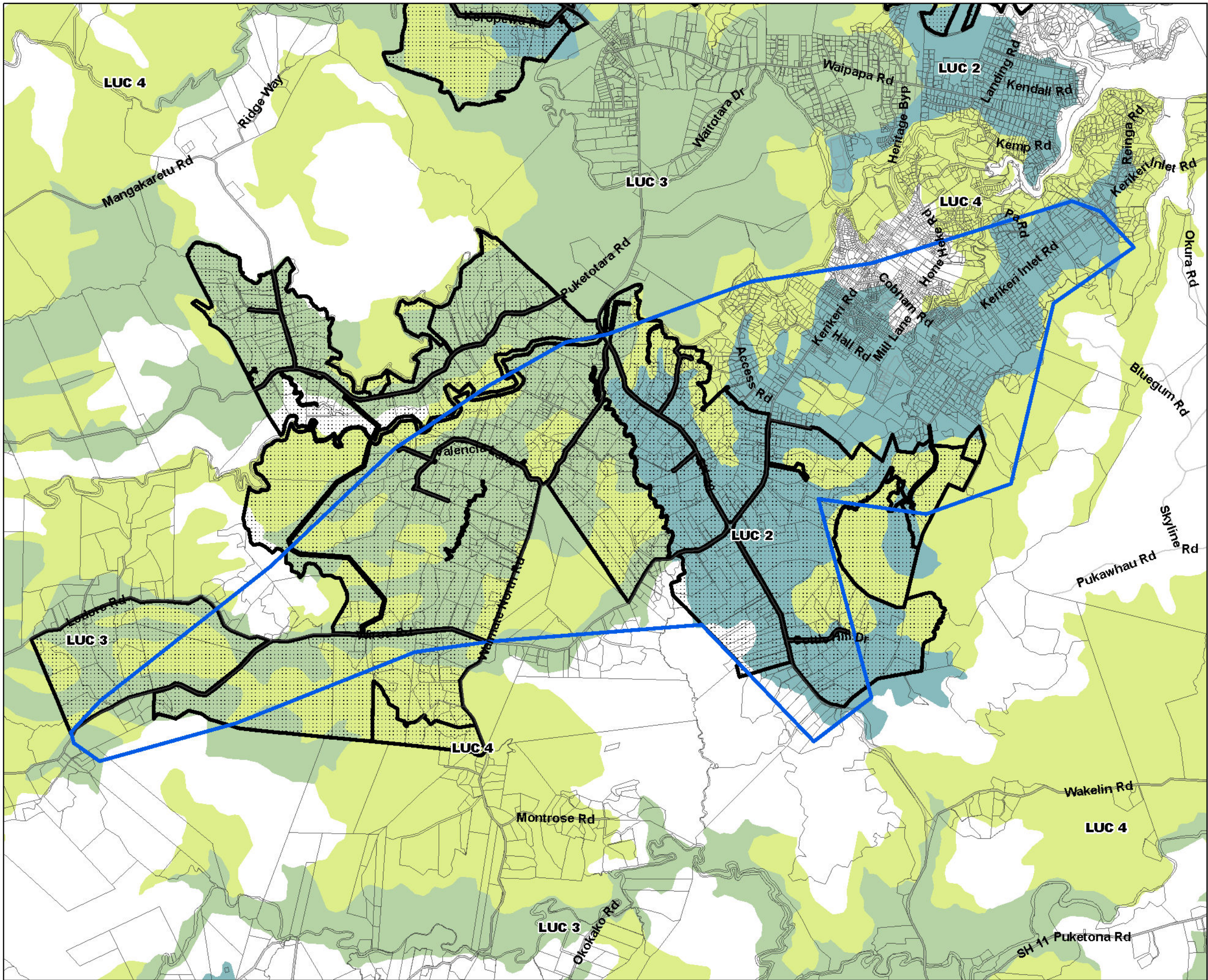
-  Proposed Horticulture Zone
-  Kerikeri Irrigation Scheme
-  Land parcel within Proposed Horticulture Zone ineligible to connect for commercial reticulation (<2ha) (496)
-  Land parcel within Proposed Horticulture Zone below a suitable size for productive horticulture activities (<10ha) (811)

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- Legend**
-  Proposed Horticulture Zone
 -  Kerikeri Irrigation Scheme
- NZLRI Land Use Capability 2021**
-  LUC Class 2
Arable. Very good multiple-use land, slight limitations, suitable for cropping, viticulture, berry fruit, pastoralism, tree crops and forestry.
 -  LUC Class 3
Arable. Moderate limitations, restricting crop types and intensity of cultivation, suitable for cropping, viticulture, berry fruit, pastoralism, tree crops and forestry.
 -  LUC Class 4
Arable. Significant limitations for arable use or cultivation, very limited crop types, suitable for occasional cropping, pastoralism, tree crops and forestry. Some Class 4 is also suitable for viticulture and berry fruit.




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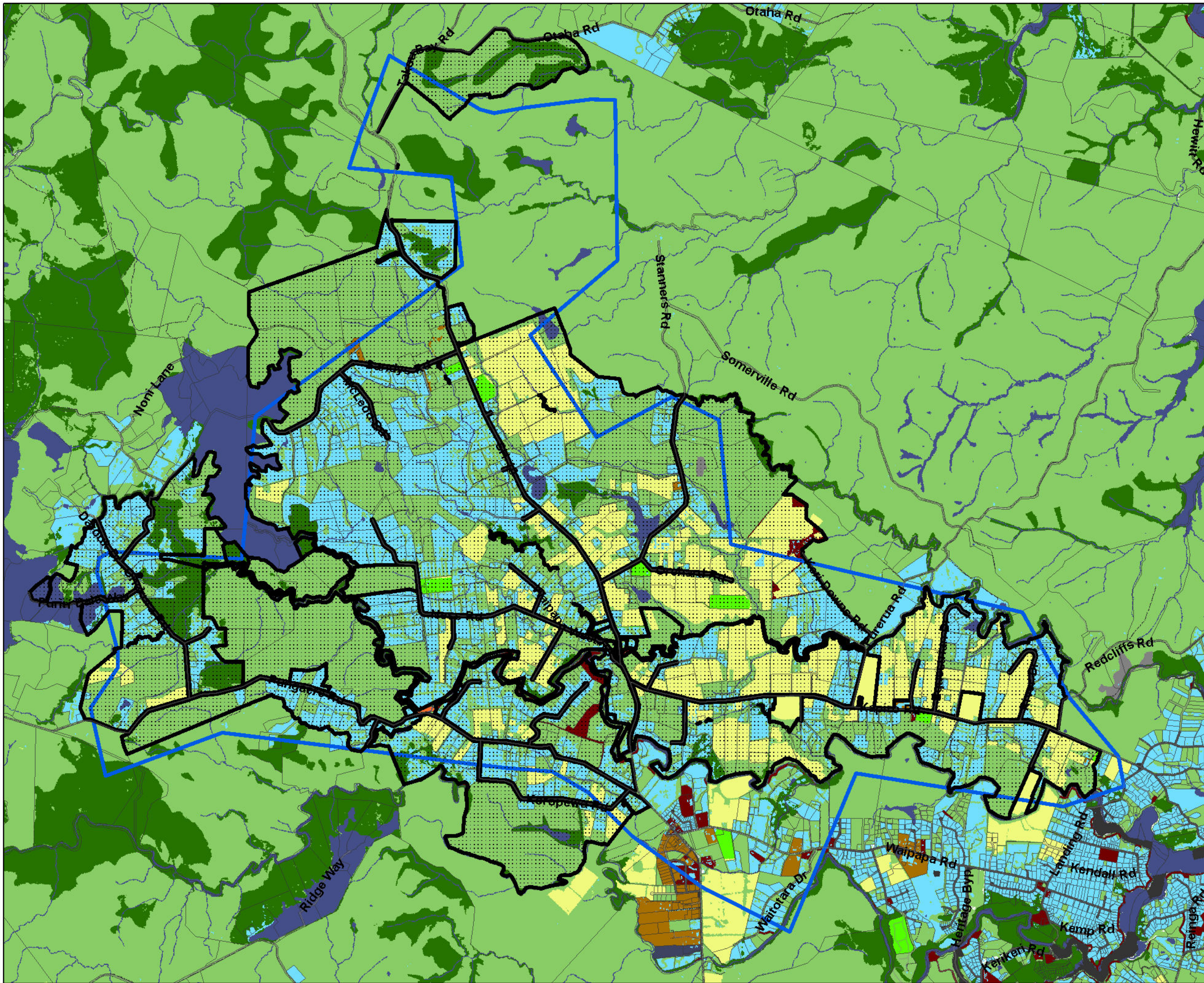
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







