

607 Change 60: Rural Business

Evaluation Overview

Several submitters seek expanded recognition of their particular rural business interests in locating and developing activities in the rural area. These include rural contracting, horticultural products processing and quarrying and aggregate processing industries. Submissions request amendments to meanings of rural industrial activity, quarrying, and amendments to and new rural development objectives and policies in sections 7.1 and 7.2. Submissions also seek amendments to a number of rural zone rules for home occupations, heavy vehicle storage, rural business hours of operation and quarry setbacks for dwellings.

In evaluating the submissions, submissions seeking new recognition of functional need for a rural location in the planning framework have been recommended to be allowed only in a limited and qualified way. The primacy of productive opportunity in the current framework means that functional need for any rural business should not be unqualified. For the requests to amend the various rules, some amendment to the proposed provisions is recommended, to retain the effects-basis for them, while seeking to reduce the scope of the restrictions in some cases.

Submitters are a range of rural industrial interests, including aggregate quarrying, horticultural processing, rural contractors including heavy transport, fertiliser as well as NZ Transport agency and Federated Farmers. They have concerns about the rural planning framework of objectives and policies, and specific land use restrictions including status of rural contractor sites, heavy vehicle storage and parking, and the scope of existing quarrying sites for residential setbacks. A few submissions support the proposed amended provisions.

The requests focus on amendments for or affecting rural industrial development generally, quarrying, rural contractors and heavy vehicle storage and parking. Submitters seek amendments to or new provisions for:

- The meaning of "rural industrial" activity and associated new meanings of "marine industry" and "rural contractor depot", and "quarrying" activity
- Objectives 7.1.2.1, 7.1.2.2, 7.1.2.3 and the explanation for the provisions, regarding exceptions for a functional need to be in the rural area
- Expansion of Objective 7.2.2.3 to expand rural industrial locations in the rural area
- Policies 7.1.3.2, 7.1.3.6D, 7.1.3.7 and 7.2.3.1 regarding exceptions for a functional need to be in the rural area and for provision of wider quarry resource recognition (despite policy 7.1.3.7 not being part of C60)
- Policy 7.2.3.2 and the explanation 7.2.30 to acknowledge that for rural industrial development, locations have additional needs than only the connection with plant production
- Three new objectives for provision for minerals quarrying and aggregates production
- Five new policies regarding investigating aggregate resources, quarrying on high productive value land, and how certain environmental effects of quarrying would be assessed
- Restrictions on certain home occupation types
- Permitted "small scale" rural contractor activities
- The proposed restriction on storage or parking or other activity for heavy vehicles used for rural business activity in the rural zones
- The restriction on hours of operation for any discretionary rural business
- Non-complying "land-based marine industrial activity"
- Rule reasons supporting additional needs for rural industrial activities locating in rural areas.

Submissions Dealt with in this Report

C60.806.41	NZ Transport Agency	17.5.2.1	Amend proposed unpermitted activity 17.5.2.1(a)(xiv) by replacing "parking of more than one heavy vehicle" with "parking of more than three heavy vehicles".
C60.806.44	NZ Transport Agency	17.6.2.1	Amend proposed unpermitted activity 17.6.2.1(a)(xii) by replacing "parking of more than one heavy vehicle" with "parking of more than three heavy vehicles"
<i>Oppose</i>		FC60.1076.13	
C60.806.47	NZ Transport Agency	17.7.2.1	Amend proposed unpermitted activity 17.7.2.1(b)(xii) by replacing "parking of more than one heavy vehicle" with "parking of more than three heavy vehicles".
C60.806.48	NZ Transport Agency	17.8.2.1	Retain proposed unpermitted activity 17.8.2.1(a)(vi).
C60.830.3	Fulton Hogan Ltd	2.2	Retain the proposed definition of "rural industrial activity."
C60.830.4	Fulton Hogan Ltd	7.1.3.6D	Amend proposed policy 7.1.3.6D to: "To discourage commercial, industrial and rural industrial activities in the Rural 1 zone, except where the activity is directly associated with plant and animal production or with specific productive natural resources, such as aggregates or other mineral sources."

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<i>Support</i>		FC60.3974.3	
C60.830.5	Fulton Hogan Ltd	17.5.2.1	Delete proposed unpermitted activity 17.5.2.1(a)(xiv).
<i>Oppose</i>		FC60.806.23	
<i>Support</i>		FC60.3974.9	
C60.830.6	Fulton Hogan Ltd	17.6.2.1	Delete proposed unpermitted activity 17.6.2.1(a)(xii).
<i>Oppose</i>		FC60.806.24	
<i>Support</i>		FC60.3974.10	
C60.830.7	Fulton Hogan Ltd	17.7.2.1	Delete proposed unpermitted activity 17.7.2.1(a)(xii).
<i>Oppose</i>		FC60.806.25	
<i>Support</i>		FC60.3974.11	
C60.830.8	Fulton Hogan Ltd	17.8.2.1	Delete proposed unpermitted activity 17.8.2.1(a)(vi).
<i>Oppose</i>		FC60.806.26	
<i>Support</i>		FC60.3974.12	
C60.1076.2	Ravensdown Fertiliser Co-Operative Ltd	17.6.2.1	Delete proposed unpermitted activity (a)(xii).
<i>Oppose</i>		FC60.806.30	
C60.1076.3	Ravensdown Fertiliser Co-Operative Ltd	17.6.2.9	Delete condition (c) or alternatively define the words "local road".
C60.1521.27	Federated Farmers of NZ (Inc.)	17.5.2.1	Retain proposed condition (a)(xiv).
<i>Oppose</i>		FC60.806.34	
C60.1521.28	Federated Farmers of NZ (Inc.)	17.6.2.1	Retain proposed condition (a)(xii).
<i>Oppose</i>		FC60.1076.11	
C60.1521.29	Federated Farmers of NZ (Inc.)	17.7.2.1	Retain proposed condition (b)(xii).
<i>Oppose</i>		FC60.806.36	
C60.1521.33	Federated Farmers of NZ (Inc.)	Chapter 17	Amend proposed conditions 17.5.2.1(iv), 17.6.2.1(b)(iv) and 17.7.2.1(c)(iv) by deleting the words "or animal body part processing".
C60.2864.6	Horticulture New Zealand	2.2	Amend the proposed definition of "rural industrial activity by inserting the following sentence at the end: "It does not include packing of produce produced on site where produced."
C60.3974.1	Aggregate and Quarry Assn of NZ (AQA)	2.2	Amend the current definition of "quarrying" as follows: "... or processing of any mineral extracted on site, blasting, distributing and selling mineral products, removing and depositing overburden, treating stormwater and waste water, landscaping and rehabilitation works, including cleanfilling, recycling or reusing aggregate from demolition waste such as concrete, masonry, or asphalt, accessory buildings and structures, ancillary residential accommodation for caretaking and on-site security; and site offices" and delete all other words after "on the site".
<i>Support</i>		FC60.4065.1	
C60.3974.2	Aggregate and Quarry Assn of NZ (AQA)	2.2	Amend the proposed definition of "rural industrial activity" by deleting the words "and the processing of minerals and quarry products."
<i>Support</i>		FC60.4065.2	
C60.3974.3	Aggregate and Quarry Assn of NZ (AQA)	7.1.2	Insert new objective 7.1.2.4: "To ensure there is a sustainable supply of minerals and aggregates to enable people and communities to provide for their

