

**Before the Hearings Panel
At Waimakariri District Council**

Under Schedule 1 of the Resource Management Act 1991

In the matter of the Proposed Waimakariri District Plan

Between **Various**

Submitters

And **Waimakariri District Council**

Respondent

**Council Reply Report for Rural Zones Rezoning Requests – Shelley
Milosavljevic on behalf of Waimakariri District Council**

Date: 5 JULY 2024

INTRODUCTION:

1 My name is Shelley Milosavljevic. I am a Senior Policy Planner for Waimakariri District Council. I am the Reporting Officer for the Rural Zones Rezoning Requests and prepared the s42A Report.

2 I have prepared this Council reply report on behalf of the Waimakariri District Council (Council) in respect of matters raised through Hearing Stream 12B.

3 This statement of evidence relates to the matters in the Section 42A Report – Rural Zones Rezoning Request.

4 I am authorised to provide this evidence on behalf of the Council.

QUALIFICATIONS, EXPERIENCE AND CODE OF CONDUCT

5 Appendix C of my section 42A report sets out my qualifications and experience.

6 I confirm that I am continuing to abide by the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023.

SCOPE OF REPLY

7 This reply report follows Hearing Stream 12B held on 11 June 2024. Minute 28 requires this report to be provided by 5 July 2024.

8 This reply report covers the following:

- a. Response to Panel questions set out in Minute 28; and
- b. Other matters arising during the hearing.

9 **Appendix 1** has recommended amendments to PDP planning map, no further amendments are recommended from that in my s42A report.

10 **Appendix 2** has an updated table of recommended responses to submissions and further submissions, with updated recommendations differentiated from those made in Appendix B of the s42A report.

Response to Panel questions set out in Minute 28

1. *Please respond to all evidence presented at and tabled for the hearing, that is not otherwise set out in the questions below.*

11 My response is set out in **Table 1** below.

Table 1: Response to submitter evidence

Submitter evidence	Response
CIAL [FS80] Evidence No. 1	<p>No further comment aside from that provided in my responses to Questions 10, 11, and 12 below. In summary, as it relates to CIAL evidence:</p> <ul style="list-style-type: none"> a. I consider that as I have recommended the rezoning request [305.1] be rejected, and further submission [FS80] opposes it and seeks its rejection, then [FS80] should be recommended to be accepted, not rejected as I had recommended in my s42A Report. b. However, I disagree with the CIAL evidence stating the relevance of CRPS Policy 6.4.5(4) to this rezone request as I do not consider RLZ (and GRUZ) development would meet the CRPS definition for ‘noise sensitive activities’ thus in my view this policy does not apply to these GRUZ to RLZ rezone requests.
John Waller [89.1] Evidence No. 2	<p>I note that John Waller’s submission [89.1] is of a GRUZ-wide nature however he spoke at hearing mainly in relation to his property at 589 Mount Thomas Rd, Fernside (which is approximately 25ha and fully LUC 3 therefore HPL). His submission sought to “<i>allow the rights of the current owners to have the old rules until they on sell</i>” and “<i>consider the area of GRUZ that have large 10 acre blocks to continue in those areas and not be zoned GRUZ</i>”. This is the reason my s42A report assessed it as a district-wide request. However, as his property would be within these GRUZ wide request his evidence at the hearing is still valid, just more specific than his general submission.</p>

Figure 1 below shows his property in relation to the RLZ boundary and also the relative size of adjoining and nearby properties. As **Figure 1** shows, while the property adjoins some 4ha sized lots to the north and east, it adjoins large rural lots to the south and west, including a large dairy farm.

While the submitter noted some limitations with the property in terms of its economic viability (unsuccessful feijoa crop, property not large enough to be viable), he also noted that the property could be productive if used very intensively. I do not consider this adequately demonstrates that the extensive requirements of clause 3.10 of the NPS-HPL is met. Therefore, given it is located on HPL, I consider rezoning this property to RLZ would not give effect to the NPS-HPL.

Also, I do not consider the rezoning would give effect to CRPS Objective 15.2.1, Objective 5.2.1(2)(e), and Policy 5.3.12(1)(a) (hereafter referred to as the 'CRPS primary production provisions').

