

Appendix 1.1 – Officers Recommended Amendments to the Rural Production Chapter

Note the below provisions represent the Section 42A Report Writing Officer's recommended amendments to the provisions of the Proposed District Plan, in response to submissions (with underline used for new text and ~~strikethrough~~ for deleted text).

Ms McGrath's recommended amendments to provisions in response to NPS-HPL are identified with underline used for new text and strikethrough for deleted text and recommended amendments to provisions to incorporate proposed Horticulture Zone provisions are identified with underline used for new text and strikethrough for deleted text.

Overview

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 district's subtropical climate, soils and access to water provide for a wide range of existing and potential horticulture 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. This zone includes land subject to the Coastal Environment Overlay, which has provisions to protect the natural character of the coastal environment.

Rural land is an important resource as it underpins the social, economic and cultural well-being of the Far North District. The historic fragmentation of rural land has undermined the integrity of the rural environment and its ability to function for its intended purpose. It is important to protect this finite resource from inappropriate land use and subdivision to ensure it can be used for its primary purpose, especially on land identified as highly productive land under the National Policy Statement for Highly Productive Land (NPS-HPL). In particular, primary production activities 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. This is particularly relevant for rural land adjacent to the district's larger urban areas, which are subject to growth pressures and are expanding outside of urban zoned areas. Forcing primary production activities to locate further away from urban areas adds to the cost of transporting primary products, can result in primary production activities needing to move on to less suitable soils or topography, and may require people to travel further to work.

It is important to differentiate the Rural Production zone from the Rural Lifestyle zone and the Rural Residential zone. The Rural Lifestyle and Rural Residential zones seek to concentrate rural lifestyle or rural residential living in appropriate places in the district, to help avoid further fragmentation of productive land and reverse sensitivity effects on the district's primary sector. Conversely, rural lifestyle development is not provided for in the Rural Production zone unless an environmental benefit is obtained through the protection of indigenous biodiversity in perpetuity (as provided for in the Subdivision chapter). Industrial and commercial activities, including retail, are not anticipated in the Rural Production zone as these are best located in urban zones with appropriate infrastructure or in the Settlement zone. This also ensures that industrial and commercial activities are separated from potentially incompatible primary production activities.

Council has a responsibility under the RMA, NPS-HPL and the Northland Regional Policy Statement to manage the rural land resource to provide for the economic, social and cultural well-

Commented [MM1]: Comment: Insert to reflect the importance of horticultural activities, sentence is sourced from proposed HZ Overview.

being of people and communities, protect highly productive land versatile soils, and avoid reverse sensitivity effects on primary production activities. The Rural Production zone also contains many of our areas of indigenous biodiversity, historical and cultural values and high value landscapes and features. The protection of these resources must be managed in conjunction with the ability to undertake activities anticipated in this zone.

Objectives	
RPROZ-O1	The Rural Production zone is managed to ensure its availability for primary production activities and its long-term protection for current and future generations.
RPROZ-O2	The Rural Production zone is used for primary production activities, ancillary activities that support primary production, lawfully established existing activities and other compatible activities that have a functional need to be in a rural environment.
RPROZ-O3	Land use and subdivision in the Rural Production zone: <ol style="list-style-type: none"> protects highly productive land from sterilisation and enables and prioritises it to be used for land-based primary production activities farming and forestry activities more-productive forms of primary production; protects primary production activities from reverse sensitivity effects that may constrain their effective and efficient operation; does not compromise the use of land for farming primary production activities, particularly farming and forestry activities land-based primary production activities on highly productive land; does not exacerbate any natural hazards; and is able to be serviced by on-site infrastructure.
RPROZ-O4	The rural character and amenity associated with a rural working environment is maintained.
Policies	
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.
RPROZ-P2	Ensure the Rural Production zone provides for activities that require a rural location by: <ol style="list-style-type: none"> enabling primary production activities as the predominant land use; 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 enabling the maintenance, operation or upgrade of any lawfully established existing activities, provided any loss of highly productive land from those activities is minimised.
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, particularly the reverse sensitivity effects of rural lifestyle development on highly productive land.
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: <ol style="list-style-type: none"> a predominance of primary production activities; low density development with generally low site coverage of buildings or structures; typical adverse effects such as odour, noise and dust associated with a rural working environment; and a diverse range of rural environments, rural character and amenity values throughout the district.

Commented [MM2]: Comment: Amend to reflect NPS-HPL: Policy 4. Policy 4 seeks to prioritise and support the use of highly productive land for land-based primary production.

Commented [MM3]: Comment: Amend to reflect NPS-HPL: Policy 4. NPS-HPL: Policy 4 seeks to prioritise and support the use of highly productive land for land-based primary production.

Commented [MM4]: Comment: NPS-HPL and RPS do not specifically identify rural lifestyle development as a risk of reverse sensitivity effects.

NPS-HPL policy 6 seeks to avoid rezoning and development of HPL as rural lifestyle. This places an onus upon Council to ensure Rural Lifestyle zoning is accurate and that subdivision and development rules avoid development. NPS-HPL policy 9 requires the management of reverse sensitivity effect with no specific reference to rural lifestyle development.

RPS policy 5.1.3 seeks to avoid adverse effects, including reverse sensitivity effects of new subdivision, use and development, particularly residential development on...(a) Primary production activities....