economic, social and cultural wellbeing.”

Support	FC60.4065.3
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C60.3974.4	Aggregate and Quarry Assn of NZ (AQA)	7.1.2	Insert new objective 7.1.2.5: “To ensure that existing and future quarrying activities are not unnecessarily compromised.”
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Support	FC60.4065.4
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C60.3974.5	Aggregate and Quarry Assn of NZ (AQA)	7.1.2.1	Amend proposed objective 7.1.2.1 to: “Except where rural land is deferred for urban use or requiring for an activity that has a functional need to locate in rural areas (e.g. quarrying), avoiding...”
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Support	FC60.4065.5
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C60.3974.6	Aggregate and Quarry Assn of NZ (AQA)	7.1.2.2	Amend proposed objective 7.1.2.2 to: “... identified as the Rural 1 Zone, except where rural land is required for an activity that has a functional need to locate in rural areas (e.g. quarrying).”
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Support	FC60.4065.6
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C60.3974.7	Aggregate and Quarry Assn of NZ (AQA)	7.1.2.3	Amend proposed objective 7.1.2.3 to: “... identified as the Rural 2 Zone, except where rural land is required for an activity that has a functional need to locate in rural areas (e.g. quarrying).”
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Support	FC60.4065.7
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C60.3974.8	Aggregate and Quarry Assn of NZ (AQA)	7.1.3.2	Amend proposed policy 7.1.3.2 to: “... purposes in rural areas, unless there is a functional need for the activity to locate in rural areas (e.g. quarrying).”
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Support	FC60.4065.8
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C60.3974.9	Aggregate and Quarry Assn of NZ (AQA)	7.1.3.6	Insert a new policy 7.1.3.6G: “To enable quarrying in rural areas to access underlying aggregate resources, subject to reinstatement of the land to the same (or similar) high productive value following aggregate extraction (if practicable).”
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Support	FC60.4065.9
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C60.3974.10	Aggregate and Quarry Assn of NZ (AQA)	7.1.3.7	Amend proposed policy 7.1.3.7 to: “To protect areas of specific resource value, such as quarry resources for existing and future quarrying purposes, and to locate...”
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Support	FC60.4065.10
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C60.3974.11	Aggregate and Quarry Assn of NZ (AQA)	7.1.3	Insert new policy 7.1.3.7A: “Council will work with the regional council, industry representatives and other relevant agencies to identify and map the location of significant aggregate resources for future use.”
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Support	FC60.4065.11
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C60.3974.12	Aggregate and Quarry Assn of NZ (AQA)	7.1.3	Insert new policy 7.1.3.7B: “The efficient investigation, extraction, processing and transportation of the District’s aggregate resources will be provided for, while avoiding, remedying, or mitigating significant adverse environmental effects.”
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Support	FC60.4065.12
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C60.3974.13	Aggregate and Quarry Assn of NZ (AQA)	7.1.3	Insert new policy 7.1.3.7C: “When assessing the environmental effects of any new quarrying activities, the following is taken into consideration: (a) Aggregates are a site-specific resource, which means that aggregate extraction can only occur where the resource is found and can be economically extracted and transported to location markets. (b) Due to the nature of the activity there could be temporary adverse environmental effects, but these can be addressed through progressive rehabilitation and final reinstatement of the site where practicable;
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(c) The extraction and processing of aggregate resources may be appropriate within areas identified as having land of high productive value if there are no suitable and economically feasible alternative sites available.”

