

Appendix 1.1 – Officers Recommended Amendments to the Horticulture Zone 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).

Overview

The district's subtropical climate, soils and access to water provide for a wide range of existing and potential horticulture activities. Kerikeri and Waipapa both have land that is, or has the potential to be, highly productive¹ versatile soils, access to irrigation networks and established supporting horticultural infrastructure, which provides ideal conditions for undertaking productive horticultural activities.

Kerikeri and Waipapa are experiencing growth in the horticulture sector with increased interest from growers across the country because of these characteristics that make the land highly productive and the comparative price of land per hectare. Land within this area of horticulture is under pressure from fragmentation, a buoyant housing market and high growth in this part of the district. This has a significant effect on the horticulture sector's ability to grow and has resulted in the loss of existing horticulture activities. It also has resulted in reverse sensitivity issues between horticultural operations and ~~residential~~ sensitive² activities, due to concerns over chemical use, scale of operations and noise for example.

The purpose of the Horticultural zone is to protect this area for horticultural activities for the benefit of current and future generations. Activities in the Horticulture zone provide a significant contribution to the district's economic well-being in terms of gross domestic product, jobs and flow on-benefits to the rural economy. This zone will support the sustainable growth of this sector and ensure that Kerikeri and Waipapa's highly productive land (plus LUC 4 land that has the potential to be highly productive³) and irrigation networks are protected for horticulture activities.

Council has a responsibility under the RMA, the NPS-HPL⁴ and the NRPS to protect highly productive land⁵ versatile soils, prevent fragmentation and sterilisation of this land, and protect primary production activities from reverse sensitivity. While there may be tensions with landowners wanting the ability to subdivide and/or use the land for purposes other than horticulture within the Horticulture zone, this should be avoided unless there is a greater public benefit in doing so.

Objectives	
HZ-O1	The Horticulture zone is managed to ensure its long-term availability for horticultural activities and its long-term protection for the benefit of current and future generations.
HZ-O2	The Horticulture zone enables horticultural and ancillary activities, while managing adverse environmental effects on site.

¹ NRC (S359.004)

² Consequential amendment under clause 10(2)(b), Schedule 1, RMA resulting from the Rural Wide Issues and RPROZ report

³ NRC (S359.027)

⁴ NRC (S359.004)

⁵ Ibid

HZ-O3	<p>Land use and subdivision in the Horticulture zone:</p> <ol style="list-style-type: none"> avoids land sterilisation that reduces the potential for highly productive land <u>or LUC 4 land</u>⁶ to be used for a horticulture activity; avoids land fragmentation that comprises the use of land for horticultural activities; avoids any reverse sensitivity effects that may constrain the effective and efficient operation of primary production activities; does not exacerbate any natural hazards; maintains the rural character and amenity of the zone; is able to be serviced by on-site infrastructure; <u>and</u> <u>only enables the maintenance, operation, or upgrade of existing activities if the loss of highly productive land from those activities is minimised</u>⁷.
Policies	
HZ-P1	<p>Identify a Horticulture zone in the Kerikeri/Waipapa area using the following criteria:</p> <ol style="list-style-type: none"> presence of highly productive land <u>or LUC 4 land</u>⁸ suitable for horticultural use; access to a water source, such as an irrigation scheme or dam able to support horticultural use; and infrastructure available to support horticultural use.
HZ-P2	<p>Avoid land use that:</p> <ol style="list-style-type: none"> is incompatible with the purpose, function and character of the Horticulture zone; will result in the loss of productive capacity of highly productive land <u>or LUC 4 land</u>⁹; compromises the use of highly productive land <u>or LUC 4 land</u>¹⁰ for horticultural activities in the Horticulture zone; <u>and</u> does not have a functional need to be located in the Horticultural zone and is more appropriately located in another zone; <u>and</u> <u>does not minimise the loss of highly productive land or LUC 4 land when maintaining, operating or upgrading an existing activity</u>¹¹.
HZ-P3	<p>Enable horticulture and associated ancillary activities that support the function of the Horticulture zone, where:</p> <ol style="list-style-type: none"> adverse effects are contained on site to the extent practicable; and they are able to be serviced by onsite infrastructure.
HZ-P4	<p>Ensure residential <u>sensitive</u>¹² 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>
HZ-P5 ¹³	<p>Manage Avoid the subdivision of land in the Horticulture zone that to:</p> <ol style="list-style-type: none"> <u>cannot demonstrate that the proposed lots will retain the overall productive capacity of highly productive land over the long term;</u> <u>avoid fragmentation that results in any potential cumulative loss of the availability or productive capacity of highly productive land for use by horticulture and other farming activities;</u> <u>fragments land into parcel sizes that are no longer able to support horticulture and other farming activities, taking into account:</u> <ol style="list-style-type: none"> <u>the type of horticulture or farming proposed;</u>