<p>RPROZ-P5</p>	<p>Avoid land use that:</p> <ol style="list-style-type: none"> is incompatible with the purpose, character and amenity of the Rural Production zone; does not have a functional need to locate in the Rural Production zone and is more appropriately located in another zone; would result in the loss of availability and productive capacity of highly productive land, including consideration of the cumulative effects of such losses; would exacerbate natural hazards; and cannot provide appropriate on-site infrastructure.
<p>RPROZ-P5A</p>	<p>Land use or development on highly productive land is undertaken in a manner that mitigates or minimizes the actual loss or potential cumulative loss of the availability and productive capacity of highly productive land.</p>
<p>RPROZ-P6¹⁵</p>	<p>Avoid subdivision that:</p> <ol style="list-style-type: none"> results in the any potential cumulative loss of the availability or productive capacity of highly productive land for primary production use by farming or forestry activities; cannot demonstrate that the proposed lots will retain the overall productive capacity of highly productive land over the long term; fragments land into parcel sizes that are no longer able to support farming or forestry primary production activities, taking into account: <ol style="list-style-type: none"> the type of farming or forestry primary production activity proposed; the potential loss of LUC 4 land that is, or has the potential to be, highly productive; and whether smaller land parcels can support more productive forms of the proposed farming or forestry activity due to the presence of highly productive land restrict the range of options for the use of productive land. provides for rural lifestyle living unless there is an environmental benefit.
<p>RPROZ-P6A</p>	<p>Subdivision of highly productive land shall:</p> <ol style="list-style-type: none"> avoid if possible, or otherwise mitigate: <ol style="list-style-type: none"> any potential cumulative loss of the availability and productive capacity of highly productive land; and any actual or potential reverse sensitivity effects on surrounding land-based primary production activities; and only occur where: <ol style="list-style-type: none"> the proposed lots will retain the overall productive capacity of the subject land over the long term; subdivision is on specified Māori land; the subdivision is for specified infrastructure, or for defence facilities operated by the New Zealand Defence Force to meet its obligations under the Defence Act 1990, and there is a functional or operational need for the subdivision.

Commented [MM5]: Comment: Delete clause c and replace with new policy RPROZ-P5A. Policy RPROZ-P5 seeking to avoid is going further than the NPS-HPL.

NPS-HPL policy 8 seeks to "protect" HPL from inappropriate use and development. Clause 3.9(3) does not require avoidance but requires the minimization or mitigation of any actual or potential cumulative loss of...

Commented [MM6]: Comment: S42A recommended changes to incorporate NPS-HPL, however the NPS-HPL is focussed upon prioritising HPL for land-based primary production. I recommend a separate policy RPROZ-P6A to reflect NPS-HPL policy 7, and clause 3.8.

Commented [MM7]: Comment: As detailed in my evidence in chief, I do not support the identification and protection of LUC4.

RPROZ-P7	<p>Consider the following matters where relevant when assessing and managing the effects of land use and subdivision in the Rural Production Zone: 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> <ol style="list-style-type: none"> a. whether the proposal will increase production potential in the zone; b. whether the activity relies on the productive nature of the soil; c. consistency with the scale and character of the rural environment; d. location, scale and design of buildings or structures; e. for subdivision or non-primary production activities: <ol style="list-style-type: none"> i. scale and compatibility with rural activities; ii. potential reverse sensitivity effects on primary production activities and existing infrastructure; iii. the potential for loss of highly productive land or LUC 4 land that is, or has the potential to be productive, land sterilisation or fragmentation f. at zone interfaces: <ol style="list-style-type: none"> i. any setbacks, fencing, screening or landscaping required to address potential conflicts; ii. the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable; 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; h. the adequacy of roading infrastructure to service the proposed activity; <ol style="list-style-type: none"> i. Any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity; j. Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.
Rules	

Commented [MM8]: Comment: As detailed in my evidence in chief, I do not support the identification and protection of LUC4.

Notes:

1. There may be other rules in Part 2- District-Wide Matters of the District Plan that apply to a proposed activity, in addition to the rules in this zone chapter. These District-Wide rules may be more stringent than the rules in this chapter. Ensure that relevant District-Wide Matters chapters are also referred to in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
2. This zone chapter does not contain rules relating to setback to waterbodies and MHWS for building and structures or setbacks to waterbodies and MHWS for earthworks and indigenous vegetation clearance. The Natural Character contains rules for activities within wetland, lake and river margins and the Coastal Environment chapter contains rules for activities within the coastal environment. The Natural Character chapter and the Coastal Environment chapter should be referred to in addition to this zone chapter.
3. The objectives and policies of the Mineral Extraction Zone should be considered in addition to the objectives and policies of the Rural Production Zone for any consent application for a farm quarry, a mineral prospecting and exploration activity, expansion of a mineral extraction activity or a new mineral extraction activity.
4. None of the rules in the table below apply to activities that are regulated under the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017.