<i>Support</i>		FC60.4065.13	
C60.3974.14	Aggregate and Quarry Assn of NZ (AQA)	7.2.2	Insert a new objective 7.2.2.4: “Provision of opportunities for quarrying in rural areas (including on land of high productive value) to enable access to underlying mineral and aggregate resources.”
<i>Support</i>		FC60.4065.14	
C60.3974.15	Aggregate and Quarry Assn of NZ (AQA)	7.2.3.1	Amend proposed policy 7.2.3.1 to: “To enable activities which are not dependent on plant and animal production, to be located on land which is not of high productive value, unless there is a functional need for the activity to locate in rural areas (e.g. quarrying).”
<i>Support</i>		FC60.1076.7	
C60.3974.16	Aggregate and Quarry Assn of NZ (AQA)	7.2.3	Insert a new policy 7.2.3.1H: “In some circumstances, quarrying may need to establish on land which is of high productive value to extract mineral aggregate resources (prior to reinstatement).”
<i>Support</i>		FC60.4065.16	
C60.3974.17	Aggregate and Quarry Assn of NZ (AQA)	7.50.3	Amend proposed Environmental Result Anticipated 7.50.3 to: “Continued access to a sustainable supply of particular rural resources, such as quarry resources, to meet present and future needs.”
<i>Support</i>		FC60.4065.17	
C60.3996.4	Boomerang Farm Ltd/M Wratten	Chapter 17	Delete proposed conditions 17.5.2.1(a)(xiv) and 17.7.2.1(b).
<i>Oppose</i>		FC60.2864.33	
C60.3997.3	Borlase Transport Ltd	7.1.3.6D	Amend 7.1.3.6D to add the words “in the District” after “animal production”.
C60.3997.5	Borlase Transport Ltd	7.2.3.2	Amend 7.2.3.2(ea) to add the words “existing rural industrial buildings, infrastructure, the transport network including roading, Airport, Port and distribution networks” after the words “or production”.
C60.3997.6	Borlase Transport Ltd	7.2.30	Amend Principal Reasons and Explanation 7.2.30 to add a new second paragraph: “Opportunities for rural industry which supports and/or processes plant and animal production are provided for in the district. There is a need to provide and support the expansion of rural industries where it is appropriately located in the rural area. As plant and animal production increases, so does the demand for the expansion of established rural industrial processing and transport activities. Providing for Rural Industrial zones is one method of achieving this, however not all demands will be able to be accommodated within the existing confines of such zoning and the policy framework provides the opportunity for Council to consider such needs over time, or assess consent applications or Plan changes proposed by others”.
C60.3997.7	Borlase Transport Ltd	17.5.20	Amend Principal Reasons for Rules 17.5.20 under the subheading ‘Industrial and Commercial Activities’ to read as follows: “The Rural 1 Zone is not generally appropriate to contain or manage the cumulative effects of business activities where these activities are better located in Commercial or Industrial Zones. This is because the primary purpose of the Rural 1 Zone is to protect the site of productive land for plant and animal production activities. Where the proposed activity is related to plant and animal production, including transport and processing of such

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production, or the activity reuses existing buildings and expansion to those buildings, it may be appropriate."

C60.4002.3	Butts, Robert J	2.2	Amend definition of "rural industrial activity" to delete the words "or the sea".
C60.4002.5	Butts, Robert J	2.2	Amend to introduce a new definition for "marine industrial activity".
C60.4017.3	GP Investments Ltd	7.2.3.2	Delete proposed policy 7.2.3.2.
C60.4017.4	GP Investments Ltd	2.2	Retain the proposed definition of "rural industrial activity."
C60.4032.17	Jelf, Iona	Chapter 17	Retain the limitation on home occupation rural industrial activities in rural areas in 17.5.2.2(b)(iii), 17.6.2.2(b)(iii) and 17.7.2.2(b)(iii).
C60.4032.18	Jelf, Iona	Chapter 17	Delete restrictions on the organised processing of waste in 17.5.2.2.(b)(iv), 17.6.2.2.(b)(iv) and 17.7.2.2.(b)(iv).
C60.4040.5	Lang, Christian	Chapter 17	Encourage small-scale tourist accommodation on large blocks, i.e. greater than 20 ha.
C60.4055.2	Nalder, Sheryl	C60 GEN	Retain proposals relating to business activities in rural zones.
C60.4058.3	New Zealand Hops Ltd	7.1.3.6D	Retain proposed policy but add "in the District" at the end.
C60.4058.4	New Zealand Hops Ltd	7.1.30	Amend to add the following words to the beginning of the fourth paragraph: "To discourage commercial, industrial and rural industrial in the Rural 1 zone except where the activity is directly associated with plant and animal production in the District."
C60.4058.5	New Zealand Hops Ltd	7.2.2.3	Delete proposed objective and replace with: "Retention and expansion of Rural Industrial Zones that provide an appropriate location for production related industries in rural areas."

Oppose

FC60.2864.26

C60.4058.6	New Zealand Hops Ltd	7.2.3.2	Amend proposed new clause (ea) of the policy to: "in relation to rural-industrial development, the efficient location of the activity in association with sources of production, existing rural industrial buildings, infrastructure, the transport network including roading, airport, port and distribution networks."
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Oppose

FC60.2864.28

C60.4058.8	New Zealand Hops Ltd	7.2.30	Amend the Principal Reasons and Explanation to add a new second paragraph: "Opportunities for rural industry which supports plant and animal production are provided in the District. There is a need to provide and support the expansion of rural industries where it is appropriately located in the rural area. As plant and animal production increases, so too does the demand for the expansion of established rural industrial processing activities. Providing for Rural Industrial zones is one method of achieving this, however not all demands will be able to be accommodated within the existing confines of such zoning and the Policy framework provides the opportunity for Council to consider such needs over time or assess Consent Applications or Plan Changes proposed by others."
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C60.4058.9	New Zealand Hops Ltd	7.2.30	Amend the Principal Reasons and Explanation to add the following: "Industrial and Commercial Activities The Rural 1 zone is generally not appropriate to contain or manage the cumulative effects of business activities where these activities are better located in Commercial or Industrial zones. This is because the primary purpose of the Rural 1 Zone is to
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protect the use of productive land for plant and animal production activities. Where the proposed activity is related to plant and animal production, including the transport and processing of such production, or the activity reuses existing buildings and expansion to those buildings, it may be appropriate.”