-  Proposed Horticulture Zone
-  Kerikeri Irrigation Scheme

NZLRI Land Use Capability 2021

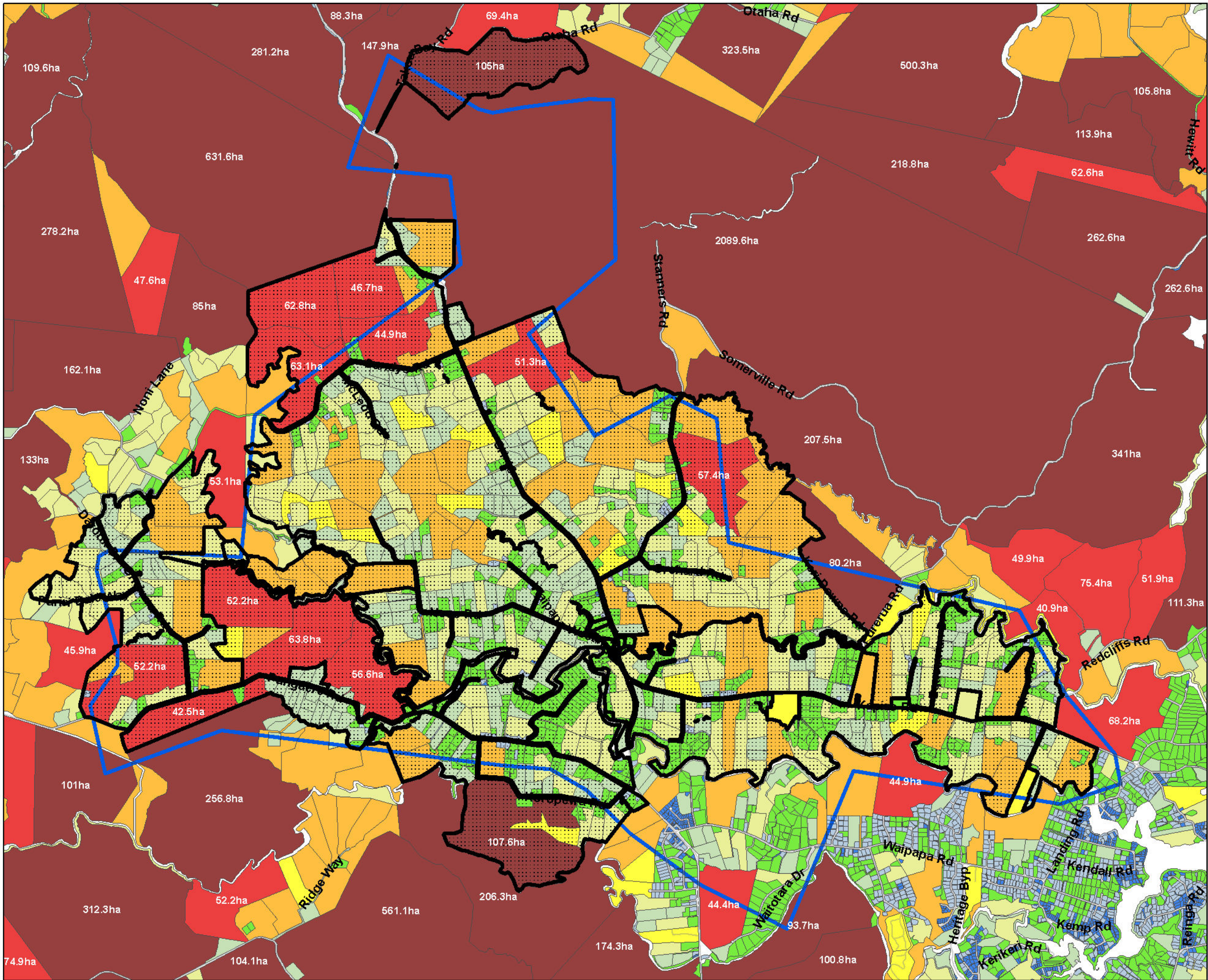
-  LUC Class 2
Arable. Very good multiple-use land, slight limitations, suitable for cropping, viticulture, berry fruit, pastoralism, tree crops and forestry.
-  LUC Class 3
Arable. Moderate limitations, restricting crop types and intensity of cultivation, suitable for cropping, viticulture, berry fruit, pastoralism, tree crops and forestry.
-  LUC Class 4
Arable. Significant limitations for arable use or cultivation, very limited crop types, suitable for occasional cropping, pastoralism, tree crops and forestry. Some Class 4 is also suitable for viticulture and berry fruit.