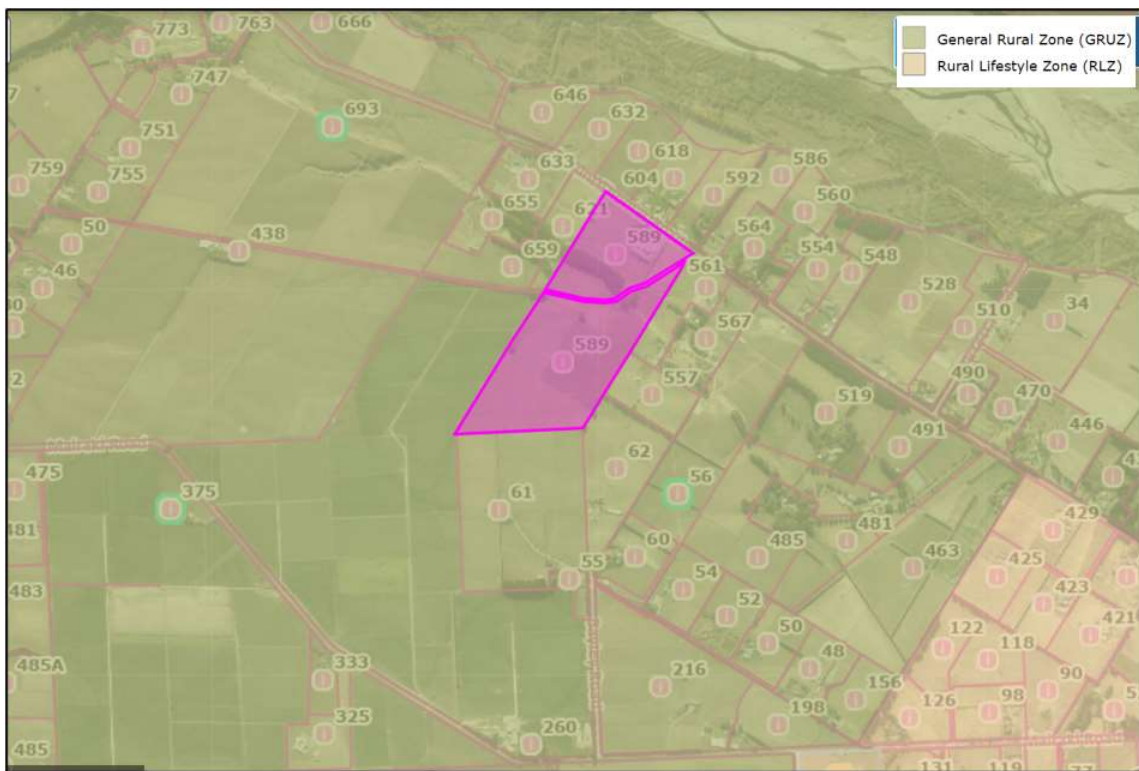


Figure 1: 589 Mount Thomas Road, Fernside (shown by pink shape)

<p>Norgate [371.1]</p>	<p>No further comment aside from what is addressed in my responses to Question 5 and Question 6 below.</p>
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Evidence No. 3	
Borcoskie [101.1] Evidence No. 4	<p>While noting some limitations with the property’s contour and soil, the submitter notes that the property has been used for numerous primary production activities for the last 45 years.</p> <p>The reduction of property values is not a resource management issue and therefore is not a relevant consideration.</p> <p>Given the property is approximately 7km from Rangiora, I consider it very unlikely this land would be needed for urban growth for the Rangiora Township in the next 30 years, as the submitter suggests on page 9 of her evidence.</p> <p>I consider potentially the submitter misinterpreted the PDP’s rules for intensive indoor and outdoor farming (which require resource consent) and potentially missed that primary production is provided for as a permitted activity under GRUZ-R2 (which would include dairy farming etc), and it is just intensive indoor primary production and intensive outdoor primary production (which is defined and primarily relates to free-range pig farming, free-range poultry farming, and intensive goat farming) that require resource consent under GRUZ-R17 and GRUZ-R18 respectively. This matter is addressed via Mr Buckley’s memo which is provided in Appendix 3 of this report.</p> <p>I consider the rezone request does not give effect to both the NPS-HPL and the CRPS and therefore should be rejected.</p> <p>Also refer to my response to Question 5 and 9.</p>
Borcoskie [102.1] Evidence No. 5	<p>The reduction of property values is not a resource management issue and therefore is not a relevant consideration.</p> <p>Given the property is approximately 7km from Rangiora, I consider it very unlikely this land would be needed for urban growth of the Rangiora Township in the next 30 years, as the submitter suggests in her evidence.</p>