RPROZ-R1 New buildings or structures, relocated buildings or extensions or alterations to existing buildings or structures		
Rural Production zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The new building or structure, <u>relocated building</u>, or extension or alteration to an existing building or structure, will accommodate a <u>permitted, controlled or restricted discretionary</u> activity.</p> <p>PER-2 The new building or structure, <u>relocated building</u> or extension or alteration to an existing building or structure complies with 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 <u>the Mineral Extraction Zone extraction overlay</u>. RPROZ-SX Sensitive activities setback from <u>intensive indoor and outdoor primary production activities; and</u> RPROZ-SY Sensitive activities setback from <u>buildings or structures used to house, milk or feed stock (excluding buildings or structures used for an intensive indoor or outdoor primary production activity)</u>.</p> <p>Note: <u>RPROZ-R1 does not apply to artificial crop protection structures and crop support structures.</u></p>	<p>Activity status where compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters of discretion of any infringed standard</p> <p>Activity status where compliance not achieved with PER-1: Discretionary</p>
RPROZ-R2 Impermeable surface coverage		
Rural Production zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The impermeable surface coverage of any site is no more than 15%.</p>	<p>Activity status where compliance not achieved with PER-1: Restricted Discretionary</p> <p>Matters of discretion are restricted</p>

		<p>to:</p> <ul style="list-style-type: none"> a. the extent to which landscaping or vegetation may reduce adverse effects of run-off, b. the effectiveness of the proposed method for controlling stormwater on site; c. the availability of land for disposal of effluent and stormwater on the site without adverse effects on adjoining waterbodies (including groundwater and aquifers) or on adjoining sites <u>or downstream sites</u>²⁷; d. whether low impact design methods and use of green spaces can be used; e. any cumulative effects on total catchment impermeability; and f. natural hazard mitigation and site constraints: ; g. <u>extent of potential adverse effects on cultural, spiritual, heritage and/or amenity values of any affected waterbodies; and</u> h. <u>able surfaces are able to be avoided, or otherwise minimised, on highly productive land.</u>
RPROZ- R3	Residential activity	
<p>Rural Production zone</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The site area per residential unit is at least 40ha.</p> <p>PER-2 The number of residential units on a site does not exceed six.</p> <p>PER-1 does not apply to:</p> <ul style="list-style-type: none"> i. a single residential unit located on a site less than 40ha. ii. <u>a minor residential unit constructed in accordance with rule RPROZ-R19.</u> 	<p>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</p> <p>Where:</p> <p>DIS-1 The site area per residential unit is at least 8ha.</p> <p>DIS-2 The number of residential units on a site does not exceed two.</p> <p>Activity status where compliance not achieved with DIS 1 or DIS 2: Non-complying</p>

	PER-2 does not apply to highly productive land.	
RPROZ-R4	Visitor accommodation	
Rural Production zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The visitor accommodation is within a residential unit, accessory building or minor residential unit.</p> <p>PER-2 The occupancy does not exceed 10 guests per night.</p> <p>PER-3 The site does not share access with another site.</p> <p>PER-4 The visitor accommodation is not located within highly productive land.</p>	<p>Activity status where compliance not achieved with PER-1, PER-2 or PER-3:</p> <p>Discretionary</p>
RPROZ-R5	Home Business	
	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The home business is undertaken within: 1. a residential unit; or 2. an accessory building that does not exceed 40m² GFA; or 3. a minor residential unit.</p> <p>PER-2 There is no more than two full-time equivalent persons engaged in the home business who reside off-site.</p> <p>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>PER-4 Hours when a business can be open to the public of operation are between: 1. 7am-8pm Monday to Friday.</p>	

Commented [MM9]: Comment: Inclusion of is exception ensures that no more than a single residential unit is permitted per site within HPL. Consistent with proposed HZ-R3.

Commented [MM10]: Comment: Inclusion of new clause ensures that visitor accommodation within HPL requires consent, noting that proposed HZ-R4 requires consent.

	8am-8pm Weekends and public holidays.	
RPROZ-R6	Educational facility	
Rural Production zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The educational facility is within a residential unit, accessory building or minor residential unit.</p> <p>PER-2 Hours of operation are between; 1. 7am-8pm Monday to Friday. 2. 8am-8pm Weekends and public holidays.</p> <p>PER-3 The number of students attending at one time does not exceed four, excluding those who reside onsite.</p> <p>PER-4 The educational facility is not located within highly productive land.</p>	<p>Activity status where compliance not achieved with PER-1, PER-2 or PER-3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the character and appearance of the building(s) the siting of the building(s), decks and outdoor areas including parking relative to adjoining sites; whether the building(s) are visually dominant and create a loss of privacy for surrounding residential units and their associated outdoor areas; ability of the supporting roading network to cater for the additional vehicular and if applicable cycling and pedestrian traffic; servicing requirements and any constraints of the site; whether the location of the building(s) and educational facility activity could create reverse sensitivity effects on adjacent and surrounding primary production activities; whether the layout of the development maintains the existing rural character of the surrounding area; any lighting or noise effects the frequency of the use, hours and days of operation and the number of people it can cater for; any natural hazard affecting the site or surrounding area; and the extent to which the loss of highly productive land is minimised. <p>PER-4: Discretionary</p>

Commented [MM11]: Comment: Inclusion of new clause ensures that educational facilities within HPL requires consent, noting that proposed HZ-R13 requires consent.