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- Legend**
-  Proposed Horticulture Zone
 -  Kerikeri Irrigation Scheme
 -  Conservation and Natural Environments
 -  Dryland Agriculture and Plantations
 -  Irrigated Agriculture and Plantations
 -  Intensive horticulture
 -  Intensive animal production
 -  Manufacturing and industrial
 -  Residential and farm infrastructure
 -  Services
 -  Utilities
 -  Transport and communication
 -  Mining
 -  Waste treatment and disposal
 -  Water

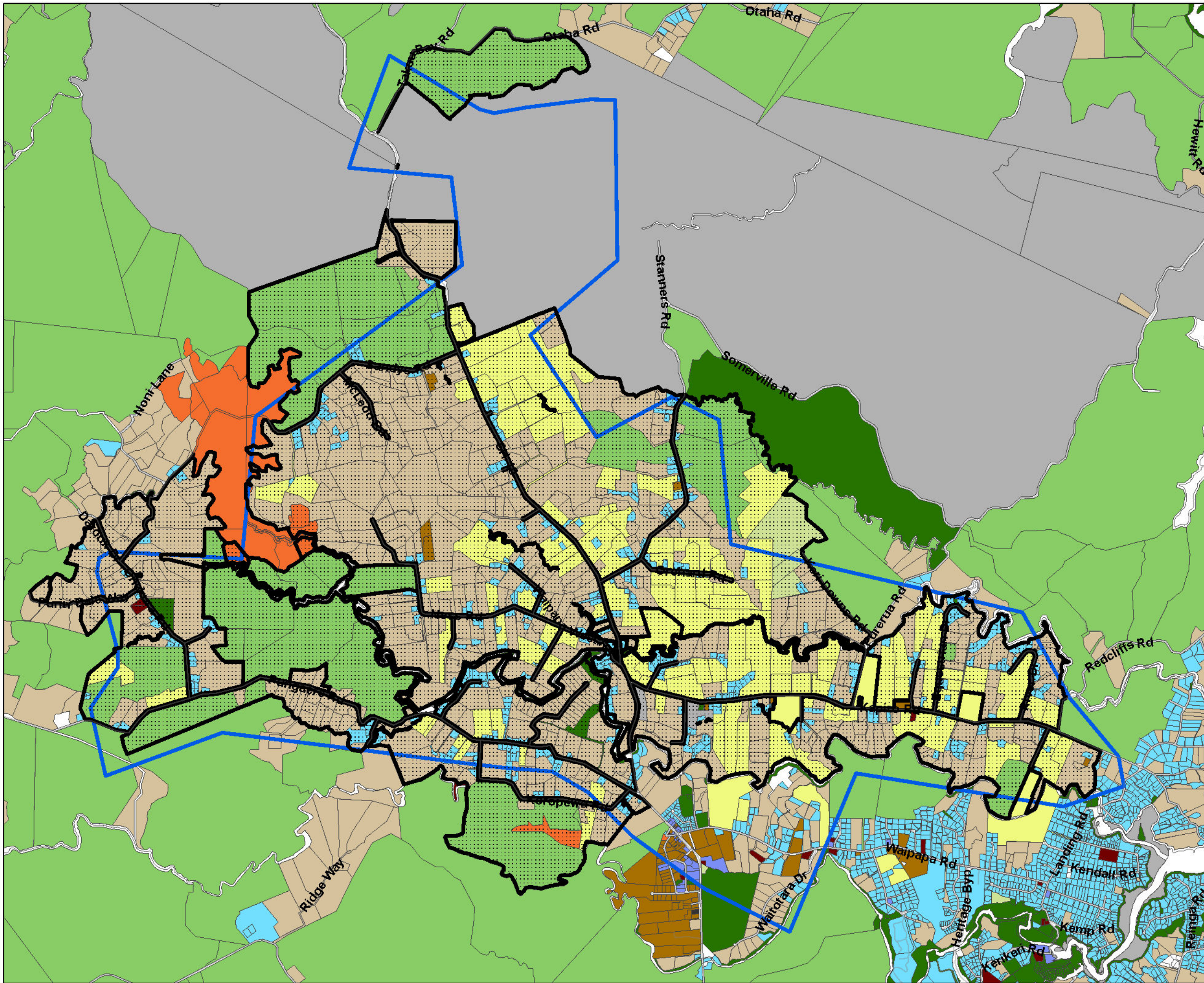
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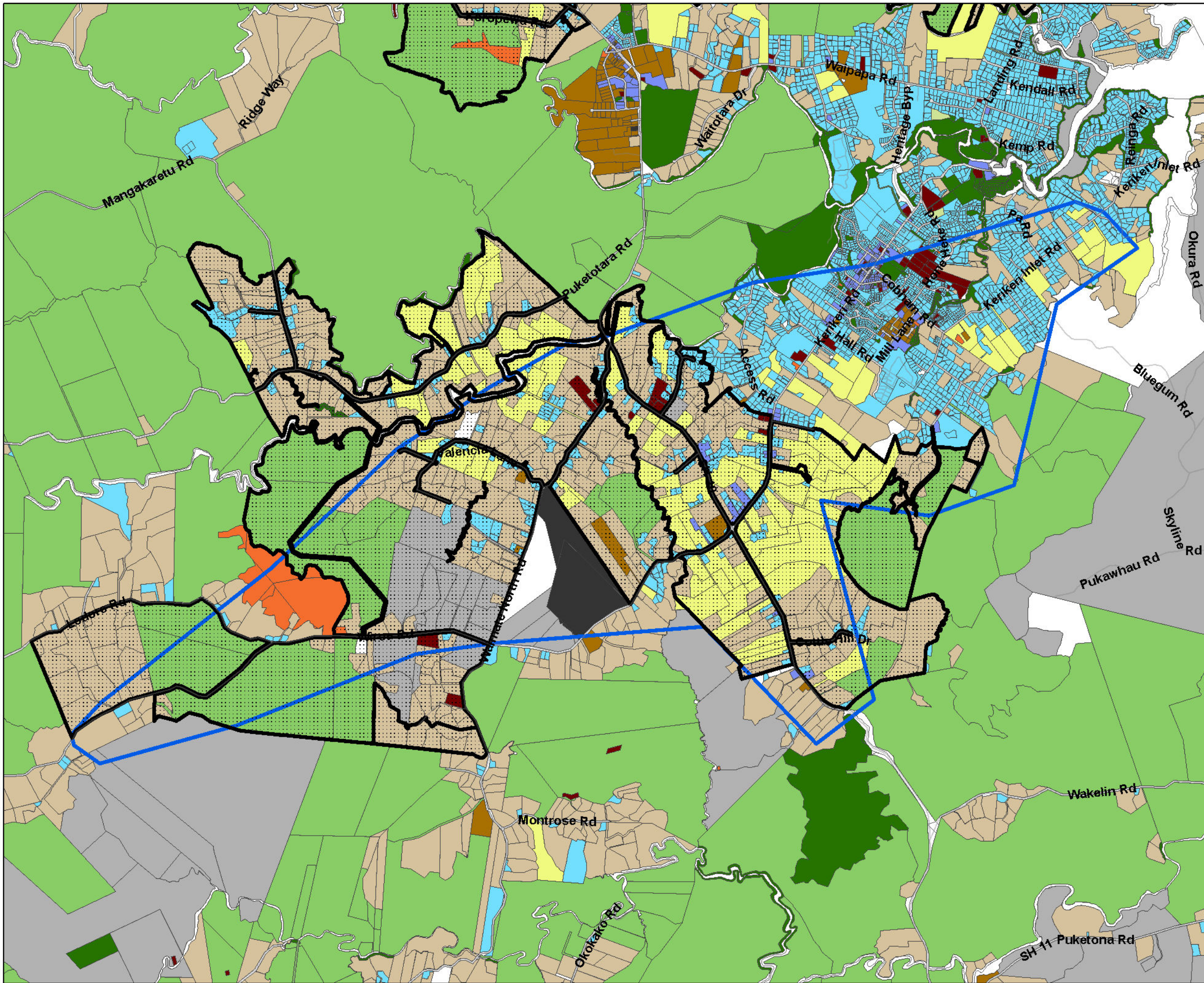
- Proposed Horticulture Zone
- Kerikeri Irrigation Scheme
- Lot Size Density (# land parcels)**
- < 2,000m² (777)
- 2,000m² - 4,000m² (810)
- 4,000m² - 2ha (1,132)
- 2ha - 4ha (316)
- 4ha - 8ha (252)
- 8ha - 10ha (29)
- 10ha - 40ha (116)
- 40ha - 80ha (31)
- > 80ha (35)

