

## GENERAL RURAL ZONE

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## 1 Scope of Report

- [1] This Recommendation Report relates to the General Rural Zone (GRUZ) chapter of the PDP and contains the Hearing Panel's recommendations to Council on the submissions and further submissions received on that chapter.
- [2] The Hearing Panel members for the GRUZ chapter were:
  - Debra Hasson
  - Lindsay Daysh
  - Raewyn Solomon
  - Rob van Voorthuysen (Chair)
- [3] The initial Section 42A Report and the end of hearing Section 42A Report (Reply Report) for this topic were:
  - General Rural Zone, 11 February 2022, Jon Trewin
  - General Rural Zone, 27 January 2023, Jon Trewin
- [4] In response to a Memorandum<sup>1</sup> lodged by Christchurch International Airport Limited (CIAL) we invited Mr Trewin to consider producing a Section 42A Errata Report. Instead, caucusing occurred and we were provided with a Joint Witness Statement (Planning) dated 29 April 2022 authored by Matt Bonis on behalf of CIAL, Vicki Barker (Section 42A Report author for the PDP Noise and EI hearings) and Jon Trewin.
- [5] We also received a Joint Witness Statement (Planning and Acoustics) dated 30 June 2022 authored by Tim Joll (Planning) and Jon Farren (Acoustic) on behalf of the Ellesmere Motor Racing Club and Jon Trewin (Planning) and Jeremy Trevathan (Acoustic) on behalf of SDC.
- [6] Separate to this GRUZ hearing process, we requested and received a separate Section 42A Report on the implications of the National Policy Statement for Highly Productive Land 2022 (NPS-HPL). We invited comments<sup>2</sup> on that Section 42A Report and we have issued a separate Recommendation Report on the provisions that it referred to. To assist readers, we have included amendments to the GRUZ provisions contained in the NPS-HPL Recommendation Report in Appendix 1 of this Recommendation Report in grey wash.
- [7] The Hearing Panel's recommended amendments to the GRUZ chapter are set out in Appendix 1, together with consequential amendments to other chapters. Amendments recommended by Mr Trewin that have been adopted are shown in strike out and underlining. Further or different amendments recommended by the Hearing Panel are shown in strike out, underlining and red font.
- [8] Our recommended amendments to the notified planning maps are also set out in narrative form in Appendix 1, including any amendments recommended by Mr Trewin that we have adopted.

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<sup>1</sup> Memorandum of Counsel in relation to Strategic Directions, Mapping, Noise, and General Rural Zone hearings, Chapman Tripp, 17 February 2022.

<sup>2</sup> From submitters who had raised the issue of 'elite soils' in their original submissions.

[9] Readers should also note that we have, at their request, amended all references to 'Trustpower' to 'Manawa Energy'.

[10] Further submitters are not listed in the tables in this Recommendation Report because further submissions are either accepted or rejected in conformance with our recommendations on the original submissions to which they relate.

## 2 Hearing and Submitters Heard

[11] The hearing for the GRUZ chapter was held on 14, 15 and 17 March 2022. There were 120 submitters on the GRUZ chapter, however only 22 submitters eventually wished to be heard. The submitters who appeared at the hearing are listed below, together with an identification of whether they were an original submitter, a further submitter, or both.

Sub #	Submitter	Original	Further
DPR-0033	Davina Louise Penny	✓	✓
DPR-0128	Joyce Family Trust	✓	✓
DPR-0150	Barry Moir	✓	
DPR-0166	Saunders Family Trust	✓	
DPR-0184	Mike Ransome	✓	
DPR-0346	Ceres Professional Trustee Company Ltd & Sally Jean Tothill	✓	✓
DPR-0353	Horticulture New Zealand	✓	✓
DPR-0359	Fire and Emergency New Zealand	✓	
DPR-0367	Orion New Zealand Limited	✓	
DPR-0370	Fonterra Limited	✓	✓
DPR-0371	Christchurch International Airport Limited (CIAL)	✓	✓
DPR-0382	Ellesmere Motor Racing Club (EMRC)	✓	
DPR-0385	Aviation New Zealand	✓	
DPR-0415	Fulton Hogan Limited	✓	✓
DPR-0422	Federated Farmers of New Zealand - North Canterbury	✓	✓
DPR-0437	The Stations <sup>3</sup>	✓	
DPR-0444	Andover Limited	✓	
DPR-0446	Transpower New Zealand Limited	✓	✓
DPR-0453	Midland Port, Lyttelton Port Company Limited (LPC)	✓	✓
DPR-0472	Gourlie Family	✓	
DPR-0481	Graeme and Virginia Adams	✓	✓

[12] The following submission points are dealt with in this Recommendation Report because they were deferred from other hearings:

- Ellesmere Motor Racing Club DPR-0382.005 and 006 was reallocated from the Noise Hearing and DPR-0382.007 was reallocated from the Subdivision Hearing; and
- Ceres Professional Trustee Company Ltd and Sally Jean Tothill DPR-0346.011 to 017 were reallocated from the Transport Hearing.<sup>4</sup>

[13] Some of the submitters were represented by counsel or had expert witnesses appear on their behalf. The counsel and witnesses we heard from are listed in Appendix 2. Copies of all the legal submissions and evidence (expert and non-expert) received are held by the Council. We

<sup>3</sup> Mt Algidus Station, Glenthorne Station, Lake Coleridge, Mt Oakden and Acheron Stations.

<sup>4</sup> Two submission points by Ceres that relate to signs (DPR-346.018 and 019) were addressed in the Signs Hearing.

do not separately summarise that material here, but we refer to or quote from some of it in the remainder of this Recommendation Report.

- [14] We record that we considered all submissions and further submissions, regardless of whether the submitter or further submitter appeared at the hearing and whether or not they were represented by counsel or expert witnesses.

### 3 Sub-topic Recommendations

- [15] In this part of the Recommendation Report we assess the submissions by sub-topic, mostly using the same headings as the initial Section 42A Report.

- [16] The PDP contains only one rural zone (the GRUZ) that manages all activities. In addition, to manage residential density in the GRUZ, various 'specific control areas' apply across the zone. However, as with other zones in the PDP, overlays also apply where there are specific values, risks or other factors such that an additional management approach is required.

#### 3.1 Rural chapter in general

- [17] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons. We note that this results in no change to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0358	RWRL	425
DPR-0363	IRHL	336, 455
DPR-0374	RIHL	342, 491
DPR-0384	RIDL	372, 524
DPR-0388	Craigmore Farming Services Limited	051
DPR-0407	Forest & Bird	053

- [18] In particular, we agree it is not appropriate to preclude limited or public notification for all controlled and restricted discretionary activities. The RMA contains a specific process for determining notification on a case-by-case basis and in our view that statutory process should only be circumvented where there is absolute certainty that potential adverse effects will not affect any other party. Having made this finding, we do not discuss this notification matter further in relation to similar relief sought by these same submitters<sup>5</sup> on other GRUZ chapter provisions.

#### 3.2 Christchurch International Airport Limited

- [19] As noted in section 1 above, we received a JWS relating to the submissions of CIAL. We address the agreements reached in the JWS here, rather than on a provision-by-provision basis given that a number of provisions are affected. However, to assist readers, we expand on some of the CIAL requested relief in later sections of this Recommendation Report.

- [20] We firstly record that we accept the legal submissions of counsel for CIAL who said:

*31 For the benefit of this Panel, we emphasise that the 50dB and 55dB overlays are overlapping and additional:*

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<sup>5</sup> RWRL, IRHL, RIHL and RIDL.

31.1 CRPS Policy 6.3.5(4) applies to all land which receives noise of 50dB Ldn or higher, and therefore applies within the 50dB Ldn Contour, 55dB Ldn Contour and the Air Noise Boundary;

31.2 The suite of planning rules CIAL seek in relation to density and land use controls within the 50dB Ldn Contour apply across all land within that overlay; and

31.3 Rules relating to sound mitigation within the 55dB Ldn Contour are additional to those core land use rules which apply within 50dB Ldn.

32 Therefore, a landowner of property in the 55dB Noise Control Overlay is subject to the rules and standards relating to **both** the 50 and 55dB Overlays.

[21] This has underpinned our consideration of the requested amendments.

[22] In his Reply Report Mr Trewin summarised the key matters of agreement that were contained in the JWS:

- the Airport 50 dB Ldn and 55 dB Ldn Noise Control Overlays in the PDP (analogous to the 50 and 55dBA Ldn air noise contours in the CRPS) are overlapping and additional. Namely, the provisions seek to 'avoid' noise sensitive activities regardless of whether they are contained within the Airport 50dB Ldn or 55dB Ldn Noise Control Overlays. The rule relating to noise mitigation within the 55dB Ldn Noise Control Overlay (NOISE-R4) is additional to rules in the GRUZ chapter applicable to the 50 dB Ldn Noise Control Overlay that seek to avoid new noise sensitive activities and manage density; and
- it is necessary to amend the provisions of the GRUZ and NOISE chapters to give effect to the CRPS with respect to avoiding noise sensitive activities within the 50dB Ldn Noise Control Overlay and requiring noise mitigation for permitted residential activities within the 55dB Ldn Noise Control Overlay.

[23] The JWS set out agreed amendments to the GRUZ and NOISE chapter provisions. The affected provisions are:

- GRUZ overview
- GRUZ-O1
- GRUZ-P2
- GRUZ-P7
- GRUZ-R15
- GRUZ-R31
- GRUZ-R33
- GRUZ-R37
- GRUZ-R6A (seasonal worker accommodation)
- Noise Sensitive Activity (definition)
- NOISE Overview
- NOISE-P3
- NOISE-R4
- NOISE-TABLE2

- [24] We agree with all of the recommended amendments to the GRUZ provisions for the reasons set out in the JWS and the evidence of Matt Bonis for CIAL. We observe that all of the agreed amendments to the Noise chapter provisions that were contained in the JWS are already contained in the Noise Hearing Panel's Recommendation Report. Mr Trewin suggested that in order to comply with the National Planning Standards, all of the provisions relating to the Noise Control Overlays might need to be contained in the Noise chapter. We consider it is better at this stage for those provisions to remain in the GRUZ chapter, as primarily this will assist users of the PDP who are interested in understanding when residential development is allowable in the GRUZ.

### 3.3 Definitions

- [25] The Definitions chapter was subject to its own Hearing (Hearing 2), however a number of submissions relating to definitions were more appropriately considered as part of the Hearing on the GRUZ chapter. For the following submitters and their submission points on definitions we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0043	Poultry Industry & Egg Producers	001, 003, 004, 006
DPR-0122	Frews Quarries Ltd	003, 005, 008, 011
DPR-0142	NZ Pork	003, 007, 008, 012, 013, 015, 075, 078, 079
DPR-0212	ESAI	002, 003
DPR-0215	Winstone Aggregates	012, 013
DPR-0346	Ceres Professional Trustee Company Ltd & Sally Jean Tothill	001
DPR-0353	HortNZ	036, 045, 050, 057, 058, 059, 061, 063, 066, 069, 070, 071, 073
DPR-0368	Beef + Lamb & DINZ	002
DPR-0370	Fonterra	010
DPR-0372	DHL	004, 011, 012, 014, 015, 016
DPR-0379	Jill Thomson	030, 031
DPR-0388	Craigmore Farming Services Limited	004, 005, 006
DPR-0390	RIL	007, 008
DPR-0406	Nevele R Stud	002
DPR-0415	Fulton Hogan Limited	003
DPR-0422	NCCF	022, 037, 041, 047, 050, 060, 078, 079, 080, 081, 092
DPR-0427	DOC	007, 010
DPR-0439	Rayonier Matariki Forests	008
DPR-0444	Andover Limited	006
DPR-0448	NZDF	002, 004

- [26] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommended amendments to the following definitions are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents:



- ‘Conservation Activity’ to align with the definition of ‘conservation’ in the Conservation Act. However, we agree with Carey Barnett for ESAI<sup>6</sup> that the provision should read ‘natural, historic or ecological values’<sup>7</sup>;
- ‘Farm Quarry’ to broaden the provision so that the excavated material can be used on land associated with the farming property;
- ‘Intensive Outdoor Primary Production’ in order to avoid overlaps with the NES-F (2020) which manages intensive winter grazing;
- ‘Rural Home Business’ to clarify that it excludes primary production;
- ‘Shelter Belt’ to state that a shelterbelt is 20m in width, unless the species is a forest species where the tree crown cover has, or is likely to have, an average width of less than 30m in order to be consistent with the National Environmental Standard for Plantation Forestry (NES-PF); and
- ‘Woodlot’ to include ‘celebration trees’ so as to encompass the growing of trees for sale as Christmas trees.

[27] We are similarly satisfied that Mr Trewin’s recommended addition of definitions for ‘Artificial Crop Protection Structure’, ‘Crop Support Structure’ and ‘Greenhouse’ are similarly appropriate, particularly given our subsequent recommendations to amend the provisions to better facilitate horticultural activities which in turn necessitates the need to define their elements.

[28] We agree it is appropriate to amend the GRUZ provisions to enable ‘Seasonal Worker Accommodation’ and so a definition of that term is required in the PDP. In this regard we adopt the s32AA assessment set out in paragraphs 16.17 to 16.20 of the Section 42A Report.

[29] We agree, in response to the submission of Fulton Hogan, where the words ‘Quarrying’ and ‘Mining’ are used together in the PDP and where those two activities are not distinguished for the purposes of determining a particular management approach, it is appropriate to replace those words with the term ‘Mineral Extraction’ to ensure a more consistent approach.

[30] We also agree, in response to the submissions of HortNZ and Fonterra, that the use of the terms ‘Primary Industry’ and ‘Rural Service Activity’ is potentially confusing and should be deleted in favour of relying only on the National Planning Standards definition of a ‘Rural Industry’.

### 3.4 Chapter Overview

[31] For the following submitters and their submission points we adopt the Mr Trewin’s recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0142	NZ Pork	042
DPR-0342	AgResearch	006
DPR-0346	Ceres Professional Trustee Company Ltd & Sally Jean Tohill	003
DPR-0353	HortNZ	246, 284, 287, 289, 291, 293
DPR-0371	CIAL	064

<sup>6</sup> Tabled EIC Barnett, paragraph 1

<sup>7</sup> Mr Trewin also agreed with ESAI on that matter in his Section 42A Reply Report at paragraph 9.2

Sub #	Submitter	Submission Points
DPR-0422	NCCF	249

[32] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommended amendments of the GRUZ Overview to provide better clarity and consistency by:

- including a fuller description of the activities that contribute to what constitutes rural character and amenity in response to the submissions of NZ Pork and HortNZ. However, we agree with Dr Hume from Federated Farmers<sup>8</sup> that rural production activities are part of rural landscapes, not merely something that 'can' be there. We have amended the recommended text accordingly;
- listing the specific activities that occur, namely plantation forestry, mineral extraction, horticulture, pastoral and agricultural farming (including research farming and associated facilities) and associated structures and buildings, as well as rural support services and rural industry;
- accounting for tertiary education providers and research institutes that have research farms within GRUZ as sought by AgResearch; and
- acknowledging that housing density restrictions within the 50 db Ldn Christchurch Airport Airport Noise Control Overlay are appropriate within the GRUZ in response to the submission of CIAL;

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

[33] We also recommend the Overview text is amended to refer to the fact that some areas of the GRUZ are subject to different controls which recognise area specific activities that are nevertheless consistent with the primary purpose of the zone. This appropriately foreshadows our recommendation to facilitate the development of a Rural Service Precinct as sought by Ceres Professional Trustee Company Ltd and Sally Jean Tothill, as discussed in section 3.11 of this Recommendation Report.

### 3.5 Objectives and Policies

#### 3.5.1 GRUZ-01

[34] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons. We note ten of the twenty submitters on this provision sought that it be retained as notified.

Sub #	Submitter	Submission Points
DPR-0043	Poultry Industry & Egg Producers	007
DPR-0142	NZ Pork	043
DPR-0205	Lincoln University	001
DPR-0213	Plant and Food and Landcare	001
DPR-0215	Winstone Aggregates	052
DPR-0260	CRC	164
DPR-0342	AgResearch	007
DPR-0353	HortNZ	238

<sup>8</sup> EIC Hume, paragraph 17.

Sub #	Submitter	Submission Points
DPR-0356	Aggregate and Quarry Association	009
DPR-0368	Beef + Lamb & DINZ	037
DPR-0370	Fonterra	078
DPR-0371	CIAL	065
DPR-0372	DHL	101
DPR-0375	Waka Kotahi	186
DPR-0388	Craigmore Farming Services Limited	052
DPR-0390	RIL	080
DPR-0415	Fulton Hogan Limited	006
DPR-0422	NCFE	250
DPR-0446	Transpower	122
DPR-0481	Graeme and Virginia Adams	004

[35] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommended amendments to:

- recognise in GRUZ-O1 those activities that both support primary production and have a functional need to locate in GRUZ, and to protect them from reverse sensitivity effects from sensitive activities, as sought by Lincoln University, Plant and Food and Landcare, AgResearch and Fonterra;
- amend GRUZ-O1.3 to include reference to 'incompatible sensitive activities' alongside reverse sensitivity in response to the submissions of HortNZ and Fulton Hogan;

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. In that regard we adopt the s32AA evaluation for GRUZ-O1 set out in paragraphs 16.1 to 16.4 of the Section 42A Report.

[36] We note the above amendments are consistent with, and give effect to, our recommendation on Strategic Direction SD-DI-O2 and our recommended new Strategic Direction SD-DI-O6.

[37] Finally, as noted in section 3.2 of this Recommendation Report, Mr Trewin has recommended, and we agree, that GRUZ-O1 and GRUZ-P7 should be amended to include 'important infrastructure', in order to support provisions that seek to manage reverse sensitivity effects from activities in the rural zone on important infrastructure. We consider this will also go some way towards addressing the submission of Transpower.

### 3.5.2 *New Objective*

[38] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons. We note this results in no change to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0367	Orion New Zealand Limited	128
DPR-0390	RIL	081

### 3.5.3 *GRUZ-P1*

[39] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons. We note nine of the sixteen submitters on this provision sought that it be retained as notified.

Sub #	Submitter	Submission Points
DPR-0122	Frews Quarries Ltd	015

Sub #	Submitter	Submission Points
DPR-0142	NZ Pork	044
DPR-0215	Winstone Aggregates	053
DPR-0260	CRC	165
DPR-0353	HortNZ	241
DPR-0356	Aggregate and Quarry Association	010
DPR-0370	Fonterra	079
DPR-0371	CIAL	066
DPR-0372	DHL	102
DPR-0381	Coleridge Downs Limited	008
DPR-0382	EMRC	002
DPR-0390	RIL	082
DPR-0394	McMillan Civil Limited	001
DPR-0422	NCFF	251
DPR-0481	Graeme and Virginia Adams	005
DPR-0482	Jayne Grace Philp	008

[40] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommendations to:

- delete the reference to 'Christchurch City' from GRUZ-P1.4 as sought by McMillan Civil Ltd; and
- in response to the evidence of Lynette Wharfe for HortNZ, to amend GRUZ-P1 to state that noise, dust and odour are effects that may arise from primary production activities and are part of the character of the rural area.

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. We also find the new GRUZ-P1.5 should refer to noticeable traffic, as was suggested by HortNZ.

[41] We agree with Dr Hume from Federated Farmers<sup>9</sup> that there will be times in many rural production activities when vegetation cover will be removed, for example when arable farms cultivate prior to sowing new crops or when pastoral farms undertake pasture renewal. We therefore recommend the deletion of the words 'predominance of vegetation cover' from GRUZ-P1.1. We note in his Reply Report<sup>10</sup> Mr Trewin changed his initial view<sup>11</sup> on that matter and he also recommended this deletion.

### 3.5.4 GRUZ-P2

[42] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0078	Ian Laurenson	002
DPR-0142	NZ Pork	045
DPR-0234	Mark Booker & Alexandra Roberts	003
DPR-0260	CRC	166
DPR-0353	HortNZ	243
DPR-0371	CIAL	067
DPR-0390	RIL	083

<sup>9</sup> EIC Hume, paragraph 20.

<sup>10</sup> Paragraph 8.1.3.

<sup>11</sup> As set out in the initial Section 42A Report.

Sub #	Submitter	Submission Points
DPR-0406	Nevele R Stud	003
DPR-0422	NCFF	252
DPR-0453	LPC	075

[43] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommendations to:

- include a separate policy (which we find should be labelled GRUZ-P4B) for seasonal worker accommodation (noting that seasonal worker accommodation would not fall under the definition of a 'residential unit' as the activity would involve providing for a range of individuals, not one household) in response to the submission of HortNZ;
- add a reference to development within a building node in SCA-RD7 in response to the submission of The Stations DPR-0144.004; and
- amend GRUZ-P2 in relation to excluding land within the Airport 50dB Ldn Noise Control Overlay and the Port 45bB Noise Control Overlay from the exceptions to the minimum density requirements (GRUZ-P2.1-3)<sup>12</sup>

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

### 3.5.5 GRUZ-P3 and P4

[44] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons. We note that this results in no change to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0122	Frews Quarries Ltd	016
DPR-0142	NZ Pork	047
DPR-0215	Winstone Aggregates	054
DPR-0260	CRC	167
DPR-0353	HortNZ	248
DPR-0353	HortNZ	251
DPR-0368	Beef + Lamb & DINZ	038
DPR-0371	CIAL	068
DPR-0372	DHL	103
DPR-0372	DHL	104
DPR-0390	RIL	084
DPR-0390	RIL	085
DPR-0422	NCFF	253
DPR-0422	NCFF	254
DPR-0441	Manawa Energy	142
DPR-0482	Jayne Grace Philp	009

### 3.5.6 GRUZ-P5

[45] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0122	Frews Quarries Ltd	017

<sup>12</sup> Section 42A Reply Report, paragraph 7.7.

Sub #	Submitter	Submission Points
DPR-0260	CRC	168
DPR-0353	HortNZ	254
DPR-0372	DHL	105
DPR-0422	NCFF	255

[46] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommended amendments to:

- clarify that GRUZ-P5 does not apply to Rural Industry in response to the submission of NCFF; and
- add in a new clause that requires the avoidance of the establishment or expansion of health centres, education facilities and community correction activities unless there is an operational or functional need to locate in the GRUZ in response to matters raised by HortNZ

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. In that regard we adopt the s32AA evaluation for GRUZ-P5 set out in paragraphs 16.5 to 16.8 of the Section 42A Report.

### 3.5.7 GRUZ-P6

[47] For the following submitters and their submission points we generally adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0205	Lincoln University	002
DPR-0213	Plant and Food and Landcare	002
DPR-0372	DHL	106
DPR-0422	NCFF	256
DPR-0482	Jayne Grace Philp	010

[48] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommended amendment to delete clause 1 of GRUZ-P6 as sought by AgResearch is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

[49] However, we also agree with the submission and evidence<sup>13</sup> of HortNZ that the inclusion of an educational facility as part of a research activity increases the potential for reverse sensitivity and incompatible activities to impact adversely on the principal purpose of the GRUZ. For that reason, we recommend that clause 2 of GRUZ-P6 is not deleted.