RPROZ-R7	Farming activity	
Rural Production zone	Activity status: Permitted	Activity status where compliance not achieved: Non-applicable
RPROZ-R8	Conservation activity	
Rural Production zone	Activity status: Permitted	Activity status where compliance not achieved: Not applicable
RPROZ-R9	Recreational activity	
Rural Production zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The recreational activity is not being operated as a commercial activity.</p> <p>PER-2 There is no motorsport activity.</p> <p>PER-3 <u>Any buildings or structures associated with a recreation activity are not located on highly productive land.</u></p> <p>PER-4 <u>The recreation activity is not located within highly productive land.</u></p>	<p>Activity status where compliance not achieved with PER-1, or PER-2 or PER-3, or PER-4: Discretionary</p>
RPROZ-R10	Rural produce retail	
Rural Production zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The activity does not exceed GBA of 100m² and is set back a minimum of 30m from any <u>internal site boundary other than a road boundary.</u></p> <p>PER-2 The number of rural produce retail operations does not exceed one per site.</p>	<p>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</p>
RPROZ-R11	Rural produce manufacturing	

Commented [MM12]: Comment: Inclusion of new clause ensures that recreation activities within HPL requires consent, noting that proposed HZ does not provide for recreation activities.

<p>Rural Production zone</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The building undertaking rural produce manufacturing does not exceed GFA of 1500m².</p> <p>PER-2 The number of rural produce manufacturing operations does not exceed one per site.</p> <p>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.</p>	<p><u>Activity status where compliance not achieved with PER-1: Restricted Discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> a. <u>the character and appearance of the building(s)</u> b. <u>the siting of the building(s) and outdoor areas including parking relative to adjoining sites;</u> c. <u>whether the building(s) are visually dominant and create a loss of privacy for surrounding residential units and their associated outdoor areas;</u> d. <u>ability of the supporting roading network to cater for the additional traffic;</u> e. <u>servicing requirements and any constraints of the site;</u> f. <u>whether the location of the building(s) and the rural industry is compatible with adjacent and surrounding primary production activities;</u> g. <u>whether the layout of the development maintains the existing rural character of the surrounding area;</u> h. <u>any lighting or noise effects;</u> i. <u>the frequency of the use, hours and days of operation and the number of people employed;</u> j. <u>any natural hazard affecting the site or surrounding area.</u> k. <u>the extent to which the loss of highly productive land is minimised.</u> <p>Activity status where compliance not achieved with PER-1, PER-2 or PER-3: Discretionary</p>
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RPROZ-R12	Farm quarry	
Rural Production zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 1. The farm quarry is not within 30m of a site boundary; and 2. no more than 5,000m³ of material is extracted in a calendar year.</p> <p>PER-2 The farm quarry is not located within highly productive land.</p>	<p>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</p>
RPROZ-R13	Catteries and dog boarding kennels	
Rural Production zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Any building, compound or part of a site used for a cattery, is located a minimum of: 1. 600m from the boundary of a site within the General Residential, Mixed Use, Kororāreka Russell Township, Rural Residential, Māori Purpose - Urban, Settlement zones; or 2. 50m from the boundary of a site for all other zones.</p> <p>PER-2 Any building, compound or part of a site used for a dog boarding kennel, is located a minimum of: 1. 600m from the boundary of a site within the General Residential, Mixed Use, Kororāreka Russell Township, Rural Residential, Māori Purpose - Urban, Settlement zones; or 2. 300m from the boundary of a site for all other zones.</p> <p>PER-3 The activity is not located on highly productive land.</p>	<p>Activity status where compliance not achieved with PER-1, or PER-2 or PER-3: Discretionary</p>
RPROZ-R14	Cemeteries / Urupā	

Commented [MM13]: Comment: Inclusion of new clause ensures that farm quarries within HPL requires consent, noting that proposed HZ does not provide for farm quarrying.

Rural Production zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The activity is not located on highly productive land.</p>	<p>Activity status where compliance not achieved with PER-1: Discretionary Not applicable</p>
<p>RPROZ-R15 Plantation forestry and and plantation forestry activity Forestry activity not regulated by the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017</p>		
Rural Production zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 It is not located on versatile soils.</p>	<p>Activity status where compliance not achieved: Not applicable with PER-1: Discretionary</p>
<p>RPROZ-R16 Additions or alterations to an existing Community Facility</p>		
Rural Production zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The combined GFA of all buildings on the site does not exceed 300m² or a maximum increase of 10% of combined GFA of all buildings on the site, whichever is the greater.</p>	<p>Activity status where compliance not achieved with PER-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. the character and appearance of the building(s) b. the siting of the building(s), decks and outdoor areas including parking relative to adjoining sites; c. whether the building(s) are visually dominant and create a loss of privacy for surrounding residential units and their associated outdoor areas; d. ability of the supporting roading network to cater for the additional vehicular and if applicable cycling and pedestrian traffic; e. servicing requirements and any constraints of the site; f. whether the location of the building(s) and community facility activity could create reverse sensitivity effects on adjacent and surrounding primary production activities; g. whether the layout of the development maintains the existing rural character of the h. any lighting or noise effects i. the frequency of the use, hours and days of operation and the number of people it can cater for;