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- Legend**
-  Proposed Horticulture Zone
 -  Kerikeri Irrigation Scheme
 -  Residential
 -  Community Services
 -  Industrial
 -  Lifestyle
 -  Multi-Major Use
 -  Primary Industry - Dairy & Pastoral
 -  Primary Industry - Market Gardens & Orchards
 -  Primary Industry - Forestry, Mineral Extraction, Multi Use
 -  Recreational
 -  Residential
 -  Transport
 -  Utility

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- Legend**
-  Proposed Horticulture Zone
 -  Kerikeri Irrigation Scheme
 -  Commercial
 -  Community Services
 -  Industrial
 -  Lifestyle
 -  Multi-Major Use
 -  Primary Industry - Dairy & Pastoral
 -  Primary Industry - Market Gardens & Orchards
 -  Primary Industry - Forestry, Mineral Extraction, Multi Use
 -  Recreational
 -  Residential
 -  Transport
 -  Utility

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Mapping methodology for FNDC proposed district plan submitter evidence

18 November 2024

The following maps have been provided by Dianne Zucchetto, to assist with submitter evidence for the FNDC proposed district plan. Maps have been generated in ArcPro with connection to ArcGIS Online to source existing live data from FNDC and NRC.

Where possible, data is accessed directly from the source either from open data feature services, data portals or from ArcGIS Online Living Atlas. This ensures data is current as provided by the organisation.

1. Land use maps

Data sources:

Data for the rateable land use maps was sourced from FNDC’s Parcels_Corax_FNDC FeatureService in ArcGIS Online, and symbolised on the Land Use field.

As the rateable land use data is sourced directly from FNDC via ArcGIS Online, it is assumed to be current as of November 2024.


























Data for the land use classification map was sourced from NRC’s MWLCR_luis_202311_aggcells MapService in ArcGIS Online, and symbolised on the lu_codem field. Classifications were aggregated to simplify the map and to align with the rateable land use categories for comparison.

The NRC land use classification map was created by Landcare Research using the Australian Land Use and Management (ALUM) Classification Version 8.

The source of land use classification includes DOC, FNDC, KDC, WDC, LUCAS LUM, MfE, Ministry of Education, MPI, MWLR, NIWA, NRC, OSM, QEII, Transpower, Warwick Simpson, WONI, NRC LiDAR, LINZ, LCDB v5, and CRoSL.

Data was mapped at between 1:10 and 1:50,000 and captured between 2004-2023.

Unlike rateable land use, the land use classification does not classify whole land parcel’s or properties to a single land use category. It instead classifies each land use within a land parcel/property.

Rateable land use (FNDC)	Land use classification (NRC)
 Commercial	 Conservation and Natural Environments
 Community Services	 Dryland Agriculture and Plantations
 Industrial	 Irrigated Agriculture and Plantations
 Lifestyle	 Intensive horticulture
 Multi-Major Use	 Intensive animal production
 Primary Industry - Dairy & Pastoral	 Manufacturing and industrial
 Primary Industry - Market Gardens & Orchards	 Residential and farm infrastructure
 Primary Industry - Forestry, Mineral Extraction, Multi Use	 Services
 Recreational	 Utilities
 Residential	 Transport and communication
 Transport	 Mining
 Utility	 Waste treatment and disposal
	 Water

2. Lot size density maps

Data sources: Data sourced from LINZ primary parcels (November 2024) and symbolised on parcel area. Parcel area was categorised into 9 classes based on subdivision rules, with the addition of the 4,000m² – 2ha class.



3. Kerikeri irrigation scheme maps

Data for the irrigation schemes was extracted from the Kerikeri Irrigation Scheme Extents on page 26 of Northland Strategic Irrigation Infrastructure Study:

<https://www.nrc.govt.nz/media/ffdp0kbo/northland-strategic-irrigation-infrastructure-study-final-2016-04-29-2.pdf#page=26>

Data for the Land parcel illegible to connect for commercial reticulation (<2ha) was based on LINZ primary parcels (November 2024) where parcel area is less than 2ha in size.

4. Te Pātukurea Growth Scenarios map

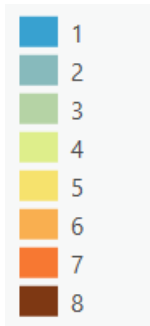
Data was sourced from Te Pātukurea – Kerikeri-Waipapa Spatial Plan Growth Scenarios App November 2024, <https://experience.arcgis.com/experience/7cdd67c2b95b4caa9f25ec01b9cd99d2/?dlg=About>

with customised symbology and labelling for mapping clarity.

5. Land use capability map

Land Use Capability data was sourced from the Manaaki Whenua – Landcare Research GIS layer NZRLI Land Use Capability 2021, with legend labels and descriptions aligned with:

https://ourenvironment.scinfo.org.nz/maps-and-tools/app/Land%20Capability/Iri_luc_main



Source of standard data displayed on all maps:

- Primary parcels sourced from LINZ November 2024
- Roads sourced from LINZ November 2024
- Proposed Horticulture Zone sourced from FNDC PDP_Zones_OpenData_FNDC Zones FeatureService, where zonelabel2 = 'Horticulture'.