[50] Consequently, our recommendations for the following submissions are:

Sub #	Submitter	Submission Point	Accept in part
DPR-0342	AgResearch	008	✓
DPR-0353	HortNZ	257	✓

<sup>13</sup> Lynette Wharfe at paragraph 8.25.

**3.5.8 GRUZ-P7**

[51] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0043	Poultry Industry & Egg Producers	013
DPR-0122	Frews Quarries Ltd	018
DPR-0142	NZ Pork	048
DPR-0205	Lincoln University	003
DPR-0212	ESAI	098
DPR-0213	Plant and Food and Landcare	003
DPR-0215	Winstone Aggregates	055
DPR-0260	CRC	169
DPR-0342	AgResearch	009
DPR-0353	HortNZ	263
DPR-0356	Aggregate and Quarry Association	011
DPR-0368	Beef + Lamb & DINZ	039
DPR-0370	Fonterra	080
DPR-0371	CIAL	069
DPR-0372	DHL	107
DPR-0390	RIL	086
DPR-0415	Fulton Hogan Limited	008
DPR-0422	NCFF	257
DPR-0441	Manawa Energy	143
DPR-0453	LPC	076
DPR-0481	Graeme and Virginia Adams	006
DPR-0482	Jayne Grace Philp	011

[52] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommended amendments to:

- clarify that the provision relates to primary production activities that are authorised but which have not yet been established are also captured, as sought by the Aggregate and Quarry Association and Fulton Hogan;
- clarify that the policy also extends to activities that have a direct relationship with, or are dependent on primary production, as was sought by the same submitters; and
- include a reference to 'important infrastructure' to support the rules that strictly limit sensitive activities within the Noise Control Overlays for the Port and Airport in the GRUZ chapter<sup>14</sup> and to address the concerns of Manawa regarding reverse sensitivity<sup>15</sup>

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. In that regard we adopt the s32AA evaluation for GRUZ-P7 set out in paragraphs 16.1 to 16.4 of the Section 42A Report.

**3.5.9 GRUZ-P8**

[53] For the following submitters and their submission points we generally adopt Mr Trewin's recommendations and reasons.

<sup>14</sup> Section 42A Reply Report, paragraph 7.9

<sup>15</sup> Section 42A Reply Report, paragraph 12.10

Sub #	Submitter	Submission Points
DPR-0122	Frews Quarries Ltd	019
DPR-0215	Winstone Aggregates	057
DPR-0260	CRC	170
DPR-0353	HortNZ	266
DPR-0356	Aggregate and Quarry Association	012
DPR-0415	Fulton Hogan Limited	009
DPR-0422	NCCF	258

[54] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommended amendments to:

- clarify in the chapeau of the policy, a need to recognise that mineral extraction needs to be located where the mineral resource exists (thereby negating the need for notified clause 3 which can be deleted);
- clarifying that the effects of mineral extraction should be managed to maintain the amenity values of sensitive activities and residential activities; and
- in response to the submission of Fulton Hogan, commence the policy with the word 'enable' in order to be consistent with GRUZ-P1.2

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

[55] Having said that, in light of the evidence received, particularly that of Tim Ensor for Fulton Hogan, we recommended wording improvements, including referring to the 'spatial extent and effects' of mineral extraction activities in recommended new clause 1, because those are matters that appropriately fall within the scope of matters relevant to decision-makers.

[56] In his Reply Report Mr Trewin recommended that the reference to industry best practice and management plans in the notified GRUZ-P8.2 should be omitted. We do not accept that recommendation. Instead, we find that the reference to industry best practice and management plans should be retained, but be indicated to not be exhaustive by prefacing that term with the words 'including by'.

### **3.5.10 GRUZ -P9**

[57] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0032	CCC	037
DPR-0215	Winstone Aggregates	058
DPR-0260	CRC	171
DPR-0356	Aggregate and Quarry Association	013
DPR-0415	Fulton Hogan Limited	010

[58] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommended amendments to:

- in response to the submission of Fulton Hogan, clarify in the chapeau of the policy that rehabilitation should occur progressively as areas are mined or quarried, as opposed to only rehabilitating during the disestablishment phase of a quarry;



- clarify that rehabilitation plans should also include measures to mitigate potential erosion and subsidence as sought by CCC (in new clause 1); and
- amend new clause 2 (was clause 1) so that it refers to reinstating the land

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

[59] However, we also accept the evidence of Tim Ensor for Fulton Hogan<sup>16</sup> who stated:

*“... requiring rehabilitation to enable permitted or consented land use avoids rehabilitation costs that may ultimately prove unnecessary where future land use plans are unknown ... It also minimises barriers to utilising post quarry land for productive land uses while ensuring that rehabilitation will be effective at maintaining or enhancing amenity values if no alternative land uses are proposed.”*

[60] We therefore recommend the retention of the notified wording in GRUZ-P9 that referred to alternative permitted or consented activities. We do however agree with Mr Trewin that the notified focus on economic, social, environmental and cultural benefit should be omitted.

### 3.5.11 GRUZ-P10, P11 and P12

[61] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Point
DPR-0198	Anita Collie	006, 007
DPR-0297	Clover Hill Charitable Trust	001, 002
DPR-0353	HortNZ	269, 271

[62] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommended amendment to GRUZ-P11 to enable aircraft and helicopter movements on an 'intermittent' basis in response to the submission of HortNZ is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

### 3.5.12 New Policies

[63] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Point
DPR-0141	Waihora Clay Target Club Inc	001
DPR-0142	NZ Pork	046
DPR-0353	HortNZ	260
DPR-0367	Orion	129
DPR-0375	Waka Kotahi	187
DPR-0415	Fulton Hogan Limited	007

[64] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommendations to:

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<sup>16</sup> Paragraph 54.

- in response to the submission of HortNZ, amend GRUZ-P5 to avoid the establishment or expansion of health centres, education facilities and community correction activities unless there is an operational or functional need to establish or expand those facilities in the GRUZ; and
- in response to the submission of the Waihora Clay Target Club, insert a new policy to manage the establishment and expansion of community facilities in GRUZ (our new Policy GRUZ-P4B)

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. In that regard, concerning the underlying principles in support of a new policy on community facilities, we adopt the s32AA evaluation set out in paragraphs 16.9 to 16.12 of the Section 42A Report.

- [65] However, we were unsure if the precise wording recommended by Mr Trewin for the new policy relating to community facilities (GRUZ-P4A) was appropriate. We queried his intended outcome for that provision. In response he advised:<sup>17</sup>

*I note that the suggested policy in the S42a report is ambiguous as to whether the policy applies to the expansion of existing or newly established community facilities. I believe it would be better to be explicit that it applies to both in the policy (this is also consistent with the wording of existing policy GRUZ-P5). ... the use of the word 'provide' for the establishment of community facilities could be appropriate if coupled with 'functional or operational need' and the need to maintain character and amenity. This would provide more direction, whilst underpinning the rationale for a discretionary activity status.*

- [66] Mr Trewin recommended revised wording for the new policy which we found to be appropriate and we have recommended that it be included in the PDP as new GRUZ-P4A as set out in Appendix 1 to this Report.
- [67] In terms of the submission of Davina Penny, we note that we have recommended a new Strategic Direction SD-DI-O6 titled 'Thriving Rural Communities' which requires that Selwyn's highly productive land is retained for rural production activities. We have also recommended several amendments in response to the NPS-HPL. We therefore recommend:

Sub #	Submitter	Submission Point	Accept in part
DPR-0033	Davina Louise Penny	003	✓

### 3.6 Rules

#### 3.6.1 GRUZ-R1, R2, R9, R10, R16, R18, R20, R22, R23, R24, R25, R26, R29, R30, R33, R34, R35, R38 and R39

- [68] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons. We note that results in no change to the notified provisions. We also note that on these nineteen rules, there were 81 submissions of which 53 were in support and three were neutral.

Sub #	Submitter	Submission Points
DPR-0043	Poultry Ind & Egg Producers	009
DPR-0122	Frews Quarries Ltd	018

<sup>17</sup> Officer's Response to Questions from The Hearings Panel and Other Pre-Hearing Matters, 14 March 2022.

Sub #	Submitter	Submission Points
DPR-0142	NZ Pork	053, 054, 055, 056, 058, 059, 061
DPR-0212	ESAI	101, 102, 103, 104
DPR-0215	Winstone Aggregates	059, 060, 063
DPR-0232	Mary Herrick	001
DPR-0234	M Booker & A Roberts	005
DPR-0260	CRC	172
DPR-0265	L. J. Manion	001
DPR-0301	UWRG	036, 038
DPR-0305	April Fitzjohn	006
DPR-0342	AgResearch	016, 017
DPR-0349	Natalie Edwards	002
DPR-0353	HortNZ	245, 247, 256, 258, 259, 264, 274, 292,
DPR-0356	Aggregate and Quarry Ass	014
DPR-0357	Siana Fitzjohn	004
DPR-0368	Beef + Lamb & DINZ	040, 041
DPR-0371	CIAL	079, 080, 081, 084
DPR-0372	DHL	108
DPR-0372	DHL	109, 115, 116, 117, 118
DPR-0375	Waka Kotahi	188
DPR-0381	Coleridge Downs Limited	002, 003, 004
DPR-0381	Coleridge Downs Limited	005, 006, 007
DPR-0388	Craigmore Farming Services Ltd	053
DPR-0390	RIL	087
DPR-0390	RIL	088, 090, 091
DPR-0406	Nevele R Stud	001
DPR-0407	Forest & Bird	051
DPR-0422	NCFF	259, 266, 270, 272, 273, 274, 275, 276, 281
DPR-0427	DOC	085, 086, 087, 088
DPR-0439	Rayonier Matariki Forests	002, 007, 012
DPR-0441	Manawa Energy	144, 145
DPR-0453	LPC	077

### 3.6.2 GRUZ-R3 Residential Unit

[69] For the following submitters and their submission points we Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0370	Fonterra	081
DPR-0371	CIAL	071
DPR-0372	DHL	110
DPR-0390	RIL	089
DPR-0415	Fulton Hogan Limited	013
DPR-0422	NCFF	260

[70] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied Mr Trewin's recommendation, to omit rule requirement GRUZ-REQ3 (height in relation to boundary) from GRUZ-R3 in response to the submission of NCFF, is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

[71] In response to the evidence of FENZ, in his Reply Report<sup>18</sup> Mr Trewin recommended an advice note be inserted in GRUZ-R3 that would reference the Code of Practice and NZ Standards on fire sprinkler systems. He noted a similar outcome for the Kaipara District Plan arising out of an Environment Court consent order. We agree that would be a helpful addition for Plan users and we recommend accordingly.

[72] We note in his Reply Report Mr Trewin recommended, in response to the submission of Andover DPR-0444.001, the site at 42 Gerkins Road be designated a new SCA-RD19. We discuss that in section 3.10.1 of this Recommendation Report.

### **3.6.3 GRUZ-R4 Residential Unit on an Undersized Site – Grandfather Clause**

[73] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Point
DPR-0080	Philip J Hindin	001
DPR-0082	Andrew & Justine Marshall	002
DPR-0105	Stephen & Janet Harris	002
DPR-0150	Barry Moir	003
DPR-0161	Koning Dairies - Francis & Lea Koning	001
DPR-0212	ESAI	099
DPR-0214	Ahuriri Farm & The Graham Family	002
DPR-0371	CIAL	072
DPR-0372	DHL	111
DPR-0422	NCCF	261

[74] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommendations to:

- in response to the submission of NCCF, delete GRUZ-REQ3 from the list of rule requirements. As a consequential amendment, we recommend that REQ3 is also deleted from the parts of GRUZ-R4 that address SCA-RD3 and the ONL Overlay: Malvern Hills;
- insert a legacy clause applying to sites within SCA-RD6 below the 160m contour and above the 60m contour (for sites at least 40ha in area) in response to the submission of Andrew and Justine Marshall; and
- delete the requirement for the whole site to be located below the 60m and make it clear that it need only be a portion of the site where the residential unit is located, provided that the portion meets the density requirements in response to the submissions of Ahuriri Farm and the Graham Family

are the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

### **3.6.4 GRUZ-R5 Residential Unit on an Undersized Site**

[75] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Point
DPR-0142	NZ Pork	049

<sup>18</sup> Paragraph 13.11

Sub #	Submitter	Submission Point
DPR-0353	HortNZ	286
DPR-0422	NCFF	262

[76] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommendations to omit rule requirement GRUZ-REQ3 (height in relation to boundary) from the list of rule requirements in GRUZ-R5 and to delete the repetition of 'legal' from GRUZ-R5.2(g) in response to the submission of NCFF are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

[77] In his Reply Report<sup>19</sup>, Mr Trewin recommended that the change to GRUZ-P2 (see section 3.5.4 of this Recommendation Report) would need to be implemented through a change to GRUZ-R5 as proposed in Mr Bonis' EIC. We agree, noting this results in an additional clause 1.e requiring that the residential unit is not located in the Airport 50dB Noise Control Overlay or the Port 45dB Noise Control Overlay. Our recommendations for the CIAL and LPC submissions are:

Sub #	Submitter	Submission Point	Accept in part
DPR-0371	CIAL	073	✓
DPR-0453	LPC	079	✓

### 3.6.5 GRUZ-R6 Minor Residential Unit

[78] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0016	Luke Arndt	001
DPR-0022	Grant Carr	001
DPR-0078	Ian Laurenson	011
DPR-0079	Gillian Button	001, 002, 003, 004, 005
DPR-0088	Jane Ross	001
DPR-0100	Annette Shankie	005
DPR-0128	Joyce Family Trust	002, 003
DPR-0184	Mike Ransome	002, 003
DPR-0207	Selwyn District Council	070
DPR-0234	Mark Booker & Alexandra Roberts	004
DPR-0270	Jose Roberts	001
DPR-0285	AJ Bennett	005
DPR-0314	David Mitton	001, 002
DPR-0349	Natalie Edwards	001
DPR-0353	HortNZ	288
DPR-0372	DHL	112
DPR-0422	NCFF	263
DPR-0455	Paul & Fay McOscar	026
DPR-0463	Katie Bootsma	005

[79] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommendations to:

<sup>19</sup> Paragraph 7.7.

- exclude garages from the calculation of Gross Floor Area in response to the submission of Luke Arndt;
- amend 'Building Coverage' to 'Gross Floor Area' as sought by SDC;
- delete GRUZ-REQ3 from the list of rule requirements as sought by NCFF;
- in response to the submissions of Gillian Button, Joyce Family Trust, Jane Ross, Natalie Edwards and Mike Ransome, amend clause GRUZ-R6.3 from discretionary to restricted discretionary activity status with matters of discretion addressing:
  - the extent to which the minor residential unit shares servicing with the principal residential unit;
  - the extent to which the characteristics of the site make compliance with the rule impractical;
  - the ability to mitigate any adverse effects by way of provision of landscaping and screening; and
  - the location of the unit in relation to the principal dwelling. Namely, whether the breach is of a minor nature or whether the unit is to be located far from the main dwelling<sup>20</sup>

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

[80] Consistent with our findings on GRUZ-R5, we consider that an additional clause 1.e requiring that the minor residential unit is not located in the Airport 50dB Noise Control Overlay or the Port 45dB Noise Control Overlay is appropriate and for the sake of consistency any breach of that condition should occasion a non-complying activity consent. We note Mr Trewin was of the same view in his Reply Report.

[81] Our recommendations for these two submissions are:

Sub #	Submitter	Submission Point	Accept in part
DPR-0371	CIAL	080	✓
DPR-0453	LPC	074	✓

### 3.6.6 GRUZ-R7 Relocated Residential Unit

[82] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0296	House Movers	005, 007
DPR-0371	CIAL	075
DPR-0372	DHL	113
DPR-0422	NCFF	264

[83] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommendations to:

<sup>20</sup> The last two matter of discretion were recommended in Mr Trewin's Reply Report at paragraph 8.1.4.

- allow as a permitted activity relocated buildings from off-site, subject to performance standards and delete the requirement for a bond in response to the submission of The Housemovers<sup>21</sup>; and
- amend the controlled activity status of GRUZ-R7.4 to restricted discretionary as sought by NCCF

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. In that regard we adopt the s32AA evaluation for GRUZ-R7 set out in paragraphs 16.13 to 16.16 of the Section 42A Report.

[84] Consistent with our findings on GRUZ-R5, we consider that an additional provision GRUZ-R7.1A requiring that the residential unit is not located in the Airport 50dB Noise Control Overlay is appropriate and for the sake of consistency any breach of that condition should occasion a non-complying activity consent. We note Mr Trewin was of the same view in his Reply Report.

[85] Our recommendation for the CIAL submission is:

Sub #	Submitter	Submission Point	Accept in part
DPR-0371	CIAL	075	✓

### 3.6.7 GRUZ-R8 Rural Service Activity

[86] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons. In particular we agree that having both 'rural service activity' and 'primary industry' definitions used in the PDP could create unnecessary confusion and that it is more appropriate to delete both of those terms and rely instead on the National Planning Standards definition of a 'rural industry'. In terms of s32AA of the RMA, we find that is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

[87] We also agree that as a consequential change, combining GRUZ-R8 and GRUZ-R11 into one rule for rural industry results in a more efficient and effective planning instrument. This results in the deletion of notified GRUZ-R11.

Sub #	Submitter	Submission Points
DPR-0212	ESAI	100
DPR-0346	Ceres Professional Trustee Company Ltd & Sally Jean Tothill	004
DPR-0353	HortNZ	290
DPR-0422	NCCF	265

### 3.6.8 GRUZ-R11 Primary Industry

[88] As noted above, for the following submitters and their submission points we adopt Mr Trewin's recommendation to delete the rule.

Sub #	Submitter	Submission Point
DPR-0215	Winstone Aggregates	056
DPR-0353	HortNZ	294
DPR-0422	NCCF	268

<sup>21</sup> This results in the deletion of notified GRUZ-R7.5, 7.6 and 7.7.

### 3.6.9 GRUZ-R12 Industrial Activity

- [89] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons. We note that SDC had amended GRUZ-R12 under clause 16(2) of the RMA to exclude rural industry. That does not change the effect of the rule as rural industry is already provided for in GRUZ-R8. Other than that, the recommendations result in no change to the notified provision.

Sub #	Submitter	Submission Points
DPR-0346	Ceres Professional Trustee Company Ltd & Sally Jean Tothill	006
DPR-0353	HortNZ	239
DPR-0372	DHL	114
DPR-0422	NCFF	269

### 3.6.10 GRUZ-R13 Research Activity

- [90] For the following submitters and their submission points we generally adopt Mr Trewin's recommendations and reasons, except as qualified below.

Sub #	Submitter	Submission Points
DPR-0205	Lincoln University	004
DPR-0213	Plant and Food and Landcare	004
DPR-0342	AgResearch	010, 011, 012

- [91] The PDP definition of 'Research Activity' includes a 'conference facility'. Accordingly, we recommend that a clause 16(2) amendment is made to amend the chapeau of GRUZ-R13 to exclude 'conference facilities' as they are regulated under GRUZ-R14.<sup>22</sup> The definition of 'Research Activity' already includes 'buildings' so, as noted by Lynette Wharfe for HortNZ,<sup>23</sup> there is no need to include the word 'buildings' in GRUZ-R13.1a as was originally recommended by Mr Trewin. We note he resiled from that position in his Reply Report.

- [92] We also agree with the evidence of Lynette Wharfe for HortNZ<sup>24</sup> who said:

*"... given the recommendation to include educational facilities as part of research activities, there should be limitations set in the rule as to the size of buildings, similar to other permitted activities such as rural selling places, rural industry and rural home businesses and that such buildings are limited to use directly related to the activity on the research farm. Such an approach would ensure that the potential for reverse sensitivity effects are avoided and the activity is in keeping with the rural character of the rural area."*

- [93] On that basis we recommend the addition of clauses 1.b and 1.c to GRUZ-R13 under clause 16(2) of the RMA. We note that in his Reply Report Mr Trewin considered that 100m<sup>2</sup> might be unnecessarily restrictive given that would apply to both the land and buildings where teaching or training is to take place. However, our recommended amendment relates only to buildings.

<sup>22</sup> We note that Mr Trewin recommended amending GRUZ-R13.1.a to exclude 'conference facilities'.

<sup>23</sup> EIC Wharfe paragraph 8.30

<sup>24</sup> EIC Wharfe paragraphs 8.34 and 8.35



- [94] In terms of s32AA of the RMA, we are satisfied the above amendments are most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

### 3.6.11 GRUZ-R14 Conference Facility

- [95] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Point
DPR-0142	NZ Pork	051
DPR-0205	Lincoln University	005
DPR-0213	Plant and Food and Landcare	005
DPR-0415	Fulton Hogan Limited	014

- [96] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied Mr Trewin's recommendations to:

- include a requirement to meet GRUZ-REQ6 and GRUZ-REQ7 in response to the submissions of HortNZ and NZ Pork; and
- in response to Lincoln University, Plant and Food and Landcare, to amend GRUZ-R14.1 so that it refers to floor area as well as land area

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

- [97] We note that HortNZ sought that the rule be deleted. However, in evidence Lynette Wharfe for HortNZ<sup>25</sup> stated:

*"Conference facilities are provided for as part of research activity and in addressing submissions relating to research activities I have sought changes to limit the scale and nature of conference and education facilities to ensure that such activities are not inappropriately developed as part of the on-farm research activity. While the HortNZ submission did not specifically seek such a setback, they did seek that the rule be deleted. Seeking an alternative relief for a setback rather than deletion of the rule is considered within the scope of the original submission."*

- [98] Ms Wharfe recommended that conference facilities be setback 10m<sup>26</sup> from the boundary with primary production activities. We find that to be appropriate and within the scope of the submission and we recommend a new GRUZ-R14.1.b accordingly. Mr Trewin recommended that 'conference facility' be added to 'GRUZ-Table 1 Structure Setbacks'. We consider that is also appropriate. In terms of s32AA of the RMA, we are satisfied that these amendments are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. We recommend accordingly.

- [99] Our recommendation for the HortNZ submission is:

Sub #	Submitter	Submission Point	Accept in part
DPR-0353	HortNZ	242	✓

<sup>25</sup> EIC Wharfe paragraphs 9.26 and 9.28

<sup>26</sup> HortNZ advocated for both a 10m and 30m setback for conference facilities in the EIC of Lynette Wharfe. We consider a 10m setback to be sufficient.

**3.6.12 GRUZ-R15 Visitor Accommodation**

- [100] For the following submitters and their submission points we generally adopt Mr Trewin's the recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0142	NZ Pork	052
DPR-0249	Lyn Nell	001
DPR-0370	Fonterra	082
DPR-0371	CIAL	076
DPR-0415	Fulton Hogan Limited	015
DPR-0437	The Stations	001
DPR-0455	Paul & Fay McOscar	007

- [101] HortNZ sought the rule be deleted. However, in evidence Lynette Wharfe for HortNZ<sup>27</sup> suggested GRUZ-REQ4 be added to the list of rules requirements. That is not necessary, because as set out below, we have recommended a 10m setback which is greater than that required under REQ4. In terms of s32AA of the RMA, we are satisfied that such an amendment is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

- [102] Our recommendation for the HortNZ submission is:

Sub #	Submitter	Submission Point	Accept in part
DPR-0353	HortNZ	244	✓

- [103] Ms Wharfe also recommended that visitor accommodation facilities be setback 10m from the boundary with primary production activities. We find that to be appropriate and within the scope of the submission and we recommend accordingly.