	<p>While the submitter’s evidence notes the property’s economic viability is constrained by its stony sandy soils, long narrow profile, adjoining lifestyle blocks and river reserve, I do not consider this demonstrates that the exemption of clause 3.10 of the NPS-HPL has been met.</p> <p>I consider the rezone request does not give effect to both the NPS-HPL and the CRPS and therefore should be rejected.</p> <p>Also refer to my response to Question 5 and 9.</p>
<p>Matthew Richardson [26.1]</p> <p>Evidence No. 6</p>	<p>Regarding Mr Richardson’s concern over the lack of clarity around why Bradys Road was used as the boundary between GRUZ and RLZ when both his and his neighbour’s properties are 4ha, I note the following:</p> <ol style="list-style-type: none"> a. The submitter’s property was located within the Okuku Ashley Plains character area in the Rural Character Assessment (2018). Workshops with Council determined rural zoning approach, which was primarily based on rural character. Subsequent changes were made to adjust some areas around the GRUZ/RLZ boundary line, including via a memo prepared by Boffa Miskell Rural Boundary Outline for District Plan Review’ memo (22 April 2020). Page 3 of the Boffa Miskell memo states that <i>“further spread onto the downlands to the north of Bradys/Thompsons Road should be avoided”</i>. b. From my interpretation of both rural character assessments (Boffa Miskell’s ‘Rural Character Assessment (2018)¹’ and ‘Rural Boundary Outline for District Plan Review Memorandum (2020)²’, the landscape architects appeared to use road or river boundaries where possible, along with particularly large properties, and that they considered rural character from a more overall perspective rather than at a specific property level. c. Therefore, from looking at the map provided in the Boffa Miskell’s 2020 memo (refer to Figure 2 below that shows portion of map from Appendix 2 of Boffa Miskell memo that includes Bradys Road), I concur that <i>overall</i>

¹ https://www.waimakariri.govt.nz/data/assets/pdf_file/0021/136137/18.-FINAL-RURAL-CHARACTER-ASSESSMENT-BOFFA-MISKELL-6-JUNE-2018.PDF

² https://www.waimakariri.govt.nz/data/assets/pdf_file/0022/136165/Rural-Boundary-Outline-for-District-Plan-Review-DPR-REVISION.pdf

	<p>there is a lower density of development in the north of Bradys Road area, than that in the south of Bradys Road area.</p> <ul style="list-style-type: none">d. The property is located fully within HPL (LUC 2 and 3 soils) thus is subject to the NPS-HPL.e. As set out in paragraphs 74 and 75 of Minute 1³, submitters with rezoning requests were given the opportunity to provide supporting evidence to their requests within 60 working days of the relevant rezoning hearing. Council Officer’s memo⁴ detailed the rezoning request process and information requirements.f. Refer to my response to Question 7 below in relation to the scope of this rezone request being confined to 83 Bradys Rd, and not including the neighbouring property.g. Rezoning this property from GRUZ to RLZ would not change the site’s effects or character given it is already at a minimum RLZ 4ha density and that is the primary difference between the GRUZ and RLZ rules.h. In addition, the property adjoins the RLZ boundary thus rezoning it RLZ would make it contiguous with the RLZ and not create a RLZ ‘island’ / ‘spot zone’.i. Therefore, in my view, the key constraints to rezoning this property RLZ is the detailed demonstration that clause 3.10 of the NPS-HPL can be met. While the submitter has provided a basic evaluation of this, it was not prepared by an expert, and I do not consider it was not comprehensive enough to meet clause 3.10 requirements. Thus, in my opinion Policy 6 of the NPS-HPL still applies which precludes rezoning of HPL to RLZ.
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³ https://www.waimakariri.govt.nz/data/assets/pdf_file/0016/137104/MINUTE-1-HEARING-INFORMATION-AND-PROCEDURES-PDP-HEARINGS-PANEL-7-JUNE-2024.pdf

⁴ https://www.waimakariri.govt.nz/data/assets/pdf_file/0021/151635/MEMO-REZONE-REQUEST-REZONING-OVERARCHING-INFORMATION-REQUIREMENTS-PDP-STREAM-12-17-OCTOBER-2023.pdf



Figure 2: Red cross shows location of 83 Bradys Rd, Loburn in relation to rural boundary lines (Source: Boffa Miskell Rural Boundary Outline for District Plan Review’ memo⁵)