Attachment 3 – Objectives Evaluation

Objectives Evaluation

	Rural Production Zone	Horticulture Zone
Duplication of Objectives		
Availability for primary production activities.	RPROZ-O1 Management to ensure its availability for primary production activities.	HZ-O1 seeks to manage the zone for long term availability for horticultural activities which are a sub-set of primary production activities.
Long term protection for current and future generations.	RPROZ-O1 Management to ensure long-term protection for current and future generations.	HZ-O1
Use for primary production, ancillary activities, activities that support production, other compatible activities with a functional need.	RPROZ-O2 Zone is used for primary production activities, ancillary activities that support primary production and other compatible activities that have a functional need to be in a rural environment.	HZ-O2 seeks to enable horticultural and ancillary activities which are a sub-set of primary production activities. HZ-O2 does not provide for compatible activities.
Protection of highly productive land from serilisation	RPROZ-O3(a) seeks protection of HPL and enable use for primary production.	HZ-O3(a) seeks to avoid land sterilisation that reduces the potential for highly productive land to be used for a horticulture activity which is a stronger outcome to that of protection under RPROZ-O3.
Enable use for productive forms of primary production.		HZ-O3(a) seeks to enable horticultural activities which are a sub-set of primary production activities.
Land fragmentation.	RPROZ does not address fragmentation.	HZ-O3(b) seeks to avoid fragmentation of land comprises the use of land for horticultural activities.

Reverse sensitivity effects	RPROZ-03(b) seeks protection of primary production activities from reverse sensitivity effects.	HZ-03(c) avoids any reverse sensitivity effects that may constrain the effective and efficient operation of primary production activities
Compromise the use of land for farming activities, particularly on highly productive land;	RPROZ-03(c) seeks that land use and subdivision does not compromise.	HZ does not address this.
Does not exacerbate any natural hazards;	RPROZ-03(d)	HZ-03(d)
Able to be serviced by on-site infrastructure.	RPROZ-03(e)	HZ-03(f)
Maintain rural character and amenity	RPROZ-04 The rural character and amenity associated with a rural working environment is maintained.	HZ-03(e)

Attachment 4 – Comparison of RPROZ and HZ Policies and Rules

Comparison between PDP RPROZ and HZ Policies and Rules

Rural Production Zone Rules	Horticulture Zone Rules	Comments
POLICIES		
	<p>HZ-P1 Identify a Horticulture zone in the Kerikeri/Waipapa area using the following criteria:</p> <ul style="list-style-type: none"> a. presence of highly productive land suitable for horticultural use; b. access to a water source, such as an irrigation scheme or dam able to support horticultural use; and c. infrastructure available to support horticultural use. 	<p>Difference: No equivalent Policy provided for in RPROZ</p>
<p>RPROZ-P1 Enable primary production activities, 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.</p>	<p>HZ-P3 Enable horticulture and associated ancillary activities that support the function of the Horticulture zone, where:</p> <ul style="list-style-type: none"> a. adverse effects are contained on site to the extent practicable; and b. they are able to be serviced by onsite infrastructure. 	<p>Difference Highlighted</p>
<p>RPROZ-P2 Ensure the Rural Production zone provides for activities that require a rural location by:</p> <ul style="list-style-type: none"> a. enabling primary production activities as the predominant land use; b. enabling a range of compatible activities that support primary production activities, including ancillary activities, rural produce manufacturing, rural produce retail, visitor accommodation and home businesses. 		<p>Different</p>
<p>RPROZ-P3 Manage the establishment, design and location of new sensitive activities and other non-productive activities in the Rural Production zone to avoid where possible, or otherwise mitigate, reverse sensitivity effects on primary production activities.</p>	<p>HZ-P4 Ensure residential activities are designed and located to avoid, or otherwise mitigate, reverse sensitivity effects on horticulture activities, including adverse effects associated with dust, noise, spray drift and potable water collection.</p>	

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Rural Production Zone Rules	Horticulture Zone Rules	Comments
<p>RPROZ-P4 Land use and subdivision activities are undertaken in a manner that maintains or enhances the rural character and amenity of the Rural Production zone, which includes:</p> <ul style="list-style-type: none"> 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. 		
<p>RPROZ-P5 Avoid land use that:</p> <ul style="list-style-type: none"> a. is incompatible with the purpose, character and amenity of the Rural Production zone; b. does not have a functional need to locate in the Rural Production zone and is more appropriately located in another zone; c. would result in the loss of productive capacity of highly productive land; d. would exacerbate natural hazards; and e. cannot provide appropriate on-site infrastructure. 	<p>HZ-P2 Avoid land use that:</p> <ul style="list-style-type: none"> a. is incompatible with the purpose, function and character of the Horticulture zone; b. will result in the loss of productive capacity of highly productive land; c. compromises the use of highly productive land for horticultural activities in the Horticulture zone; and d. does not have a functional need to be located in the Horticultural zone and is more appropriately located in another zone. 	<u>Difference</u> Highlighted
<p>RPROZ-P6 Avoid subdivision that:</p> <ul style="list-style-type: none"> a. results in the loss of highly productive land for use by farming activities; b. fragments land into parcel sizes that are no longer able to support farming activities, taking into account: c. the type of farming proposed; and d. whether smaller land parcels can support more productive forms of farming due to the presence of highly productive land. 	<p>HZ-P5 Manage the subdivision of land in the Horticulture zone to:</p> <ul style="list-style-type: none"> a. avoid fragmentation that results in loss of highly productive land for use by horticulture and other farming activities; b. ensure the long-term viability of the highly productive land resource to undertake a range of horticulture uses; 	<u>Different</u>

Rural Production Zone Rules	Horticulture Zone Rules	Comments
<p>e. provides for rural lifestyle living unless there is an environmental benefit.</p>	<p>c. enable a suitable building platform for a future residential unit; and d. ensure there is provision of appropriate onsite infrastructure.</p>	
<p>RPROZ-P7 Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:</p> <p>a. whether the proposal will increase production potential in the zone;</p> <p>b. whether the activity relies on the productive nature of the soil;</p> <p>c. consistency with the scale and character of the rural environment;</p> <p>d. location, scale and design of buildings or structures;</p> <p>e. for subdivision or non-primary production activities:</p> <p>i. scale and compatibility with rural activities;</p> <p>ii. potential reverse sensitivity effects on primary production activities and existing infrastructure;</p> <p>iii. the potential for loss of highly productive land, land sterilisation or fragmentation</p> <p>f. at zone interfaces:</p> <p>i. any setbacks, fencing, screening or landscaping required to address potential conflicts;</p> <p>ii. the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;</p> <p>g. the capacity of the site to cater for on-site infrastructure associated with the proposed activity, including whether the site has access to a water source such as an irrigation network supply, dam or aquifer;</p>	<p>HZ-P7 Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:</p> <p>a. whether the proposal will increase production potential in the zone;</p> <p>b. whether the activity relies on the productive nature of the soil;</p> <p>c. consistency with the scale and character of the rural environment;</p> <p>d. location, scale and design of buildings or structures;</p> <p>e. for subdivision or non-primary production activities:</p> <p>i. scale and compatibility with rural activities;</p> <p>ii. potential reverse sensitivity effects on primary production activities and existing infrastructure;</p> <p>iii. the potential for loss of highly productive land, land sterilisation or fragmentation</p> <p>f. at zone interfaces:</p> <p>i. any setbacks, fencing, screening or landscaping required to address potential conflicts;</p> <p>ii. the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;</p> <p>g. the capacity of the site to cater for on-site infrastructure associated with the proposed activity, including whether the site has access to a water source such as an irrigation network supply, dam or aquifer;</p>	No Difference