**3.6.13 GRUZ-R17 Free Range Poultry Farming**

- [104] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons. This results in the insertion of a note advising that intensive free range poultry farming is subject to the same rules as other intensive farming uses.

Sub #	Submitter	Submission Points
DPR-0043	Poultry Industry & Egg Producers	008
DPR-0422	NCFF	271

**3.6.14 GRUZ-R21 Mineral Extraction**

- [105] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0032	CCC	035, 036, 038
DPR-0033	Davina Louise Penny	001
DPR-0122	Frews Quarries Ltd	020
DPR-0190	Vanessa Lukes	001
DPR-0215	Winstone Aggregates	061
DPR-0258	Coal Action Network Aotearoa	003
DPR-0260	CRC	173

<sup>27</sup> EIC Wharfe paragraphs 9.26 and 9.28

Sub #	Submitter	Submission Points
DPR-0280	Peter William Ireland	002
DPR-0305	April Fitzjohn	004
DPR-0338	Rocky Renquist	001
DPR-0353	HortNZ	249
DPR-0367	Orion	134
DPR-0371	CIAL	077
DPR-0407	Forest & Bird	052, 062
DPR-0415	Fulton Hogan Limited	017, 018
DPR-0439	Rayonier Matariki Forests	001
DPR-0457	Flynn Washington	002
DPR-0470	James Barber, Frances Mountier, Alfie Mountier & Florrie Mountier	001

[106] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommendations to:

- amend GRUZ-R21.2a so that the effects of dust are not excluded (namely enabling decision-makers to consider those effects in so far as they relate to the function of the SDC to consider amenity values) as sought by CCC and CRC. In that regard we note and agree with the evidence of Ashlee Robinson for CRC<sup>28</sup> who advised:

*"While air quality is within the jurisdiction of the Regional Council and is managed by the Regional Air Plan, the amenity effects of dust associated with land use and development activities are not addressed. This gap should be addressed through the district plan ..."*

- amend GRUZ-R21.1aa and ac to refer to 'mining or quarrying activity' in response to the issue of inconsistent terminology raised by Fulton Hogan;
- amend GRUZ-R21.1a to clarify that the setbacks referred to therein do not apply to sensitive activities located on the same site as the mineral extraction activity as sought by Frews Quarries Ltd;
- amend GRUZ-R21.1.a.i to refer to excavation associated with mining, or extracting or winning aggregate as was sought by Fulton Hogan;
- in response to the submission of Winstone Aggregates, to add a Note 2 to clarify the status of rehabilitation activities that takes place outside of the remit of GRUZ-R21 and delete GRUZ-R21.2c that relate to effects on land transport infrastructure;
- insert a reference to effects on rural character in GRUZ-R21.2a in response to the submission of Forest & Bird;
- in response to the issues raised by Fulton Hogan, insert a new provision (GRUZ-R21.B) relating to aggregate recovery activities (such as the crushing of concrete);
- amend GRUZ-R21.2b.iii to refer to the staging of rehabilitation (we have omitted recommended subjective references to 'a commitment' to implementing such a plan) as sought by CCC; and

<sup>28</sup> EIC Robinson, Summary Statement

- insert a new GRUZ-R21.2b.ii to require rehabilitation plans to include measures to mitigate potential instability of land and susceptibility to subsidence and erosion as sought by CCC

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

- [107] We note that SDC intends to better distinguish between quarries and farm quarries through a clause 16 (2) amendment to GRUZ-R21.1 by creating new sub-clauses aa and ab.
- [108] Mr Trewin included a comprehensive assessment of the evidence of Davina Penny (DPR-0033). We have reviewed that assessment and we agree with it (noting that the effects of dust are no longer excluded from GRUZ-R21.2.a), in particular his concluding statement<sup>29</sup>:

*“I do not believe the Selwyn context to be directly comparable to the dust issue in Yaldhurst because all quarrying activities will require resource consent - the setbacks are consent triggers rather than simply allowing the activity to be a permitted activity. There are other matters that she raises that whilst valid, are better addressed by CRC and the health authorities.”*

### **3.6.15 GRUZ-R27 Aircraft and Helicopter Movements Ancillary to Rural Production**

- [109] For the following submitters and their submission points we adopt Mr Trewin’s recommendations and reasons, other than as discussed below.

Sub #	Submitter	Submission Point
DPR-0181	Ravensdown Limited (Ravensdown)	001
DPR-0353	HortNZ	252
DPR-0385	Aviation New Zealand	001
DPR-0422	NCFF	277

- [110] We are satisfied that Mr Trewin’s recommendation to delete the Note as sought by HortNZ is appropriate. However, we accept the evidence of Lynette Wharfe for HortNZ<sup>30</sup> that:

*“Helicopter landing areas in a rural context are not necessarily fixed locations given that there is greater flexibility as to where they may land. Often for rural production purposes the ‘landing area’ may be near the loading point for fertiliser or water for spraying and may vary according to the operation being undertaken or move throughout the operation.”*

- [111] Ms Wharfe recommended that instead of adding a note about ‘incidental landing and takeoff of helicopters and aircraft’ to GRUZ-R28, GRUZ-R27 should instead be amended to explicitly permit the incidental landing and take-off of helicopters and aircraft during their normal course of operations<sup>31</sup>. This was supported by Susannah Tait for Ravensdown.<sup>32</sup> We agree with that for helicopters, but not for aircraft which require an established landing strip subject to GRUZ-R28.

<sup>29</sup> Reply Report, paragraph 6.8.

<sup>30</sup> EIC Wharfe paragraph 7.77.

<sup>31</sup> We note that Mr Trewin appeared to support that approach in his Reply Report discussion of GRUZ-R27.

<sup>32</sup> Tabled EIC Tait, paragraphs 4.1 to 4.6.

- [112] We recommend accordingly and in terms of s32AA of the RMA, we are satisfied that is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

### **3.6.16 GRUZ-R28 Helicopter Landing Areas and Airfields**

- [113] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons, other than as discussed above in relation to GRUZ-R27.
- [114] In his Reply Report<sup>33</sup> Mr Trewin confirmed his view that 500m from a sensitive activity struck a balance between allowing helicopter operations to take place in GRUZ whilst limiting the ability for the activity to establish near sensitive activities. He also advised<sup>34</sup>, in response to the submission of Clover Hill (DPR-0297), that control on aircraft noise is to be managed exclusively through setbacks from sensitive activities and restrictions on aircraft/helicopter movements. We accept that advice, noting it results in no change to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0181	Ravensdown Limited (Ravensdown)	002
DPR-0198	Anita Collie	001
DPR-0297	Clover Hill Charitable Trust	003
DPR-0353	HortNZ	253
DPR-0385	Aviation New Zealand	002
DPR-0422	NCFF	278
DPR-0472	Gourlie Family	001, 003

### **3.6.17 GRUZ-R31 Camping Grounds**

- [115] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons. However, in response to the evidence and legal submissions of CIAL (and to be consistent with our recommendation on preceding rules) we note the insertion of a new GRUZ-R31.1b to refer to CIAL's 50 dB Ldn Noise Control Overlay. GRUZ R33 also has the same insertion.

Sub #	Submitter	Submission Points
DPR-0142	NZ Pork	057
DPR-0353	HortNZ	255
DPR-0371	CIAL	078
DPR-0415	Fulton Hogan Limited	016
DPR-0422	NCFF	279

### **3.6.18 GRUZ-R36 Educational Facility**

- [116] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0142	NZ Pork	060
DPR-0342	AgResearch	013
DPR-0353	HortNZ	261
DPR-0371	CIAL	082
DPR-0378	MOE	027

<sup>33</sup> Paragraph 7.13.

<sup>34</sup> Paragraph 7.15.

[117] We are satisfied that Mr Trewin's recommendation to amend the rule to exclude educational facilities attached to research facilities authorised under GRUZ-R13, as sought by AgResearch, is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. We have however clarified the wording where it references GRUZ-R13.

[118] We note the evidence of Kate Graham for the MOE<sup>35</sup> who advised:

*"...the Ministry reiterates that educational facilities are generally anticipated in the rural zones as schools are a necessity and form part of the fabric of rural communities, noting 11 rural schools already exist in the Selwyn District. The Ministry seeks to ensure the proposed Plan is more enabling of educational facilities in the General Rural zone, particularly given the unprecedented growth in the Selwyn District."*

[119] Currently a new school would be a non-complying activity under GRUZ-R36. We consider that to be appropriate given that schools are a 'sensitive activity' and note that a non-complying activity status still enables a case to be made for consenting a new school in a rural area.

### 3.6.19 GRUZ-R37 Landfill

[120] For the following submitters we accept Mr Trewin's recommendations to amend the consent category for landfill in the GRUZ to a discretionary activity, other than where the proposed landfill is within 13km of the CIAL runway. We find that is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

Sub #	Submitter	Sub Point
DPR-0122	Frews Quarries Ltd	023
DPR-0371	CIAL	083
DPR-0422	NCFE	280

### 3.6.20 New Rules

[121] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Point
DPR-0142	NZ Pork	050, 073
DPR-0219	Lester & Dina Curry	001
DPR-0301	UWRG	028
DPR-0353	HortNZ	262, 277
DPR-0367	Orion	130, 131, 132, 133
DPR-0370	Fonterra	084
DPR-0371	CIAL	085
DPR-0394	McMillan Civil Limited	003
DPR-0415	Fulton Hogan Limited	024

[122] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommendations to:

<sup>35</sup> Tabled EIC Graham.

- include a new rule for seasonal workers accommodation in response to the submissions of NZ Port and HortNZ (GRUZ-R6A);
- include a specific rule structure in GRUZ-REQ1 that applies to buildings as they might apply to mobile pig shelters in response to the submission of NZ Pork;
- amend GRUZ-TABLE 1 in GRUZ-REQ4 to provide a bespoke setback for artificial crop protection structures and crop support structures in response to the submission of HortNZ. We note that where a less restrictive setback is proposed to facilitate artificial crop protection structures closer to the boundary of a site, the amended GRUZ-REQ4 requires a darker colour hue to be utilised to avoid glare;
- include an explicit statement in the recommended new definition of 'artificial crop protection structure' that those structures are not buildings;
- include a specific rule that permits rural industry as sought by Fonterra and Fulton Hogan. As discussed earlier in this Recommendation Report, this is achieved by combining notified GRUZ-R8 and GRUZ-R11 into a single 'rural industry' rule; and
- in response to the submission of Orion and the issue of protecting Significant Electricity Distribution Lines (SEDL) from trees, insert a new rule requirement (EI-REQ24) in the EI chapter addressing boundary plantings such as shelterbelts, which often run close to the road boundary where power lines are located. The EI rule requirement would be cross-referenced from the activity rules in the GRUZ chapter<sup>36</sup>

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

### 3.7 Rule Requirements

#### 3.7.1 GRUZ-REQ1 Building Coverage

- [123] For the following submitters and their submission points we generally adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0096	John Frizzell	001
DPR-0142	NZ Pork	062
DPR-0353	HortNZ	265
DPR-0372	DHL	119
DPR-0390	RIL	092
DPR-0441	Manawa Energy	146

- [124] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommendation to exempt horticultural buildings without a built-in floor and mobile pig shelters and farrowing huts from the site coverage rule is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. In that regard we adopt the s32AA evaluation for GRUZ-REQ1 set out in paragraphs 16.21 to 16.24 of the Section 42A Report.
- [125] However, we accept the evidence of Lynette Wharfe for HortNZ<sup>37</sup> that the term 'glasshouses' should be referred to as 'greenhouses' as the latter term is to be defined in the PDP. We also

<sup>36</sup> Section 42A Reply Report, paragraphs 12.7 and 12.8.

<sup>37</sup> EIC Wharfe paragraphs 10.6 to 10.18

agree that there is no need to specify that the tunnel houses and greenhouses should be constructed without a floor. In his Reply Report Mr Trewin supported omitting a reference to 'crop covers' as sought by HortNZ, as they were essentially the same as an artificial crop protection structure. We agree.

### 3.7.2 GRUZ-REQ2 Structure Height

[126] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0142	NZ Pork	063
DPR-0353	HortNZ	267
DPR-0372	DHL	120
DPR-0390	RIL	093
DPR-0422	NCFF	282
DPR-0441	Manawa Energy	147

[127] We note in his Reply Report, Mr Trewin accepted the evidence of Lynette Wharfe for HortNZ<sup>38</sup> that frost fans are part of rural production activities and so part of the rural character. We agree that providing a height for frost fans which enables the tower inclusive of the blades to be set at 15m which adequately provide for such structures without compromising rural character (new sub-clause GRUZ-REQ2.1.c).

### 3.7.3 GRUZ-REQ3, REQ5, REQ12, REQ14, REQ15 and REQ16

[128] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons. We note this results in no change to the notified provisions. We also note that on these seven rule requirements, there were 24 submissions of which nine were in support and six were neutral.

Sub #	Submitter	Submission Point
DPR-0126	Foster Commercial	015
DPR-0142	NZ Pork	064
DPR-0198	Anita Collie	002, 004, 005
DPR-0297	Clover Hill Charitable Trust	004, 006
DPR-0353	HortNZ	268, 273, 276, 278
DPR-0372	DHL	121, 123
DPR-0390	RIL	094, 096
DPR-0422	NCFF	283, 289, 290, 291
DPR-0441	Manawa Energy	148
DPR-0472	Gourlie Family	002

### 3.7.4 GRUZ-REQ4 Structure Setbacks

[129] For the following submitters and their submission points we generally adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0078	Ian Laurenson	003
DPR-0142	NZ Pork	065
DPR-0353	HortNZ	280
DPR-0370	Fonterra	083

<sup>38</sup> EIC Wharfe paragraph 10.29.



Sub #	Submitter	Submission Points
DPR-0372	DHL	122
DPR-0375	Waka Kotahi	189
DPR-0390	RIL	095
DPR-0441	Manawa Energy	149
DPR-0458	KiwiRail (KiwiRail)	055

[130] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommendations

- to increase the notified 5m setback for new residential units from the internal site boundary to 30m as sought by HortNZ;
- in response to the evidence of Lynette Wharfe<sup>39</sup> for HortNZ, be specific about the types of residential activity (residential unit, visitor accommodation and seasonal worker accommodation) where setbacks are required in GRUZ Table 1 and state what those setbacks are; and
- also in response to HortNZ, to provide reduced setbacks for dark coloured 'Artificial Crop Protection Structures' and 'Crop Support Structures'

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. In that regard we adopt the s32AA evaluation for GRUZ-REQ4 set out in paragraphs 16.21 to 16.24 of the Section 42A Report.

[131] We note that our above finding is consistent with our recommendations on the Natural Hazards chapter of the PDP to impose a 30m setback in order to manage wildfire risk under NH-REQ7.

### **3.7.5 GRUZ-REQ6 Hours of Operation**

[132] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0096	John Frizzell	002
DPR-0142	NZ Pork	066
DPR-0342	AgResearch	014
DPR-0353	HortNZ	270
DPR-0422	NCCF	284

[133] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommendation to amend the wording of GRUZ-REQ6 (in response to AgResearch submission on GRUZ-R13) to align with that of GRUZ-R10.1.c (namely business activity in this context means the unloading and loading of vehicles and receiving of customers and deliveries) is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

[134] We note that in his Reply Report Mr Trewin suggested exempting a rural service activity (a term which would apply to contractors) from the requirement for the loading or unloading of vehicles between 0700-1900, but to maintain the requirement that the receiving of customers

<sup>39</sup> EIC Wharfe paragraphs 7.37 and 9.40.

or deliveries takes place only during these daytime hours. That change would require the reinstatement of the definition of the term 'rural service activity'. He suggested that a further requirement could be, that this was only for activities linked to short term or intermittent activity associated with harvesting or emergency repair of equipment or machinery. We find that to be an unduly complex response to the issue raised by HortNZ and we are not persuaded it is necessary.

### 3.7.6 *GRUZ-REQ7 Full Time Equivalent Staff*

- [135] For the following submitters and their submission points we generally adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0096	John Frizzell	003
DPR-0142	NZ Pork	067
DPR-0342	AgResearch	015
DPR-0353	HortNZ	272
DPR-0372	DHL	124
DPR-0422	NCFF	285

- [136] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommendation to amend the wording of GRUZ-REQ7 to align with the wording in GRUZ-R10b (Rural Home Business) is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents, because it provides more context in that it states the two staff are those who are not permanent residents of the site and that this relates to the number of employees who are on site at any one time.
- [137] However, we agree with the evidence of Lynette Wharfe for HortNZ<sup>40</sup> that the intent of the provisions is the presence of the number of people 'working on the site' at any point at time, not the number of employees that employed by the business.

### 3.7.7 *GRUZ-REQ8 Intensive Primary Production Setback*

- [138] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Point
DPR-0043	Poultry Industry & Egg Producers	010
DPR-0142	NZ Pork	068
DPR-0212	ESAI	105
DPR-0232	Mary Herrick	002
DPR-0342	AgResearch	018
DPR-0368	Beef + Lamb & DINZ	042, 043
DPR-0381	Coleridge Downs Limited	009
DPR-0388	Craigmore Farming Services Limited	054
DPR-0420	Synlait Milk Limited	028
DPR-0422	NCFF	286
DPR-0454	Central Plains Water Limited	014

<sup>40</sup> EIC Wharfe paragraph 10.55.

[139] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied the Section 42A Report author's recommendations to:

- in response to the submissions of AgResearch and Synlait Ltd, delete the matter of discretion GRUZ-REQ8.3f as that matter is addressed in the Transport chapter including under rules relating to rural traffic movement and the creation of vehicle crossings; and
- amend GRUZ-REQ8.1 by deleting the words 'hard stand areas' and refer instead to paved or impervious areas in response to the submissions of NZ Pork;

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

### **3.7.8 GRUZ-REQ9 Intensive Primary Production Location Plan**

[140] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons. We note that consequential amendments are recommended to align with the new wording in GRUZ-REQ8.1 relating to what was previously termed 'hard stand areas'.

Sub #	Submitter	Submission Points
DPR-0043	Poultry Industry & Egg Producers	011
DPR-0142	NZ Pork	069
DPR-0342	AgResearch	019
DPR-0372	DHL	126
DPR-0388	Craigmore Farming Services Limited	055
DPR-0420	Synlait Milk Limited	029
DPR-0422	NCFF	287

### **3.7.9 GRUZ-REQ10 Sensitive Activity Setback from Intensive Primary Production**

[141] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0043	Poultry Industry & Egg Producers	012
DPR-0142	NZ Pork	070
DPR-0207	Selwyn District Council	068
DPR-0212	ESAI	106
DPR-0342	AgResearch	020
DPR-0372	DHL	127
DPR-0422	NCFF	288

[142] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommendations to:

- clarify the setback does not apply to educational activities established on the same site in response to the submission of AgResearch (we have however simplified his recommended wording); and
- clarify that the setback does not apply to the expansion of existing sensitive activities in response to the submission of SDC

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

- [143] We note that consequential amendments are recommended to align with the new wording in GRUZ-REQ8.1 relating to what was previously termed ‘hard stand areas’.

### **3.7.10 GRUZ-REQ11 Sensitive Activity Setback from Mineral Extraction**

- [144] For the following submitters and their submission points we adopt Mr Trewin’s recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0122	Frews Quarries Ltd	021
DPR-0207	Selwyn District Council	069
DPR-0356	Aggregate and Quarry Association	015
DPR-0415	Fulton Hogan Limited	012

- [145] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin’s recommendations to:

- clarify the setback only applies to newly established sensitive activities in response to the submission of SDC; and
- amend GRUZ-REQ11.1a, b and c by inserting the word ‘authorised’ alongside ‘established’ mine or quarry in response to the submission of Fulton Hogan

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

- [146] A consequential amendment is also recommended to refer to ‘aggregate recovery’ in order to be consistent with GRUZ-R21.

### **3.7.11 GRUZ-REQ13 Aircraft and Helicopter Movements**

- [147] For the following submitters and their submission points we adopt Mr Trewin’s recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0198	Anita Collie	003
DPR-0297	Clover Hill Charitable Trust	005
DPR-0353	HortNZ	275

- [148] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin’s recommendation to, in response to Clover Hill Charitable Trust, delete the reference to 20 aircraft movements a week limit but retain the reference to four aircraft movements a day, is the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

- [149] We have however amended the wording to make it clear that the four movements per day is inclusive of any form of aircraft, be they fixed wing craft or helicopters.

## **3.8 Matters for Control or Discretion**

### **3.8.1 GRUZ-MAT1 and MAT5**

- [150] For the following submitters and their submission points we adopt Mr Trewin’s recommendations and reasons. We note that this results in no change to the notified versions of GRUZ-MAT1 and MAT5.

Sub #	Submitter	Submission Points
DPR-0101	Chorus, Spark and Vodafone	045
DPR-0353	HortNZ	281, 282
DPR-0372	DHL	128, 130, 132
DPR-0441	Manawa Energy	150, 152

### 3.8.2 GRUZ-MAT2 Building Coverage and GRUZ MAT3 Internal Boundary Setback

[151] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0353	HortNZ	279
DPR-0372	DHL	129
DPR-0441	Manawa Energy	151

[152] We agree with Mr Trewin's recommendation to delete the word 'streetscape' from GRUZ-MAT2.1 in response to the submission of HortNZ.

[153] In his Reply Report Mr Trewin stated he agreed with Lynette Wharfe that the words 'adjoining rural activities' are unclear as that term is not a defined term in the PDP. He recommended revised wording for GRUZ-MAT3.7. We are in general agreement with that recommendation, but consider his wording can be simplified.

[154] In terms of s32AA of the RMA we are satisfied that the above amendments are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

### 3.8.3 GRUZ-MAT4 Road Boundary Setback

[155] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0372	DHL	131
DPR-0375	Waka Kotahi	190
DPR-0441	Manawa Energy	153

[156] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied Mr Trewin's recommendation to amend GRUZ-MAT4.1 to include 'effectiveness' alongside efficiency and safety as sought by Waka Kotahi is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

### 3.8.4 New Matter

[157] For the following submitter and their submission point we adopt Mr Trewin's recommendations and reasons. We note this results in no change to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0141	Waihora Clay Target Club Inc	002

### 3.9 Schedules

#### 3.9.1 GRUZ-SCHED1 Mineral Extraction Sites Subject to a Reverse Sensitivity Buffer

[158] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0122	Frews Quarries Ltd	022
DPR-0215	Winstone Aggregates	062
DPR-0415	Fulton Hogan Limited	021

[159] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommendations to:

- delete the term 'reverse sensitivity buffer' and refer instead to 'where a setback for sensitive activities applies' to be consistent with the wording of GRUZ-REQ11 in response to the submission of Fulton Hogan, and
- add the Roydon Quarry to the list of quarries for which the setback applies as sought by Fulton Hogan

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

#### 3.9.2 GRUZ-SCHED2 Residential Density – Specific Control Areas

[160] For the following submitters and their submission points (other than for DPR-0144) we adopt Mr Trewin's recommendations and reasons, noting that results in no change to the notified provisions of GRUZ-SCHED2.