<p>Marie Bax / Matthew Walshe [305.1] Evidence No. 7</p>	<p>As noted above, in my opinion, RLZ or GRUZ residential development within the Airport Noise Contour would not meet the CRPS definition of ‘noise sensitive activities’ and as such the avoidance directive of CRPS Policy 6.3.5(4) does not apply. Therefore, I do not consider the evidence of Mr Walshe that relates to airport noise is relevant to my consideration of this submission. My responses to Questions 10, 11, and 12 below also relate to this evidence.</p> <p>In relation to Mr Walshe’s evidence that relates to clause 3.10 of the NPS-HPL, while I note Mr Walshe’s points regarding the low economic viability of his farm under the current grazing regime, and some of the constraints of alternative practices, I do not consider this fully demonstrates that clause 3.10 has been met.</p> <p>Mr Walshe stated that he was told his land is comparable to the LUC 4 soil within the Ngai Tahu farms and therefore is not considered to be versatile productive land.</p>
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⁵ https://www.waimakariri.govt.nz/_data/assets/pdf_file/0022/136165/Rural-Boundary-Outline-for-District-Plan-Review-DPR-REVISION.pdf

However, I note that despite being on LUC 4 soil, the Ngai Tahu Farming farms⁶ (in the Eyrewell area) are large-scale productive farms.

Figure 3 below shows the location of 128 Baynons Road in relation to the RLZ (beige), GRUZ (light green) and Natural Open Space Zone (dark green) zoning, and the surrounding property sizes and proximity to the Waimakariri River.

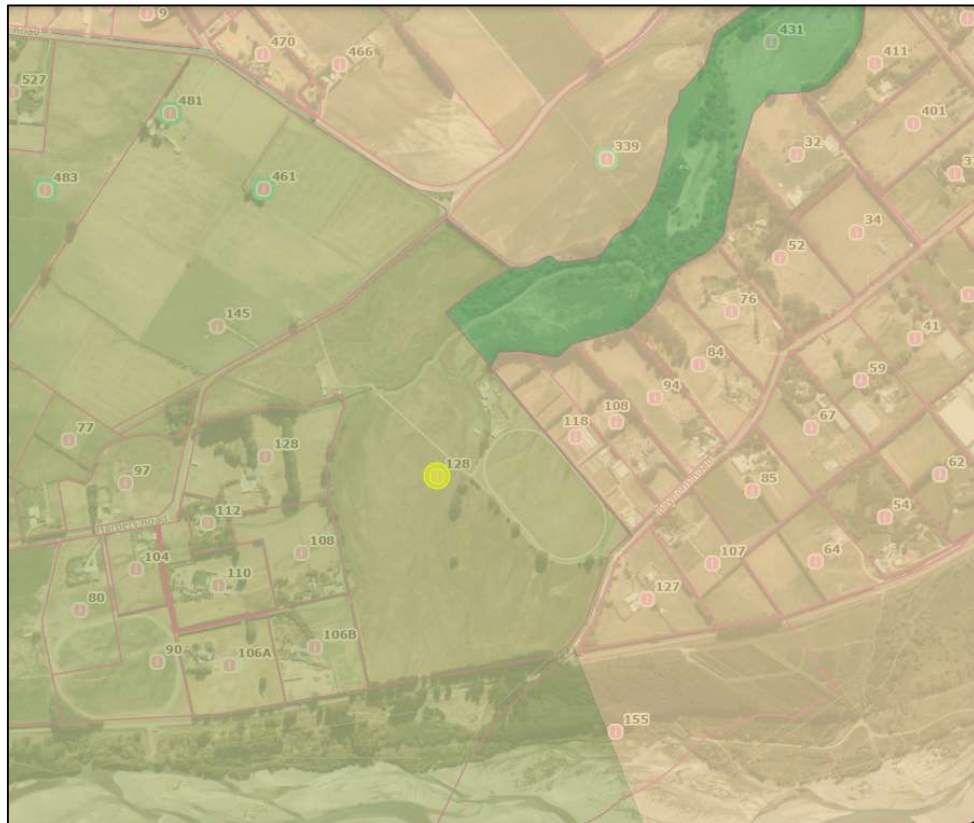


Figure 3: 128 Baynons Rd, Clarkville: RLZ – GRUZ boundary and surrounding property sizes

I maintain my view that rezoning this land to RLZ would not give effect to both the NPS-HPL and CRPS, noting that in my opinion the submitter has not demonstrated that both the alternative uses are not economically viable, and constraints cannot be addressed, as required by clause 3.10 of the NPS-HPL.

