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Change 60: Rural Business

Decisions and Reasons

Final Decision 607.1

C60.830.3	Fulton Hogan Ltd	Allow
C60.3974.3	Aggregate and Quarry Assn of NZ (AQA)	Disallow
<i>Disallow</i>	FC60.4065.3	
C60.3974.4	Aggregate and Quarry Assn of NZ (AQA)	Disallow
<i>Disallow</i>	FC60.4065.4	
C60.3974.5	Aggregate and Quarry Assn of NZ (AQA)	Allow In Part
<i>Allow in Part</i>	FC60.4065.5	
C60.3974.6	Aggregate and Quarry Assn of NZ (AQA)	Allow In Part
<i>Allow in Part</i>	FC60.4065.6	
C60.3974.7	Aggregate and Quarry Assn of NZ (AQA)	Allow In Part
<i>Allow in Part</i>	FC60.4065.7	
C60.3974.8	Aggregate and Quarry Assn of NZ (AQA)	Allow In Part
<i>Allow in Part</i>	FC60.4065.8	
C60.3974.9	Aggregate and Quarry Assn of NZ (AQA)	Disallow
<i>Disallow</i>	FC60.4065.9	
C60.3974.10	Aggregate and Quarry Assn of NZ (AQA)	Disallow
<i>Disallow</i>	FC60.4065.10	
C60.3974.11	Aggregate and Quarry Assn of NZ (AQA)	Disallow
<i>Disallow</i>	FC60.4065.11	
C60.3974.12	Aggregate and Quarry Assn of NZ (AQA)	Disallow
<i>Disallow</i>	FC60.4065.12	
C60.3974.13	Aggregate and Quarry Assn of NZ (AQA)	Disallow
<i>Disallow</i>	FC60.4065.13	
C60.3974.14	Aggregate and Quarry Assn of NZ (AQA)	Disallow
<i>Disallow</i>	FC60.4065.14	
C60.3974.15	Aggregate and Quarry Assn of NZ (AQA)	Disallow
<i>Disallow</i>	FC60.1076.7 FC60.4065.15	
C60.3974.16	Aggregate and Quarry Assn of NZ (AQA)	Disallow
<i>Disallow</i>	FC60.4065.16	
C60.3974.17	Aggregate and Quarry Assn of NZ (AQA)	Disallow
<i>Disallow</i>	FC60.4065.17	
C60.3997.3	Borlase Transport Ltd	Allow
C60.3997.5	Borlase Transport Ltd	Allow
C60.3997.6	Borlase Transport Ltd	Allow In Part
C60.4017.3	GP Investments Ltd	Disallow
C60.4058.3	New Zealand Hops Ltd	Allow
C60.4058.4	New Zealand Hops Ltd	Allow In Part
C60.4058.5	New Zealand Hops Ltd	Allow In Part
<i>Disallow</i>	FC60.2864.26	
C60.4058.6	New Zealand Hops Ltd	Allow
<i>Disallow</i>	FC60.2864.28	
C60.4058.8	New Zealand Hops Ltd	Allow In Part
C60.4058.9	New Zealand Hops Ltd	Allow
C60.4068.4	Rural Contractors NZ Inc. (RCNZ)	Allow In Part
<i>Disallow</i>	FC60.2864.18	
C60.4068.6	Rural Contractors NZ Inc. (RCNZ)	Allow In Part
<i>Disallow</i>	FC60.2864.20	
C60.4068.7	Rural Contractors NZ Inc. (RCNZ)	Allow In Part
<i>Disallow</i>	FC60.2864.22	

Plan Amendments

Topic : 7.1.2.1

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No Plan Amendments.

Topic : 7.1.2.2

Amend objective 7.1.2.2 to replace "the highest" with "high".

Topic : 7.1.2.3

Amend objective to:

"Retention of opportunities primarily for plant and animal production or other land-derived production on land that has varying productive value, identified as the Rural 2 Zone."

Topic : 7.1.3.6D

Amend policy to:

"To discourage commercial, industrial and rural industrial activities in the Rural 1 and Rural 2 Zones, except where the activity is directly associated with plant and animal production in the District or is required for a business activity having a significant functional need to locate in the rural area."

Topic : 7.1.3.2

1. No Plan amendments.

Topic : 7.1.30

Insert in fifth paragraph of explanation after the words: "particularly those that" the words: "support animal and plant production and are efficiently located in rural areas, and that".

Topic : 7.2.2.3

Delete objective and replace with:

"Retention of opportunities for rural industrial development that is appropriately located in rural areas for production-related industries, in the form of the Rural Industrial Zone."

Topic : 7.2.2.2

Replace the first word of the objective ("Provision") with "Retention" and add reference to the Rural 3 Zone.

Topic : 7.2.3.2

Amend policy by adding to the end of clause (ea): ", existing development capacity and the transportation network".