[161] In his initial Section 42A Report Mr Trewin recommended that in response to The Stations, GRUZ-R5 should be amended to exclude SCA-RD7 from the requirement of having balance land along 50% of the boundary of the site where a new residential unit could be located. However, in his Reply Report<sup>41</sup>, Mr Trewin recommended that GRUZ-R5 should instead be amended to require any additional residential unit located within SCA-RD7 to be assessed as a discretionary activity where compliance with any of GRUZ-R5.1 could not be achieved, which would include where balance land was not available. He considered this should only be where the residential unit was necessary for the continued maintenance and operation of a high country station. Mr Trewin also considered that a consequential amendment to GRUZ-P2 was necessary to provide an exception to the 'avoid' regime in the circumstances to be outlined in the amended GRUZ-R5.

[162] We have reviewed Mr Trewin's recommended amendments and find them to be an appropriate way of addressing The Stations' submission. For consistency with Plan structure, we have recommended in Appendix 1 that the GRUZ-R5 provisions relating to SCA-RD7 be shown on a separate line from those relating to the other SCA-RDs where GRUZ-R5 applies.

Sub #	Submitter	Submission Points
DPR-0044	Xiaojiang Chen	001
DPR-0048	Brian Thompson & Helen Davey	001
DPR-0082	Andrew & Justine Marshall	001
DPR-0104	Lukas Travnicek	002

<sup>41</sup> Paragraph 11.16.

Sub #	Submitter	Submission Points
DPR-0105	Stephen & Janet Harris	001
DPR-0111	Brian E Pegler	001
DPR-0144	The Stations	004
DPR-0156	Peter Stafford	002
DPR-0163	Mikyung Jang	002
DPR-0164	Inwha Jung	002
DPR-0184	Mike Ransome	001
DPR-0205	Lincoln University	031, 032
DPR-0213	Plant and Food and Landcare	019
DPR-0214	Ahuriri Farm & The Graham Family	001
DPR-0313	Glen McDonald	001
DPR-0353	HortNZ	283
DPR-0370	Fonterra	085
DPR-0371	CIAL	086
DPR-0387	Hugh & Thomas Macartney & Families	001
DPR-0442	Castle Hill Community Association Inc.	003
DPR-0453	LPC	078

### 3.10 Mapping Layers

#### 3.10.1 Rural Density

[163] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons.

Sub #	Submitter	Submission Points
DPR-0150	Barry Moir	001
DPR-0166	Saunders Family Trust	001
DPR-0182	Joshua Thomas	001
DPR-0207	Selwyn District Council	103
DPR-0212	ESAI	097
DPR-0377	Terracostosa Limited	001
DPR-0413	Blakes Road Kingcraft Group	003
DPR-0431	Lance Roper	003
DPR-0432	Birchs Village Limited	002
DPR-0442	Castle Hill Community Association Inc.	002
DPR-0481	Graeme and Virginia Adams	001, 002
DPR-0482	Jayne Grace Philp	007

[164] In terms of s32AA of the RMA, for these submissions and submission points we are satisfied that Mr Trewin's recommendations to:

- align the 60m contour to that depicted on the CRC map at Lot 5 DP 426540, 565 Old Tai Tapu Road in response to the submission of Joshua Thomas;
- insert a SCA for the Ellesmere Motor Racing Club (EMRC) on the parcel of land shown in the EMRC submission and insert a noise control overlay as depicted in the Joint Witness Statement between EMRC and Council dated 30 June 2022 (see section 3.12 of this Report); and
- insert a Rural Service Precinct on land bound by Marshs Road, Shands Road and the Christchurch Southern Motorway as depicted in the Ceres Professional Trustee Company Ltd and Sally Jean Tothill submission (see section 3.11 of this Report)

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

- [165] However, we note that Mr Trewin's recommendation to amend the land in the vicinity of Moir Lane in Lincoln SCA-RD1 to SCA-RD2 as sought by SDC has been superceded by the recommendations of the Lincoln Rezoning hearing Panel.
- [166] We were persuaded by the evidence presented by Andover Limited<sup>42</sup> that it would be appropriate to remove the SCA-RD5 annotation from the property at 42 Gerkins Road (Lot 1 DP 354703). In his Reply Report<sup>43</sup> Mr Trewin agreed with that amendment, but considered that the application of SCA-RD4 however, as proposed by Ms Moginie, would be confusing as it related to land below the 60m contour.
- [167] He recommended that instead the site be designated a new SCA-RD19 in GRUZ-SCHED2 with a minimum site size of 4 ha (42 Gerkins Road). We note that this increase in the allowable density of development will only enable one additional dwelling resulting in a density of one dwelling per 5.65ha. We agree this results in a suitable transition between the higher density Rocklands development and the Port Hills ONL. We also note a RDIS process for any additional dwelling on the property will enable landscape character and amenity values of the Visual Amenity Landscape to be maintained.<sup>44</sup>
- [168] For the Andover submission points we recommend:

Sub #	Submitter	Submission Points	Accept in part
DPR-0444	Andover Limited	001, 002, 003, 004	✓

### 3.10.2 Other Spatial Changes

- [169] For the following submitters and their submission points we adopt Mr Trewin's recommendations and reasons. We note that this results in no change to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0057	Road Metals Co Ltd	002
DPR-0394	McMillan Civil Limited	002

### 3.11 DPR-0346 Ceres Professional Trustee Company Ltd and Sally Jean Tothill – Proposed Rural Services Precinct

- [170] Ceres Professional Trustee Company Ltd and Sally Jean Tothill have made 17 submission points to facilitate the development of a Rural Service Precinct on landed bounded by the Christchurch Southern Motorway and Marshs Road. We address those submission points collectively and recommend that all of the following submission points are accepted in part.

Sub #	Submitter	Submission Points
DPR-0346	Ceres Professional Trustee Company Ltd & Sally Jean Tothill	001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016 and 017

<sup>42</sup> EIC Wendy Moginie

<sup>43</sup> Paragraphs 11.1 to 11.11.

<sup>44</sup> Andover legal submissions, paragraph 26.



- [171] By way of overview, we agree with Mr Trewin that a new precinct (shown as PREC11 in Appendix 1) should be inserted into the PDP for the reasons he set out. This results in amendments to GRUZ-R8, GRUZ-REQ1, GRUZ-REQ2, GRUZ-REQ4 and consequential amendments to TRAN-R4, TRAN-R7, TRAN-REQ9, TRAN-REQ11, TRAN-REQ12, TRAN-REQ15, TRAN-REQ17 as well as a new rule GRUZ-R41 'Rural Tourism Activity'.
- [172] For the above amendments we adopt the s32AA evaluation for the new rural service precinct set out in paragraphs 16.25 to 16.28 of the Section 42A Report.
- [173] We found the new wording initially recommended by Mr Trewin to be appropriate, other than for the new PREC11 to be inserted into GRUZ-REQ4, which we find should be in a standalone GRUZ-REQ that applies to the same rules where GRUZ-REQ4 applies. On that matter we accept the evidence of Sue McManaway and Nicola Rykers and generally adopt the revised wording that they recommended. In making that finding we consider some of the wording initially recommended by Mr Trewin, based on the advice of landscape architect Jeremy Head, was unduly onerous given that the site is within a confined area, surrounded and contained on all sides by substantial roading infrastructure that includes State Highway 76, and is adjacent to an existing industrial area located within Christchurch City.
- [174] In his Reply Report Mr Trewin advised that:
- the hardstand coverage should not exceed a maximum of 45% of the total site area;
  - a 6m strip be adopted around both Area A and B, except 3m on the western boundary with Shands Road;
  - tree shading could be a concern and it was preferable to limit the height of trees on the southern boundary of the sites to 4m;
  - there was no need for controls on fencing beyond what was already provided for in the GRUZ chapter; and
  - a note relating to tree planting under electricity transmission lines would be helpful.
- [175] We note Mr Trewin's Reply Report recommendations to be consistent with our own findings on those matters.
- [176] We have also turned our minds to the NPS-HPL given the LUC status of the land. Urban zoning is not sought so NPS-HPL clause 3.6 is not engaged. In that regard it is clear from the NPS-HPL that a 'precinct' does not come within the definition of 'urban'. Consequently, it does not constitute an 'urban rezoning' to an 'urban zone'. Clause 3.9 of the NPS-HPL is not relevant because from Table 1 of the MfE guidance document<sup>45</sup> it is clear that clause 3.9 is intended to apply to decisions on land use consent applications. Nor does clause 3.10 of the NPS-HPL need to be considered because that clause is only triggered if the land is sought to be rezoned for rural lifestyle (clause 3.7), upon subdivision (clause 3.8) or if a land use consent is sought (clause 3.9). None of those apply here. On that basis we do not consider the NPS-HPL to be relevant in terms of establishing a precinct as sought by the submitter.

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<sup>45</sup> Guide to Implementation, December 2022, MfE ,page 8.

### 3.12 DPR-0382 Ellesmere Motor Racing Club Proposed Specific Control Area and Reverse Sensitivity Setback

- [177] For Ellesmere Motor Racing Club (EMRC) we adopt Mr Trewin's recommendations and reasons. However, there is no need to amend NOISE-R1 as it already referred to NOISE-R2 to NOISE-R16 as notified.

Sub #	Submitter	Submission Points
DPR-0382	EMRC	001, 002, 003, 004, 005, 006, 007, 008,

- [178] In that regard, we received the EMRC JWS referred to in section 1 of this Recommendation Report. That JWS set out agreements as follows (there were no matters of disagreement):

- if EMRC activities are to be recognised in the PDP, it would be appropriate to provide mechanisms to protect EMRC against potential reverse sensitivity effects, and to protect existing and future dwellings against potential future changes to EMRC operations;
- the Inner and Outer Noise Boundaries identified in the Marshall Day Acoustics Memorandum<sup>46</sup> identify areas where noise effects are potentially greater than anticipated by the permitted activity standards in the PDP;
- the proposed noise control provisions within the Inner and Outer Boundaries will offer future noise sensitive activities reasonable protection against noise; and
- EMRC noise emissions should be managed on an ongoing basis through rules and an effective Noise Management Plan.

- [179] In his Reply Report Mr Trewin recommended we adopt the agreed position in the EMRC JWS including the recommended text changes to the PDP. We accept that recommendation and have included those amendments in Appendix 1 of this Recommendations Report. That includes the 'Map' included in Appendix 1 of the EMRC JWS. This would be labelled as the 'Ellesmere Speedway Noise Control Overlay'.

- [180] Mr Trewin also recommended that it would be appropriate to amend NOISE-P6 relating to the Darfield Gun Club to include EMRC, given the similarity in management approaches. We are satisfied that is an appropriate First Schedule, clause 10(2)(b) consequential amendment and we recommend accordingly.

### 3.13 APP3

- [181] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author. We note this results in no changes to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0353	HortNZ	300

## 4 Other Matters

- [182] We note that our recommendations require minor consequential amendments to be made to NFL chapter and SASM-R5. These are set out in Appendix 1.

<sup>46</sup> EMRC - Noise control boundaries - For consultation, Marshall Day Acoustics, 10 May 2022

- [183] Mr Trewin included a further s32AA assessment in section 14 of his Reply Report. We adopt that assessment.
- [184] The recommended amendments to the PDP provisions contained in Appendix 1 are those that result from this Hearing Panel's assessment of submissions and further submissions. However, readers should note that further or different amendments to these provisions may have been recommended by:
- Hearing Panels considering submissions and further submissions on other chapters of the PDP;
  - the Hearing Panels considering rezoning requests, and
  - the Independent Hearing Panel (IHP) considering submissions and further submissions on Variation 1 to the PDP.
- [185] Any such further or different amendments are not shown in Appendix 1 of this Recommendation Report. However, the Chair<sup>47</sup> and Deputy Chair<sup>48</sup> of the PDP Hearing Panels have considered the various recommended amendments and have ensured that the overall final wording of the consolidated version of the amended PDP is internally consistent.
- [186] In undertaking that 'consistency' exercise, care was taken to ensure that the final wording of the consolidated version of the amended PDP did not alter the intent of the recommended amendments contained in Appendix 1 of this Recommendation Report.
- [187] There are no other matters arising from our consideration of the submissions and further submissions or that arose during the hearing.

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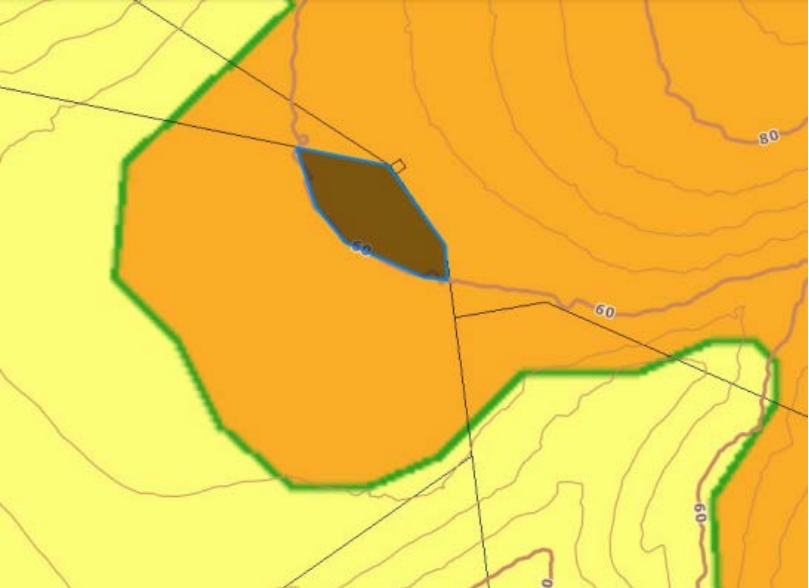
<sup>47</sup> Who is also the Chair of the IHP.

<sup>48</sup> Who chaired one stream of hearings.

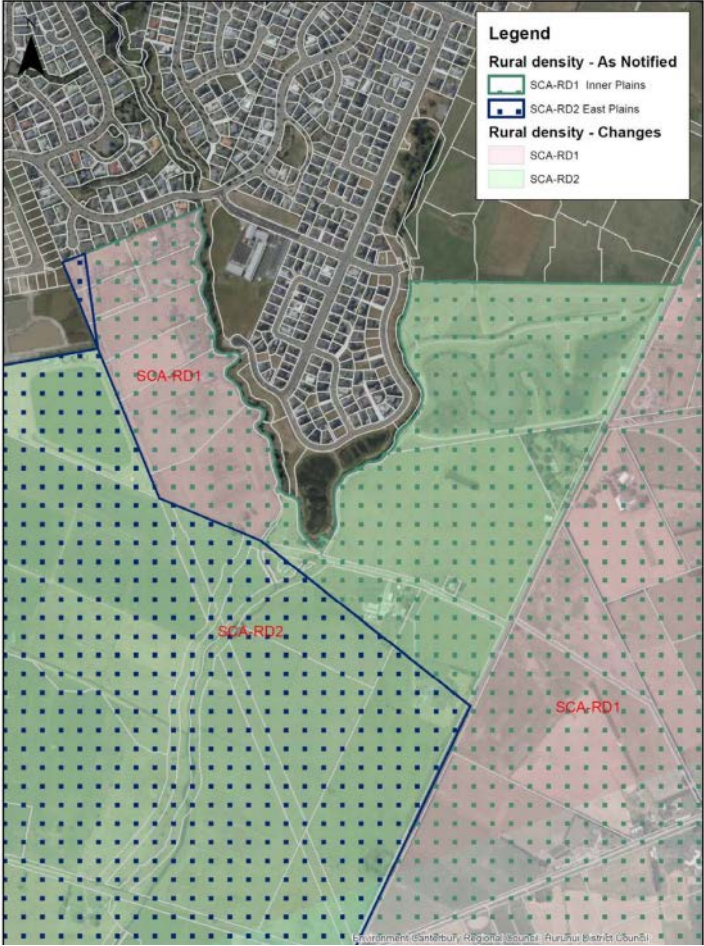
## Appendix 1: Recommended Amendments

**Note to readers:** Only provisions that have recommended amendments are included below. All other provisions remain as notified. Amendments recommended by the Section 42A Report author that have been adopted by the Hearing Panel are shown in strike out and underlining. Further or different amendments recommended by the Hearing Panel are shown in strike out, underlining and red font.


### Amendments to the PDP Maps

Map Layer	Description of recommended amendment
<b>Rural Density</b>	<ul style="list-style-type: none"> <li>Amend boundary of SCA-RD4 and SCA-RD5 so that the 60m contour is aligned with that depicted on the CRC topographical map series at 563 Old Tai Tapu Road (Lot 5 DP 426540) and as shown in the Thomas submission<sup>49</sup></li> </ul> 

<sup>49</sup> DPR-0182.001 Joshua Thomas


Map Layer	Description of recommended amendment
	<div><ul style="list-style-type: none"><li>Amend boundary of SCA-RD1 and SCA-RD2 in the vicinity of Moir Lane to the east of Lincoln as depicted in the SDC submission.<sup>50</sup></li></ul></div> <div><p>The map displays a residential area with a proposed amendment to the boundary between SCA-RD1 and SCA-RD2. A legend in the top right corner defines the map layers: 'Rural density - As Notified' includes 'SCA-RD1 Inner Plains' (light green) and 'SCA-RD2 East Plains' (dark green with a blue dot pattern); 'Rural density - Changes' includes 'SCA-RD1' (pink) and 'SCA-RD2' (light green). The map shows a residential neighborhood with a road network. A blue line indicates the proposed boundary between SCA-RD1 (pink) and SCA-RD2 (light green). The SCA-RD2 area is marked with a blue dot pattern. The SCA-RD1 area is marked with a pink background. The map also shows a road labeled 'Moir Lane' and a road labeled 'Lincoln'. The map is titled 'Environment Canterbury Regional Council - Rural District Council'.</p></div>

<sup>50</sup> DPR-0207.103 Selwyn District Council **Note that the Hearing Panel for 30.4 Rezoning Lincoln has further amendment the rural density overlay applicable to this area.**

Map Layer	Description of recommended amendment
	<ul style="list-style-type: none"><li>Remove SCA-RD1, 4, 5 and 6 and replace with new SCA-RD19 at 42 Gerkins Road, Tai Tapu (Lot 1 DP 354703).<sup>51</sup></li></ul> 

<sup>51</sup> DPR-0444.001 Andover Ltd




Map Layer	Description of recommended amendment
<p><b>Specific Control Area - <u>Ellesmere Motor Racing Club</u></b></p>	<p>Insert a new SCA for the EMRC over the land shown shaded blue, as depicted in the Joint Witness Statement between EMRC and Council dated 30 June 2022.<sup>52</sup></p> 

<sup>52</sup> DPR-0382.001 EMRC

Map Layer	Description of recommended amendment
<b>Noise Control Overlay</b>	<p>Insert Ellesmere Speedway Inner and Outer Noise Control Overlays as depicted in the Joint Witness Statement between EMRC and Council dated 30 June 2022.<sup>53</sup></p> 

<sup>53</sup> DPR-0382.005 EMRC



Map Layer	Description of recommended amendment
Precincts	<p>Insert a new Rural Precinct being PREC11 Rural Services Precinct on land bound by Marshs Road, Shands Road and the Christchurch Southern Motorway as depicted in the Ceres Submission<sup>54</sup>.</p> 

<sup>54</sup> DPR-0346.002 Ceres Professional Trustee Company Ltd & Sally Jean Tothill

## Amendments to the PDP Text

### Part 1 – Introduction and General Provisions

#### How the Plan works

HPW26 – Precincts		
Name	Code	Description
<u>Rural Services Precinct</u>	<u>PREC11</u>	<u>The purpose of this precinct is to recognise and provide for commercial activities that service the rural sector located on land in Marchs Road that was dissected by the construction of the Christchurch Southern Motorway.</u>

#### Interpretation

Definitions	
<b><u>ARTIFICIAL CROP PROTECTION STRUCTURE</u></b>	means structures with material used to protect crops and/or enhance growth (excluding greenhouses). <u>Artificial Crop Protection Structures are not buildings.</u> <sup>55</sup>
<b><u>CONSERVATION ACTIVITY</u></b>	The use of land for <u>any activity undertaken for the purposes of the management, maintenance and enhancement of natural, historic or ecological values for indigenous vegetation and fauna and their habitats.</u> It includes: a. <del>weed and pest control;</del> b. <del>fencing; and</del> c. <del>restoration planting.</del> <sup>56</sup>
<b><u>CROP SUPPORT STRUCTURE</u></b>	means an open structure on which plants are grown. <sup>57</sup>
<b><u>FARM QUARRY</u></b>	An open pit or excavation from which domestic quantities of soil, stone, gravel or mineral is extracted for farming activities on <del>the same</del> land associated with the farming property, including that which the farm quarry is situated on. <del>site</del> . It does not include earthworks or the use of land and accessory buildings for offices, workshops, and car parking areas associated with the operation of the farm quarry. <sup>58</sup>
<b><u>GREENHOUSE</u></b>	means a structure enclosed by glass or other transparent material and used for the cultivation or protection of plants in a controlled environment but excludes <u>artificial</u> crop protection structures. <sup>59</sup>

<sup>55</sup> DPR-0353.057 HortNZ

<sup>56</sup> DPR-0212.002 ESAI, DPR-0422.037 Federated Farmers and DPR-0427.007 DOC

<sup>57</sup> DPR-0353.058 HortNZ

<sup>58</sup> DPR-0422.041 Federated Farmers

<sup>59</sup> DPR-0353.059 HortNZ

Definitions	
<b>INTENSIVE OUTDOOR PRIMARY PRODUCTION</b>	Primary production activities involving the keeping or rearing of livestock (excluding calf-rearing for a specified time period), that principally occurs outdoors, which by the nature of the activity, precludes the maintenance of pasture or ground cover. It excludes pig production for domestic use which involves no more than 25 weaned pigs or six sows <u>and intensive winter grazing, where livestock are grazed on an annual forage crop at any time in the period that begins on 1 May and ends with the close of 30 September of the same year.</u> <sup>60</sup>
<del><b>PRIMARY INDUSTRY</b></del>	<del>An industrial activity undertaken in a rural environment that is dependent on primary production</del> <sup>61</sup>
<b>RURAL HOME BUSINESS</b>	An activity that is: <ul style="list-style-type: none"> <li>a. undertaken or operated by at least one resident of the site; and</li> <li>b. is ancillary to the use of the site for a residential activity, <u>but excludes primary production</u><sup>62</sup></li> </ul>
<b>RURAL SELLING PLACE</b>	The use of land and/or buildings on, or within which, rural produce grown or produced <del>on-site</del> <u>by the operator of the rural selling place</u> <sup>63</sup> , and products manufactured from it, are offered for sale to the general public
<del><b>RURAL SERVICE ACTIVITY</b></del>	<del>A business undertaken in a rural environment that directly services a rural production activity.</del> <sup>64</sup>
<b>SEASONAL WORKER ACCOMMODATION</b>	<u>means the use of land and buildings for the sole purpose of accommodating the short-term (i.e. seasonal) labour requirement of a farming activity, rural industry or post-harvest facility.</u> <sup>65</sup>
<b>SHELTERBELT</b>	Any trees planted primarily to provide shelter for stock, crops, or non-principal buildings from winds, and which are no greater than 20 metres wide, <u>except if the species is a forest species where the tree crown cover has, or is likely to have, an average width of less than 30m.</u> <sup>66</sup>
<b>WOODLOT</b>	A stand of trees for the purposes of firewood, the creation of other wood products, <u>celebration trees</u> , a carbon sink, erosion control, pest, or wilding tree management purposes, but excluding plantation forestry. <sup>67</sup>

<sup>60</sup> DPR-0372.011 Dairy Holdings Ltd and DPR-0388.004 Craigmore Farming Services Ltd

<sup>61</sup> DPR-0353.066 HortNZ and DPR-0370.010 Fonterra

<sup>62</sup> DPR-0372.015 Dairy Holdings Ltd and DPR-0388.006 Craigmore Farming Services Ltd

<sup>63</sup> **DPR-0353.239 HortNZ**

<sup>64</sup> DPR-0370.010 Fonterra

<sup>65</sup> DPR-0353.061 HortNZ and DPR-0422.081 Federated Farmers

<sup>66</sup> DPR-0379.031 Jill Thomson

<sup>67</sup> DPR-0346.001 Ceres Professional Trustee Company Ltd and Sally Jean Tothill

## Part 3 – Area Specific Matters

### Zones

#### GRUZ – General Rural Zone

##### GRUZ-Overview

...