<p>McGaffin [379.1]</p>	<p>The 12.1ha property currently is leased by a farmer who grows peas in the summer, and kale in winter as sheep feed. Therefore, currently the property is productive / supports primary production.</p>
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⁶ <https://ngaitahufarming.co.nz/land/>

<p>Evidence No. 8</p>	<p>The property adjoins an 80ha dairy farm to the south, the West Eyreton Large Lot Residential Zone to the north, a 19ha farm to the west, and Downs Road to the east.</p> <p>The submitter seeks its property to be rezoned in order to enable RLZ or LLRZ density subdivision, and states that farmers prefer to buy larger properties as it would not make economic sense to buy a smaller rural block such as this.</p> <p>I maintain my view that rezoning this land would not give effect to the CRPS primary production provisions given the site currently contributes to primary production and rezoning it to RLZ (or Large Lot Residential Zone) would reduce this likelihood and enable fragmentation. I also consider the 4ha lots could also potentially create reverse sensitivity issues for the large adjoining dairy farm which would be inconsistent with CRPS Policy 5.3.12(1)(b).</p> <p>Furthermore, as the property is located on LUC 3 soils and therefore classified as HPL, I do not consider the rezoning would give effect to the NPS-HPL as the submitter has not demonstrated that clause 3.10 has been met.</p>
<p>Watherston [78.1] Evidence No. 9</p>	<p>Mr Walton notes in his evidence that there is not water available for irrigation at 2 Riverside Road, Okuku and therefore disagrees with my statement in paragraph 142 of my s42A Report that states “<i>given the irrigation present in this area</i>”. I acknowledge that my paragraph 142 does imply I am referring to all three rezone requests addressed in section 3.6 of my report [11.1, 42.1, 78.1] in this statement. I wish to clarify that this statement was just in relation to the Eyrewell area (and therefore submissions [11.1] and [42.1] only), hence the reference to Figure 20 in my report which shows the aerial imagery of the Eyrewell area. Therefore, I concur with the submitter that 2 Riverside Road [78.1] does not have access to irrigation.</p> <p>The submitter states that the property’s very stoney soil gives it a relatively low productive capacity however it is very suitable as a wintering block and is currently used for this purpose. I consider this demonstrates that the property is still capable of supporting primary production.</p> <p>I maintain my view that rezoning this property to RLZ would not support primary production in the same way that retaining the GRUZ zoning (and 20ha limit) would.</p>

2. In relation to preliminary question 3, you address some of the exemptions in clause 3.10 of the NPS-HPL and stated that “expanding the RLZ boundary line could contribute to further fragmentation of productive rural land and change rural character by enabling more 4ha lifestyle blocks to establish and surround GRUZ land.” You were asked what clause 3.10(4) meant in this context, which states “the size of a landholding in which the highly productive land occurs is not of itself a determinant of a permanent or long-term constraint”. In your view, is size a significant factor in whether a property is, or is not, economically viable for 30 years?

12 I relied on the expert report⁷ ‘Rural Production Advice – Rural Land Zoning’ prepared by Macfarlane Rural Business (hereafter referred to as the ‘Macfarlane report’) that concluded that *“there are very few agricultural or horticultural farming practises that would justify a farming business of 4ha (with the exception of very intensive vegetable production or glasshouse operations), even if they are operated to the highest level. The reality is that most properties under 10ha have been purchased for lifestyle purposes and the majority of the household income is derived off farm. Furthermore, once the house and amenities are deducted from the total area, the effective farming area on a 4ha property could be as low as 2ha. Whilst in theory a group of 4ha properties could be operated in conjunction to achieve scale, this is unlikely to be successful given owners will often have differing priorities and the fact that the small paddock sizes will limit operational efficiency.”*

13 Therefore, I consider that while 4ha lots do have the potential to be productive, there are more constraints to such productivity the smaller a property gets, in conjunction with a smaller property being of a size that is acceptable for lifestyle purposes (e.g., small enough to be of a manageable size to be used primarily for lifestyle purposes), then it is more likely that these 4ha blocks will be used for lifestyle purposes and therefore less likely that they will be used for primary production.