		<p>and-</p> <p>j. any natural hazard affecting the site or surrounding area; and</p> <p>k. <u>the extent to which the loss of highly productive land is minimised.</u></p>
RPROZ-R17	Emergency service facility	
Rural Production zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The combined GFA of all buildings on the site does not exceed 150m².</p> <p>PER-2 <u>The activity is not located on highly productive land.</u></p>	<p>Activity status where compliance not achieved with PER-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the character and appearance of the building b. the siting of the building, decks and outdoor areas including parking relative to adjoining sites; c. whether the building creates a loss of privacy for surrounding residential units and their associated outdoor areas; d. ability of the supporting roading network to cater for the additional vehicular; e. servicing requirements and any constraints of the site; f. any lighting or noise effects; g. the frequency of the use, hours and days of operation and the number of people it can cater for; and h. any natural hazard affecting the site or surrounding area. <p><u>Activity status where compliance not achieved with PER-2: Discretionary</u></p>
RPROZ-R18	Mineral prospecting and exploration	
Rural Production zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 It is undertaken using handtools.</p>	<p>Activity status where compliance not achieved with PER-1: Discretionary</p>
RPROZ-RW	Rural airstrip	
Rural Production Zone	<p>Activity status: Permitted</p> <p>PER-1</p>	<p>Activity status where compliance not achieved: Not applicable with: PER-1: Discretionary</p>

	The Rural Airstrip is not located within highly productive land.	
RPROZ-RX	Artificial crop protection structures and crop support structures	
Rural Production Zone	<p>Activity Status: Permitted</p> <p>Where:</p> <p>PER-1 The establishment of a new, or expansion of an existing, artificial crop protection structure or crop support structure, where:</p> <ol style="list-style-type: none"> The height of the structure does not exceed 6m above ground level; The structure is set back at least 3m from all site boundaries; Dark green or black material is used on any vertical faces within 30m of a site boundary except that a different colour may be used if written approval of the owner(s) of the immediately adjoining property or the road controlling authority (in the case of a road) is obtained and provided to the Council. <p>PER-2 The new, or expansion of an existing, artificial crop protection structure or crop support structure complies with standards: RPROZ-S2 Height in relation to boundary</p>	<p>Activity status where compliance with PER-1 not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The potential adverse visual effects (including glare) on neighbouring properties or road users; Visual mitigation measures such as landscaping or other screening; Effects on the rural character and amenity of the surrounding area <p>Activity status where compliance with PER-2 not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the matters of discretion of any infringed standard.
RPROZ-RY	Seasonal worker accommodation	
Rural Production Zone	<p>Activity Status: Permitted</p> <p>Where:</p> <p>PER-1 The establishment of a new, or expansion of existing seasonal worker accommodation where:</p> <ol style="list-style-type: none"> The accommodation is associated with a farming or forestry activity and is located the same land used for that operation; The accommodation comprises of a combination of communal kitchen and eating areas and sleeping and ablution facilities; The accommodation provides for no more than 10 workers; and The accommodation is not located on 	<p>Activity status where compliance with PER-1 not achieved: Discretionary Activity status where compliance with PER-1 not achieved: Discretionary</p>

Commented [MM14]: Comment: Inclusion of new clause ensures that rural airstrips within HPL requires consent, noting that proposed HZ does not provide for rural airstrips.

	highly productive land.	
RPROZ-R19	Minor residential unit	
Rural Production zone	<p>Activity status: <u>Controlled Permitted Where:</u></p> <p>CONPER-1 The number of minor residential units on a site does not exceed one.</p> <p>CONPER-2 The site area per minor residential unit is at least one hectare.</p> <p>CONPER-3 The minor residential unit shares vehicle access with the principal residential unit.</p> <p>CONPER-4 The separation distance between the minor residential unit and the principal residential unit does not exceed 15m.</p> <p>CONPER-5 The minor residential unit: 1. does not exceed a GFA of 65m²; and 2. with an optional attached garage or carport that does not exceed GFA of 18m², where the garage or carport is used for vehicle storage, general storage and laundry facilities.</p>	<p>Activity status where compliance not achieved with <u>PER-3 or PER-4</u> CON-3: Discretionary</p> <p>Activity status where compliance not achieved with <u>CONPER-1, CONPER-2, CON-4 or CONPER-5:</u> Non complying</p>
RPROZ-R19A	Plant and food research	
Rural Production Zone	<p>Activity Status: <u>Permitted</u></p> <p>Where:</p> <p>PER-1</p> <p>The plant and food research activity is located within highly productive land and the research is to support the horticulture sector and requires crop growing and research facilities on the same site.</p>	<p>Activity status where compliance with <u>PER-1 not achieved:</u> Discretionary</p>
RPROZ-R19B	Garden centres ancillary to the horticulture activity occurring within Highly Productive Land on site	
Rural Production Zone	<p>Activity Status: <u>Permitted</u></p> <p>Where:</p> <p>PER-1</p> <p>The retail component of the garden centre does not exceed GBA of 100m² and is setback a minimum of 30m from any internal</p>	<p>Activity status where compliance with <u>PER-1 or PER-2 not achieved:</u> Discretionary</p>

Commented [MM15]: Comment: Insert a new permitted activity rule to reflect HZ-R10.