⁶ NRC (S359.027)

⁷ NRC (S359.004)

⁸ NRC (S359.027)

⁹ Ibid

¹⁰ Ibid

¹¹ Ibid

¹² Consequential amendment under clause 10(2)(b), Schedule 1, RMA resulting from the Rural Wide Issues and RPROZ report

¹³ NRC (S359.004 and S359.027)

	<ul style="list-style-type: none"> ii. <u>the potential loss of LUC 4 land that is, or has the potential to be, highly productive; and</u> iii. <u>whether smaller land parcels can support the proposed horticulture or farming activity due to the presence of highly productive land or LUC 4 land;</u> d. ensure the long term viability of the highly productive land resource to undertake a range of horticulture uses; e. <u>does not enable a suitable building platform for a future residential unit; and</u> f. ensure there is provision of <u>does not provide</u> appropriate onsite infrastructure.
<p>HZ-P6</p>	<p>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>HZ-P7</p>	<p>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 <u>Consider the following matters where relevant when assessing and managing the effects of land use and subdivision in the Horticulture Zone¹⁴:</u></p> <ul 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 <u>land soil</u>;¹⁵ 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: <ul 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 <u>or LUC 4 land that is, or has the potential to be productive</u>¹⁶, land sterilisation or fragmentation f. at zone interfaces: <ul 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; <ul 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.
<p>Rules</p>	

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, including the Transport, Hazardous Substances, Noise, Light and Signage chapters. 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.**

¹⁴ Consequential amendment under clause 10(2)(b), Schedule 1, RMA

¹⁵ NRC (S359.004)

¹⁶ NRC (S359.027)

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 chapter¹⁷ 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 chapter¹⁸ 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 Horticulture Zone for any consent application for a mineral extraction activity¹⁹.**
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 2017.²⁰**

HZ-R1	New buildings or structures, <u>relocated buildings²¹</u> and extensions or alterations to existing buildings or structures	
Horticulture zone	Activity status: Permitted Where: PER-1 The new building or structure, <u>relocated building</u> or extension or alteration to an existing building or structure, will accommodate a permitted, <u>controlled or restricted discretionary²²</u> activity.	Activity status where compliance not achieved with PER-2: Restricted Discretionary Matters of discretion are restricted to: a. the matters of discretion of any infringed standard
	PER-2 The new building or structure, <u>relocated building</u> or extension or alteration to an existing building or structure complies with 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 used for an intensive indoor primary production activity); <u>HZ-SX Sensitive activities setback from boundaries of the Mineral Extraction Zone;²³</u> <u>HZ-SY Sensitive activities setback from intensive indoor and outdoor primary production activities; and</u> HZ-SZ Sensitive activities setback from	Activity status where compliance not achieved with PER-1: Discretionary

¹⁷ FNDC (S368.032)

¹⁸ Consequential amendment resulting from Coastal Environment section 42A report under clause 10(2)(b), Schedule 1, RMA

¹⁹ Consequential amendment resulting from Mineral Extraction section 42A report under clause 10(2)(b), Schedule 1, RMA

²⁰ PF Olsen Limited (S91.023)

²¹ Heavy Haulage Assoc Inc (S482.012)

²² FNDC (S368.077)