C60.4059.2	Osmaston, Richard	C60 GEN	Retain proposed Plan change provided that rural employment opportunities are protected and enhanced.
C60.4065.7	Port Tarakohe Services Ltd	2.2	Amend the proposed definition of ‘rural industrial activity’ by deleting the words “or the sea” from the definition.
C60.4065.11	Port Tarakohe Services Ltd	2.2	Include a new definition for ‘land-based marine industrial activity’ as follows: ”Land-based marine industrial activity – means the use of land and buildings for an industrial activity that depends on produce harvested from the sea, including any aquaculture storage yard, grading plant, processing facility and marine manufacturing facility.”
C60.4065.14	Port Tarakohe Services Ltd	Chapter 17	Retain proposals in 17.5.2.9(d) and 17.6.2.9(c) that limit commercial, industrial and rural industrial activity which gains access from a local road from operating between 10.00 pm and 6.00 am in the Rural 1 and 2 zones unless the traffic is generated by agricultural machinery.
C60.4065.15	Port Tarakohe Services Ltd	17.5.20	Retain proposed new paragraph 2.
C60.4065.16	Port Tarakohe Services Ltd	Chapter 17	Assess ‘land-based marine industrial activity’ (defined as requested in submission point 11) as a non-complying activity in the Rural 1 and 2 zones.
C60.4068.2	Rural Contractors NZ Inc. (RCNZ)	2.2	Amend definition of ‘rural industrial activity’ by deleting reference to a rural contractor’s depot.
<i>Oppose</i>		FC60.4133.1	
C60.4068.3	Rural Contractors NZ Inc. (RCNZ)	2.2	Include the following definition of a ‘rural contractor’s depot’: ”Rural contractor’s depot – means the land and buildings used for the purposes of storing or maintaining machinery, equipment and associated goods and supplies associated with a rural contracting business.”
C60.4068.4	Rural Contractors NZ Inc. (RCNZ)	7.1.2.1	Amend proposed objective to: “Except where rural land is deferred for urban use or required for an activity that has a functional need to locate in rural areas (e.g. rural contractor depots), avoiding the loss of potential value for all rural land of existing and potential productive value to meet the needs of future generations, particularly land of high productive value.”
<i>Oppose</i>		FC60.2864.18	
C60.4068.6	Rural Contractors NZ Inc. (RCNZ)	7.1.2.3	Amend proposed objective to add at the end: “except where rural land is required for an activity which has a functional need to locate in rural areas (e.g. rural contractor depots).”
<i>Oppose</i>		FC60.2864.20	
C60.4068.7	Rural Contractors NZ Inc. (RCNZ)	7.1.3.2	Amend proposed policy to add at the end: “unless there is a functional need for the activity to locate in rural areas (e.g. rural contractor depots).”
<i>Oppose</i>		FC60.2864.22	
C60.4068.10	Rural Contractors NZ Inc. (RCNZ)	Chapter 17	Include in conditions 17.5.2.1(a), 17.6.2.1(a) and 17.7.2.1(b) a new unpermitted activity as follows: “A rural contractor depot that employs more than 10 persons.”

<i>Oppose</i>	FC60.806.42
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C60.4068.11 Rural Contractors NZ Inc. (RCNZ)	Chapter 17	<p>Include a new Restricted Discretionary activity rule in 17.5.2.8A, 17.6.2.8A and 17.7.2.5A for rural contractor’s depots, as follows: “A rural contractor depot that is not provided for as a permitted activity under Rule 17.5.2.1(a) is a restricted discretionary activity. A resource consent is required. Consent may be refused or conditions imposed, only in respect of the matters to which Council has restricted its discretion: (a) Effects of the safety and efficiency of the transport network. (b) Reverse sensitivity effects.”</p>
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<i>Oppose</i>	FC60.806.43
<i>Support</i>	FC60.2864.42

Evaluation and Recommendations 607.1

A. Evaluation

1.0 Issue: Status of Rural Business Activities in the Rural Area

At highest issue in the submission requests on rural business is the question of how to account for the functional need for various rurally based industrial activities to locate both in the rural area at large, and including the Rural 1 Zone, where the rural planning framework is considered inadequate in accounting for this need. These requests cite the locational links between their industries and the rural zones. These links are for most types of activities, the connection with plant and animal production, and as well, the efficiency of rural locations for processing and distribution (eg. on arterial routes) and, where existing locations including on land of high productive value have become entrenched, the matter of efficient investment in those locations. The aggregate quarrying industry is cited by submissions as a special resource value requiring quarrying to be in rural locations where such resources may be found, including under land of high productive value, and also cited is the efficiency link between quarrying and associated processing. Among concerns expressed by submitters on this issue is inadequate recognition in the objectives and policies for various rural industrial types of activities (3974, 4068), as well as limited zoned provision for the Rural Industrial zone (4058) even though this latter matter is outside C60’s scope.

The requests to elevate the status of rural business activities focus on rural industrial activities including quarrying (and its included storage and processing) and seek to qualify the sets of rural objectives and policies and reasons for these provisions. The quarrying industry (3974) supported by a local contractor (830), seeks to introduce new policies that would substantially elevate the industry’s appropriateness anywhere in the rural area.

The scheme of the current rural development planning framework in 7.1 and 7.2 as amended by C60, places top priority on productive opportunity for animal and plant production, particularly where land has high productive value, expressed in section 7.1 provisions. In section 7.2 there is recognition of rural activities other than plant and animal production with qualified provision for rural business activities as well as for rural residential development. An objective of C60 is to help in reducing adverse effects of rural commercial and industrial activities on the productive potential of land particularly with high productive value (in the Rural 1 zone) (s 32 evaluation report p 44). Further explanation of the rationale for the proposed amendments to manage rural business development in rural areas is given in the s32 report (p 43) as:

“Council’s current approach to commercial and industrial activity is to support the Commercial and Industrial zones as the preferred location for these activities in the District. In the rural areas, Council manages commercial and industrial activity that is located or best located in a rural area through zoning (Tourist Services and Rural Industrial zones) and through the resource consent process.”