Rural Production Zone Rules	Horticulture Zone Rules	Comments
<p>h. the adequacy of roading infrastructure to service the proposed activity;</p> <p>i. Any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity;</p> <p>j. Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.</p>	<p>h. the adequacy of roading infrastructure to service the proposed activity;</p> <p>i. Any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity;</p> <p>j. Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.</p>	
	<p>HZ-P6 Encourage the amalgamation or boundary adjustments of Horticulture zoned land where this will help to make horticultural activities more viable on the land.</p>	<p><u>Difference</u> Not provided for in RPROZ</p>

PERMITTED ACTIVITIES		
<p>RPROZ-R1 NEW BUILDINGS OR STRUCTURES, OR EXTENSIONS OR ALTERATIONS TO EXISTING BUILDINGS OR STRUCTURES</p> <p>Are permitted where:</p> <p>a. PER-1: they accommodate a permitted activity</p> <p>b. PER-2: comply with the following standards: RPROZ-S1 Maximum height; RPROZ-S2 Height in relation to boundary; RPROZ-S3 Setback (excluding from MHWS or wetland, lake and river margins); RPROZ-S4 Setback from MHWS; RPROZ-S5 Building or structure coverage; RPROZ-S6 Buildings or structures used to house, milk or feed stock (excluding buildings or structures used for an intensive indoor primary production activity)); and RPROZ-S7 Sensitive activities setback from boundaries of a Mineral extraction overlay.</p>	<p>HZ-R1 NEW BUILDINGS OR STRUCTURES, OR EXTENSIONS OR ALTERATIONS TO EXISTING BUILDINGS OR STRUCTURES</p> <p>Are permitted where:</p> <p>c. PER-1: they accommodate a permitted activity</p> <p>d. PER-2: comply with the following standards: HZ-S1 Maximum height; HZ-S2 Height in relation to boundary; HZ-S3 Setback (excluding from MHWS or wetland, lake and river margins); HZ-S4 Setback from MHWS; HZ-S5 Building or structure coverage; and HZ-S6 Buildings or structures used to house, milk or feed stock (excluding buildings or structures used for an intensive indoor primary production activity);</p> <p>Note: Non-compliance with PER-1 is Discretionary and with PER-2 is Restricted Discretionary</p>	<p><u>Difference:</u> RPROZ PER-2 includes compliance with RPROZ-S7 Sensitive activities setback from boundaries of a Mineral extraction overlay.</p>

Rural Production Zone Rules	Horticulture Zone Rules	Comments
<p>Note: Non-compliance with PER-1 is Discretionary and with PER-2 is Restricted Discretionary</p>		
<p>RPROZ-R2 IMPERMEABLE SURFACE COVERAGE The impermeable surface coverage of any site is no more than 15% Note: Non-compliance is Restricted Discretionary</p>	<p>HZ-R2 IMPERMEABLE SURFACE COVERAGE The impermeable surface coverage of any site is no more than 15% Note: Non-compliance is Restricted Discretionary</p>	No Difference
<p>RPROZ-R3 RESIDENTIAL ACTIVITY Are permitted where: e. PER-1: one residential unit per at least 40ha (excluding a single residential unit located on a site less than 40ha) f. PER-2: number of residential units on a site does not exceed six. Note: Non-compliance: Discretionary</p>	<p>HZ-R3 RESIDENTIAL ACTIVITY Are permitted where: g. PER-1: number of residential units on a site does not exceed one. Note: Non-compliance: Discretionary</p>	<p>Difference: RPROZ includes a size requirement per unit and allows up to six residential unit per site while HZ only allows one residential unit per site.</p>
<p>RPROZ-R4 VISITOR ACCOMMODATION Permitted where: h. PER-1: the visitor accommodation is within a residential unit or accessory building or minor residential unit i. PER-2: the occupancy does not exceed 10 guests per night j. PER-3: the site does not share access with another site. Note: Non-compliance: Discretionary</p>	<p>HZ-R4 VISITOR ACCOMMODATION Discretionary where: k. DIS-1: the visitor accommodation is within a residential unit l. DIS-2: the occupancy does not exceed 10 guests per night m. DIS-3: the site does not share access with another site. Note: Non-compliance: Non-Complying</p>	<p>Difference: n. Activity Status o. RPROZ allows visitor accommodation in accessory buildings or minor residential units</p>
<p>RPROZ-R5 HOME BUSINESS Permitted where: p. PER-1: the home business is undertaken within a residential unit or accessory building (that does not exceed 40m2 GFA) or a minor residential unit;</p>	<p>HZ-R4 HOME BUSINESS Permitted where: t. PER-1: the home business is undertaken within a residential unit or accessory building (that does not exceed 40m2 GFA);</p>	<p>Difference: RPROZ-R5 PPER-1 allows Home Businesses Activity in a Minor Residential Unit</p>

Rural Production Zone Rules	Horticulture Zone Rules	Comments
<p>q. PER-2: There is no more than two full-time equivalent persons engaged in the home business who reside off-site;</p> <p>r. PER-3: All manufacturing, altering, repairing, dismantling or processing of any material or articles associated with an activity is carried out within a building or screened from residential units on adjoining sites;</p> <p>s. PER-4: Hours of operation are between: 7am-8pm Monday to Friday and 8am-8pm Weekends and public holidays.</p> <p>Note: Non-compliance: Discretionary</p>	<p>u. PER-2: There is no more than two full-time equivalent persons engaged in the home business who reside off-site;</p> <p>v. PER-3: All manufacturing, altering, repairing, dismantling or processing of any material or articles associated with an activity is carried out within a building or screened from residential units on adjoining sites;</p> <p>w. PER-4: Hours of operation are between: 7am-8pm Monday to Friday and 8am-8pm Weekends and public holidays.</p> <p>Note: Non-compliance: Discretionary</p>	
<p>RPROZ-R6 EDUCATIONAL FACILITY</p> <p>Permitted where:</p> <p>x. PER-1: The educational facility is within a residential unit or accessory building or minor residential unit;</p> <p>y. PER-2: Hours of operation are between: 7am-8pm Monday to Friday and 8am-8pm Weekends and public holidays;</p> <p>z. PER-3: Number of students attending at one time does not exceed four (excluding those who reside on site).</p> <p>Note: Non-compliance: Discretionary</p>	<p>HZ-R13 EDUCATIONAL FACILITY</p> <p>Discretionary where:</p> <p>aa. DIS-1: The educational facility is within a residential unit;</p> <p>bb. DIS-2: Hours of operation are between: 7am-8pm Monday to Friday and 8am-8pm Weekends and public holidays;</p> <p>cc. DIS-3: Number of students attending at one time does not exceed four (excluding those who reside on site).</p> <p>Note: Non-compliance: Non-Complying</p>	<p><u>Difference:</u></p> <p>dd. Activity Status</p> <p>ee. RPROZ allows education facility in accessory buildings or minor residential units</p>
<p>RPROZ-R7 FARMING ACTIVITY</p> <p>Activity status: Permitted</p>	<p>HZ-R5 FARMING ACTIVITY</p> <p>Activity status: Permitted</p>	No Difference
<p>RPROZ-R8 CONSERVATION ACTIVITY</p> <p>Activity status: Permitted</p>	<p>HZ-R8 CONSERVATION ACTIVITY</p> <p>Activity status: Permitted</p>	No Difference
<p>RPROZ-R9 RECREATIONAL ACTIVITY</p> <p>Activity Status: Permitted where:</p>		<p><u>Difference:</u></p> <p>Not provided for in HZ</p>