²³ Imerys Performance Minerals Asia Pacific (S65.015) and others

	<p><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>²⁴</p> <p>Note: <u>HZ-R1 does not apply to artificial crop protection structures and crop support structures.</u>²⁵.</p>	
HZ-R2	Impermeable surface coverage	
<p>Horticulture zone</p>	<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 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>²⁶; and d. whether low impact design methods and use of green spaces can be used; e. any cumulative effects on total catchment impermeability; f. natural hazard mitigation and site constraints; and g. extent of potential adverse effects on cultural, spiritual, heritage and/or amenity values of any affected waterbodies; <u>and</u> h. <u>the extent to which impermeable surfaces are able to be avoided, or otherwise minimised, on highly productive land and the potential impact on the life-supporting capacity of soils</u>²⁷.
HZ-R3	Residential activity	

²⁴ Consequential amendment under clause 10(2)(b), Schedule 1, RMA resulting from the Rural Wide Issues and RPROZ report

²⁵ Consequential amendment under clause 10(2)(b), Schedule 1, RMA resulting from Horticulture NZ (S159.008)

²⁶ Consequential amendment under clause 10(2)(b), Schedule 1, RMA resulting from Puketotara Lodge (S481.003)

²⁷ Michael John Winch (S67.013)

<p>Horticulture zone</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The number of residential units on a site does not exceed one.</p>	<p>Activity status where compliance not achieved with PER-1 Discretionary</p>
<p>HZ-R4</p>	<p>Home business</p>	
<p>Horticulture zone</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The home business is within a residential unit or accessory building, where the accessory building is no more than 40m².</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 materials or articles associated with an activity must be carried out within a building or screened from residential units on adjoining sites.</p> <p>PER-4 Hours <u>when a business can be open to the public of operation</u> ²⁸ must be between: 1. 7am - 8pm Monday to Friday. 2. 8am - 8pm Weekends and public holidays.</p>	<p>Activity status where compliance not achieved with PER-1 or PER-2, PER-3 or PER- 4: Discretionary</p>
<p>HZ-R5</p>	<p>Farming activity</p>	
<p>Horticulture zone</p>	<p>Activity status: Permitted</p>	<p>Activity status where compliance not achieved: Not applicable</p>
<p>HZ-R6</p>	<p>Rural produce retail</p>	
<p>Horticulture zone</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The activity does not exceed GBA of 100m² and is setback a minimum of 30m from any</p>	<p>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</p>

²⁸ John Andrew Riddell (S431.144)

	<p><u>internal site boundary other than a road boundary</u>²⁹.</p> <p>PER-2 The number of rural produce retail operations does not exceed one per site.</p>	
HZ-R7	Rural produce manufacturing	
Horticulture zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The building does not exceed GFA of 100m².</p> <p>PER-2 The number of rural 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>Activity status where compliance not achieved with PER-1, PER-2 or PER-3: Discretionary</p>
HZ-R8	Conservation activity	
Horticulture zone	<p>Activity status: Permitted</p>	<p>Activity status where compliance not achieved: Not applicable</p>
HZ-R9	Garden centres ancillary to the horticulture activity occurring on site	
Horticulture zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The retail component of the garden centre does not exceed GBA of 100m² and is setback a minimum of 30m from any internal boundary.</p> <p>PER-2 Retail sales are limited to the sale of product grown on the site.</p>	<p>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</p>
HZ-R10	Plant and food research	
Horticulture zone	<p>Activity status: Permitted</p> <p>Where:</p>	<p>Activity status where compliance not achieved with PER-1: Discretionary</p>

²⁹ Consequential amendment under clause 10(2)(b), Schedule 1, RMA resulting from the Rural Wide Issues and RPROZ report

