

Matters of Discretion for all Rural Zones

RURZ-MD1	<p>Natural environment values</p> <p>The term natural environment values describes those matters addressed in the Chapters under the Natural Environment Values heading in the District Plan.</p> <ol style="list-style-type: none"> 1. The extent to which there are any adverse effects on SNAs or effects on the ability to maintain or enhance indigenous biodiversity. 2. The extent to which there are any adverse effects on the values of ONL and ONF from an activity adjoining these areas. 3. The extent to which there are any adverse effects on the natural character and values of freshwater bodies. 4. The extent to which adverse effects on sites, areas or values associated with natural environment values can be avoided, remedied or mitigated.
RURZ-MD2	<p>Housing of animals</p> <ol style="list-style-type: none"> 1. The extent to which the nature and scale of activity, including the number and type of animals is consistent with the characteristics of the proposed site and the receiving environment. 2. Any measures to internalise adverse effects and avoid conflict and potential reverse sensitivity effects on activities anticipated in the zone. 3. The extent to which the activity, including any buildings, compounds, or part of a site used for housing animals are sufficiently designed and located or separated from sensitive activities, residential units, and boundaries of residential zones to avoid adverse effects on residents. 4. The extent to which the nature and scale of the activity and built form will maintain rural character and amenity values. 5. The potential for the activity to produce adverse effects, including dust, noise, odour, and any measures to internalise adverse effects within the site, and any mitigation measures to address effects that cannot be internalised. 6. Access and vehicle movements on the site and the safety and efficiency of the roading network.
RURZ-MD3	<p>Character and amenity values of the activity¹</p> <ol style="list-style-type: none"> 1. The use, intensity and scale of the operation on the site and the built form is compatible with, and maintains rural character and amenity values of the surrounding zone. 2. The extent to which the site layout and building design and intensity of the activity will internalise and mitigate effects including noise, lighting, impact on privacy and traffic. 3. The extent to which the activity/facility has a practical or functional need or operational need to be located in the area. 4. The extent to which the activity may result in conflict and/or reverse sensitivity effects with other activities occurring on adjacent rural sites. 5. Any benefits derived from the activity being undertaken on the site. 6. The extent to which the scale of the activity will cause demands for the uneconomic or premature upgrading or extension of the three waters reticulation network, roading, street lighting and footpaths. 7. Access and vehicle movements on the site and the safety and efficiency of the roading network. 8. The extent to which the adverse effects of the activity can be avoided, remedied and mitigated.
RURZ-MD4	<p>Forestry, Carbon Forest,² Woodlots</p>

¹ NZ Pork [169.88] and Hort NZ [295.192]. Rural Zones s42a report.

	<ol style="list-style-type: none"> 1. The extent of adverse effects from the additional shading resulting from the non-compliance, taking into account the use of the affected sites, the amount of shadow cast and the period of time adjacent sites are affected. 2. The ability of existing topography or vegetation to mitigate any adverse shading effects on the adjoining site. 3. The nature of the use of adjoining sites and the extent to which the activity may result in conflict and/or reverse sensitivity effects with activities on adjacent sites. 4. Any shading effects on the transport network.
RURZ-MD5	<p>Rural sales</p> <ol style="list-style-type: none"> 1. The extent to which the intensity and scale of the activity and built form is compatible with the character and amenity of the zone. 2. The extent to which the activity may result in conflict and/or reverse sensitivity effects with other activities occurring on adjacent rural land. 3. Hours and days of operation and the extent to which they are compatible with the rural zone. 4. Access and vehicle movements on the site and the safety and efficiency of the roading network. 5. Extent of impervious surfaces and landscaping. 6. For rural produce retail (excluding farmers' markets), the extent to which the scale and intensity of the activity is secondary to the rural activity on the site. 7. Access and vehicle movements on the site and the safety and efficiency of the roading network. 8. The extent to which the adverse effects of the activity can be avoided, remedied or mitigated.
RURZ-MD6	<p>Coverage</p> <ol style="list-style-type: none"> 1. The intensity and scale of the built form and the extent to which it is appropriate to the zone and will maintain the character and amenity values of the zone. 2. The extent to which the building coverage breach is necessary due to the shape or natural and physical features of the site. 3. The extent to which the building coverage breach is necessary to facilitate practical use of the building or day to day management of the site, including the need to align with existing buildings in the vicinity and their associated use. 4. The need for the building coverage breach to allow more efficient or practical use of the remainder of the site or the long term protection of notable trees, historic heritage items or natural features on the site. 5. Extent of impervious surfacing on the site. 6. Any impacts on stormwater management or the management of water on the site. 7. The extent to which the additional site coverage will constrain the potential for land with high quality soils to be used for productive purposes.
RURZ-MD7	<p>Height</p> <ol style="list-style-type: none"> 1. The extent to which building design, siting and external appearance adversely impacts on rural character and amenity values. 2. The extent to which there is a practical need and functional need to the additional height for the building. 3. The extent to which any increased building height will result in visual dominance, loss of privacy and outlook of adjoining sites or incompatibility with the scale and character of buildings within and surrounding the site. 4. The need for the height breach to allow more efficient or practical use of the remainder of the site. 5. The ability to mitigate adverse effects through the use of screening, planting, landscaping and alternative design.