Commented [MM16]: Comment: Insert a new permitted activity rule to reflect HZ-R9.

	boundary.	
	PER-2 Retail sales are limited to the sale of product grown on the site.	
RPROZ-R20	Papakāinga Housing	
Rural Production zone	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 The number of residential units per site does not exceed 10.</p> <p>RDIS-2 There is a legal mechanism in place to ensure that the land will stay in communal ownership and continue to be used in accordance with ancestral cultural practices.</p> <p>RDIS-3 <u>The activity is not located on highly productive land.</u></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the character and appearance of the residential unit(s) and any accessory building(s); the siting of the building(s), decks and outdoor areas relative to adjoining sites; whether the building(s) are visually dominant and create a loss of privacy for surrounding residential units and their associated outdoor areas; ability of the supporting roading network to cater for the additional vehicular and if applicable cycling and pedestrian traffic; servicing requirements and any constraints of the site; the each residential unit has sufficient outdoor open space, and there is sufficient room for any landscaping, egress and any accessory building(s) required; whether the location of the building(s) and residential activity could create reverse sensitivity effects on adjacent and surrounding primary production activities; whether the development will result in the site being unable to continue to undertake a primary production activity or undertake one in the future due to loss of productive land; whether the layout of the development reduces the risk of future land 	<p>Activity status where compliance not achieved with RDIS-1 or RDIS-3: Discretionary</p> <p>Activity status where compliance not achieved with RDIS-2: Non complying</p>

	<p>fragmentation or sterilisation while maintaining the existing rural character of the surrounding area;</p> <p>j. any natural hazard affecting the site or surrounding area.</p>	
RPROZ-R21	Expansion of existing mineral extraction activity	
Rural Production zone	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1</p> <p>A Mineral Extraction Activity Management Plan has been provided that contains the information required in ME-S1 Mineral extraction activity management plan.</p> <p>RDIS-2</p> <p>The hours of operation remain the same.</p> <p>RDIS-3</p> <p>The extraction volumes do not increase by more than 10%.</p> <p>RDIS-4</p> <p>Any expansion does not occur within 30m of the site boundary.</p> <p>RDIS-5</p> <p>The vehicle access to the Mineral Extraction activity remains unchanged.</p> <p>RDIS-6</p> <p><u>The activity is not located on highly productive land.</u></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> measures to manage off-site effects including dust, odour, lighting, visual amenity, traffic generation, noise and vibration; landscaping and screening; the tenure of activities including extraction, processing and sales; any adverse effect on historic heritage or cultural values any adverse effect on natural environment values and the coastal environment. the proposed rehabilitation programme including provision for clean-filling, recontouring, revegetation; monitoring; and recommendations, proposed mitigation 	<p>Activity status where compliance not achieved with RDIS-1, RDIS-2, RDIS-3, RDIS-4 or RDIS-5: Discretionary</p> <p>Activity status where compliance not achieved with RDIS-6: Non complying</p>

Commented [MM17]: Comment: Mineral extraction activities are non-complying in proposed HZ.

	<p>measures and conditions of the Mineral Extraction Activity Management Plan, including the means by which the Consent Holder will comply with the relevant rules in the Plan and the conditions of the consent; <u>and</u></p> <p>i. <u>the extent to which the loss of highly productive land is minimised</u></p>	
RPROZ-R22	Rural tourism activity	
<p>Rural Production zone</p>	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p><u>RDIS-1</u></p> <p><u>The activity is not located on highly productive land.</u></p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the character and appearance of the building(s); b. the link between the tourism activity and the rural environment; c. the siting of the building(s), decks and outdoor areas including parking relative to adjoining sites; d. whether the building(s) are visually dominant and create a loss of privacy for surrounding residential units and their associated outdoor areas; e. ability of the supporting roading network to cater for the additional vehicular and if applicable cycling and pedestrian traffic; f. servicing requirements and any constraints of the site; g. whether the location of the building(s) and rural tourism activity could create reverse sensitivity effects on adjacent and surrounding primary production activities; h. whether the development will result in the site being unable to continue to undertake a primary production activity or undertake one in the future due to loss of productive land; i. whether the layout of the development maintains the existing rural character of the surrounding area; j. any lighting or noise effects; k. the frequency of the use, hours and days of operation and the number of people it can cater for; l. any natural hazard affecting the site or surrounding area. 	<p>Activity status where compliance not achieved <u>with RDIS-1</u>:</p> <p>Discretionary Not applicable</p>

RPROZ-R23	Intensive indoor and outdoor primary production	
Rural Production zone	<p>Activity status: Restricted discretionary</p> <p>Where:</p> <p>RDIS-1 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>RDIS-2 The activity is not located on highly productive land.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> odour, noise and dust effects; impacts on the transport network; the scale, character and appearance of the building(s); the siting of the building(s) and outdoor areas relative to adjoining sites; whether the building(s) are visually dominant and create a loss of privacy for surrounding residential units and their associated outdoor areas; the number and types of animals; method of effluent management and disposal; likely presence of vermin; the frequency and nature of management and supervision; landscaping or screening; and any natural hazard affecting the site or surrounding area. 	<p>Activity status where compliance not achieved with RDIS-1 or RDIS-2: Non-complying</p>
RPROZ-R24	Rural industry	

Commented [MM18]: Comment: Intensive primary production is not provided for in proposed HZ.