14 While subclause 3.10(4) of the NPS-HPL precludes consideration of landholding size as a permanent or long-term constraint under clause 3.10, I consider that based on the conclusions of the Marfarlane report set out above, landholding size is a significant factor

⁷ https://www.waimakariri.govt.nz/data/assets/pdf_file/0020/136145/26.-Waimakariri-District-Plan-Review-v2.pdf

in whether a property will end up being productive as overall the smaller a property gets the less options there are for primary production, and also the more likely it is to be used for lifestyle purposes. However, I consider it is uncertain whether this is a significant factor into whether a property is, or is not, economically viable for 30 years as per the detailed criteria set out in clause 3.10 of the NPS-HPL.

- 15 In summary, in my view, for a property to be considered subject to permanent or long-term constraints it needs to demonstrate that these constraints cannot be addressed via changes in farming practices, noting that the Macfarlane report states that very intensive vegetable production or glasshouse operations are possible on 4ha lots. Ultimately it comes down to the likelihood of the landowners to attempt such options or use the property for lifestyle purposes.

3. What is your opinion of how significant/relevant the size of a block might be in circumstances where a property is part of, or surrounded by, an area that is already fragmented to a level that the plan considers as 'rural lifestyle'. Would these already fragmented areas potentially mean that in these areas "there are permanent or long-term constraints on the land that mean the use of the highly productive land for land-based primary production is not able to be economically viable for at least 30 years"? If that argument was accepted, would it not follow that 3.10(1)(b)(i) to (iii) would be avoided?

- 16 No, I do not consider that a larger landholding that is partly or fully surrounded by approximately 4ha sized properties would necessarily mean it is subject to permanent or long-term constraints that mean the use of the highly productive land (HPL) for land-based primary production is not able to be economically viable for at least 30 years, as per clause 3.10(1)(a) of the NPS-HPL.

- 17 This is because clause 3.10(2) requires demonstration that constraints (e.g., reverse sensitivity issues) cannot be addressed (i.e., via alternate forms of primary production or production strategies, improved land-management strategies, e.g., changing effluent spreading operations if possible). I also note that while reverse sensitivity can create issues for existing primary production activities, such existing activities would likely have existing use rights and be a permitted activity⁸, and residents would have been aware they were

⁸ Under GRUZ-R2, primary production is permitted activity (Notified PDP version)

purchasing property within a working rural environment thus in theory there should be some acceptance of such amenity effects.

18 Furthermore, I do not consider that a property would be subject to the clause 3.10 permanent or long-term constraints just because it is 4ha, unless there is expert evidence that demonstrates this⁹. As it stands there is no such expert evidence before the Panel that demonstrates a property meets the clause 3.10 criteria for a permanent or long-term constraint. Therefore, I do not consider the 4ha is a permanent or long-term constraint in of itself.

4. If your answer to question 3 is 'no, the 4ha is not a permanent or long-term constraint', please consider the following:

- ***The NPS-HPL refers to 'rural lifestyle' but does not define it or specify allotment sizes that might qualify as 'rural lifestyle'.***
- ***The Hearing Stream 12C and Rural Zone s42A report author set out a number of definitions that the RPS uses for rural residential development, essentially considering it to have an average density of between one and two households per hectare or is typified by clusters of allotments in the size of up to 2 hectares.***
- ***The Operative DP is presumably considered to give effect to the RPS and as a consequence, 4 hectare lots were considered 'rural' and did not compromise the policy direction of Chapter 15 (i.e. Objective 15.2.1 "the maintenance and improvement of the quality of soil to safeguard their mauri, life supporting capacity, health and productive capacity"; Objective 5.2.1(2)(e) which seeks that development enables rural activities that support the rural environment including primary production, and also Policy 5.3.12(1)(a) which seeks to avoid development and/or fragmentation which forecloses primary production outside Greater Christchurch / within 'wider region').***
- ***The PDP now identifies these as 'rural lifestyle' and it predates the NPS-HPL.***
- ***Bearing that in mind, can you please:***

⁹ Clause 3.10(4) states that the size of a landholding in which the HPL occurs is not of itself a determinant of a permanent or long-term constraint.

(a) Advise in relation to non-HPL land, what has changed for you to state at para 120 “I consider that rezoning these areas RLZ would not support primary production as it would enable 4ha lifestyle blocks”; and

19 On reflection, I consider my sentence paragraph 120 should have been as follows:

“I consider that rezoning these areas RLZ would mean they would be a lot less likely to not support primary production as it would enable fragmentation that would limit the opportunities for primary production (as set out in the Macfarlane report) and it would also enable 4ha lifestyle blocks.”