Generally, character and amenity within the General Rural Zone is characterised by a landscape dominated by openness and vegetation, and with significant visual separation between neighbouring residential buildings. Rural landscapes include plantation forestry, mineral extraction, horticulture, pastoral and agricultural farming (including research farming and associated facilities)<sup>68</sup> and associated structures and buildings, as well as rural support services and rural industry. These activities may have associated levels of noise, dust and odour.<sup>69</sup>

While residential activities are part of the General Rural Zone, they should not compromise the ability of the Zone to be used for primary production. Establishing new sensitive activities, such as educational and health facilities, is generally not appropriate in the General Rural Zone.<sup>70</sup> As the Christchurch International Airport 50 dB Ldn Noise Control Overlay is located over the General Rural Zone, restrictions on residential density and avoidance of noise sensitive activities are in place to protect the operation of Christchurch International Airport.<sup>71</sup> ~~To assist this and~~ To<sup>72</sup> protect ...

...

Non-primary production activities such as large-scale commercial and industrial activities are considered inappropriate within the General Rural Zone and should establish within commercial/industrial zones. Some areas of the General Rural Zone are subject to different controls which recognise area-specific activities that are nevertheless consistent with the primary purpose of the zone.<sup>73</sup>

<sup>68</sup> DPR-0342.006 AgResearch

<sup>69</sup> DPR-0142.042 NZ Pork, DPR-0353.246, 284, 287 and 289 HortNZ and DPR-0422.249 Federated Farmers

<sup>70</sup> DPR-0353.291 HortNZ

<sup>71</sup> DPR-371.064 CIAL

<sup>72</sup> **Clause 10(2)(b) consequential amendment**

<sup>73</sup> DPR-0346.003 Ceres Professional Trustee Company Ltd & Sally Jean Tohill

## GRUZ-Objectives and Policies

GRUZ-Objectives	
<b>GRUZ-O1</b>	<p>Subdivision, use, and development in rural areas that:</p> <p>...</p> <p>3. allows primary production, <u>those activities that directly support primary production and have a functional or operational need to locate with the <a href="#">General Rural Zone</a></u><sup>74</sup> and <u>important infrastructure</u><sup>75</sup>, to operate without being compromised by <u>incompatible sensitive activities and reverse sensitivity <a href="#">effects</a></u><sup>76</sup>; and ...</p> <p>...</p>
GRUZ-Policies	
<b>GRUZ-P1</b>	<p>Maintain or enhance rural character and amenity values of rural areas by:</p> <ol style="list-style-type: none"> <li>1. retaining a low overall building density, <del>and predominance of vegetation cover</del>;<sup>77</sup></li> <li>2. enabling primary production while managing adverse effects of intensive primary production<sup>7</sup> and mineral extractive industries;</li> <li>3. managing the density and location of residential development; <del>and</del></li> <li>4. retaining a clear delineation and contrast between the district's rural areas and urban areas, <del>including Christchurch City</del><sup>78</sup> <del>and</del></li> <li>5. <u>recognising that <a href="#">primary production activities can produce noise, dust, odour and traffic that may be noticeable to residents and visitors to the General Rural Zone</a></u>.<sup>79</sup></li> </ol>
<b>GRUZ-P2</b>	<p>Avoid the development of residential units on sites that are smaller than the required minimum site size, except where:</p> <ol style="list-style-type: none"> <li>1. the development has been provided for through a grandfather clause; <u>or</u></li> <li>...</li> <li>4. <u>the development is within a building node in SCA-RD7, is necessary for the operation and maintenance of a rural production activity, and it can be demonstrated that no balance land is available; and</u><sup>80</sup></li> <li>5. <u>in all cases the development of the residential unit(s) is outside <a href="#">both</a> the Airport 50dB Noise Control Contour and the Port 45dB Noise Control Overlay</u>.<sup>81</sup></li> </ol>
<b>GRUZ-P4A</b>	<p><u>Provide for the establishment or expansion of community facilities that have a functional or operational need to locate in the <a href="#">General Rural Zone</a>, whilst maintaining the character and amenity values of the surrounding area.</u><sup>82</sup></p>

<sup>74</sup> DPR-0205.001 Lincoln University, DPR-0213.001 Plant and Food and Landcare, DPR-0342.007 AgResearch and DPR-0370.078 Fonterra

<sup>75</sup> DPR-0371.065 CIAL

<sup>76</sup> DPR-0353.238 HortNZ and DPR-0415.006 Fulton Hogan

<sup>77</sup> DPR-0422.251 Federated Farmers

<sup>78</sup> DPR-0394.001 McMillan Civil Ltd

<sup>79</sup> DPR-0353.241 HortNZ

<sup>80</sup> DPR-0144.004 The Stations

<sup>81</sup> DPR-0453.075 LPC and DPR-0371.067 CIAL

<sup>82</sup> DPR-0422.251 Waihora Clay Target Club

GRUZ-Policies	
<b>GRUZ-P4B</b>	Enable the development of small-scale seasonal worker accommodation in association with a rural production activity where it is located outside both the Airport 50dB Noise Control Contour and the Port 45dB Noise Control Overlay. <sup>83</sup>
<b>GRUZ-P5</b>	Avoid: <ol style="list-style-type: none"> <li>1. the establishment or expansion of any industrial activity or commercial activity (<u>other than a rural industry</u>)<sup>84</sup> where the scale of the activity is greater than that of a rural home business, <u>or</u></li> <li>2. the establishment or expansion of health centres, educational facilities and community correctional facilities,<sup>85</sup> unless the activity has a functional need, or operational need to locate within the <u>General Rural Zone rural area</u>.<sup>86</sup></li> </ol>
<b>GRUZ-P6</b>	Enable the establishment and operation of research activities that directly relate to rural production or are reliant on the rural resource, where they: <ol style="list-style-type: none"> <li>1. <del>will not generate adverse effects on the character and amenity values of the rural area that cannot be mitigated; and</del></li> <li>2. <del>avoid reverse sensitivity effects on primary production.</del><sup>87</sup></li> </ol>
<b>GRUZ-P7</b>	Avoid reverse sensitivity effects on: <ol style="list-style-type: none"> <li>1. lawfully <u>authorised or</u><sup>88</sup> established primary production activities;</li> <li>2. <u>activities that have a direct relationship with, or are dependent, on primary production; and</u><sup>89</sup></li> <li>3. <u>important infrastructure.</u><sup>90</sup></li> </ol>
<b>GRUZ-P8</b>	<del>Provide for</del> <u>Enable</u> mineral extraction in the General Rural Zone to meet the District's and region's supply needs, <u>including by recognising the need for mineral extraction to locate where the mineral resource exists, while;</u> <ol style="list-style-type: none"> <li>1. <u>managing the spatial extent and effects of mineral extraction activities in order to maintain maintaining the amenity values of sensitive activities and residential activities in the surrounding area; and</u></li> <li>2. internalising adverse environmental effects as far as practicable, <u>including by</u><sup>91</sup> using industry best practice and management plans; <del>and</del></li> <li>3. <del>managing the location of mineral extraction activities.</del></li> </ol>
<b>GRUZ-P9</b>	Ensure that mineral extraction sites are <u>progressively</u> <sup>92</sup> rehabilitated to: <ol style="list-style-type: none"> <li>1. <u>mitigate erosion and subsidence risks;</u><sup>93</sup> <u>and</u></li> </ol>

<sup>83</sup> DPR-0353.243 HortNZ, Consequential as per DPR-0371 FS029 CIAL.

<sup>84</sup> DPR-0422.255 Federated Farmers

<sup>85</sup> DPR-0353.266 HortNZ

<sup>86</sup> Clause 16(2) clarification

<sup>87</sup> DPR-0342.008 AgResearch. Reinstate clause 2 DPR-0353.266 HortNZ

<sup>88</sup> DPR-0356.011 Aggregate and Quarry Association, DPR-0415.008 Fulton Hogan

<sup>89</sup> DPR-0122.019 Frews Quarries, DPR-0215.057 Winstone Aggregates, DPR-0356.012 Aggregate and Quarry Association and DPR-0415.009 Fulton Hogan

<sup>90</sup> DPR-0371.069 CIAL

<sup>91</sup> Clause 16(2) amendment

<sup>92</sup> DPR-0415.010 Fulton Hogan

<sup>93</sup> DPR-0032.037 CCC

GRUZ-Policies	
	<del>2. enable use of</del> <u>reinstate the land so that it is suitable</u> for an alternative permitted or consented activity <del>that provides economic, environmental, social, or cultural benefit; and</del> <del>2. an appropriate final landform that maintains or enhances the amenity values of the surrounding area.</del> <sup>94</sup>
<b>GRUZ-P11</b>	Enable aircraft and helicopter movements within the rural area for purposes ancillary to rural production on a seasonal, <u>intermittent</u> and-or short-term basis <sup>95</sup> .

## GRUZ-Rules

GRUZ-R2	Structures	
	... Where this activity complies with the following rule requirements ... <u>GRUZ-REQ4B Landscaping</u>	...
GRUZ-R3	Residential Unit	
<u>Excluding SCA-RD19</u>	<p>Activity Status: PER</p> <p>1. The establishment of a new, or alteration, or expansion of an existing residential unit.</p> <p><u>Where</u></p> <p><u>a. The</u><sup>96</sup> <del>that</del> activity complies with GRUZ-SCHED2 Residential Density.</p> <p><u>And Where</u> this activity complies with the following rule requirements:</p> <p>GRUZ-REQ1 Building Coverage</p> <p>GRUZ-REQ2 Structure Height</p> <p><del>GRUZ-REQ3 Height in Relation to Boundary</del><sup>97</sup></p> <p>GRUZ-REQ4 Structure Setbacks</p> <p><u>GRUZ-REQ4B Landscaping</u></p> <p>GRUZ-REQ10 Sensitive Activity Setback from Intensive Primary Production</p> <p>GRUZ-REQ11 Sensitive Activity Setback from Mineral Extraction</p> <p>GRUZ-REQ16 Springfield Airfield Height Restriction</p> <p>EI-REQ23 West Melton Aerodrome Height Restriction</p>	<p>Activity status when compliance not achieved:</p> <p><u>1A. When compliance with any of GRUZ-R3.1 is not achieved: Refer to GRUZ-R4 or GRUZ-R5, as appropriate to the site</u><sup>99</sup></p> <p>2. When compliance with any rule requirement <u>listed in this rule</u> is not achieved: Refer to relevant rule requirement</p>

<sup>94</sup> DPR-0415.010 Fulton Hogan<sup>95</sup> DPR-0353.271 HortNZ<sup>96</sup> Clause 16(2) clarification<sup>97</sup> DPR-0422.260 Federated Farmers<sup>99</sup> Clause 16(2) clarification

	<p><u>Notes:</u>  <u>For fire safety, Fire and Emergency New Zealand recommends:</u>  <u>1. That a fire sprinkler system is installed in accordance with either:</u>  <u>a. NZS 4517:2010 (Fire Sprinkler Systems for Houses); or</u>  <u>b. NZS 4541:2013 (Automatic Fire Sprinkler Systems); or</u>  <u>c. NZS 4515:2009 (Fire Sprinkler Systems for Life Safely in Sleeping Occupancies up to 2000m<sup>2</sup>).</u>  <u>2. That a sufficient water supply is provided if a sprinkler system is not being installed.</u><sup>98</sup></p>	
<b><u>SCA-RD19</u></b>	<p><u>Activity Status: RDIS</u>  <u>3. The establishment of a new, or alteration, or expansion of an existing residential unit where that activity complies with GRUZ-SCHED2 Residential Density.</u></p> <p><u>Where this activity complies with the following rule requirements:</u>  <u>GRUZ-REQ4.4 Structure Setbacks</u>  <u>GRUZ-REQ10 Sensitive Activity Setback from Intensive Primary Production</u>  <u>GRUZ-REQ11 Sensitive Activity Setback from Mineral Extraction</u></p> <p><u>Matters for discretion</u>  <u>The exercise of discretion in relation to GRUZ-R3.3 is restricted to the following matters:</u>  <u>NFL-MAT3</u>  <u>NH-MAT5 Wildfire</u></p> <p><u>Notification:</u>  <u>4. Any application arising from GRUZ-R3.3 shall not be subject to public or limited notification and shall be processed on a non-notified basis.</u></p> <p><u>Notes:</u>  <u>For fire safety, Fire and Emergency New Zealand recommends:</u>  <u>1. That a fire sprinkler system is installed in accordance with either:</u>  <u>a. NZS 4517:2010 (Fire Sprinkler Systems for Houses); or</u>  <u>b. NZS 4541:2013 (Automatic Fire Sprinkler Systems); or</u>  <u>c. NZS 4515:2009 (Fire Sprinkler Systems for Life Safely in Sleeping Occupancies up to 2000m<sup>2</sup>).</u></p>	<p><u>Activity status when compliance not achieved:</u>  <u>5. When compliance with any rule <b>requirement listed in this rule</b> is not achieved: Refer to relevant Rule Requirement</u><sup>101</sup></p>

<sup>98</sup> DPR-0359.065 FENZ

<sup>101</sup> DPR-0444.001 Andover Ltd



	<i>2. That a sufficient water supply is provided if a sprinkler system is not being installed.</i> <sup>100</sup>	
<b>GRUZ-R4</b>	<b>Residential Unit on an Undersized Site – Legacy Clause</b>	
<b>SCA-RD3 ...</b>	<p><b>Activity Status:</b> PER</p> <p>1. The establishment or placement of a new residential unit.</p> <p><b>Where</b></p> <p>a. <del>The</del> <u>that activity</u> does not comply with GRUZ-SCHED2 Residential Density, and</p> <p>i. the site existed prior to the decision date of this District Plan;</p> <p>ii. the site is vacant of any residential unit; and</p> <p>iii. the site is at least 20ha in area</p> <p><b>And Where</b><sup>102</sup> <b>this activity complies with the following rule requirements:</b></p> <p>GRUZ-REQ1 Building Coverage</p> <p>GRUZ-REQ2 Structure Height</p> <p><del>GRUZ-REQ3 Height in Relation to Boundary</del><sup>103</sup></p> <p>GRUZ-REQ4 Structure Setbacks</p> <p>...</p>	<p><b>Activity status when compliance not achieved:</b></p> <p><u>1A. When compliance with any of GRUZ-R4.1 is not achieved: Refer to GRUZ-R5</u><sup>104</sup></p> <p>2. When compliance with any rule requirement <u>listed in this rule</u> is not achieved: Refer to relevant Rule Requirement</p>
<b>General Rural Zone ...</b>	<p><b>Activity Status:</b> PER</p> <p>3. The establishment or placement of a new residential unit.</p> <p><b>Where</b></p> <p>a. <del>The</del> <u>that activity</u> does not comply with GRUZ-SCHED2 Residential Density, and</p> <p>i. the site existed prior to the decision date of this District Plan;</p> <p>ii. the site is vacant of any residential unit; and</p> <p>iii. the site is at least 20ha in area</p> <p><b>And Where</b><sup>105</sup> <b>this activity complies with the following rule requirements:</b></p> <p><del>GRUZ-REQ3 Height in Relation to Boundary</del><sup>106</sup></p> <p>GRUZ-REQ4 Structure Setbacks</p>	<p><b>Activity status when compliance not achieved:</b></p> <p><u>3A. When compliance with any of GRUZ-R4.3 is not achieved: Refer to GRUZ-R5</u><sup>107</sup></p> <p>4. When compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement</p>

<sup>100</sup> DPR-0359.065 FENZ<sup>102</sup> Clause 16(2) clarification<sup>103</sup> Clause 10(2)(b) consequential amendment<sup>104</sup> Clause 10(2)(b) consequential amendment<sup>105</sup> Clause 16(2) clarification<sup>106</sup> Clause 10(2)(b) consequential amendment<sup>107</sup> Clause 10(2)(b) consequential amendment

	GRUZ-REQ10 Sensitive Activity Setback from Intensive Primary Production ...	
SCA-RD6	<p><b>Activity Status:</b> PER</p> <p>5. The establishment or placement of a new residential unit.</p> <p><b>Where</b></p> <p><b>aa</b> <del>The</del> <u>that activity</u><sup>108</sup> does not comply with GRUZ-SCHED2 Residential Density, and:</p> <ol style="list-style-type: none"> <li>the site existed prior to the decision date of this District Plan;</li> <li>the site is vacant of any residential unit;</li> <li><u>that part of the site is wholly located below the where the residential unit is proposed is:</u> <ol style="list-style-type: none"> <li>at least 4ha in area, below the 60m contour, or</li> <li>40ha in area below the 160m contour and above the 60m contour.<sup>109</sup></li> </ol> </li> <li><del>the site is at least 4ha in area</del></li> </ol> <p><b>And where</b> this activity complies with the following rule requirements:  GRUZ-REQ3 Height in Relation to Boundary<sup>110</sup>  GRUZ-REQ4 Structure Setbacks  GRUZ-REQ10 Sensitive Activity Setback from Intensive Primary Production  GRUZ-REQ11 Sensitive Activity Setback from Mineral Extraction</p>	<p><b>Activity status when compliance not achieved:</b></p> <p><u>5A. When compliance with any of GRUZ-R4.3 is not achieved: Refer to GRUZ-R5<sup>111</sup></u></p> <p>6. When compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement</p>
GRUZ-R5	<b>Residential Unit (Including Relocated Residential Units)<sup>112</sup> on an Undersized Site</b>	
<u>SCA-RD7<sup>113</sup></u>	<p><b>Activity Status:</b> RDIS</p> <p>1. The establishment or placement of a new residential unit on an undersized site where the activity does not comply with either GRUZ-SCHED2 Residential Density, or GRUZ-R4.</p> <p>...</p> <p><b>And Where</b> this activity complies with the following rule requirements:</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>3. When compliance with any of GRUZ-R5.1 is not achieved <del>NC DIS</del><sup>117</sup></p> <p>4. When compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement</p>

<sup>108</sup> Clause 16(2) clarification

<sup>109</sup> DPR-0082.002 Andrew and Justine Marshall

<sup>110</sup> DPR-0422.261 Federated Farmers

<sup>111</sup> Clause 10(2)(b) consequential amendment

<sup>112</sup> Consequential change - DPR-0296.005 and 007 Housemovers and NZ Heavy Haulage

<sup>113</sup> The Stations DPR-0144:004

<sup>117</sup> The Stations DPR-0144:004

	<p>GRUZ-REQ1 Building Coverage  GRUZ-REQ2 Structure Height  <del>GRUZ-REQ3 Height in Relation to Boundary</del><sup>114</sup>  GRUZ-REQ4 Structure Setbacks  GRUZ-REQ10 Sensitive Activity Setback from Intensive Primary Production  GRUZ-REQ11 Sensitive Activity Setback from Mineral Extraction  <del>GRUZ-REQ16 Springfield Airfield Height Restriction</del>  <del>EL-REQ23 West Melton Aerodrome Height Restriction</del><sup>115</sup></p> <p><b>Matters for discretion:</b>  2. The exercise of discretion in relation to GRUZ-R5.1 is restricted to the following matters:  ....  The appropriateness and legal effectiveness of the legal<sup>116</sup> mechanism used to ensure the balance land remains free of any residential unit.</p>	
<p><u>SCA-RD1</u>  <u>SCA-RD2</u>  <u>SCA-RD3</u>  <u>SCA-RD4</u>  <u>SCA-RD5</u>  <u>SCA-RD6</u>  <u>SCA-RD16</u><sup>118</sup></p>	<p><b><u>Activity Status: RDIS</u></b>  5. <u>The establishment or placement of a new residential unit on an undersized site where the activity does not comply with either GRUZ-SCHED2 Residential Density, or GRUZ-R4.</u></p> <p><b><u>Where:</u></b></p> <ol style="list-style-type: none"> <li><u>Sufficient balance land is provided in conjunction with the site to comply with the minimum site size requirements in GRUZ-SCHED2 Residential Density;</u></li> <li><u>The site is at least 1ha in area;</u></li> <li><u>The balance land required to comply with the minimum site size requirement shall adjoin the site on which a residential unit is to be established, along at least 50% of the site boundary;</u></li> <li><u>The balance land required to comply with the minimum site size requirement shall be subject to:</u> <ol style="list-style-type: none"> <li><u>a mechanism (as a condition of consent) to prevent the erection of any residential unit on that land; or</u></li> </ol> </li> </ol>	<p><b><u>Activity status when compliance not achieved:</u></b>  3. <u>When compliance with any of GRUZ-R5.5 is not achieved: NC</u>  4. <u>When compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement</u></p> <p><b><u>Notification</u></b>  5. <u>Where compliance with GRUZ-R5.1.e is not achieved, any application shall be limited notified at least to Christchurch International Airport or the Midland Port respectively (absent their written approval).</u><sup>120</sup></p>

<sup>114</sup> DPR-0422.262 Federated Farmers

<sup>115</sup> CI16(2) – these areas do not overlap with SCA-RD7

<sup>116</sup> DPR-0422.262 Federated Farmers

<sup>118</sup> The Stations DPR-0144:004

<sup>120</sup> DPR-0371.073 CIAL and DPR-0453.079 LPC

	<p>ii. <u>a Memorandum of Encumbrance or other legal mechanism to prevent the erection of any residential unit on that land.</u></p> <p>e. <u>The residential unit is not located within the Airport 50dB Noise Control Overlay or Port 45dB Noise Control Overlay.</u><sup>119</sup></p> <p><b><u>And this activity complies with the following rule requirements:</u></b></p> <p><u>GRUZ-REQ1 Building Coverage</u></p> <p><u>GRUZ-REQ2 Structure Height</u></p> <p><u>GRUZ-REQ4 Structure Setbacks</u></p> <p><u>GRUZ-REQ4B Landscaping</u></p> <p><u>GRUZ-REQ10 Sensitive Activity Setback from Intensive Primary Production</u></p> <p><u>GRUZ-REQ11 Sensitive Activity Setback from Mineral Extraction</u></p> <p><u>GRUZ-REQ16 Springfield Airfield Height Restriction</u></p> <p><u>EI-REQ23 West Melton Aerodrome Height Restriction</u></p> <p><b><u>Matters for discretion:</u></b></p> <p><u>6. The exercise of discretion in relation to GRUZ-R5.5 is restricted to the following matters:</u></p> <p><u>a. For sites that do not have access to a reticulated wastewater or water system, the suitability of the site size and shape to contain an on-site effluent disposal field and on-site potable water supply.</u></p> <p><u>b. The potential for reverse sensitivity effects to arise on primary production in the surrounding environment, including any cumulative reverse sensitivity effects arising due to the establishment of additional sensitive activities;</u></p> <p><u>c. The extent to which the development will result in the fragmentation of the rural area and the loss of land for primary production;</u></p> <p><u>d. The number of residential units on undersized sites that may be located together and the potential for the development to alter the surrounding character towards a more urban character;</u></p> <p><u>e. Any effects of access from the residential unit on the undersized site on the safety and efficiency of the road network, including cumulative effects from other residential units on undersized allotments, and whether a shared vehicular accessway is appropriate for more than one residential unit;</u></p>	
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<sup>119</sup> DPR-0371.073 CIAL and DPR-0453.079 LPC