<p>Rural Production zone</p>	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 The rural industry activity does not exceed a GBA of 500m² per site.</p> <p>RDIS-2 The number of rural industry activities per site does not exceed one.</p> <p>RDIS-3 The activity is not located on highly productive land.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. the character and appearance of the building(s) b. the siting of the building(s) and outdoor areas including parking relative to adjoining sites; c. whether the building(s) are visually dominant and create a loss of privacy for surrounding residential units and their associated outdoor areas; d. ability of the supporting roading network to cater for the additional traffic; e. servicing requirements and any constraints of the site; f. whether the location of the building(s) and the rural industry is compatible with adjacent and surrounding primary production activities; g. whether the layout of the development maintains the existing rural character of the surrounding area; h. any lighting or noise effects; i. the frequency of the use, hours and days of operation and the number of people employed; j. any natural hazard affecting the site or surrounding area. <p>Note: Rural Produce Retail is controlled by RPROZ-R10 and Rural Produce Manufacturing is controlled by RPROZ-R11.</p>	<p>Activity status where compliance not achieved with RDIS-1, or RDIS-2 or RDIS-3: Discretionary</p>
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Commented [MM19]: Comment: Rural Industry is not provided for in proposed HZ.

RPROZ-R25	Camping grounds	
Rural Production zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
RPROZ-R26	Community facility	
Rural Production zone	Activity status: Discretionary Where: DIS-1 The activity is not located on highly productive land.	Activity status where compliance with DIS-1 is not achieved: Not applicable Non-complying
RPROZ-R27	Extension of existing commercial activity	
Rural Production zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
RPROZ-R28	Extension of existing industrial activity	
Rural Production zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
RPROZ-R29	Commercial composting	
Rural Production zone	Activity status: Discretionary Where: DIS-1 The activity is not located on highly productive land.	Activity status where compliance with DIS-1 is not achieved: Not applicable Non-complying
RPROZ-R30	New mineral extraction activity	
Rural Production zone	Activity status: Discretionary Where: DIS-1 The activity is not located on highly productive land.	Activity status where compliance with DIS-1 is not achieved: Not applicable Non-complying
RPROZ-RZ	Waste management facility	
Rural Production Zone	Activity status: Discretionary	Activity status where compliance with DIS-1 is not achieved: Not applicable Non-complying

Commented [MM20]: Comment: Community facilities are not provided for in proposed HZ.

Commented [MM21]: Comment: Commercial composting is not provided for in proposed HZ.

Commented [MM22]: Comment: Mineral extraction activities are non-complying within the proposed HZ-R25.

Commented [MM23]: Comment: This activity has not been included in the proposed HZ, it is recommended to be introduced by the S42A author. I consider that a non-complying activity status is appropriate to give effect to NPS-HPL policy 8.

	<p>Where:</p> <p>DIS-1 The activity is not located on highly productive land.</p>	
RPROZ-R31	Activities not otherwise listed in this chapter	
Rural Production zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
RPROZ-R32	Industrial activity	
Rural Production zone	<p>Activity status: Non-complying</p> <p>Note: If the activity is a rural industry activity then that is controlled by RPROZ-R24</p>	Activity status where compliance not achieved: Not applicable
RPROZ-R33	Commercial activities not otherwise provided for as a permitted, restricted discretionary or discretionary activity	
Rural Production zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
RPROZ-R34	Landfill, including managed fill	
Rural Production zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
RPROZ-R35	Community corrections activity	
Rural Production zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
RPROZ-R36	Retirement Village	
Rural Production zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
RPROZ-R37	Offensive trade	
Rural Production zone	<p>Activity status: Non-complying</p> <p>Note: This activity does not include a waste management facility controlled by RPROZ-RZ</p>	Activity status where compliance not achieved: Not applicable

Standards	
RPROZ-S1	Maximum height
Rural Production zone	<p>The maximum height of a building or structure, or extension or alteration to an existing building or structure is 12m above ground level, except that artificial crop protection and support structures shall not exceed a height of 6m above ground level.</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation; and chimney structures not exceeding 1.2m in width and 1m in height on any elevation; and chimney structures not exceeding 1.2m in width and 1m in height on any elevation; or architectural features (e.g. finials, spires) that do not exceed 1m in height on any elevation. <p>NOTE: <u>If a resource consent application is made for an infringement of RPROZ-S1 and the proposed building or structure is:</u></p> <ol style="list-style-type: none"> <u>greater than 21 metres in height and within 1,000 metres of the Waipapakauri transmitter at Spains Road, Awanui, Part Lot 4 DP 43276; or</u> <u>greater than 16 metres in height within 1,000 metres of the Ōhaeawai transmitter at State Highway 12, Ōhaeawai Part Te Riu Block XII Omapere Survey District SO 43051</u> <p><u>then consultation will be required with Radio New Zealand to manage potential adverse electromagnetic coupling effects.</u></p>
	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the character and amenity of the surrounding environment; dominance in relation to the road and adjoining sites, including potential loss relation to vacant sites; loss of privacy to adjoining sites, including potential loss in relation to vacant sites; shading and loss of access to sunlight to adjoining sites; landscaping; and natural hazard mitigation and site constraints.
RPROZ-S2	Height in relation to boundary