The logic for this strategic approach is to limit cumulative demand on rural productive opportunity through location of built development for rural business in a dispersed pattern over productive land across rural areas, with inefficiencies of the extent of land sequestered, compared with more centralised locations either in large urban business zones at the towns, or in limited rural industrial zone locations that are appropriately positioned and sized for clustering efficiencies. A further reason underlying the current framework as amended by C60, is the greater risks by rural dispersed business development particularly industrial types, of cross-boundary amenity effects (including noise, disturbance by vehicle movements, visual effects); and greater demand on rural transportation networks, and environmental contamination from discharges that might be more effectively contained in urban networks.

However, there is no explicit accounting for the varying practical and so ultimately economic needs and so benefits for a rural location for various forms of rural industrial development that are either linked with the range of plant and animal production in the District or with mineral industries. More recent economic changes to rural plant and animal production has seen greater aggregation of processing and distribution for many horticultural crops (eg. packhouses) along with integration of operations along the value-chain of processing at the site scale. This has resulted in increased demand for additional such sites than those historically on-farm. With a dispersed rural need for processing and distribution of biomass products is the associated demand for support industries, machinery and transport contracting being a clear example.

The submissions broadly describe this link as a functional need for a rural location for rural industrial types of development.

The question to be answered in assessing options for responding to these submissions, is: what is the most appropriate spatial arrangement ahead for rural business, particularly rural industrial activities, to locate between:

- Urban zone locations
- Rural Industrial zone locations
- On dispersed individual rural sites.

The answer has to account for the varying strength of a functional need in a range of ways, including across land of high productive value, and for various types of development and their effects, and the economic efficiencies of optimising this pattern. This functional need or benefit has to be weighed alongside the potential increase in spatial effects arising from a dispersed pattern of rural business chiefly industrial activity, in the rural area. This has parallels with rural residential development, which often does not have the strength of functional need as business. A balance is to be struck between all three rural development regimes: plant and animal production; rural business and rural residential and other rural living; and. This competition is most acute in the Rural 1 zone, where it has not only high natural productive value, but usually high locational value being close to both arterial transportation and urban areas and services.

Demand for more rural industrial zone locations that would limit rural industrial dispersal by clustering of rural industrial development at more efficient scales, has not been dealt with in the Plan for nearly 20 years, and has not been addressed through C60. The submissions seek to amend only the planning framework for consenting or otherwise providing for rural industrial development, as rules requiring consents for rural business activities are not affected by C60. Existing Rural Industrial zone locations are spread within both Rural 1 and Rural 2 zones. Some are well-located in relation to servicing by transport routes, others less so, or in relation to cross-boundary risks felt by nearby properties and so with reverse sensitivity risk for existing industrial activity.

The mineral extraction and processing industry, chiefly but not exclusively aggregates, is a separate rural industry reliant on a finite pattern of resource location and economic efficiencies of onsite processing. However, this does not make a planning case for provisions that support relatively unrestricted quarrying and processing throughout the rural area as sought by submission 3974.

I address here the matter of whether some of this submission requests concerning the meaning of quarrying and for new planning provisions are within the scope of C60. The meaning of "Quarrying" is not dealt with by C60. However, quarrying is within the scope of a rural business, and the requests for new provisions broadly continue this theme as it relates to quarrying as a rural industry. I take the tentative view that these are all sufficiently "on the change", and in any event, the Council can call in aid its discretion under cl 10(2) Schedule 1 in adopting amendments that relate to the themes. I invite legal submissions on this jurisdictional point at the hearing of these submission points.

Submitter 3974 may be unaware of the planning history for addressing opportunities and issues with aggregate quarrying in the District. Contrary to the account in the submission, the Council has over 20 years ago, looked at the pattern of both aggregate and other bulk mineral resources in the District (TDC 1995: hard rock quarry aggregates and other rock resources) and at effects of gravel extraction from high productive value land (TDC 1995: Effects on soil of mineral extraction policy paper). Arising from this is the Plan's delineation of the most valuable hard rock quarry aggregate resources (the Quarry Area) together with restrictions on dwellings too close to such locations, The Plan has restrictions on gravel removal from land with high productive value and from degrading river beds where there are risks to not only soil quality, but also groundwater levels and river stability and flooding. Proposed C60 has sought to limit dwelling restrictions on all current quarries where certain amenity effects might lead to reverse sensitivity for those quarries. The current pattern of quarry sites is widely dispersed across the rural zones. Many are longstanding sites, and there are many inactive sites. Not all sites generate the same levels of amenity effects, as these effects are

influenced by the proximity and numbers of properties exposed to them.

Again, for quarrying (and processing), submissions cite the planning logic of a functional need to locate in rural areas, given from both the resource location, and the practical efficiency of onsite processing and the dispersed distribution of sites for transportation cost reasons. This is logic extended by submission 3974 to seeking a policy, one of several new policies, that would be directly contrary to an existing unaffected operative policy concerning the soil effects of gravel extraction from under land of high productive value.

2.0 Options: Status of Rural Business Activities in the Rural Area

There are three options for responding to the requests on this issue:

1. Retain the current planning position of minimising loss of productive opportunity from rural business development (but providing more structured recognition where it may be appropriate, as zoned locations or consented sites)
2. Provide for qualified recognition of the logic of a functional need to locate in the rural area in relation to certain types of location or industry or other circumstance, so that the minimising of productive opportunity loss is broadly maintained
3. Provide complete, unqualified recognition for all types of rural business to locate rurally in all locations, subject only to dealing with site boundary effects (whether or not more zoned locations provided, less accounting for productive opportunity or other effects from ongoing dispersed development).

Each of these options has relative long term benefits, costs and risks in relation to each other. Key relative differences are:

- Greater long term benefit of retained productive opportunity under option 1 than 2 and much less for option 3; but greatest process cost and risk for further dispersed rural industrial development for option 1 than for 2 and lesser still for 3
- Greater benefit for economic opportunity from more rural industrial developments locating in sites convenient to those business sectors under option 3 and lesser with option 2 and least with option 1; but greater amenity and contaminant risks and servicing demands from option 3 than for options 2 and 1.