	<p><u>f. The shape of the balance land to be kept free of residential units, to maintain 'open space' around the residential unit</u></p> <p><u>g. The appropriateness and legal effectiveness of the mechanism used to ensure the balance land remains free of any residential unit.</u></p>	
<b>GRUZ-R6</b>	<p><b>Minor Residential Unit</b></p> <p><b>Activity Status:</b> PER</p> <p>1. The establishment of a new, or placement, or alteration, or expansion of an existing minor residential unit.</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. The minor residential unit has a maximum <u>gross floor area building coverage (excluding garages)</u> of 90m<sup>2</sup>; <sup>121</sup></li> <li>b. There is no more than one minor residential unit <del>to one</del> <u>for any one principal</u> <sup>122</sup> residential unit; <u>and</u></li> <li>c. The minor residential unit is located within 30m of the principal residential unit;</li> <li>d. <del>The minor residential unit is not a relocated building.</del> <sup>123</sup></li> <li>e. <u>Notwithstanding GRUZ-R6.1a, any new minor residential unit in excess of 70 m<sup>2</sup> of gross floor area (excluding garages) is not located within the Airport 50dB Noise Control Overlay or the Port 45dB Noise Control Overlay.</u> <sup>124</sup></li> </ul> <p><b>And this activity complies with the following rule requirements:</b></p> <p>GRUZ-REQ1 Building Coverage</p> <p>GRUZ-REQ2 Structure Height</p> <p><del>GRUZ-REQ3 Height in Relation to Boundary</del> <sup>125</sup></p> <p>GRUZ-REQ4 Structure Setbacks</p> <p><u>GRUZ-REQ4B Landscaping</u></p> <p>GRUZ-REQ10 Sensitive Activity Setback from Intensive Primary Production</p> <p>GRUZ-REQ11 Sensitive Activity Setback from Mineral Extraction</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. When compliance with GRUZ-R6.1a or GRUZ-R6.1b <u>or GRUZ-R6.1e</u> is not achieved: NC</p> <p>3. When compliance with GRUZ-R6.1.c is not achieved: <del>DIS-RDIS</del></p> <p><u>3A. When compliance with any rule requirement is not achieved: Refer to relevant rule requirement.</u> <sup>127</sup></p> <p><b>Matters of discretion</b></p> <p><u>3B The exercise of discretion in relation to GRUZ-R6.3 is reserved over the following matters:</u></p> <ul style="list-style-type: none"> <li>a. <u>the extent to which the minor residential unit can share servicing with the principal residential unit,</u></li> <li>b. <u>the extent to which the characteristics of the site make compliance with the required maximum distance impracticable.</u></li> <li>c. <u>The ability to mitigate any adverse effects by way of provision of landscaping and screening</u></li> <li>d. <u>The location of the unit in relation to the principal residential unit</u> <sup>128</sup></li> </ul>

<sup>121</sup> DPR-0016.001 Luke Arndt and DPR-0207.070 SDC

<sup>122</sup> Clause 16(2) amendment

<sup>123</sup> Consequential change - DPR-0296.005 and 007 Housemovers and NZ Heavy Haulage

<sup>124</sup> DPR-0371.075 CIAL

<sup>125</sup> DPR-0422.263 Federated Farmers

<sup>127</sup> Clause 10(2)(b) amendment

<sup>128</sup> DPR-0079.003 Gillian Button, DPR-0128.003 Joyce Family Trust, DPR-0088.001 Jane Ross, Natalie Edwards DPR-0349.001 and DPR-0184.002 Mike Ransome

	<p>GRUZ-REQ16 Springfield Airfield Height Restriction EI-REQ23 West Melton Aerodrome Height Restriction</p> <p><u>Note: Minor residential units that are <b>relocated</b> buildings must also comply with GRUZ-R7<sup>126</sup>.</u></p>	<p>4. When compliance with GRUZ-R6.1.d is not achieved: CON unless otherwise specified in the relevant rule requirement.</p> <p>5. When compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement</p> <p>Matters of control:</p> <p>6. The exercise of control in relation to GRUZ-R6.4 is reserved over the following matters: The time period within which the building will be placed on its foundations; Identification of, and the time period to complete reinstatement works; and Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond.<sup>129</sup></p> <p><b>Notification</b></p> <p>4A. Where compliance with GRUZ-R6.1.e is not achieved, any application shall be limited notified at least to Christchurch International Airport or the Midland Port <b>respectively</b> (absent their written approval).</p>
<b>GRUZ-R6A</b>	<b>Seasonal Worker Accommodation</b>	
	<p><b>Activity Status: PER</b></p> <p><u>1. The establishment of a new, or expansion of existing seasonal worker accommodation</u></p> <p><b>Where:</b></p> <p><u>a. The accommodation is associated with rural production activity</u> <u>b. The accommodation comprises of a combination of communal kitchen and eating areas and sleeping and ablution facilities</u> <u>c. The <b>site provides</b> accommodation <b>provides</b> for no more than 12 workers</u></p>	<p><b>Activity status when compliance not achieved:</b></p> <p><u>2. When compliance with any of GRUZ-R6A.1.a. is not achieved: NC</u></p> <p><u>3. When compliance with any of GRUZ-R6A.1.b, GRUZ-R6A.1.c or GRUZ-R6A.1.d is not achieved: DIS</u></p> <p><u>4. When compliance with any of GRUZ-R6A.e is not achieved: NC</u></p> <p><u>6. When compliance with any rule requirement is not achieved: Refer to relevant rule requirement<sup>130</sup></u></p> <p><b>Notification</b></p>

<sup>126</sup> DPR-0296.005 and 007 Consequential change - Housemovers and NZ Heavy Haulage

<sup>129</sup> Consequential change - DPR-0296.005 and 007 Housemovers and NZ Heavy Haulage

<sup>130</sup> DPR-0353.0262 HortNZ

	<p>d. The accommodation complies with <u>GRUZ-SCHED3 - Code of Practice for Able Bodied Seasonal Workers, published by Department of Building and Housing 2008</u>; and</p> <p>e. <u>The accommodation is not located in the Christchurch International Airport 50 dB Ldn Noise Control Overlay.</u></p> <p><b><u>And this activity complies with the following rule requirements:</u></b></p> <p><u>GRUZ-REQ1 Building Coverage</u></p> <p><u>GRUZ-REQ2 Height</u></p> <p><u>GRUZ-REQ4 Structure Setbacks</u></p> <p><u>GRUZ-REQ4B Landscaping</u></p> <p><u>GRUZ-REQ10 Sensitive Activity Setback from Intensive Primary Production</u></p> <p><u>GRUZ-REQ11 Sensitive Activity Setback from Mineral Extraction</u></p> <p><u>GRUZ-REQ16 Springfield Airfield Height Restriction</u></p> <p><u>EI-REQ23 West Melton Aerodrome Height Restriction</u></p>	<p>7. Absent <u>its</u> written approval, any application arising from GRUZ-R6A.4 shall be notified to Christchurch International Airport Limited<sup>131</sup></p>
<b>GRUZ-R7</b>	<b>Relocated Residential Unit</b>	
	<p><b>Activity Status: PER</b></p> <p>1. The placement of a relocated building onto land to be used as a residential unit _that complies with GRUZ-SCHED2 Residential Density.</p> <p><b>Where:</b></p> <p>a. The building is <u>either:</u></p> <p>i. shifted within the same property; <u>or</u></p> <p>ii. <u>shifted from off-site; and:</u></p> <ol style="list-style-type: none"> <li>1. <u>Any relocated residential unit <del>was</del> previously designed and built as a residential unit.</u></li> <li>2. <u>Prior to the building being relocated on site, a building consent <del>has been</del> granted for the relocation that covers all of the matters that are listed in the following clauses GRUZ-R7.1.a.ii.3, GRUZ-R7.1.a.ii.4 and GRUZ-R7.1.a.ii.5</u></li> <li>3. <u>A building pre-inspection report shall accompany the application for a building consent for the destination site. That report is to identify all reinstatement works that are to be completed to the exterior of the building. The report shall include a certification by the property owner that the reinstatement works shall be completed within the specified 12 month period.</u></li> </ol>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. When compliance with any of GRUZ-R7.1 <del>b</del> is not achieved: <del>CON-RDIS unless otherwise specified in the relevant rule requirement.</del><sup>134</sup></p> <p><u>2A. When compliance with GRUZ-R7.1.b is not achieved:</u></p> <p><u>NC</u></p> <p>3. When compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement</p> <p><b>Matters of <del>discretion control</del>:</b></p> <p>4. The exercise of <del>control</del> <u>discretion</u> in relation to GRUZ-R7.2 is <del>reserved over</del> <u>restricted to</u> the following matters: The time period within which the building will be placed on its foundations; Identification of, and the time period to complete reinstatement works; and <u>Proposed landscaping</u></p>

<sup>131</sup> FS030 CIAL Consequential Change

<sup>134</sup> Clause 16(2) clarification

	<p>4. <u>The building shall be located on permanent foundations approved by the building consent within two months of the building being moved onto the site.</u></p> <p>5. <u>All other work required to reinstate the exterior of any relocated residential unit, including painting if required, shall be completed within 12 months of the building being delivered to the site. Reinstatement work is to include connections to all infrastructure service, and</u></p> <p><u>b. The building is not located within the 50 dB Ldn Air Noise Contour.</u><sup>132</sup></p> <p><b>And this activity complies with the following rule requirements:</b>  GRUZ-REQ1 Building Coverage  GRUZ-REQ2 Structure Height  <del>GRUZ-REQ3 Height in Relation to Boundary</del><sup>133</sup>  GRUZ-REQ4 Structure Setbacks  <u>GRUZ-REQ4B Landscaping</u>  GRUZ-REQ10 Sensitive Activity Setback from Intensive Primary Production  GRUZ-REQ11 Sensitive Activity Setback from Mineral Extraction  GRUZ-REQ16 Springfield Aerodrome Height Restriction  EI-REQ23 West Melton Aerodrome Height Restriction</p>	<p><del>c. Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond.</del><sup>135</sup></p>
	<p><del><b>Activity Status: PER</b></del><sup>136</sup></p> <p><del>5. The placement of a relocated building onto land to be used as a residential unit for temporary accommodation or as a temporary activity.</del></p> <p><b>Where:-</b></p> <p>a. <del>The building is for a temporary activity on the site and shall be removed from the site within two days of the activity ceasing; or</del></p> <p>b. <del>The building is to provide temporary accommodation during the time a construction project is taking place on the site and shall be removed from the site within the lesser time period of, 12 months, or the construction project ceasing.</del></p> <p><b>And this activity complies with the following rule requirements:</b>  GRUZ-REQ1 Building Coverage</p>	<p><del><b>Activity status when compliance not achieved:</b></del></p> <p><del>6. When compliance with any of GRUZ R7.5 is not achieved: NC</del></p> <p><del>7. When compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement</del></p>

<sup>132</sup> DPR-0371.075 CIAL

<sup>133</sup> DPR-0422.263 Federated Farmers

<sup>135</sup> DPR-0296.005 and 007 Housemovers and NZ Heavy Haulage

<sup>136</sup> DPR-0422.264 Federated Farmers



	<del>GRUZ-REQ2 Structure Height</del> <del>GRUZ-REQ3 Height in Relation to Boundary</del> <del>GRUZ-REQ4 Structure Setbacks</del> <del>GRUZ-REQ10 Sensitive Activity Setback from Intensive Primary Production</del> <del>GRUZ-REQ11 Sensitive Activity Setback from Mineral Extraction</del> <del>GRUZ-REQ16 Springfield Aerodrome Height Restriction</del> <del>EI-REQ23 West Melton Aerodrome Height Restriction</del>	
<b>GRUZ-R8</b>	<b>Rural Service Activity Rural Industry<sup>137</sup></b>	
<b>SCA-RD1</b> <b>SCA-RD4</b> <b>SCA-RD5</b> <b>SCA-RD6</b> <b>SCA-RD7</b> <b>(excluding PREC11)<sup>138</sup></b>	<b>Activity status:</b> PER 1. The establishment of a new, or expansion of an existing <u>rural industry</u> <del>rural service activity</del> .  <b>Where:</b> a. The area of land associated with the <u>rural industry</u> <del>rural service activity</del> is less than 200m <sup>2</sup> .  ...	...
<b>SCA-RD2</b> <b>SCA-RD3</b>	Activity status: PER 4. The establishment of a new, or expansion of an existing <u>rural industry</u> <del>rural service activity</del> .  <b>Where:</b> a. The area of land associated with the <u>rural industry</u> <del>rural service activity</del> is less than 500m <sup>2</sup> .  <b><u>And this activity complies with the following rule requirements:</u></b> <u>GRUZ-REQ6 Hours of Operation</u> <u>GRUZ-REQ7 Full Time Equivalent Staff</u>	...
<b>PREC11<sup>139</sup></b>	<b>Activity status:</b> PER 7. The establishment of a new, or expansion of an existing <u>rural industry</u>  <b><u>Where this activity complies with the following rule requirements:</u></b> <u>GRUZ-REQ6 Hours of Operation</u>	<b><u>Activity status when compliance not achieved:</u></b> <u>8 When compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement</u>

<sup>137</sup> Consequential change for DPR-0353.066 HortNZ and DPR-0370.010 Fonterra

<sup>138</sup> DPR-0346.004 Ceres Professional Trustee Company Ltd and Sally Jean Tothill

<sup>139</sup> DPR-0346.004 Ceres Professional Trustee Company Ltd and Sally Jean Tothill

GRUZ-R11	<p><b>Primary Industry</b><sup>140</sup></p> <p><b>Activity status:</b> PER</p> <p>1. The establishment of a new, or expansion of an existing primary industry activity:</p> <p>-</p> <p><b>Where:</b></p> <p>Located within the Inner Plains, High Country, Port Hills VALs, or Port Hills ONL Specific Control Areas and the maximum area of land associated with the primary industry activity is less than 200m<sup>2</sup>; or</p> <p>Located within the West Plains and Foothills, or East Plains Specific Control Areas and the maximum area of land associated with the primary industry activity is less than 500m<sup>2</sup>.</p> <p><b>And this activity complies with the following rule requirements:</b></p> <p>GRUZ-REQ6 Hours of Operation</p> <p>GRUZ-REQ7 Full Time Equivalent Staff</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. When compliance with any of GRUZ-R11.1. is not achieved: DIS</p> <p>3. When compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement</p>
GRUZ-R12	<p><b>Industrial Activity</b></p> <p><b>Activity status:</b> NC</p> <p>1. The establishment of a new, or expansion of an existing industrial activity (<u>other than rural industry</u>)<sup>141</sup></p>	<p><b>Activity status when compliance not achieved:</b> N/A</p>
GRUZ-R13	<p><b>Research Activity</b></p> <p><b>Activity status:</b> PER</p> <p>1. The establishment of a new, or expansion of an existing research activity, <u>excluding conference facilities</u>.<sup>142</sup></p> <p><b>Where:</b></p> <p>a. The research activity involves the use of land for the purpose of growing of crops and trees, rearing of livestock, and associated monitoring of the environment for research and education purposes <u>and any building or activity ancillary to this purpose;</u></p> <p>b. <u>The use of buildings for education purposes is directly related to the research activity being undertaken on site; and</u></p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. When compliance with any of GRUZ-R13.1 is not achieved: NC</p> <p>3. When compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement</p>

<sup>140</sup> Consequential change for DPR-0353.066 HortNZ and DPR-0370.010 Fonterra

<sup>141</sup> Clause 16 (2)

<sup>142</sup> Clause 16(2) amendment

	<p>c. <u>The floor area of any building used for education purposes is less than 100m<sup>2</sup>.</u><sup>143</sup></p> <p><b>And this activity complies with the following rule requirements:</b> GRUZ-REQ6 Hours of Operation</p>	
<b>GRUZ-R14</b>	<b>Conference Facilities</b>	
	<p><b>Activity Status:</b> PER</p> <p>1. The establishment of a new, or the expansion of an existing conference facility.</p> <p><b>Where:</b></p> <p>a. The maximum area of land <u>and floor area</u><sup>144</sup> associated with the conference facility is <del>less than</del> 100m<sup>2</sup>, <u>and</u></p> <p>b. <u>The conference facilities are set back 10m from any boundary.</u><sup>145</sup></p> <p><b>And this activity complies with the following rule requirements:</b> GRUZ-REQ6 Hours of Operation GRUZ-REQ7 Full Time Equivalent Staff<sup>146</sup> GRUZ-REQ10 Sensitive Activity Setback from Intensive Primary Production GRUZ-REQ11 Sensitive Activity Setback from Mineral Extraction</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. When compliance with any of GRUZ-R14.1 is not achieved: NC</p> <p>3. When compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement</p>
<b>GRUZ-R15</b>	<b>Visitor Accommodation</b>	
	<p><b>Activity Status:</b> PER</p> <p>1. The establishment of a new, or the expansion of an existing Visitor Accommodation.</p> <p><b>Where:</b></p> <p>a. Accommodation offered to not more than five guests for reward or payment at any one time; and</p> <p>b. The registered proprietor resides permanently on-site;</p> <p>c. <u>The visitor accommodation is set back 10m from any boundary</u><sup>147</sup> <u>and</u></p> <p>d. <u>The visitor accommodation is not located within the Airport 50dB Noise Control Overlay.</u></p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. When compliance with any of GRUZ-R15.1.a or <u>GRUZ-R15.1.b</u> is not achieved: DIS</p> <p><u>2A. When compliance with GRUZ-R15.1.c is not achieved: NC.</u></p> <p>3. When compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement</p> <p><b>Notification</b></p> <p>4. <u>Absent its written approval, any application under GRUZ-R15.2A shall be notified to Christchurch International Airport Limited.</u></p>

<sup>143</sup> Clause 16(2) amendment in response to the evidence of HortNZ

<sup>144</sup> DPR-0205.005 Lincoln University and DPR-0213.005 Plant and Food and Landcare

<sup>145</sup> DPR-0353.242 HortNZ

<sup>146</sup> DPR-0142.051 NZ Pork and DPR-0353.242 HortNZ

<sup>147</sup> DPR-0353.244 HortNZ

	<p><b>And this activity complies with the following rule requirements:</b></p> <p>GRUZ-REQ10 Sensitive Activity Setback from Intensive Primary Production</p> <p>GRUZ-REQ11 Sensitive Activity Setback from Mineral Extraction</p>	
<b>GRUZ-R18A</b>	<b>Rural Tourism Activity</b>	
<b>PREC11</b>	<p><b>Activity Status:</b> PER</p> <p>1. The establishment of a new, or expansion of an existing rural tourism activity.</p> <p><b>Where this activity complies with the following rule requirements:</b></p> <p>GRUZ-REQ6 Hours of operation</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. When compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement.<sup>148</sup></p>
<b>GRUZ-R17</b>	<b>Free Range Poultry Farming</b>	
	<p><b>Activity status:</b> PER</p> <p>1. The establishment of a new, or expansion of an existing free range poultry farming activity.</p> <p><i><b>Note:</b> Poultry farming for commercial purposes that meets the definition of intensive primary production <u>shall be considered under GRUZ-R18.</u></i><sup>149</sup></p>	<p><b>Activity status when compliance not achieved:</b> N/A</p>
<b>GRUZ-R21</b>	<b>Mineral Extraction</b>	
	<p><b>Activity Status:</b> RDIS</p> <p>1. The establishment or expansion of: <del>any new mine mining or quarrying activity, or</del>  <u>A. The establishment or expansion of a</u><sup>150</sup> farm quarry that exceeds an area of extraction of 1,500m<sup>2</sup>; <del>or</del>  <u>B. Associated activities to the principal use as a mining or quarrying activity that involve the recovery of aggregate products.</u><sup>151</sup></p> <p><b>Where:</b></p> <p>a. The activity is set back from the notional boundary of any lawfully established residential activity or visitor accommodation, or the site boundary of any lawfully established community or educational facility, <u>except where those sensitive activities are located on the same site</u><sup>152</sup>, by:</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>3. Activity status when compliance with any of GRUZ-R21.1 is not achieved: DIS</p>

<sup>148</sup> DPR-0346.005 Ceres Professional Trustee Company Ltd & Sally Jean Tothill

<sup>149</sup> DPR-0422.271 Federated Farmers

<sup>150</sup> Clause 16 (2)

<sup>151</sup> DPR-0415.017 Fulton Hogan

<sup>152</sup> DPR-0122.020 Frews Quarries Ltd

	<ul style="list-style-type: none"> <li>i. 200m for any excavation associated with mining, or extracting or <u>winning aggregate</u>;<sup>153</sup> and</li> <li>ii. 500m for any activity involving blasting; and</li> <li>iii. 500m for any processing or <u>aggregate recovery</u>.<sup>154</sup></li> </ul> <p>b. The activity is setback from the boundary of any residential zone by 500m.</p> <p><b>Matters for discretion:</b></p> <p>2. The exercise of discretion in relation to GRUZ-R21.1 is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>a. Effects on amenity values <u>and rural character</u><sup>155</sup> during the establishment, <del>and</del> operation <u>and rehabilitation</u> of the site from the scale and intensity of the mineral extraction, including any cumulative effect, the location of buildings and plant, <del>but excluding those caused by dust.</del><sup>156</sup></li> <li>b. The preparation and <u>implementation</u> of a site rehabilitation plan. This <del>may</del> <u>shall</u> include, but is not limited to: <ul style="list-style-type: none"> <li>i. the end use of the site, <u>which should be suitable for an alternative use that maintains or enhances the amenity of the surrounding area</u> and methods used to achieve this;</li> <li>ii. <u>measures to mitigate potential instability of land and susceptibility to subsidence and erosion;</u></li> <li>iii. <u>duration and staging of rehabilitation to minimise the period of any adverse amenity affects, such as dust nuisance;</u><sup>157</sup> and</li> <li>iv. The methods used to rehabilitate the site and any effects that may arise from the method and end use.</li> </ul> </li> <li><del>c. The safety and efficiency of the surrounding land transport infrastructure; and</del><sup>158</sup></li> <li>d. Effects on important infrastructure including compliance with NZECP34:2001, and bird strike risk on aircraft if located within 13km of a Christchurch International Airport runway.</li> </ul>	
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<sup>153</sup> DPR-0415.017 Fulton Hogan