	<p>PER-1 The research is to support the horticulture sector and requires crop growing and research facilities on the same site.</p>	
HZ-R11	Plantation forestry and plantation forestry activity Forestry activity not regulated by the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017³⁰	
Horticulture zone	<p>Activity status: Permitted</p> <p>Where: -</p> <p>PER-1 Plantation forestry and plantation forestry activities are not located on versatile soils.</p>	Activity status where compliance not achieved with PER-1: <u>Not applicable</u> Discretionary
HZ-RX	Artificial crop protection structures and crop support structures³¹	
Horticulture Zone	<p>Activity Status: Permitted</p> <p>Where:</p> <p>PER-1 <u>The establishment of a new, or expansion of an existing, artificial crop protection structure or crop support structure, where:</u></p> <ol style="list-style-type: none"> <u>The height of the structure does not exceed 6m above ground level;</u> <u>The structure is set back at least 3m from all site boundaries;</u> <u>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.</u> <p>PER-2</p> <p><u>The new, or expansion of an existing, artificial crop protection structure or crop support structure complies with standards:</u></p> <p>HZ-S2 Height in relation to boundary</p>	<p>Activity status where compliance with PER-1 not achieved: <u>Restricted Discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>The potential adverse visual effects (including glare) on neighbouring properties or road users;</u> <u>Visual mitigation measures such as landscaping or other screening;</u> <u>Effects on the rural character and amenity of the surrounding area</u> <p>Activity status where compliance with PER-2 not achieved: <u>Restricted Discretionary</u></p> <p><u>Matters of discretion are restricted to:</u> <u>the matters of discretion of any infringed standard.</u></p>
HZ-R12	Visitor accommodation	
Horticulture zone	Activity status: Discretionary	Activity status where compliance not achieved with DIS-1, DIS-2 or

³⁰ PF Olsen Limited (S91.023) and others

³¹ Consequential amendment under clause 10(2)(b), Schedule 1, RMA resulting from Horticulture NZ (S159.008)

	<p>Where:</p> <p>DIS-1 The visitor accommodation is undertaken within a residential unit.</p> <p>DIS-2 The occupancy does not exceed 10 guests per night.</p> <p>DIS-3 The site does not share access with another site.</p>	<p>DIS-3: Non-complying</p>
HZ-R13	Educational³² facility	
Horticulture zone	<p>Activity status: Discretionary</p> <p>Where:</p> <p>DIS-1 The educational facility is undertaken within a residential unit.</p> <p>DIS-2 Hours of operation are between: 1. 7am-8pm Monday to Friday. 2. 8am-8pm Weekends and public holidays.</p> <p>DIS-3 The number of students attending at one time does not exceed four, excluding those who reside onsite.</p>	<p>Activity status where compliance not achieved with DIS-1, DIS-2 or DIS-3: Non-complying</p>
HZ-R14	Rural industry	
Horticulture zone	<p>Activity status: Discretionary</p> <p>Note: Rural Produce Manufacturing is controlled by HZ-R7</p>	<p>Activity status where compliance not achieved: Not applicable</p>
HZ-R15	Rural tourism activity	
Horticulture zone	<p>Activity status: Discretionary</p>	<p>Activity status where compliance not achieved: Not applicable</p>
HZ-R16	Activities not otherwise listed in this chapter	
Horticulture zone	<p>Activity status: Discretionary</p>	<p>Activity status where compliance not achieved: Not applicable</p>
HZ-RY	Extension of existing commercial activity³³	
<u>Horticulture Zone</u>	<p><u>Activity status: Discretionary</u> -</p>	<p><u>Activity status where compliance not achieved: Not applicable</u></p>

³² Consequential amendment under clause 10(2)(b), Schedule 1, RMA to ensure consistency with wording of equivalent rural rules

³³ Rosemorn Industries Limited (S340.004)

HZ-RZ	Extension of existing industrial activity³⁴	
Horticulture Zone	Activity status: Discretionary -	Activity status where compliance not achieved: Not applicable
HZ-R17	Community facility	
Horticulture zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
HZ-R18	Retirement village	
Horticulture zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
HZ-R19	Commercial activity not otherwise listed as permitted or discretionary	
Horticulture zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
HZ-R20	Industrial activity	
Horticulture zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
HZ-R21	Intensive indoor and outdoor³⁵ primary production	
Horticulture zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
HZ-R22	Commercial composting	
Horticulture zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
HZ-R23	Offensive trade	
Horticulture zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
HZ-R24	Community correction facility	
Horticulture zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
HZ-R25	Mineral extraction activity	
Horticulture zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
HZ-R26	Landfill	
Horticulture zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
Standards		
HZ-S1	Maximum height	