Topic : 7.2.30

Add to Principal Reasons and Explanation:

"Opportunities for rural industry which supports plant and animal production are provided for in the District, including for new development in appropriate locations with growing demand for processing and distribution

Topic : 17.5.20

Add new paragraph to Principal Reasons for Rules:

"The Rural 1 and Rural 2 Zones are generally not appropriate for accepting the potential cumulative effects of business activities, either outside zoned locations for them or where they are more appropriately located in industrial or mixed business zones. This is because the primary purpose of these zones is to support the use of productive land for plant and animal production. Business activity associated with plant and animal production and with efficient locations with capacity and for transport links may be appropriate."

Reasons

1. It is not appropriate for the objective all intended rural land uses concerning productive opportunity to be qualified by one class of rural activity.
2. A qualified test of a significant functional need to locate rural business activity in the rural area is accepted for some policies, and this allows the strength of this need to be resolved as appropriate at zoning and consenting decisions.

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3. The objective for Rural 2 zone can appropriately acknowledge land-derived production as well as plant and animal production as the primary purpose.
4. It is disproportionate for broad planning objectives relating to one resource value, to give specific activity exceptions from the primary purposes for Rural 1 and Rural 2 zones.
5. Neither proposed objectives 7.1.2.4 and 7.1.2.5 are appropriate as objectives, they may be beyond the scope of C60 and one is beyond the scope of the RMA.
6. An additional reason for rules recognises efficiencies of location as well as production links, for rural business activities.
7. Amendments sought to Policy 7.1.3.7 may be beyond the scope of C60; the hard rock resource is the most significant mineral resource needing coverage by the policy which is implemented by the Quarry Area and Residential Activity Exclusion Area rules.
8. Four new policies are either already implemented, already covered by existing policy, not appropriate as operational actions are specified, contrary to an operative policy not part of C60 regarding quarrying on land of high productive value, are unnecessarily specific to an activity broadly addressed by the framework, or may be beyond the scope of C60.
9. Amendments to Policy 7.1.3.2 account for further relevant functional efficiencies for rural industrial development locations to be supported.
10. Amendment to Objective 7.2.2.3 provides consistency with the objectives and policies of 7.2.
11. Amendment to Reasons 7.1.30 provides consistency with the objectives and policies of 7.1.

Final Decision 607.2

C60.830.4 <i>Disallow</i>	Fulton Hogan Ltd FC60.3974.3	Disallow
C60.2864.6	Horticulture New Zealand	Allow
C60.3974.2 <i>Disallow</i>	Aggregate and Quarry Assn of NZ (AQA) FC60.4065.2	Disallow
C60.3997.7	Borlase Transport Ltd	Allow In Part
C60.4002.3	Butts, Robert J	Disallow
C60.4002.5	Butts, Robert J	Disallow
C60.4017.4	GP Investments Ltd	Allow
C60.4040.5	Lang, Christian	Allow
C60.4055.2	Nalder, Sheryl	Allow
C60.4059.2	Osmaston, Richard	Allow
C60.4065.7	Port Tarakohe Services Ltd	Disallow
C60.4065.11	Port Tarakohe Services Ltd	Disallow
C60.4065.15	Port Tarakohe Services Ltd	Allow In Part
C60.4065.16	Port Tarakohe Services Ltd	Disallow
C60.4068.2 <i>Allow</i>	Rural Contractors NZ Inc. (RCNZ) FC60.4133.1	Disallow
C60.4068.3	Rural Contractors NZ Inc. (RCNZ)	Disallow

Plan Amendments**Topic : 2.2**

1. Amend definition of 'rural industry' to:
"Rural industrial activity - means the use of land and buildings for an industrial activity that depends on produce harvested from plant and animal production, or the sea, or any other land-derived product, including any sawmill, timber treatment plant, abattoir, stockyard, packhouse, cold storage, rural contractor's depot, and the processing of minerals and quarry products."

Reasons

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1. The concept of "land-based marine industrial activity" is not distinguishable in effects terms from the rest of industrial including rural industrial activity and there is no effects management rationale for regulating this activity more stringently in rural zones than other industrial development.
2. Rural industrial activity is always the primary purpose for the land and there is no need to exclude onsite packing from it; SER 601 recommends including this in plant and animal production.

Final Decision 607.3

C60.3974.1	Aggregate and Quarry Assn of NZ (AQA)	Allow In Part
<i>Allow in Part</i>	FC60.4065.1	

Plan Amendments**Topic : 2.2**

1. Amend definition of 'quarrying' by inserting "ancillary buildings, including caretaker's accommodation" after "any mineral extract on the site," to read:
"Quarrying – means any land disturbance required for the extraction of any mineral including any rock, gravel, or sand, and includes any on-site storage or processing of any mineral extracted on the site and any ancillary building, including caretaker's accommodation, but does not include:
(a) prospecting or exploration as defined in the Crown Minerals Act 1991 where no earthworks using machinery are carried out; or
(b) construction or alteration of a bore."

Reasons

For the meaning of quarrying, onsite selling of aggregate products is not itself an industrial activity, and this and processing of material brought from other locations (eg. reprocessing demolition waste to reuse aggregate) would generate a potentially wide range of site-specific effects, chiefly more noise and traffic, and neither has a clear functional association with the principal activity.