<sup>154</sup> DPR-0415.017 Fulton Hogan

<sup>155</sup> DPR-0407.052 and 62 Forest and Bird

<sup>156</sup> DPR-0032.035 CCC and DPR-0260.173 ECAN

<sup>157</sup> DPR-0032.036 and 037 CCC

<sup>158</sup> DPR-0215.061 Winstone Aggregates

	<p><b>N.B. Notes:</b></p> <p><u>1</u> This rule does not apply to Forestry Quarrying as regulated under the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</p> <p><u>2</u> This rule does not apply to rehabilitation activities associated with existing mineral extraction activities. Refer to the Earthworks Chapter for more information on <u>that activity</u>.<sup>159</sup></p>	
<b>GRUZ-R22</b>	<b>Amenity Planting</b>	
	<p><b>Activity Status:</b> PER</p> <p>1. The establishment of new, or expansion of existing amenity planting.</p> <p><b>Where this activity complies with the following rule requirements:</b>  GRUZ-REQ16 Springfield Airfield Height Restriction  EI-REQ23 West Melton Aerodrome Height Restriction  EI-REQ24 Planting Setback Restriction near Significant Electricity Distribution Line<sup>160</sup></p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. Activity status when compliance with Rule Requirement is not achieved: Refer to relevant Rule Requirement</p>
<b>GRUZ-R23</b>	<b>Woodlots</b>	
	<p><b>Activity Status:</b> PER</p> <p>1. The establishment of new, or expansion of an existing woodlot.</p> <p><b>Where this activity complies with the following rule requirements:</b>  GRUZ-REQ16 Springfield Airfield Height Restriction  EI-REQ23 West Melton Aerodrome Height Restriction  EI-REQ24 Planting Setback Restriction near Significant Electricity Distribution Line<sup>161</sup></p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. Activity status when compliance with Rule Requirement is not achieved: Refer to relevant Rule Requirement</p>
<b>GRUZ-R25</b>	<b>Shelterbelt</b>	
	<p><b>Activity Status:</b> PER</p> <p>1. The establishment of new, or expansion of an existing shelterbelt.</p> <p><b>Where this activity complies with the following rule requirements:</b>  GRUZ-REQ16 Springfield Airfield Height Restriction  EI-REQ23 West Melton Aerodrome Height Restriction  EI-REQ24 Planting Setback Restriction near Significant Electricity Distribution Line<sup>162</sup></p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. Activity status when compliance with Rule Requirement is not achieved: Refer to relevant Rule Requirement</p>

<sup>159</sup> DPR-0215.061 Winstone Aggregates

<sup>160</sup> DPR-0367.132 Orion

<sup>161</sup> DPR-0367.132 Orion

<sup>162</sup> DPR-0367.132 Orion

GRUZ-R26	<b>Conservation Activity</b>  <b>Activity Status:</b> PER 1. The establishment of new, or expansion of an existing conservation activity.  <b>Where this activity complies with the following rule requirements:</b> GRUZ-REQ16 Springfield Airfield Height Restriction EI-REQ23 West Melton Aerodrome Height Restriction EI-REQ24 Planting Setback Restriction near Significant Electricity Distribution Line <sup>163</sup>	<b>Activity status when compliance not achieved:</b> 2. Activity status when compliance with Rule Requirement is not achieved: Refer to relevant Rule Requirement
GRUZ-R27	<b>Aircraft and Helicopter Movements Ancillary to Rural Production</b>  <b>Activity status:</b> PER 1. Aircraft movements and helicopter movements <del>for</del> <u>associated with</u> purposes ancillary to rural production including topdressing, spraying, stock management, fertiliser application, and frost mitigation, <u>including the incidental landing and take-off of helicopters during their normal course of operations.</u> <sup>164</sup>  <b>Note:</b> <del>Aircraft and helicopter movements are also provided for in the Temporary Activities and the SKIZ Chapter.</del> <sup>165</sup>	<b>Activity status when compliance not achieved:</b> N/A
GRUZ-R28	<b>Helicopter Landing Areas and Airfields</b>  <b>Activity status:</b> PER ...  <b>Notes:</b> <del>1 NB:</del> Aircraft movements and/or helicopter movements for purposes ancillary to rural production, including topdressing, spraying, stock management, fertiliser application, and frost mitigation, undertaken on the same site as the site of the helicopter landing areas and/or airfield are exempt from rule requirements listed above.	...
GRUZ-R31	<b>Camping Grounds</b>  <b>Activity Status:</b> PER 1. The establishment of a new, or the expansion of an existing camping ground facility.	<b>Activity status when compliance not achieved:</b> 2. When compliance with any of GRUZ-R31.1a is not achieved: DIS

<sup>163</sup> DPR-0367.132 Orion

<sup>164</sup> DPR-0181.001 Ravensdown

<sup>165</sup> DPR-0353.252 HortNZ

	<p><b>Where:</b></p> <p>a. The camping ground facility is permitted within a Reserve Management Plan, approved under the Reserves Act 1977, <u>and</u></p> <p>b. <u>The camping ground facility is not located in the Christchurch International Airport 50 dB Ldn Noise Control Overlay</u> <sup>166</sup></p> <p><b>And this activity complies with the following rule requirements:</b></p> <p>GRUZ-REQ10 Sensitive Activity Setback from Intensive Primary Production</p> <p>GRUZ-REQ11 Sensitive Activity Setback from Mineral Extraction</p>	<p><u>3. When compliance with any of GRUZ-R31.1b is not achieved: NC</u></p> <p><u>3. 4 When compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement</u></p> <p><b>Notification</b></p> <p><u>5. Absent its written approval, any application arising from GRUZ-R31.3 shall be notified to Christchurch International Airport Limited.</u> <sup>167</sup></p>
<b>GRUZ-R33</b>	<b>Community Facility</b>	
	<p><b>Activity Status:</b> DIS</p> <p>1. The establishment of a new or expansion of an existing Community Facility.</p> <p><b>Where:</b></p> <p><u>a. The activity does not provide overnight accommodation if it is located within the Airport 50dB Noise Control Overlay.</u></p>	<p>Activity status when compliance not achieved: <del>NA</del></p> <p><u>2. When compliance with GRUZ-R33.1.a is not achieved: NC</u></p> <p><b>Notification</b></p> <p><u>3. Absent its written approval, any application arising from GRUZ-R33.2 shall be notified to Christchurch International Airport Limited</u> <sup>168</sup></p>
<b>GRUZ-R36</b>	<b>Educational Facility</b>	
	<p><b>Activity Status:</b> NC</p> <p>1. The establishment of a new, or the expansion of an existing educational facility, <u>excluding educational facilities that are directly associated with a research activity and are a permitted activity</u> under GRUZ-R13. <sup>169</sup></p>	<p><b>Activity status when compliance not achieved:</b> N/A</p>
<b>GRUZ-R36A</b>	<b>Ellesmere Motor Racing Club</b>	
<b>SCA-EMRC</b>	<p><b>Activity Status:</b> PER</p> <p><u>1. The establishment of new, or expansion of existing non-habitable structures and their associated use. This includes but is not limited to storage sheds, pit workshops, race control, club rooms, spectator viewing facilities, ticket offices, food and beverage outlets and toilets.</u></p>	<p><b>Activity status when compliance not achieved:</b></p> <p><u>2. When compliance with any of GRUZ-R36A.1a, GRUZ-R36A.1.b or GRUZ-R36A.1.c is not achieved: DIS</u></p> <p><u>3. When compliance with GRUZ-R26A.1.d is not achieved: Refer to relevant rule</u> <sup>170</sup></p>

<sup>166</sup> DPR-0371.078 CIAL

<sup>167</sup> DPR-0371.078 CIAL

<sup>168</sup> DPR-0371.078 CIAL

<sup>169</sup> DPR-0342.013 AgResearch

<sup>170</sup> DPR-0382.001 and 004 EMRC



	<p><b>Where:</b></p> <p>a. There shall be no permanent building located within the 20m boundary setback from Southbridge Dunsandel Road;</p> <p>b. Any building used for the purpose of race control, clubrooms, or pit workshops is restricted to the race building area only;</p> <p>c. Vehicle access to the site, excluding for spectator meetings, is via the main entrance. <del>and</del></p> <p>d. <del>The development and operation of the Ellesmere Speedway within SCA-EMRC shall otherwise comply with the relevant rules in the Earthworks, Signs, Transport, Light, Hazardous Substances, and Natural Hazards Chapters.</del></p>	
<b>GRUZ-R37</b>	<b>Landfill</b>	
	<p><b>Activity Status:</b> <del>NC-DIS</del></p> <p>1. The establishment of a new, or the expansion of an existing landfill.<sup>171</sup></p> <p><b>Where:</b></p> <p>a. <del>The landfill is not located within 13km of a runway at Christchurch International Airport.</del></p>	<p><b>Activity status when compliance not achieved:</b> <del>N/A</del></p> <p>1. <del>When compliance with GRUZ-R37.1.a is not achieved: NC</del></p> <p><b>Notification</b></p> <p>3. Absent <del>its</del> written approval, any application arising from GRUZ-R37.2 shall be notified to Christchurch International Airport Limited.<sup>172</sup></p>

## GRUZ-Rule Requirements

<b>GRUZ-REQ1</b>	<b>Building Coverage</b>	
<b>GRUZ (Excluding PREC11)</b>	<p>...</p> <p><del>For the purposes of this requirement, the following are excluded from the calculation of building coverage Excludes:</del><sup>173</sup></p> <p>a. temporary activities and public amenity structures</p> <p>b. <del>tunnel houses, shadehouses and greenhouses</del><sup>174</sup></p> <p>c. <del>movable pig shelters, including farrowing huts 10m<sup>2</sup> in area and less than 2m in height.</del><sup>175</sup></p> <p>d. <del>artificial crop protection structures.</del><sup>176</sup></p>	...

<sup>171</sup> DPR-0122.023 Frews Quarries Ltd and DPR-0422.280 Federated Farmers

<sup>172</sup> DPR-0371.078 CIAL

<sup>173</sup> CI16(2) amendment for clarity

<sup>174</sup> DPR-0353.265 HortNZ

<sup>175</sup> DPR-0096.001 John Frizzell, DPR-0353.265 HortNZ and DPR-0142.03 and 075 NZ Pork

<sup>176</sup> DPR-0353.265 HortNZ

<b><u>PREC11</u></b>	<p>5 The building coverage on a site shall not exceed:</p> <p>a. <u>A maximum of 20%</u> <sup>177</sup></p> <p><u>For the purposes of this requirement, the following are excluded from the calculation of building coverage Excludes:</u> <sup>178</sup></p> <p>a. <u>temporary activities and public amenity structures</u></p> <p>b. <u>tunnel houses, shadehouses and greenhouses</u></p> <p>c. <u>movable pig shelters, including farrowing huts 10m<sup>2</sup> in area and less than 2m in height,</u> <sup>179</sup></p> <p>d. <u>artificial crop protection structures.</u> <sup>180</sup></p>	<p><b><u>Activity status when compliance not achieved:</u></b></p> <p>6 <u>When compliance with any of GRUZ-REQ1.5 is not achieved: RDIS</u></p> <p><b><u>Matters for discretion:</u></b></p> <p>7 <u>The exercise of discretion in relation to GRUZ-REQ1.6 is restricted to the following matters:</u></p> <p>a. <u>GRUZ-MAT2 Building Coverage</u></p> <p>b. <u>NH-MAT5 Wildfire</u></p> <p><b><u>Notification:</u></b></p> <p>8 <u>Any application arising from GRUZ-REQ1.6 shall not be subject to public notification.</u></p>
<b>GRUZ-REQ2</b>	<b>Structure Height</b>	
<b><u>GRUZ (excluding PREC11)</u></b>	<p>1. The height of any structure when measured from ground level shall not exceed:</p> <p>a. <u>9m for any building designed or used for human occupation;</u></p> <p>b. <u>12m for any other structure or building, except <u>frost fans and</u> <sup>181</sup> silos; <del>or</del></u></p> <p>c. <u>15 for frost fans, inclusive of their blades; or</u> <sup>182</sup></p> <p>d. <u>25m for silos.</u></p> <p><u>For the purposes of this requirement, the calculation of height shall not include any chimney, mast, aerial, or other structure attached to the outside of the structure. Excludes any chimney, mast, aerial, or other structure attached to the outside of the building.</u> <sup>183</sup></p>	...
<b><u>PREC11</u></b>	<p>4. The height of any structure when measured from ground level shall not exceed:</p> <p>a. <u>15m, except silos; or</u></p> <p>b. <u>25m for silos.</u></p>	<p><b><u>Activity status when compliance not achieved:</u></b></p> <p>5 <u>When compliance with any of GRUZ-REQ2.4 is not achieved: RDIS</u></p> <p><b><u>Matters for discretion:</u></b></p> <p>6 <u>The exercise of discretion in relation to GRUZ-REQ2.5 is restricted to the following matters:</u></p>

<sup>177</sup> DPR-0346.007 Ceres Professional Trustee Company Ltd and Sally Jean Tothill

<sup>178</sup> CI16(2) amendment for clarity

<sup>179</sup> DPR-0096.001 John Frizzell, DPR-0353.265 HortNZ and DPR-0142.03 and 075 NZ Pork

<sup>180</sup> DPR-0353.265 HortNZ

<sup>181</sup> Clause 10(2)(b) consequential amendment

<sup>182</sup> DPR-0353.267 HortNZ

<sup>183</sup> CI16(2) amendment for clarity

	<u>For the purposes of this requirement, the calculation of height shall not include any chimney, mast, aerial, or other structure attached to the outside of the structure. Excludes any chimney, mast, aerial, or other structure attached to the outside of the building.</u> <sup>184</sup>	a. <u>GRUZ-MAT1</u> b. <u>NH-MAT5.2 Wildfire</u>  <b>Notification:</b> <u>7 Any application arising from GRUZ-REQ2.5 shall not be subject to public notification.</u> <sup>185</sup>		
GRUZ-REQ4	Structure Setbacks			
GRUZ-TABLE1 Structure Setbacks				
Structure Type	Internal Boundary	Road Boundary with Arterial/Strategic Road	Road Boundary with Other Road	
Any other structure excluding irrigators, <u>pump sheds</u> <sup>186</sup> , stock fences, fences less than 2m in height, stock water troughs, and flag poles	5m	10m	10m	
<u>Artificial Crop Protection Structures and Crop Support Structures less than 6m in height where green or black cloth is used on any vertical faces</u> <sup>187</sup>	<u>3m</u>	<u>5m</u>	<u>5m</u> <sup>188</sup>	
<u>Residential units</u> <sup>189</sup> <u>Seasonal worker accommodation</u> <sup>190</sup>	<u>30m</u>	<u>20m</u>	<u>10m</u> <sup>191</sup>	
Any accessory building	5m	10m	10m	
Any other building	5m	20m	10m	
GRUZ-REQ4B	Landscaping			
PREC11 <sup>192</sup>	1. A landscape strip of at least 6m width shall be provided on all road boundaries, except for the western road boundary where the landscape strip shall be of at least 3m width, and shall be planted with exotic and/or native species with a minimum of one tree per 10m of road frontage and the intervening spaces planted in shrubs that grow to a maximum of 4m in height. All trees shall be capable of reaching at least 8m in maturity, except for southern boundaries which shall not exceed 4m at maturity.	Activity status when compliance not achieved: 4. When compliance with <u>any of GRUZ-REQ4B.1</u> is not achieved: RDIS <u>5. When compliance with any of GRUZ-REQ4B.2 or GRUZ-REQ4B.3 is not achieved: DIS</u>		

<sup>184</sup> CI16(2) amendment for clarity<sup>185</sup> DPR-0346.008 Ceres Professional Trustee Company Ltd and Sally Jean Tothill<sup>186</sup> DPR-0390.095 RIL<sup>187</sup> DPR-0353.277 HortNZ<sup>188</sup> DPR-0353.277 HortNZ<sup>189</sup> DPR-0353.280 HortNZ<sup>190</sup> Consequential change FS030 CIAL<sup>191</sup> DPR-0353.280 HortNZ<sup>192</sup> DPR-0346.009 Ceres Professional Trustee Company Ltd and Sally Jean Tothill

	<p>2. The hardstand <u>coverage on a site</u> shall not exceed a maximum of 45% of the total site area.</p> <p>3. All planting shall be maintained, and any dead, diseased, or damaged plants shall be removed and replaced.<sup>193</sup></p>	<p><b>Matters for discretion:</b></p> <p>6. The exercise of discretion in relation to GRUZ-REQ4B.4 is restricted to the following matters:</p> <p>a. Alternative landscape treatments proposed.</p>
GRUZ-REQ6	<b>Hours of Operation</b>	
	<p>1. <del>Any business activity shall only occur between 0700 and 1900.</del><sup>194</sup> <u>The unloading or loading of vehicles or the receiving of customers or deliveries only occurs between 0700 and 1900 on any day.</u></p>	...
GRUZ-REQ7	<b>Full Time Equivalent Staff</b>	
	<p>1. <del>Any business activity shall have no more than two full time equivalent staff.</del> <u>No more than two full time equivalent staff who are not permanent residents of the site are working on the site at any one time.</u><sup>195</sup></p>	...
GRUZ-REQ8	<b>Intensive Primary Production Setback</b>	
	<p>1. All paddocks, <del>hard stand areas</del>, structures, buildings and areas of paved or otherwise impervious material<sup>196</sup> used to house stock, and <u>any</u> wastewater treatment systems associated with intensive primary production, shall be located a minimum distance of 300m from the notional boundary of any lawfully established existing sensitive activity on another site, and 1km from any residential zone.</p> <p>N.B. the measurement shall be taken from the outside extent of the building or structure.</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. When compliance with any of GRUZ-REQ8.1 is not achieved: RDIS</p> <p><b>Matters for discretion:</b></p> <p>3. The exercise of discretion in relation to GRUZ-REQ8.2 is restricted to the following matters:</p> <p>a. The effect on amenity from any discharge of odour or dust;</p> <p>b. The location of the <del>building, yard, or paddock,</del> <u>building, structure or impervious area</u> housing stock;</p> <p>c. The design of the building housing stock;</p> <p>d. The location and design of the <del>effluent storage area</del> <u>wastewater treatment system</u>; <del>and</del></p> <p>e. Any mitigation proposed to reduce the effect or dispersion of odour or dust; <del>and</del></p>

<sup>193</sup> DPR-0346.009 Ceres Professional Trustee Company Ltd and Sally Jean Tothill

<sup>194</sup> DPR-0205.004 Lincoln University, DPR-00213.004 Plant and Food and DPR-0342.011 Landcare and AgResearch

<sup>195</sup> DPR-0353.272 HortNZ

<sup>196</sup> DPR-0142.079 NZ Pork

		<p>f. <del>The effect on amenity values from traffic movements.</del><sup>197</sup></p> <p><b>Notification:</b></p> <p>4. Any application arising from GRUZ-REQ8.2 shall not be subject to public notification</p>
<b>GRUZ-REQ9</b>	<b>Intensive Primary Production Location Plan</b>	
	<p>1. Intensive primary production shall be undertaken in accordance with a detailed plan showing the location of:</p> <p>a. all paddocks, <del>structures, or buildings</del> <del>hard stand areas, and areas of paved or otherwise impervious material structures, or buildings</del><sup>198</sup> used to house stock, and</p> <p>b. <u>any</u> wastewater treatment systems associated with the intensive primary production.</p> <p>...</p>	...
<b>GRUZ-REQ10</b>	<b>Sensitive Activity Setback from Intensive Primary Production</b>	
	<p>1. <del>The</del> <u>Any newly established</u><sup>199</sup> sensitive activity shall be setback 300m from the closest outer edge of any paddocks, <del>structures, or buildings</del> <del>hard stand areas, and areas of paved or otherwise impervious material structures, or buildings</del><sup>200</sup> used to hold or house stock, and wastewater treatment systems used for intensive primary production.</p> <p><b>Notes:</b></p> <p><u>1</u> The establishment of residential units, <u>seasonal worker accommodation</u><sup>201</sup>, or minor residential units on the same site as the intensive primary production are exempt from this rule requirement.</p> <p><u>2</u> The establishment of an educational facility <u>that is part of a primary production Research Activity is exempt from this rule requirement.</u><sup>202</sup></p>	....

<sup>197</sup> DPR-0368.042 Beef + Lamb & DINZ, DPR-0342.018 AgResearch and DPR-0420.028 Synlait Ltd

<sup>198</sup> Consequential DPR-0142.079 NZ Pork

<sup>199</sup> DPR-0207.068 SDC

<sup>200</sup> Consequential DPR-0142.079 NZ Pork

<sup>201</sup> DPR-0142.050 NZ Pork and DPR-0353.262 HortNZ

<sup>202</sup> DPR-0342.020 AgResearch

GRUZ-REQ11	Sensitive Activity Setback from Mineral Extraction	
	<p>1. <del>The</del> Any<sup>203</sup> sensitive activity <del>established after 19 August 2023</del><sup>204</sup> shall be set back from <del>to</del><sup>205</sup> any lawfully established, <u>authorised</u><sup>206</sup> or operational mine or quarry <del>post the decision date of this District Plan</del><sup>207</sup>, or any operational mine or quarry located on any property listed in GRUZ-SCHED1 by:</p> <ul style="list-style-type: none"> <li>a. 200m to any <u>authorised</u> excavation <u>associated with mining, extracting or winning aggregate</u> <del>(excluding excavation for the purpose of avoiding or mitigating adverse effects); and</del><sup>208</sup></li> <li>b. 500m to any <u>authorised</u> processing <u>or aggregate recovery</u>; and</li> <li>c. 500m to any <u>authorised</u><sup>209</sup> activity that involves blasting.</li> </ul> <p><b>Notes:</b></p> <p>1. <i>The establishment of residential units, or minor residential units on the same site as the mine or quarry are exempt from this rule requirement.</i></p> <p>...</p>	...
GRUZ-REQ13	Aircraft and Helicopter Movements	
	<p>1. There shall be no more than <u>a total of</u> four aircraft <del>movements and/or</del> <u>and</u> helicopter movements per day <del>and twenty aircraft movements and/or helicopter movements per week</del><sup>210</sup></p>	...

## GRUZ- Matters for Control or Discretion

GRUZ-MAT2	Building Coverage
	<p>1. Effect on <del>streetscape</del> <u>the</u> spacious character of the zone, and the outlook of surrounding sensitive activities.<sup>211</sup></p> <p>...</p>
GRUZ-MAT3	Internal Boundary Setback
	<p>1. Effects on privacy or dominance of adjoining sites.</p>

<sup>203</sup> DPR-0207.069 SDC<sup>204</sup> DPR-0207.069 SDC<sup>205</sup> DPR-0207.069 SDC<sup>206</sup> DPR-0415.012 Fulton Hogan<sup>207</sup> DPR-0207.069 SDC<sup>208</sup> Consequential change to ensure consistency with GRUZ-R21.<sup>209</sup> DPR-0415.012 Fulton Hogan<sup>210</sup> DPR-0297.005 Clover Hill Charitable Trust<sup>211</sup> DPR-0353.279 HortNZ

	...
	7. The extent to which <del>the any</del> reduced setback <u>will result in</u> reverse sensitivity effects on primary production <u>or</u> activities that directly support primary production <del>cause or exacerbate reverse sensitivity effects with adjoining rural activities.</del> <sup>212</sup>
<b>GRUZ-MAT4</b>	<b>Road Boundary Setback</b>
	1. Any potential effect on the safety, <u>effectiveness</u> <sup>213</sup> and efficiency of the adjoining road network.
	...