³⁴ Rosemorn Industries Limited (S340.004)

³⁵ Consequential amendment under clause 10(2)(b), Schedule 1, RMA resulting from the Rural Wide Issues and RPROZ report

<p>Horticulture zone</p>	<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.³⁶</p> <p>This standard does not apply to:</p> <ul 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; ii. chimney structures not exceeding 1.2m in width and 1m in height on any elevation; iii. chimney structures not exceeding 1.2m in width and 1m in height 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> <ul style="list-style-type: none"> a. the character and amenity of the surrounding environment; b. dominance in relation to the road and adjoining sites, including potential loss relation to vacant sites; c. loss of privacy to adjoining sites, including potential loss in relation to vacant sites; d. shading and loss of access to sunlight to adjoining sites; e. landscaping; and f. natural hazard mitigation and site constraints.
<p>HZ-S2</p>	<p>Height in relation to boundary</p>	
<p>Horticulture 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> <ul style="list-style-type: none"> 1. 55 degrees at 2m above ground level at the northern boundary of the site; 2. 45 degrees at 2m above ground level at the the³⁷ 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> <ul 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; ii. chimney structures not exceeding 1.2m in width and 1m in height on any elevation; 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> <ul 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>HZ-S3</p>	<p>Setback (excluding from MHWS or wetland, lake and river margins)</p>	
<p>Horticulture</p>	<p>The building or structure, or extension or</p>	<p>Where the standard is not met,</p>

³⁶ Consequential amendment under clause 10(2)(b), Schedule 1, RMA resulting from the Rural Wide Issues and RPROZ report

³⁷ Clause 16, Schedule 1, RMA amendment to remove duplicate word

<p>zone</p>	<p>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. habitable buildings are setback at least 320m³⁸ from the boundary of an unsealed road; 2. <u>on sites less than 5,000m², non-habitable accessory buildings can be setback to a minimum of 3m for boundaries that do not adjoin a road;</u>³⁹ and 3. <u>habitable buildings must be set back 30m from the boundary of a site containing a commercial forest.</u>⁴⁰ 4. artificial crop protection and support structures are setback at least 3m from all site boundaries. <p>This standard does not apply to:</p> <ol style="list-style-type: none"> i. <u>fences or walls no more than 2m in height above ground level;</u>⁴¹ ii. uncovered decks less than 1m in height above ground level; iii. underground wastewater infrastructure; <u>or</u>⁴² and iv. water tanks less than 2.7m in height above ground level. 	<p>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 g. the impacts on existing and planned public walkways, reserves and esplanades. h. <u>reverse sensitivity effects on primary production activities;</u>⁴³ i. <u>the health and amenity impacts of dust from unsealed roads on habitable buildings</u>⁴⁴; j. <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 k. <u>The safe and efficient operation of the rail network</u>⁴⁵.
<p>HZ-S4 Setback from MHWS⁴⁶</p>		
<p>Horticulture zone</p>	<p>The building or structure, or extension or alteration to an existing building or structure must be setback at least 30m from MHWS.</p>	<p>Where the standard is not met, matters of discretion are restricted to:</p> <p>-</p> <ol style="list-style-type: none"> a. the natural character of the coastal environment; b. screening, planting and

³⁸ Consequential amendment under clause 10(2)(b), Schedule 1, RMA resulting from LJ King Ltd (S464.040) and others

³⁹ Jono Corskie (S37.002)

⁴⁰ Consequential amendment under clause 10(2)(b), Schedule 1, RMA resulting from Manulife Forest (S160.041) and others

⁴¹ Consequential amendment under clause 10(2)(b), Schedule 1, RMA for consistency with the Rural Wide Issues and RPROZ section 42A report