Final Decision 607.4

C60.4068.10	Rural Contractors NZ Inc. (RCNZ)	Disallow
<i>Allow</i>	FC60.806.42	
C60.4068.11	Rural Contractors NZ Inc. (RCNZ)	Disallow
<i>Allow</i>	FC60.806.43	
<i>Disallow</i>	FC60.2864.42	

Plan Amendments**Topic : Chapter 17**

No Plan amendments.

Reasons

The effects of any such rural contractor depot with 10 employees are potentially larger than the same baseline indicator for home occupations (two persons employed) and may be variable in relation to the scale of the site or level of traffic demand.

Final Decision 607.5

C60.806.41	NZ Transport Agency	Allow
C60.806.44	NZ Transport Agency	Allow In Part
<i>Disallow</i>	FC60.1076.13	
C60.806.47	NZ Transport Agency	Allow In Part
C60.806.48	NZ Transport Agency	Allow In Part
C60.830.5	Fulton Hogan Ltd	Disallow
<i>Allow</i>	FC60.806.23	
<i>Disallow</i>	FC60.3974.9	

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C60.830.6	Fulton Hogan Ltd		Disallow
<i>Allow</i>	FC60.806.24		
<i>Disallow</i>	FC60.1076.12	FC60.3974.10	
C60.830.7	Fulton Hogan Ltd		Disallow
<i>Allow</i>	FC60.806.25		
<i>Disallow</i>	FC60.3974.11		
C60.830.8	Fulton Hogan Ltd		Disallow
<i>Allow</i>	FC60.806.26		
<i>Disallow</i>	FC60.3974.12		
C60.1076.2	Ravensdown Fertiliser Co-Operative Ltd		Disallow
<i>Allow</i>	FC60.806.30		
C60.1521.27	Federated Farmers of NZ (Inc.)		Allow In Part
<i>Disallow</i>	FC60.806.34		
C60.1521.28	Federated Farmers of NZ (Inc.)		Allow In Part
<i>Disallow</i>	FC60.806.35	FC60.1076.11	
C60.1521.29	Federated Farmers of NZ (Inc.)		Allow In Part
<i>Disallow</i>	FC60.806.36		
C60.3996.4	Boomerang Farm Ltd/M Wratten		Disallow
<i>Allow</i>	FC60.2864.33		

Plan Amendments**Topic : 17.5.2.1**

Amend condition (a)(xiv) to:

"the maintenance, repair, storing, or parking of more than two heavy vehicles with a gross laden weight of 3,500 kilograms or more (except those heavy vehicles that are directly associated with plant and animal production), that are being used for or in connection with any commercial, industrial or rural industrial activity."

Topic : 17.6.2.1

Amend condition (a)(xii) to:

"the maintenance, repair, storing, or parking of more than two heavy vehicles with a gross laden weight of 3,500 kilograms or more (except those heavy vehicles that are directly associated with plant and animal production), that are being used for or in connection with any commercial, industrial or rural industrial activity."

Topic : 17.7.2.1

Amend condition (b)(xii) to:

"the maintenance, repair, storing, or parking of more than two heavy vehicles with a gross laden weight of 3,500 kilograms or more (except those heavy vehicles that are directly associated with plant and animal production), that are being used for or in connection with any commercial, industrial or rural industrial activity."

Topic : 17.8.2.1

Amend condition (a)(vi) to:

"the maintenance, repair, storing, or parking of more than one heavy vehicles with a gross laden weight of 3,500 kilograms or more that are being used for or in connection with any commercial, industrial or rural industrial activity."

Reasons

The increase in vehicle numbers serves to reduce risk of increasing dispersed heavy vehicle usage on site connected with other sites as part of a rural business, with its associated risk of cross-boundary noise and traffic movements.

Final Decision 607.6

C60.1521.33	Federated Farmers of NZ (Inc.)	Allow
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C60.4032.17	Jelf, Iona	Allow In Part
C60.4032.18	Jelf, Iona	Disallow

Plan Amendments**Topic : Chapter 17**

Amend conditions 17.5.2.2, 17.6.2.2 and 17.7.2.2 (b)(iv) to:
"is not bottle or scrap storage, rubbish collection or the composting of animal body parts;"

Reasons

Animal processing as a home occupation (currently excluded as "meat processing" in the rural residential zone) can have a set of effects within the current permitted baseline for this activity in the rural zones. Odour should not be expected under other regulatory controls, and contamination risk is regulable under the Plan's discharge rules.

Final Decision 607.7

C60.1076.3	Ravensdown Fertiliser Co-Operative Ltd	Allow In Part
C60.4065.14	Port Tarakohe Services Ltd	Allow In Part

Plan Amendments**Topic : 2.2**

Add a new definition:
"Local road – means a legal road owned by the Council."

Topic : Chapter 17

Amend condition 17.5.2.9(d), 17.6.2.9(c) and 17.7.2.6(c) to:
"Where a commercial, industrial or rural industrial activity gains access from a local road (other than a rural arterial class road), the activity does not operate between the hours of 10.00 pm and 6.00 am, unless the traffic generated is directly associated with plant and animal production."

Reasons

The night hours of operation for rural business restriction has been confined to certain classes of road for access, to balance the amenity risk with flexibility leading to more appropriate locations for these activities.