## GRUZ-Schedules

<b>GRUZ-SCHED1 - Mineral Extraction Sites <del>Subject to a</del> where a setback for sensitive activities applies <del>Reverse Sensitivity Buffer</del></b> <sup>214</sup>	
<b>Address</b>	<b>Legal Description</b>
107 Dawsons Road/ 220 Jones Road ( <u>Royden Quarry</u> )	RS 6475 and RS 6324, Lot1 DP 4031, RS 6342, Sec.7 SO 510345, RS 5381 and Sec.6 SO 510345. <sup>215</sup>
<b>GRUZ-SCHED2 - Residential Density – Specific Control Area</b>	
<b>Specific Control Area</b>	<b>Minimum size of a site (per residential unit)</b>
SCA-RD19 - 42 Gerkins Road, Tai Tapu	4ha <sup>216</sup>

<b>GRUZ-SCHED3 - Code of Practice for Able Bodied Seasonal Workers</b>
<b><u>Code of practice for seasonal worker accommodation in respect of New Zealand Building Code requirements for access and facilities for people with disabilities</u></b>
<b><u>Introduction</u></b> <u>This code of practice has been prepared by representatives of the horticulture and viticulture industries with involvement from the Department of Building and Housing, the Department of Labour and representatives of building consent authorities.</u>
<b><u>Objective</u></b> <u>This code of practice seeks to outline agreed industry practice when building or converting buildings to accommodate seasonal workers, including those in New Zealand under the Recognised Seasonal Employer Scheme (RSE). The code of practice aims to foster a common sense approach to the requirements for access and sanitary facilities for people with disabilities, while preserving access rights established in the Building Act 2004 and the Building Code.</u>
<u>By outlining certain industry undertakings in respect of provisions for people with disabilities in seasonal worker accommodation, the code of practice also seeks to outline a possible decision making process for building consent authorities that buildings intended to accommodate certain seasonal workers will comply with the</u>

<sup>212</sup> DPR-0353.281 HortNZ<sup>213</sup> DPR-0375.190 Waka Kotahi NZTA<sup>214</sup> DPR-0415.021 Fulton Hogan<sup>215</sup> DPR-0415.022 Fulton Hogan<sup>216</sup> DPR-0444.001 Andover Ltd

Building Act and the Building Code. This would allow building consent authorities to interpret section 118(1)(a) of the Building Act 2004 in a way that would result in buildings intended solely to accommodate seasonal workers not being required to have access and sanitary provisions for people with disabilities.

By complying with this code of practice and by providing other necessary information and evidence, it is anticipated that applicants for building consents (usually growers) will be able to demonstrate to building consent authorities that persons who rely on wheelchairs for movement would not be expected to visit or work in certain seasonal worker accommodation, or to carry out their normal activities and processes in those buildings, which would satisfy the requirements of section 118(1)(a).

For the purposes of this code of practice:

- *seasonal worker accommodation* is defined as a building intended solely to house temporarily those farm, orchard and vineyard workers who do not rely on a wheelchair for movement; and
- the certain *seasonal workers* referred to are those workers undertaking seasonal work and who are unable to undertake the required work if they rely on wheelchairs for movement.

### **Background**

The government introduced the RSE Scheme in April 2007, which allows employers in the horticulture and viticulture industries to alleviate critical seasonal worker shortages by employing temporary migrants, primarily from the Pacific Islands. In the first year, 5,000 places have been allocated, and it is likely that this number will grow as the scheme matures. To be eligible for the RSE Scheme, workers must be fully fit and be able to move without a wheelchair. The need to provide accommodation for RSE workers has led to many employers erecting new buildings or converting or relocating existing ones for this purpose.

The issue has emerged of whether such buildings need to have access and sanitary facilities for people with disabilities. In some cases, the absence of such facilities has led to building consent problems.

In May 2008, the Department of Building and Housing, together with the Department of Labour, hosted a forum with representatives of the horticulture and viticulture industries, as well as building consent authorities, to help facilitate the development of a code of practice for *seasonal worker accommodation* that would seek to address these problems.

### **Scope**

This code of practice applies to buildings, including new, relocated and altered buildings, that are intended solely to *accommodate seasonal workers* in farms, orchards and vineyards, including those in New Zealand under the RSE Scheme.

This code applies throughout New Zealand and to buildings of all types, including removable buildings.

This code only applies to buildings intended for “short term accommodation”. Short term accommodation is defined as buildings in which no one person will reside for longer than six months at any one time.

This code does not apply to any building that might be used at any time to accommodate people not engaged in seasonal work.



**Code of practice – industry best practice**

1. All buildings proposed to accommodate *seasonal workers* will comply fully with all the relevant clauses of the New Zealand Building Code. The interpretation of section 118(1)(a) of the Building Act 2004 suggested in this code of practice, if accepted by the building consent authority, will mean that access and sanitary facilities for people with disabilities will not be required where the workers are required by the nature of their employment to be able to move without wheelchairs.
2. Where the buildings will accommodate *seasonal workers* under the RSE Scheme, the industry will abide by the rules of the scheme and any agreements as to living conditions for workers that have been agreed with the Department of Labour.
3. Any processing or factory facilities will be treated as if there is potential for wheelchair users to access and work in those buildings.
4. In the event that a worker becomes reliant on a wheelchair for movement, or is otherwise disabled, either temporarily or permanently, through accident or illness and requires accessible sanitary or other facilities, the industry accepts that alternative accommodation will be provided for any period for which it remains appropriate for the worker to be engaged.
5. Building owners agree to only accommodate people in *seasonal worker accommodation* who, by the nature of their employment, do not rely on a wheelchair for movement. In the event that the building containing *seasonal worker accommodation* is proposed to accommodate other employees or to undergo a change of use so that this code of practice would no longer apply, then the building owner undertakes to approach the relevant territorial authority and to address any additional requirements for the building's new use. This may include triggering the requirement to provide access and facilities for people with disabilities under section 115 of the Act.
6. Any building consent applications for *seasonal worker accommodation* that intend to refer to this code of practice should be lodged with the code enclosed. The industry acknowledges that this code of practice is not legally binding and that the final decision in each case rests with the building consent authority.

**Acknowledgement**

This code of practice has been developed and endorsed by:

Horticulture New Zealand

Trevelyan's, Tauranga

Seeka Kiwifruit Industries

Wine Marlborough

KGI, Bay of Plenty

Seasonal Solutions, Otago

This code of practice was developed with involvement from:

Department of Building and Housing

Department of Labour (Immigration New Zealand)

Hastings and Marlborough District Councils

**Part 2 – District Wide Matters**

## Energy, Infrastructure and Transport

## EI – Energy and Infrastructure

## EI-Rules

<b>EI-REQ24</b>	<b><u>Planting Setback Restriction near Significant Electricity Distribution Line</u></b>	
<b>GRUZ</b>	<u>1, Planting shall be set back a minimum of 5m from the centreline of any of Significant Electricity Distribution Line or the species at full maturity will be a maximum of 3m in height.</u>	<p><b><u>Activity status when compliance not achieved:</u></b></p> <p><u>2. When compliance with EI-REQ24.1 is not achieved: NC</u></p> <p><b><u>Notification:</u></b></p> <p><u>3. Any application arising from EI-REQ24 shall not be subject to public notification and shall be limited notified to the following parties: the network utility operator with responsibility for the Significant Electricity Distribution Line, unless their written approval is provided.</u><sup>217</sup></p>

## TRAN – Transport

## TRAN-Rules

<b>TRAN-R4</b>	<b>Vehicle crossings</b>	
<b>GRUZ</b>	<p>Activity status: PER</p> <p>1 The establishment of a vehicle crossing.</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. ...</li> <li>b. The vehicle crossing does not service any: <ul style="list-style-type: none"> <li>i. Service station;</li> <li>ii. Truck stop; or</li> </ul> </li> </ul>	<p><b>Activity status where compliance is not achieved:</b></p> <p>...</p>

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<sup>217</sup> DPR-0367.130 to 133 Orion

	iii. Activity that generates more than 40vm/d <u>or, in PREC11 - Rural Services Precinct, 250vm/d</u> <sup>218</sup>	
	...	
<b>TRAN-R7</b>	<b>Rural vehicle movements and associated parking</b>	
<b>GRUZ (excluding PREC11)</b> <sup>219</sup>	<b>Activity Status: PER</b> 1. Vehicle movements associated with any activity. ...	....

## TRAN-Rule Requirements

<b>TRAN-REQ9</b>	<b>On-site parking</b>	
<b>CMUZ</b> <b>GIZ</b> <b>RESZ</b> <b>PREC11</b> <sup>220</sup>	1. On-site parking spaces are formed to comply with the minimum dimensions listed in <a href="#">TRAN-TABLE10</a> and illustrated in <a href="#">TRAN-DIAGRAM13</a> . ...	....
<b>TRAN-REQ11</b>	<b>Cycle parks and facilities</b>	
<b>CMUZ</b> <b>GIZ</b> <b>RESZ</b> <b>PREC11</b> <sup>221</sup>	1. All activities shall comply with: ...	....
<b>TRAN-REQ12</b>	<b>Vehicle loading areas</b>	
<b>CMUZ</b> <b>GIZ</b> <b>RESZ</b> <b>PREC11</b> <sup>222</sup>	1. Each site that is used for a non-residential activity that generates more than 4hvm/d shall provide one on-site loading space. ...	....
<b>TRAN-REQ15</b>	<b>Queuing spaces</b>	
<b>CMUZ</b> <b>GIZ</b> <b>RESZ</b> <b>PREC11</b> <sup>223</sup>	1. An on-site queuing space is provided for all vehicles entering or exiting any parking or loading area. ...	....

<sup>218</sup> DPR-0346.011 Ceres Professional Trustee Company Ltd and Sally Jean Tohill<sup>219</sup> DPR-0346.012 Ceres Professional Trustee Company Ltd and Sally Jean Tohill<sup>220</sup> DPR-0346.013 Ceres Professional Trustee Company Ltd and Sally Jean Tohill<sup>221</sup> DPR-0346.014 Ceres Professional Trustee Company Ltd and Sally Jean Tohill<sup>222</sup> DPR-0346.015 Ceres Professional Trustee Company Ltd and Sally Jean Tohill<sup>223</sup> DPR-0346.016 Ceres Professional Trustee Company Ltd and Sally Jean Tohill

TRAN-REQ17	Surface of vehicle parks and loading areas	
CMUZ GIZ KNOZ PORTZ PREC11 <sup>224</sup>	1. All vehicle parking, loading and associated access required for non-residential activities shall be formed, sealed, and drained.  ...	....
GRUZ ( <u>excluding PREC11</u> ) <sup>225</sup>	6. Any on-site vehicle parking or loading areas located between the road frontage and the main entrance for any educational facility or any activity involving the retailing of goods and services to the public shall be either metalled or sealed.	....

## Historical and Cultural Values

## SASM – Sites and Areas of Significance to Māori

## SASM-Rules

SASM-R5	Mineral Extraction	
Wāhi Tapu Overlay Wāhi Taonga Overlay Ngā Tūranga Tūpuna Overlay	<b>Activity status:</b> RDIS 1. The establishment of a new, or the expansion of <u>an existing an a mineral extraction activity</u> mine, quarrying activity, or farm quarry. <sup>226</sup> ...	....

## Natural Environment Values

## NFL – Natural Features and Landscapes

## NFL-Rules

NFL Rule List	
...	
NFL-R4	<u>Quarry/Mining Mineral Extraction</u> <sup>227</sup>

<sup>224</sup> DPR-0346.017 Ceres Professional Trustee Company Ltd and Sally Jean Tohill

<sup>225</sup> DPR-0346.017 Ceres Professional Trustee Company Ltd and Sally Jean Tohill

<sup>226</sup> DPR-0415.003 Fulton Hogan

<sup>227</sup> DPR-0415.003 Fulton Hogan

## General District Wide Matters

## NOISE – Noise

## NOISE-Objectives and Policies

**NOISE-P6**

Manage noise sensitive activities establishing near the Darfield Gun Club and Ellesmere Motor Racing Club <sup>228</sup>to protect the Clubs from reverse sensitivity effects.

## NOISE-Rules

<b>NOISE-R15</b>	<b>Noise Sensitive Activity within the Ellesmere Speedway Noise Control Overlay</b>	
<b>Ellesmere Speedway Inner Noise Control Overlay</b>	<p><b>Activity status: PER</b></p> <ol style="list-style-type: none"> <li>1. Within the <b>Ellesmere Speedway</b> Inner Noise Control Overlay:               <ol style="list-style-type: none"> <li>i. <u>New noise sensitive activities shall be designed and constructed to achieve a minimum external to internal noise reduction of 30 dB Dtr 2m nT w to any internal habitable space, excluding bedrooms.</u></li> <li>ii. <u>The noise reduction shall be achieved at the same time as the ventilation requirements of the New Zealand Building Code.</u></li> </ol> </li> </ol> <p><u>To demonstrate compliance, a design report (including calculations) prepared by a suitably qualified acoustic engineer shall be submitted to the Council with the application for Building Consent.</u></p>	<p><b>Activity status when compliance not achieved:</b>  <u>When compliance with any of NOISE-R15.1.a. i and ii is not achieved: RDIS</u></p> <p><b>Matters for discretion:</b>  <u>The exercise of discretion in relation to NOISE-R15.2. is restricted to the following matters:</u></p> <ol style="list-style-type: none"> <li>a. <u>The extent to which the site is predicted to be affected by noise from motorised speedway activities carried out at the Ellesmere Speedway.</u></li> <li>b. <u>The extent to which any noise from outdoor motor racing activities carried out at the Ellesmere Speedway Club will have on all habitable spaces, excluding bedrooms.</u></li> <li>c. <u>The extent to which noise sensitive activities will give rise to reverse sensitivity in relation to the activities undertaken at the Ellesmere Speedway.</u></li> <li>d. <u>The extent of environmental effects as a result of any noise mitigation measures required in order to meet the standards</u></li> </ol>

<sup>228</sup> DPR-0382.006 EMRC Consequential change

**Notes**

1: Within the Ellesmere Speedway Inner Noise Control Overlay there are rules to mitigate the effects of motorsport noise within internal building spaces. Within the Ellesmere Speedway Outer Noise Control Overlay there are no Rules, but residents are encouraged to consider installing mechanical ventilation so that windows can be kept closed. Within both overlays, noise from motor sport activities will also be audible outside of buildings to a varying degree. When constructing new residential units, residents are encouraged to consider orientating outdoor living spaces away from the Ellesmere Motor Racing Club. Where this is not practical, solid continuous walls or fencing encircling the outdoor space, can be used to help mitigate noise..<sup>229</sup>

NOISE-R16	Ellesmere Speedway Motor Racing Club	
<b>SCA-EMRC</b>	<p><b>Activity Status:</b> PER</p> <p>1. Motor sport activity at the Ellesmere Speedway.</p> <p><b>Where:</b></p> <p>a. The total number of advertised speedway meetings open to the public for spectator events does not exceed 15 days or 75 hours, whichever is greater, within a period of one year; and</p> <p>b. The total number of training days not otherwise advertised to the public does not exceed 20 days or 60 hours, whichever is greater, within a period of one year; and</p> <p>c. The use of the speedway track for motor sport activity shall occur only between the hours of 1000 and 2000 and no more than 3 times in any 7-day period.</p> <p>d. The records of speedway meetings and days the speedway track is used for training purposes is held by the Ellesmere Motor Racing Club and is made available on request by the Selwyn District Council.</p> <p>e. No vehicles shall exceed 95 dba LAFmax. Measured from 25m on the infield from the pole line on the fastest part of the straight. The noise meter shall be held not less than 1m above the ground.</p> <p><b>Where this activity complies with the following rule requirements:</b></p> <p>NOISE-REQ3 Event Management Plan<sup>230</sup></p>	<p><b>Activity status when compliance not achieved:</b></p> <p>2. When compliance with any of NOISE-R16.1 is not achieved: DIS</p> <p>3. When compliance with any rule requirement is not achieved: Refer to relevant Rule Requirement</p>

## NOISE-Rule Requirements

NOISE-REQ3	Event Management Plan	
<b>SCA-EMRC</b>	<p>1. An event day operational plan (the Event Management Plan (EMP)) is required to be developed by the EMRC and submitted to the Council for certification that the matters set out in this rule are addressed prior to the first race being undertaken following the</p>	<b>Activity status when compliance not achieved:</b>

<sup>229</sup> DPR-0382.006 EMRC

<sup>230</sup> DPR-0382.006 EMRC

	<p><u>Proposed District Plan being made operative. The EMP will be provided for certification no later than one month prior to the first event.</u></p> <p>2. <u>The EMP will specifically include a Noise Management Plan which, as a minimum, <b>must</b> address the following components:</u></p> <ul style="list-style-type: none"> <li>a. <u>Hours of operation</u></li> <li>b. <u>Number of anticipated race days, practice days etc per year</u></li> <li>c. <u>Types of permitted vehicles</u></li> <li>d. <u>Race vehicle noise level scrutineering procedure</u></li> <li>e. <u>Staff/volunteer training</u></li> <li>f. <u>Public communication</u></li> <li>g. <u>Noise monitoring</u></li> <li>h. <u>Complaints procedure</u></li> <li>i. <u>Management plan review process.</u></li> </ul> <p>3. <u>The EMP will specifically include a section on transport, including provisions related to:</u></p> <ul style="list-style-type: none"> <li>a. <u>The requirement for a Transport Management Plan (TMP) to be finalised at least one month prior to an Event and to be operational for every event anticipated to generate more than 50 vehicle movements in any given hour. The TMP shall show how transport and traffic aspects of events will be managed to reduce or mitigate any adverse effects.</u></li> <li>b. <u>The goal of the TMP is to avoid, mitigate and manage the potential adverse effects of event related traffic on the wider neighbourhood. The objectives of the TMP shall be:</u> <ul style="list-style-type: none"> <li>i. <u>to manage the potential impact of events at the site;</u></li> <li>ii. <u>to ensure that residents are able to access their properties at all times during events days;</u></li> <li>iii. <u>to ensure that arterial roads continue to function and do not experience excessive congestion as a result of event related activity;</u></li> <li>iv. <u>to ensure emergency vehicle access, both to the ground and the surrounding neighbourhood, is maintained at all times;</u></li> <li>v. <u>to ensure the TMP is reviewed on a regular basis.</u></li> </ul> </li> </ul> <p>3. <u>The EMP will specifically include a section on communication, including provisions related to:</u></p>	<p>2. <u>When compliance with any of NOISE-REQ3 is not achieved: DIS<sup>232</sup></u></p>
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<sup>232</sup> DPR-0382.001 EMRC

	<p>a. <u>Ensuring ongoing community liaison to inform each household within the <a href="#">Ellesmere Speedway Noise Control Overlays</a> of forthcoming events and related arrangements not less than two times per year. The timing, manner and extent of distribution of information shall be undertaken after consultation with the Council.</u></p> <p>b. <u>Providing a contact telephone number to be maintained and advertised by the <a href="#">Ellesmere Motor Racing Club</a> for the purposes of enabling residents to contact the <a href="#">Ellesmere Motor Racing Club</a> or gain assistance. The telephone number shall be implemented in such a way that ensures all callers can make contact with event organisers without delay.</u></p> <p>c. <u>Developing a protocol to effectively and promptly deal with any complaints arising, including, but not limited to, noise, lighting, litter, and the actions of spectators.</u> <sup>231</sup></p>	
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<sup>231</sup> DPR-0382.006 EMRC



## Appendix 2: List of Appearances and Tabled Evidence

### Hearing Appearances

Sub #	Submitter	Author	Role
DPR-0033	Davina Louise Penny	Davina Penny Anne Marie Youngman	Self Witness
DPR-0048	Brian Thompson & Helen Davey		
DPR-0128	Joyce Family Trust		
DPR-0150	Barry Moir		
DPR-0166	Saunders family Trust	E Saunders S Saunders Ivan Thomson Andrew Craig	Representative Representative Planning Landscape
DPR-0184	Mike Ransome		
DPR-0346	Ceres Professional Trustee Company Ltd & Sally Jean Tothill	Amanda Dewar Nicola Rykers Sue McManaway	Counsel Planning Landscape
DPR-0353	Horticulture New Zealand	Lynette Wharfe	Planning
DPR-0359	Fire and Emergency New Zealand	Jessica Mangos Louisa Armstrong	Representative Planning Planning
DPR-0367	Orion New Zealand Limited	Jo Appleyard Amy Hill Garry Heyes Melanie Foote	Counsel Counsel Representative Planner
DPR-0370	Fonterra Limited	Susannah Tait	Planning
DPR-0371	Christchurch International Airport Limited (CIAL)	Jo Appleyard Amy Hill Laura McNeill Felicity Blackmore Matt Bonis	Counsel Counsel Acoustic Representative Planning
DPR-0382	Ellesmere Motor Racing Club (EMRC)	Gordon Rattray Tim Joll Jon Farren	Representative Planning Acoustic
DPR-0385	Aviation New Zealand	Bill MacGregor	Representative
DPR-0415	Fulton Hogan Limited	Tim Ensor	Planning
DPR-0422	Federated Farmers of NZ - North Canterbury	Dr Lionel Hume	Representative
DPR-0437	The Stations	Patricia Hart	Planning
DPR-0444	Andover Limited	Jessica Ottawa Wendy Chartres-Mogine	Counsel Landscape
DPR-0446	Transpower New Zealand Limited	Rebecca Eng Ainsley McLeod	Representative Planning
DPR-0453	Midland Port, Lyttelton Port Company Limited (LPC)	Jo Appleyard Amy Hill Kim Kelleher Matt Bonis	Counsel Counsel Representative Planner
DPR-0472	Gourlie Family		
DPR-0481	Graeme and Virginia Adams		

**Tabled Evidence**

<b>Sub #</b>	<b>Submitter</b>	<b>Author</b>	<b>Role</b>
DPR-0181	Ravensdown	Susannah Tait	Planning
DPR-0205	Lincoln University	Hamish Osborne	Planning
DPR-0212	ESAI	Carey Barnett	Representative
DPR-0213	Plant and Food & Landcare Research	Hamish Osborne	Planning
DPR-0260	CRC	Ashlee Robinson	Planning
DPR-0297	Clover Hill Charitable Trust	Graham Taylor	Planning
DPR-0313	Glen McDonald	Self	
DPR-0342	AgResearch	Graeme Mathieson	Planning
DPR-0370	Fonterra Limited	Susannah Tait	Planning
DPR-0372	Dary Holdings Limited	Ben Williams	Counsel
DPR-0390	Rakaia Irrigation Limited		
DPR-0378	Ministry of Education	Kate Graham	Planning
DPR-0432	Birchs Village Ltd	Alex Booker	Counsel
DPR-0441	Manawa Energy	Romae Calland	Planning
DPR-0448	NZDF	Rebecca Davies	Planning