Rural Production Zone Rules	Horticulture Zone Rules	Comments
ff. PER-1: The recreational activity is not being operated as a commercial activity. gg. PER-2: There is no motorsport activity. Note: Non-compliance: Discretionary		
RPROZ-R10 RURAL PRODUCE RETAIL Activity Status: Permitted where: hh. PER-1: Does not exceed GBA of 100m ² and setback is minimum of 30m from any internal boundary. ii. PER-2: One rural produce retail operation per site Note: Non-compliance: Discretionary	HZ-R6 RURAL PRODUCE RETAIL Activity Status: Permitted where: jj. PER-1: Does not exceed GBA of 100m ² and setback is minimum of 30m from any internal boundary. kk. PER-2: One rural produce retail operation per site Note: Non-compliance: Discretionary	No Difference
RPROZ-R11 RURAL PRODUCE MANUFACTURING Activity Status: Permitted where: ll. PER-1: Rural Produce Manufacturing building does not exceed 100m ² GFA mm. PER-2: one Rural Produce Manufacturing operation per site nn. PER-3: all manufacturing, altering, repairing, dismantling or processing of any materials or articles is carried out within a building or screened from residential units on adjoining properties. Note: Non-compliance: Discretionary	HZ-R7 RURAL PRODUCE MANUFACTURING Activity Status: Permitted where: oo. PER-1: Rural Produce Manufacturing building does not exceed 100m ² GFA pp. PER-2: one Rural Produce Manufacturing operation per site qq. PER-3: all manufacturing, altering, repairing, dismantling or processing of any materials or articles is carried out within a building or screened from residential units on adjoining properties. Note: Non-compliance: Discretionary	No Difference
RPROZ-R12 FARM QUARRY Activity Status: Permitted where: the farm quarry has a setback of 30m from a site boundary and no more than 5,000m ³ of material is extracted in a calendar year Note: Non-compliance: Discretionary		Difference: Not provided for in HZ
RPROZ-R13 CATTERIES AND DOG BOARDING KENNELS Activity Status: Permitted where: rr. PER-1: any building or part of site used for a cattery is a minimum of 600m from the boundary of a site		Difference: Not provided for in HZ

Rural Production Zone Rules	Horticulture Zone Rules	Comments
<p>within the General Residential, Mixed Use, Kororāreka Russell Township, Rural Residential, Māori Purpose - Urban, Settlement zones or 50m from the boundary of a site for all other zones.</p> <p>ss. PER-2: any building or part of site used for a dog boarding kennel is a minimum of 600m from the boundary of a site within the General Residential, Mixed Use, Kororāreka Russell Township, Rural Residential, Māori Purpose - Urban, Settlement zones or 300m from the boundary of a site for all other zones.</p> <p>Note: Non-compliance: Discretionary</p>		
<p>RPROZ-R14 CEMETERIES / URUPĀ Activity status: Permitted</p>		<p>Difference: Not provided for in HZ</p>
<p>RPROZ-R15 PLANTATION FORESTRY AND AND PLANTATION FORESTRY ACTIVITY Activity status: Permitted where it is not located on versatile soils Note: Non-compliance: Discretionary</p>	<p>HZ-R11 PLANTATION FORESTRY AND PLANTATION FORESTRY ACTIVITY Activity status: Permitted where it is not located on versatile soils Note: Non-compliance: Discretionary</p>	<p>No Difference</p>
<p>RPROZ-R16 ADDITIONS OR ALTERATIONS TO AN EXISTING COMMUNITY FACILITY Activity status: Permitted where the combined GFA of all buildings on the site is less than 300m² or is a maximum increase of 10% of combined GFA of all buildings on the site, whichever is the greater. Note: Non-compliance: Restricted Discretionary</p>		<p>Difference: Not provided for in HZ</p>
<p>RPROZ-R17 EMERGENCY SERVICE FACILITY Activity status: Permitted where the combined GFA of all buildings on the site does not exceed 150m². Note: Non-compliance: Restricted Discretionary</p>		<p>Difference: Not provided for in HZ</p>

Rural Production Zone Rules	Horticulture Zone Rules	Comments
<p>RPROZ-R18 MINERAL PROSPECTING AND EXPLORATION Activity status: Permitted where it is undertaken using hand tools. Note: Non-compliance: Discretionary</p>		<p><u>Difference:</u> Not provided for in HZ</p>
	<p>HZ-R9 GARDEN CENTRES ANCILLARY TO THE HORTICULTURE ACTIVITY OCCURRING ON SITE Activity Status: Permitted Where: tt. PER-1: The retail component does not exceed GBA of 100m² and is setback a minimum of 30m from any internal boundary. uu. PER-2: limited to the sale of product grown on the site Note: Non-compliance: Discretionary</p>	<p><u>Difference:</u> Not provided for in RPROZ</p>
	<p>HZ-R10: PLANT AND FOOD RESEARCH Activity Status: Permitted where the research is to support the horticulture sector and requires crop growing and research facilities on the same site. Note: Non-compliance: Discretionary</p>	<p><u>Difference:</u> Not provided for in RPROZ</p>
<p>RPROZ-R19 MINOR RESIDENTIAL UNIT Activity Status: Controlled where: vv. CON-1: one minor residential unit per site ww. CON-2: 1ha per minor residential unit xx. CON-3: Minor res unit shares access with principal res unit. yy. CON-4: separation distance doesn't exceed 15m zz. CON-5: minor residential unit doesn't exceed a GFA of 65m² and an optional attached garage/carport that doesn't exceed GFA 18m² Note: Non Compliance with CON-3 is Discretionary and with CON-1, CON-2, CON-4 or CON-5 is non complying</p>		<p><u>Difference:</u> Not provided for in HZ</p>