The thrust of C60 is to entrench the priority of productive opportunity for all intended rural land in the framework in section 7.1 objectives and policies. The strength of this objective increases with land of high productive value. It is considered inappropriate to elevate particular rural activities such as rural business as exceptions to this objective, particularly in Objective 7.1.2.1 dealing with all intended rural land. The policy framework in each section can be carefully qualified to recognise varying strengths and kinds of functional need for rural business activities.

3.0 Preferred Options: Status of Rural Business Activities in the Rural Area

The preferred option is option 2, with qualified provision in the policy level of the planning framework, for a functional association with both some rural locations (connection with plant and animal production, efficiency of location for processing and distribution, servicing and transportation; quarrying sites where effects on soil and water resource values can be adequately managed) and so for types of rural industrial activities. This option is recommended as it optimises:

- additional risk from ongoing uptake of productive land by rural business development over the rural area and its incremental, dispersed opportunity costs of preventing future production, and all site environmental effects arising, with the
- additional risk of economic costs from restrictions on locating in efficiently located sites of efficient sizes, to enhance business activity in processing, distribution and transportation of plant and animal production.

This option includes some policy level qualification by the functional need to locate in rural areas but with a significance test in the qualification, to be further resolved by zoning and consenting decisions.

B. Staff Recommendations

I recommend:

1. Qualifying only objective 7.1.2.3 to account for where there may be in the Rural 2 zone, land-derived production (such as aggregates), but otherwise not recommending other amendments to objectives, nor new objectives sought
2. Qualifying only policies 7.1.3.6D and 7.2.3.2 to account for where there may be a significant functional need for rural locations of rural business activities in relation to loss of productive opportunity, such as links with plant and animal production in the District or mineral extraction and processing as land-derived production, or additional efficiencies of location, for rural industrial development, but otherwise not recommending other amendments including new policies sought
3. Amending explanations and reasons for objectives and policies to satisfy some aspects of some submissions but not to anticipated results for the rural environment

C. 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.
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.

D. Plan Amendments

Topic : 7.1.2.1

No Plan Amendments.

Topic : 7.1.2.2

No Plan Amendments.

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. Amend policy to:

"To avoid, remedy or mitigate the effects of activities which reduce the area of land available for plant and animal production purposes in rural areas."

Topic : 7.2.2.3

Amend objective to:

"Provision of rural industrial locations that provide an appropriate location for production-related industries in rural areas, in the form of the Rural Industrial Zone."

Topic : 7.2.3.2

Amend policy by:

- (a) deleting the words "or rural residential purposes (including communal living";
- (b) adding "purposes" after "papakainga" and deleting ") which any farming or other rural activity being ancillary";
- (c) deleting "and versatile" in clause (a);
- (d) 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:

"17.5.20 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."

F. Submission Recommendations

C60.830.3	Fulton Hogan Ltd	Allow
C60.3974.3 <i>Disallow</i>	Aggregate and Quarry Assn of NZ (AQA) FC60.4065.3	Disallow
C60.3974.4 <i>Disallow</i>	Aggregate and Quarry Assn of NZ (AQA) FC60.4065.4	Disallow
C60.3974.5 <i>Allow in Part</i>	Aggregate and Quarry Assn of NZ (AQA) FC60.4065.5	Allow In Part
C60.3974.6 <i>Allow in Part</i>	Aggregate and Quarry Assn of NZ (AQA) FC60.4065.6	Allow In Part
C60.3974.7 <i>Allow in Part</i>	Aggregate and Quarry Assn of NZ (AQA) FC60.4065.7	Allow In Part
C60.3974.8 <i>Allow in Part</i>	Aggregate and Quarry Assn of NZ (AQA) FC60.4065.8	Allow In Part
C60.3974.9 <i>Disallow</i>	Aggregate and Quarry Assn of NZ (AQA) FC60.4065.9	Disallow
C60.3974.10 <i>Disallow</i>	Aggregate and Quarry Assn of NZ (AQA) FC60.4065.10	Disallow
C60.3974.11 <i>Disallow</i>	Aggregate and Quarry Assn of NZ (AQA) FC60.4065.11	Disallow
C60.3974.12 <i>Disallow</i>	Aggregate and Quarry Assn of NZ (AQA) FC60.4065.12	Disallow
C60.3974.13 <i>Disallow</i>	Aggregate and Quarry Assn of NZ (AQA) FC60.4065.13	Disallow
C60.3974.14 <i>Disallow</i>	Aggregate and Quarry Assn of NZ (AQA) FC60.4065.14	Disallow

C60.3974.15 <i>Disallow</i>	Aggregate and Quarry Assn of NZ (AQA) FC60.1076.7 FC60.4065.15	Disallow
C60.3974.16 <i>Disallow</i>	Aggregate and Quarry Assn of NZ (AQA) FC60.4065.16	Disallow
C60.3974.17 <i>Disallow</i>	Aggregate and Quarry Assn of NZ (AQA) FC60.4065.17	Disallow
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	Disallow
C60.4058.5 <i>Disallow</i>	New Zealand Hops Ltd FC60.2864.26	Allow In Part
C60.4058.6 <i>Disallow</i>	New Zealand Hops Ltd FC60.2864.28	Allow
C60.4058.8	New Zealand Hops Ltd	Allow In Part
C60.4058.9	New Zealand Hops Ltd	Allow
C60.4068.4 <i>Disallow</i>	Rural Contractors NZ Inc. (RCNZ) FC60.2864.18	Allow In Part
C60.4068.6 <i>Disallow</i>	Rural Contractors NZ Inc. (RCNZ) FC60.2864.20	Allow In Part
C60.4068.7 <i>Disallow</i>	Rural Contractors NZ Inc. (RCNZ) FC60.2864.22	Allow In Part

Evaluation and Recommendations 607.2

A. Evaluation

1.0 Issue: Meaning of "Rural Industrial Activity"

Submissions 830, 2864, 3974, 4002, 4017, 4065, 4068 variously support or seek to amend the meaning of this activity. Submissions 4002 and 4065 seek to have distinguished from it the rather tortuously named concept of "land-based marine industrial activity", as it is claimed that the effects of industrial processing of marine produce and plant are sufficiently different from the range of industrial activities as the core content of the rural industrial term. This appears to be the means of also seeking a stringent status for all land-based marine industrial activity in the rural zones, in contrast to the current status of discretionary for all industrial or commercial activity in these zones. This in turn is stated as being for directing all such activity to establish in appropriate industrial zone locations (one happening to be owned by one of the submitters). The submission rationale here is that such industrial zones to be found adjacent to two ports in the District (Port Tarakohe and Port Motueka) should be the only locations for such development.