(b) In relation to NPS-HPL, could lifestyle blocks at this size potentially meet the criteria of 3.10, given the Operative Plan considers them productive etc?

20 I consider that a lot of any size could potentially meet the criteria of clause 3.10 as it depends on the site’s permanent or long-term constraints and its inability to address these constraints. Clause 3.10(4) states that the size of a landholding in which the HPL occurs is not of itself a determinant of a permanent or long-term constraint.

21 As set out above, I consider that enabling 4ha lots (via RLZ zoning) would mean any resulting smaller lots would have much more limited opportunities for primary production and would also be more likely to be used for lifestyle purposes. Thus, in my opinion, overall while primary production is still possible within the RLZ and is provided for via the RLZ rules, the likelihood of it occurring is less compared to that within the GRUZ and therefore the likelihood of giving effect to the CRPS primary production provisions¹⁰ is also less.

I also wish to add the following:

22 Clause 1.3(4)(a) of the NPS-HPL states that any references to a ‘zone’ are a reference to a zone described in Standard 8 (Zone Framework Standard) of the National Planning Standards. **Table 2** below sets out the descriptions of the GRUZ, RLZ, Large Lot Residential Zone (LLRZ) and also the Rural Production Zone (RPROZ). While the National Planning Standards do not specific minimum lot sizes for any zones, some of the descriptions do mention the size of lots relative to those of other zones.

¹⁰ CRPS Objective 15.2.1, Objective 5.2.1(2)(e), Policy 5.3.12(1)(a)

Table 2: Zone names and descriptions from National Planning Standards¹¹

Zone name	Description
General rural zone (GRUZ)	<i>Areas used predominantly for primary production activities, including intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.</i>
Rural production zone (RPROZ)	<i>Areas used predominantly for primary production activities that rely on the productive nature of the land and intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.</i>
Rural lifestyle zone (RLZ)	<i>Areas used predominantly for a residential lifestyle within a rural environment on lots smaller than those of the General rural and Rural production zones, while still enabling primary production to occur.</i>
Large lot residential zone (LLRZ)	<i>Areas used predominantly for residential activities and buildings such as detached houses on lots larger than those of the Low density residential and General residential zones, and where there are particular landscape characteristics, physical limitations or other constraints to more intensive development.</i>

- 23 The CRPS became operative in 2013¹². Chapter 6 of the CRPS has the purpose of enabling the recovery of Greater Christchurch by providing for sustainable development including limiting urban growth to Greenfield Priority Areas (to address earthquake-related displacement of residential activities). Within the Greater Christchurch area (where Chapter 6 applies, along with the ‘Entire region’ provisions in Chapter 5), the CRPS defines:
- a. ‘rural activities’ as a having residential activity on lots of 4ha or more (≥4.0ha lots);

¹¹ <https://environment.govt.nz/assets/publications/national-planning-standards-november-2019-updated-2022.pdf>

¹² Notified in 2011

- b. 'urban activities' as having residential units at a density of more than one household unit per 4ha (≤ 4 ha lots); and
- c. 'rural residential activities' at an average density of between 1-2 households per ha (which equates to an average lot size of 0.5ha – 1.0ha).

24 I am unsure why this 4ha rural / urban threshold for Greater Christchurch was selected. Potentially it was informed by the 4ha minimum rural lot size in the Operative District Plan and the other District Plans within the sub-region at the time. Section 3.7 of the Rural s32 Report states that 4ha was also the minimum rural zone lot size within the Christchurch and Selwyn District Plans at the time (along with larger minimum lot sizes for other rural zones). I also understand the 4ha rural lot limit may have related to an ECan threshold for onsite effluent disposal (e.g., septic tanks), which had the purpose of managing the cumulative effects of these systems on groundwater quality.

25 Objective 14.1.1 of the Operative District Plan seeks that rural production and rural character of the rural zone is maintained and enhanced, and links dwelling density to this (among other matters). Therefore, I agree that it can be inferred that the Operative District Plan's 4ha minimum rural lot size was considered to give effect to the CRPS's relevant primary production focused objectives and policies within Chapter 5 and Chapter 15 at the time.