² s44A of RMA. Wrap Up Reply Report.

RURZ-MD8	<p>Setbacks</p> <ol style="list-style-type: none"> 1. The extent to which building design, siting and external appearance adversely impacts on rural character and amenity values. 2. Site topography and orientation and the extent to which the building or structure can be more appropriately located. 3. The effect on nearby properties, including outlook, privacy, shading and sense of enclosure. 4. The extent to which the reduction in the setback is necessary due to the shape or natural and physical features of the site. 5. The need for the setback breach to allow more efficient or practical use of the remainder of the site or the long term protection of notable trees, historic heritage items or natural features on the site. 6. The extent to which the activity may result in conflict and/or reverse sensitivity effects with other permitted <u>or lawfully established</u>³ activities occurring on adjacent rural properties. 7. The extent to which any reduced boundary setback will result in potential for activities within the building to give rise to disturbance to neighbours or nuisance effects. 8. With respect to a road <u>and rail corridor</u> setback, any adverse effects on the efficient and safe functioning of the road <u>and rail corridor</u>.⁴
<u>RURZ-MD9</u>	<p><u>Reverse Sensitivity</u></p> <ol style="list-style-type: none"> 1. <u>The extent to which the activity may result in conflict and/or reverse sensitivity effects with other existing activities occurring on adjacent Heavy Industrial zone land.</u> 2. <u>The extent to which the reduction in the setback is necessary due to the shape or natural and physical features of the site.</u> 3. <u>The extent to which the new activity is located in the most appropriate part of the site to avoid or minimise potential for reverse sensitivity effects.</u> 4. <u>The effectiveness of any proposed methods for mitigation of reverse sensitivity effects.</u>⁵
<u>RURZ-MDX</u>	<p><u>New Waste Management Facilities or Composting Facilities</u>⁶</p> <ol style="list-style-type: none"> 1. <u>The extent to which any proposed new waste management facility or composting facility has a bird strike risk management plan prepared by a suitably qualified and experienced ecologist with experience in bird strike issues to demonstrate the activity will be designed, operated and managed to minimise the attraction of bird species (such as black-backed gulls) that may pose a bird strike risk to aircraft.</u>^{7, 8}

³ NZPork [169.92] and Hort NZ [295.193]. Rural Zones Reply Report.

⁴ KiwiRail [373.95]. Rural Zones s42A report.

⁵ Daiken [145.32]. Discussed in Daiken response to Panel questions and Rural Zones Reply Report.

⁶ CIAL [254.144]. Reply Report Airport Noise Contours and Bird Strike.

⁷ Based on a Planning Joint Witness Statement relating to Bird Strike Risk dated 21 March 2024.

⁸ Noting that the rules are discretionary in the rural zones chapters, authors do not want to limit consideration in these rules to bird strike only so do not recommend that the wording is included in the rule.