<p>Rural Production zone</p>	<p>The building or structure, or extension or alteration to an existing building or structure must be contained within a building envelope defined by the following recession planes measured inwards from the respective boundary:</p> <ol style="list-style-type: none"> 1. 55 degrees at 2m above ground level at the northern boundary of the site; and 2. 45 degrees at 2m above ground level at the eastern and western boundaries of the site; and 3. 35 degrees at 2m above ground level at the southern boundary of the site. <p>This standard does not apply to:</p> <ol style="list-style-type: none"> i. solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation; or ii. chimney structures not exceeding 1.2m in width and 1m in height on any elevation; or iii. satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation; or iv. architectural features (e.g. finials, spires) that do not exceed 1m in height on any elevation. 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. loss of privacy to adjoining sites, including potential loss in relation to vacant sites; b. shading and loss of access to sunlight to adjoining sites, including buildings and outdoor areas; and c. natural hazard mitigation and site constraints.
<p>RPROZ-S3</p>	<p>Setback (excluding from MHWS or wetland, lake and river margins)</p>	
<p>Rural Production zone</p>	<p>The new building or structure, or extension or alteration to an existing building or structure must be setback at least 10m from all site boundaries, except:</p> <ol style="list-style-type: none"> 1. on sites less than 5,000m² accessory buildings can be setback to a minimum of 3m for boundaries that do not adjoin a road; or 2. artificial crop protection and support structures must be setback at least 3m from all site boundaries; or 3. habitable buildings must be setback at least 230m from the boundary of an unsealed road; <u>and</u> 4. <u>habitable buildings must be set back 30m from the boundary of a site containing a commercial forest.</u> <p>This standard does not apply to:</p>	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. the character and amenity of the surrounding area; b. screening, planting and landscaping on the site; c. the design and siting of the building or structure with respect to privacy and shading; d. natural hazard mitigation and site constraints; e. the effectiveness of the proposed method for controlling stormwater; f. the safety and efficiency of the current or future access, egress on site and the roading network; and

	<ul style="list-style-type: none"> i. fences or walls no more than 2m in height above ground level; or ii. uncovered decks less than 1m in height above ground level; or iii. underground wastewater infrastructure; or iv. water tanks less than 2.7m in height above ground level. 	<ul style="list-style-type: none"> g. the impacts on existing and planned public walkways, reserves and esplanades; h. <u>the health and amenity impacts of dust from unsealed roads on habitable buildings</u>⁶⁵; i. <u>The location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor;</u> and j. <u>The safe and efficient operation of the rail network.</u>⁶⁶
RPROZ-S4	Setbacks from MHWS	
Rural Production zone	The building or structure, or extension or alteration to an existing building or structure must be setback at least 30m from MHWS.	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the natural character of the coastal environment; b. screening, planting and landscaping on the site; c. the design and siting of the building or structure with respect to dominance on adjoining public space; d. natural hazard mitigation and site constraints; e. the effectiveness of the proposed method for controlling stormwater; and f. the impacts on existing and planned roads, public walkways, reserves and esplanades.
RPROZ-S5	Building or structure coverage	
Rural Production zone	The building or structure coverage of any site is no more than 12.5%.	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the character and amenity of the surrounding area; b. any landscaping, planting and screening to mitigate any adverse effects;

		<ul style="list-style-type: none"> c. the extent to which private open space can be provided for future uses; d. the extent to which the siting, setback and design mitigate visual dominance on adjacent sites and surrounding environment; and e. natural hazard mitigation and site constraints.
RPROZ-S6	Buildings or structures used to house, milk or feed stock (excluding buildings or structures used for an intensive indoor primary production activity)	
Rural Production zone	<p>Stock holding and feeding areas, milking sheds and buildings used to house or feed stock must be set back:</p> <ol style="list-style-type: none"> 1. From the following boundaries, at least: <ul style="list-style-type: none"> a. 30m from any boundary; or b. 100m from a boundary of of land zoned General Residential, Mixed Use, Kororāreka Russell Township, Settlement, Māori Purpose-Urban, Rural Residential; and 2. At least 100m from <u>sensitive activities residential units</u> on an adjoining site under separate ownership. 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. privacy of adjoining sites; b. scale and bulk of buildings; c. odour; d. noise, disturbance and loss of privacy effects on adjoining sites; e. the number and types of animals; f. method of effluent management and disposal; g. likely presence of vermin; h. the frequency and nature of management and supervision; and i. landscaping or screening.
RPROZ-S7	Sensitive activities setback from boundaries of a Mineral Extraction Zone <u>Overlay</u>	
Rural Production zone	<p>Sensitive activities (excluding non habitable accessory buildings) must be setback at least 100m from the boundary of an Mineral Extraction <u>Zone Overlay</u></p>	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. noise, disturbance and vibrations; b. scale and type of mineral extraction activity; c. the frequency and nature of any blasting or extraction method to obtain the mineral resource; d. hours of operation of the mineral extraction activity e. design of the building; f. whether there are alternative options for the location of the building; and g. temporary effects.

RPROZ-SX	Sensitive activities setback from intensive indoor and outdoor primary production activities	
Rural Production zone	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.	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. Potential reverse sensitivity effects and measures taken to mitigate these effects, such as landscaping or screening b. Whether there are alternative options for the location of the sensitive activity
RPROZ-SY	Sensitive activities setback from buildings or structures used to house, milk or feed stock (excluding buildings or structures used for an intensive indoor or outdoor primary production activity)	
Rural Production zone	All buildings and structures used for new sensitive activities will be setback 100m from any buildings or structures used to house, milk or feed stock (excluding buildings or structures used for an intensive indoor or outdoor primary production activity) located on an adjoining site under separate ownership.	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. Potential reverse sensitivity effects and measures taken to mitigate these effects, such as landscaping or screening b. Whether there are alternative options for the location of the sensitive activity