⁴² Clause 16, Schedule 1, RMA amendment to clarify intent

⁴³ NRC (S359.019)

⁴⁴ Consequential amendment under clause 10(2)(b), Schedule 1, RMA resulting from Ngai Tai Ora (S516.003)

⁴⁵ Consequential amendment under clause 10(2)(b), Schedule 1, RMA resulting from KiwiRail (S416.058)

⁴⁶ Consequential amendment resulting from Coastal Environment section 42A report under clause 10(2)(b), Schedule 1, RMA

		<p>landscaping on the site;</p> <p>e. the design and siting of the building or structure with respect to dominance on adjoining public space;</p> <p>d. natural hazard mitigation and site constraints;</p> <p>e. the effectiveness of the proposed method for controlling stormwater; and</p> <p>f. the impacts on existing and planned roads, public walkways, reserves and esplanades.</p>
HZ-S5	Building or structure coverage	
Horticulture zone	<p>The building or structure coverage of the site area is no more than 12.5%.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> i. crop protection covers; or ii. tunnel and glass greenhouses.⁴⁷ 	<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; 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.
HZ-S6	Buildings or structures used to house, milk or feed stock (excluding buildings used for an intensive indoor primary production activity)	
Horticulture zone	<p>Stock holding and feeding areas, milking sheds and buildings used to house or feed stock must be setback:</p> <ul 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 of⁴⁸ land zoned General Residential, Mixed Use, Settlement, Māori Purpose-Urban; Rural Residential; and 2. At least 100m from <u>residential units sensitive activities</u>⁴⁹ 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. 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;

⁴⁷ Horticulture NZ (S159.168)

⁴⁸ Clause 16, Schedule 1, RMA amendment to remove duplicate word

⁴⁹ Consequential amendment under Clause 10(2)(b), Schedule 1, RMA resulting from Rural Wide Issues and RPROZ section 42A report

		<p>h. the frequency and nature of management and supervision; and</p> <p>i. landscaping or screening.</p>
HZ-SX	Sensitive activities setback from boundaries of a Mineral Extraction Zone⁵⁰	
Horticulture Zone	<p><u>Sensitive activities (excluding non habitable accessory buildings) must be setback at least 100m from the boundary of a Mineral Extraction Zone.</u></p>	<p><u>Where the standard is not met, matters of discretion are restricted to:</u></p> <ul style="list-style-type: none"> - a. <u>noise, disturbance and vibrations;</u> b. <u>scale and type of mineral extraction activity;</u> c. <u>the frequency and nature of any blasting or extraction method to obtain the mineral resource;</u> d. <u>hours of operation of the mineral extraction activity</u> e. <u>design of the building;</u> f. <u>whether there are alternative options for the location of the building; and</u> g. <u>temporary effects.</u>
HZ-SY	Sensitive activities setback from intensive indoor and outdoor primary production activities⁵¹	
Horticulture Zone	<p><u>All buildings and structures used for new sensitive activities will be setback 300m from any hardstand areas, treatment systems, buildings housing animals and any other structures associated with an intensive indoor or outdoor primary production activity located on an adjoining site under separate ownership.</u></p>	<p><u>Where the standard is not met, matters of discretion are restricted to:</u></p> <ul style="list-style-type: none"> a. <u>Potential reverse sensitivity effects and measures taken to mitigate these effects, such as landscaping or screening</u> b. <u>Whether there are alternative options for the location of the sensitive activity</u>
HZ-SZ	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)⁵²	
Horticulture Zone	<p><u>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.</u></p>	<p><u>Where the standard is not met, matters of discretion are restricted to:</u></p> <ul style="list-style-type: none"> a. <u>Potential reverse sensitivity effects and measures taken to mitigate these effects, such as landscaping or screening</u> b. <u>Whether there are alternative options for the location of the sensitive activity</u>

⁵⁰ Imerys Performance Minerals (S65.015) and others

⁵¹ Consequential amendment under Clause 10(2)(b), Schedule 1, RMA resulting from NZ Pork (S55.031)

⁵² NRC (S359.019)