I do not need to inquire into any potential trade competition consideration here, as the case for distinguishing such a zone is in my assessment, not adequately made. This is in relation to environmental effects of this class of industrial development as a reason for either creating this activity; and its regulation away from any rural industrial zone towards an industrial zone. On a careful comparison between what is possible in an industrial zone by way of physical activity and the potential scope of effects, and a rural industrial zone, and in turn this new class of activity, I cannot find that the scope of effects of any "land-based marine industrial activity", are at all distinguishable. The hierarchy of land use activity concepts in the Plan is already fairly rich, and parsimony should rule as a regulatory design principle in expanding this, especially on an effects-management basis.

It follows also that after assessing:

- the uneven pattern of provision to date of not only rural industrial zones but also industrial zones near ports (with potential capacity limitations in those locations at present), and
 - the variety of business concepts dealing with processing sea-derived produce or supporting plant for such a purpose, without any inherent correlation with types of effects,
- the limitation of an arbitrarily defined activity to industrial zones next to ports is also not appropriate.

Another submission 2864 seeks to delimit onsite packing of produce from rural industrial activity, in order to avoid onsite packhouses within a horticulture activity being labelled as "rural industrial". This clarification is significant as the scope of rural industrial is linked to the core meaning of industrial having a "primary purpose" for the subject land or buildings. This should be sufficient relief without needing to amend only this meaning as sought. The core assumption in the current planning framework is that any site or property has only one primary purpose which may be either permitted or consented. The submission is not sure of this, and is looking to avoid unintended regulation of the "packing" part of a site from the principle of perpetual reduction. There is no clarity on the approach in the Plan to different activities on parts of a site, other than in the language of "primary purpose" for individual activities. It is noted that the new meaning of "plant and animal production" excludes "processing"; however, SER 601 recommendations address the submission concern by proposing packing be included.

B. Staff Recommendations

Minor amendments to the current meaning of 'rural industrial activity' to satisfy some submissions.

C. Reasons

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.

D. 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 depot, and the processing of minerals and quarry products.

F. Submission Recommendations

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

Evaluation and Recommendations 607.3

A. Evaluation

1.0 Issue: Meaning of “Quarrying”

In a similar vein, submission 3974 seeks to remove the “processing of minerals and quarry products” from the broad meaning of rural industrial activity. The submission also seeks expanding the meaning of “quarrying” to include ancillary activities already covered or included in the current meaning, but as well, substantively including:

- Onsite selling of aggregate products
- Processing of material brought from other locations (eg. reprocessing demolition waste to reuse aggregate)
- Ancillary buildings including caretaker’s accommodation.

The first two of these activities would generate a potentially wide range of site-specific effects, chiefly more noise and traffic. Selling is not itself an industrial activity. The last has a clear functional association with the principal activity.

The need to not include the scope of meaning of quarrying currently including processing and storage, from rural industrial is not made, either on the physical nature of the activity, or the span of environmental effects. One could not imagine a more classic rural industrial activity than a quarry with its product processing.

B. Staff Recommendations

Minor amendments to the current meaning o'quarrying' to satisfy some submissions.

C. 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.

D. 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, ancillary buildings, 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.”

F. Submission Recommendations

C60.3974.1
Allow in Part

Aggregate and Quarry Assn of NZ (AQA)
 FC60.4065.1

Allow In Part

Evaluation and Recommendations 607.4

A. Evaluation

1.0 Issue: Separation of Rural Contractor from Rural Industrial and Permitted Status for Small Scale Rural Contractor Depot Activity

Submission 4068 seeks removal of the concept of “rural contractor’s depot” from the meaning of rural industrial activity as amended by C60. However the sought meaning falls well within the scope of both industrial and rural industrial which is a subset of industrial. There is no inherent difficulty with the meaning of rural contractor depot requiring its specific meaning to be given. Some minor improvement to its reference in the meaning is efficient.

The submission requests a permitted status for rural contractor where sites have less than 10 persons employed. The effects of such an activity 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, quiet out of proportion to the suggested threshold of workforce size. The risks of such a provision are variable in different sites and there is no equivalent permitted baseline in the Plan for other rurally locating business activities.

B. Staff Recommendations

No change to the status of rural contractor depots as consented rural industrial activities

C. Reasons

The effects of such any 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.

D. Plan Amendments

Topic : Chapter 17

No Plan amendments.

F. Submission Recommendations

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

Evaluation and Recommendations 607.5

A. Evaluation

1.0 Issue: Heavy Vehicle for Rural Business

Several submissions request amendment or deletion of the land use condition restricting the number of heavy vehicles that have a connection with any rural business may be worked on or stored on any rural site (but permitting those heavy vehicles as “agricultural machinery”). The purpose of the proposed condition is to help limit effects of rural business operations involving heavy vehicle usage and the associated noise and disturbance effects, from dispersing the vehicles to any site of whatever principal activity, for individual reasons. There is a history of complaints about heavy vehicles on rural sites in proximity to both production and rural residential activities. The need for this restriction may be an indirect consequence of the policy status and extent of zoned or consented provision for rural business involving heavy vehicle use. This is in contrast to the longstanding and functional need for machinery including heavy vehicles that are in direct association with the plant and animal production on the site. In these situations, the movement pattern is far less likely to be the source of the cross-boundary risks where offsite movements are required much less routinely than with the starting issue.