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Rural Production Zone Rules	Horticulture Zone Rules	Comments
<p>RPROZ-R20 PAPAĀINGA HOUSING</p> <p>Activity Status: Restricted Discretionary where:</p> <p>aaa.RDIS-1: Max of 10 Residential Units per site</p> <p>bbb. RDIS-2: There is a legal mechanism to ensure the land will stay in communal ownership and continue to be used in accordance with ancestral cultural practices</p> <p>Note: Non-compliance of RDIS-1 is Discretionary and with RDOS-2 is non-complying.</p>		<p><u>Difference:</u></p> <p>Not provided for in HZ</p>
<p>RPROZ-R21 EXPANSION OF EXISTING MINERAL EXTRACTION ACTIVITY</p> <p>Activity Status: Restricted Discretionary where:</p> <p>ccc. RDIS-1: Mineral Extraction Activity Management Plan provided that complies with ME-S1.</p> <p>ddd. RDIS-2: hours of operation remain the same</p> <p>eee. RDIS-3: extraction volumes do not increase by more than 10%.</p> <p>fff. RDIS-4: Any expansion does not occur within 30m of the site boundary.</p> <p>ggg.RDIS-5: The vehicle access to the activity remains unchanged.</p> <p>Note: Non-compliance is Discretionary</p>	<p>HZ-R25 MINERAL EXTRACTION ACTIVITY</p> <p>Activity status: Non-complying</p>	<p><u>Difference</u></p> <p>hhh. Activity Status</p> <p>iii. Noting: RPROZ distinguishes between Expansion of Existing mineral extraction activity (RD) and New mineral extraction activity (D) while HZ just has one Rule for all mineral extraction activities.</p>
<p>RPROZ-R22 RURAL TOURISM ACTIVITY</p> <p>Activity Status: Restricted Discretionary</p>	<p>HZ-R15 RURAL TOURISM ACTIVITY</p> <p>Activity status: Discretionary</p>	<p><u>Difference</u></p> <p>Activity Status</p>
<p>RPROZ-R23 INTENSIVE INDOOR PRIMARY PRODUCTION</p> <p>Activity Status: Restricted Discretionary where buildings or structures housing animals are setback at least 300m from any sensitive activity on a site under separate ownership.</p> <p>Note: Non-compliance leads to non-complying activity</p>	<p>HZ-R21 INTENSIVE INDOOR PRIMARY PRODUCTION</p> <p>Activity status: Non-complying</p>	<p><u>Difference</u></p> <p>jjj. Activity Status</p> <p>kkk. Noting that non-compliance with RPROZ is also a non-complying activity</p>

Rural Production Zone Rules	Horticulture Zone Rules	Comments
<p>RPROZ-R24 RURAL INDUSTRY Activity Status: Restricted Discretionary where:</p> <p> iii. RDIS-1: The rural industry activity does not exceed a GBA of 500m² per site.</p> <p> mmm. RDIS-2: limited to one rural industry activities per site.</p> <p>Note: Non-compliance is Discretionary</p>	<p>HZ-R14 RURAL INDUSTRY Noting that Rural Produce Manufacturing is controlled by HZ-R7 Activity status: Discretionary</p>	<p><u>Difference</u> nnn. Activity Status ooo. Noting that non-compliance with RPROZ is also a Discretionary activity</p>
<p>RPROZ-R25 CAMPING GROUNDS Activity status: Discretionary</p>		<p><u>Difference:</u> Not provided for in HZ</p>
<p>RPROZ-R26 COMMUNITY FACILITY Activity status: Discretionary</p>	<p>HZ-R17 COMMUNITY FACILITY Activity status: Non-complying</p>	<p><u>Difference</u> ppp. Activity Status</p>
<p>RPROZ-R27 EXTENSION OF EXISTING COMMERCIAL ACTIVITY Activity status: Discretionary</p>		<p><u>Difference:</u> Not provided for in HZ</p>
<p>RPROZ-R28 EXTENSION OF EXISTING INDUSTRIAL ACTIVITY Activity status: Discretionary</p>		<p><u>Difference:</u> Not provided for in HZ</p>
<p>RPROZ-R29 COMMERCIAL COMPOSTING Activity status: Discretionary</p>	<p>HZ-R22 COMMERCIAL COMPOSTING Activity status: Non-complying</p>	<p><u>Difference</u> qqq. Activity Status</p>
<p>RPROZ-R30 NEW MINERAL EXTRACTION ACTIVITY Activity status: Discretionary</p>	<p>HZ-R25 MINERAL EXTRACTION ACTIVITY Activity status: Non-complying</p>	<p><u>Difference</u> rrr. Activity Status sss. Noting: RPROZ distinguishes between Expansion of Existing mineral extraction activity (RD) and New mineral extraction activity (D) while HZ just has one Rule for all mineral extraction activities.</p>

Rural Production Zone Rules	Horticulture Zone Rules	Comments
RPROZ-R31 ACTIVITIES NOT OTHERWISE LISTED IN THIS CHAPTER Activity status: Discretionary	HZ-R16 ACTIVITIES NOT OTHERWISE LISTED IN THIS CHAPTER Activity status: Discretionary	No Difference
RPROZ-R32 INDUSTRIAL ACTIVITY Rule notes that if the activity is a rural industry activity, then that is controlled by RPROZ-R24 Activity status: Non-complying	HZ-R20 INDUSTRIAL ACTIVITY Activity status: Non-complying	No Difference
RPROZ-R33 COMMERCIAL ACTIVITIES NOT OTHERWISE PROVIDED FOR AS A PERMITTED, RESTRICTED DISCRETIONARY OR DISCRETIONARY ACTIVITY Activity status: Non-complying	HZ-R19 COMMERCIAL ACTIVITY NOT OTHERWISE LISTED AS PERMITTED OR DISCRETIONARY Activity status: Non-complying	No Difference aside from Semantics in title
RPROZ-R34 LANDFILL, INCLUDING MANAGED FILL Activity status: Non-complying	HZ-R34 LANDFILL Activity status: Non-complying	<u>Difference</u> RPROZ Rule includes Managed Fill
RPROZ-R35 COMMUNITY CORRECTIONS ACTIVITY Activity status: Non-complying	HZ-R24 COMMUNITY CORRECTION FACILITY Activity status: Non-complying	No Difference aside from Semantics in title
RPROZ-R36 RETIREMENT VILLAGE Activity status: Non-complying	HZ-R18 RETIREMENT VILLAGE Activity status: Non-complying	No Difference
RPROZ-R37 OFFENSIVE TRADE Activity status: Non-complying	HZ-R23 OFFENSIVE TRADE Activity status: Non-complying	No Difference