The expression “agricultural machinery” could be more relevantly coded in relation to plant and animal production on the site if the restriction is to stay.

NZTA (806) has raised the unintended risk of the proposed threshold of one vehicle where more frequent movements and on-road parking could result. This risk is accepted as real.

2.0 Options: Heavy Vehicle for Rural Business

The options are:

Option 1: Retaining the restriction as proposed

Option 2: Increasing the number of heavy vehicles to two or three

Option 3: Deleting the restriction

Option 4: Improving the wording referring to “agricultural machinery”

Option 4 might be paired with options 1 and 2. Options 1, 2 and 4 serve to reduce risk of increasing dispersed heavy vehicle usage onsite where this is related to other sites as part of a rural business, with its associated risk of cross-boundary noise and traffic movements. Option 3 denies that there is a heavy vehicle dispersal risk or current problem as evidenced by complaints.

3.0 Preferred Option: Heavy Vehicle for Rural Business

The preferred option is option 2 and option 4 – a permitted limit of two heavy vehicles, as a balance between reducing the starting risk of dispersal of heavy vehicle activity onsite, from an off-site rural business, and reducing the risk of avoidance behavior by ironically, dispersing such additional vehicles nearby such as on roadsides with further dispersal of effects. This option should apply to the three rural zones, and the current limit of one should remain in the rural residential zone condition, as sought by 806.

B. Staff Recommendations

An increase from one to two heavy vehicles on site that are unrelated to plant and animal production activities.

C. 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.

D. 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 on the site), 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 on the site), that are being used for or in connection with any commercial, industrial or rural industrial activity."

Topic : 17.7.2.1

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 on the site), that are being used for or in connection with any commercial, industrial or rural industrial activity."

F. Submission Recommendations

C60.806.41	NZ Transport Agency	Allow
C60.806.44 <i>Disallow</i>	NZ Transport Agency FC60.1076.13	Allow In Part
C60.806.47	NZ Transport Agency	Allow In Part
C60.806.48	NZ Transport Agency	Allow In Part
C60.830.5 <i>Allow</i> <i>Disallow</i>	Fulton Hogan Ltd FC60.806.23 FC60.3974.9	Disallow
C60.830.6 <i>Allow</i> <i>Disallow</i>	Fulton Hogan Ltd FC60.806.24 FC60.1076.12 FC60.3974.10	Disallow
C60.830.7 <i>Allow</i> <i>Disallow</i>	Fulton Hogan Ltd FC60.806.25 FC60.3974.11	Disallow
C60.830.8 <i>Allow</i> <i>Disallow</i>	Fulton Hogan Ltd FC60.806.26 FC60.3974.12	Disallow
C60.1076.2 <i>Allow</i>	Ravensdown Fertiliser Co-Operative Ltd FC60.806.30	Disallow
C60.1521.27 <i>Disallow</i>	Federated Farmers of NZ (Inc.) FC60.806.34	Allow In Part
C60.1521.28 <i>Disallow</i>	Federated Farmers of NZ (Inc.) FC60.806.35 FC60.1076.11	Allow In Part
C60.1521.29 <i>Disallow</i>	Federated Farmers of NZ (Inc.) FC60.806.36	Allow In Part
C60.3996.4 <i>Allow</i>	Boomerang Farm Ltd/M Wratten FC60.2864.33	Disallow

Evaluation and Recommendations 607.6

A. Evaluation

1.0 Issues: Animal Processing as a Home Occupation

Two submitters (1521 and 4032) seek some flexibility with animal or waste processing as a home occupation. The effects of the activities excluded as “bottle or scrap storage, rubbish collection” include noise, visual and contamination. The effects of “composting of animal body parts” include odour and contamination. The effects of “animal body part processing” include contamination. Submitter 1521 seeks home-kill butcheries to remain permitted. Traffic effects associated with these excluded activities are not likely to be significantly different from permitted home occupations, and can be set aside in deciding on whether to permit or not the above effects. It is considered that there is a case to not exclude home-kill butchery types of operations as currently excluded as “meat processing” in the rural residential zone. Odour should not be expected under other regulatory controls, and contamination risk is regulable under the Plan’s discharge rules.

B. Staff Recommendations

Allow animal body part processing as a permitted home occupation activity in the Rural 1, 2 and 3 zones.

C. 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.

D. 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;"

F. Submission Recommendations

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

Evaluation and Recommendations 607.7

A. Evaluation

1.0 Issue: Hours of Operation for Traffic-Generating Rural Business

C60 introduced a restriction on night hours of operation of any rural business gaining access to any "local road" in the three rural zones, unless the traffic is generated by "agricultural machinery". The purpose of this is to reduce the risk of amenity effects over night-time. Two submitters (1076, 4065) either support this restriction or seek clarification of the meaning of "local road" that excludes every class from state highways, arterial and collector roads in the road hierarchy. "Local road" as used in the Plan refers simply to any council road (or legal road), and this meaning could be given in the Plan. However, the scope of local road restriction is apparently sought to be more limited, as the concern seems to be undue restriction across all road classes, including the highest classes in relation to which, a higher through function and also a lower night amenity expectation. The cutoff is considered to be at the rural arterial local road class.

It is appropriate to give a standardisation of "agricultural machinery" to [traffic] "directly associated with plant and animal production" that does not alter its scope, as for a recommended coding of this exception in another rule.

B. Staff Recommendations

Clarify that certain classes of local road only, are the subject of an hours of operation restriction for rural business.

C. 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.

D. 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(d) 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 generated by agricultural machinery directly associated with plant and animal production."

F. Submission Recommendations

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