26 However, as set out in the Rural s32 Report, the Operative District Plan's 4ha minimum rural lot size resulted in a large amount of 4ha subdivisions with many of these lots being used for lifestyle purposes, not primary production, which has resulted in fragmentation of rural land, reduced opportunities for primary production, and reduced rural character. This was identified as a key resource management issue for the District that the Proposed District Plan seeks to address via the GRUZ minimum lot size of 20ha.

27 The Rural s32 Report sets out the basis for its dual rural zone framework of 4ha (RLZ) and 20ha (GRUZ) minimum lot sizes. In summary, it states that:

- a. The east of the District has a predominance of smaller sites and a greater lifestyle focus, however still provides for primary production. While the west has a greater primary production focus and a greater proportion of larger lots along with some small lots.

- b. It was considered that having just one rural zone with a 20ha minimum would not have recognised the existing level of fragmentation and level of small rural lots already subdivided in the east; which would impact on the efficiency and effectiveness of the provisions as the character described for areas with a 20ha minimum lot size would not reflect the existing character within the RLZ area, meaning that the provisions would have been undermined before becoming operative.
- c. The two-zone approach is intended to differentiate between areas that are predominantly lifestyle and those predominantly rural. The PDP's rural zone framework seeks to reduce small lot rural development within the GRUZ in order to maintain the District's overall rural character and ability to maintain a range of productive rural activities.
- d. It concludes that overall, in order to provide for a range of primary production a minimum productive area (excluding buildings and curtilage areas) of between 10-15ha to 100ha would be needed; which is where the 20ha minimum for GRUZ was derived from.
- e. A consequence of having a 4ha minimum within the RLZ is the increased fragmentation of RLZ land with lots greater than 8ha and the increased potential for reverse sensitivity effects on remaining rural activities; which could therefore undermine the overall ability for RLZ land to be used for primary production. However, the Rural s32 Report notes that the RLZ provisions still enable primary production and also set out that the amenity expectations are that of a rural zone with a range of rural activities occurring (as a way of addressing reverse sensitivity issues).

28 The Rural s32 Report does not separate out the CRPS assessment for RLZ and GRUZ, rather it does it collectively as a dual rural zone 'package'.

29 Overall, I do not consider the RLZ, which contains a high proportion of LUC 1-3 soils, gives effect to the CRPS primary provisions as the Macfarlane report concludes that while some types of primary production are still possible on 4ha, overall, there is reduced potential compared to that on larger lots. Also, there is an increased potential for 4ha lots to be used for lifestyle purposes given the more limited supply of smaller rural lots and the

relative price point of them¹³; which I consider would be an inefficient use of rural land. Therefore, in my opinion, accepting the requests to rezone from GRUZ to RLZ would mean that *overall* primary production will be less likely to be supported in these areas compared to what could potentially be supported with a 20ha minimum lot size as per the GRUZ zoning.

5. In considering your position under questions 3 and 4, can you please assess or use to inform your answer, the circumstances of, and the evidence provided by Mr Waller, Mr McGaffin and Mr Walshe, Mr Walton and Ms Watherston, and Ms Borcoskie. There may be other submissions in relation to similar areas that may also need to be assessed/reconsidered, depending on your final position.

30 Given my responses to Questions 3 and 4 above, I do not consider my views relating to the rezone requests, and associated evidence and circumstances, of Mr Waller, Mr McGaffin and Mr Walshe, Ms Watherston and Mr Walton, and Ms Borcoskie need to be reassessed.

31 I maintain my opinion that rezoning these areas from GRUZ to RLZ would not give effect to the CRPS primary production provisions as it would reduce primary production opportunities and enable lifestyle blocks compared to what could potentially be supported via the 20ha minimum lot size provided under GRUZ zoning.

32 I also reiterate that the reduction of property values (via the reduced subdivision ability of GRUZ) is not a resource management issue and therefore is not a relevant consideration.

33 In summary, I consider the following in relation to rural lot size:

- a. The NPS-HPL (clause 3.10) considers whether HPL can be economically viable (in the context of constraints enabling RLZ rezoning), while the CRPS primary production provisions focus on supporting or protecting the productive capacity or primary production thus have a productive, not economic, focus. Most of these submitter's state that their property does contribute to primary production to some degree but that in their opinion it is not economically viable.

¹³ Report: 'Rural Subdivision and Housing Analysis – Waimakariri District (December 2018)' Prepared by QV / Quotable Value https://www.waimakariri.govt.nz/_data/assets/pdf_file/0023/136139/20.-DPR-RURAL-QV-REVISED-REPORT-FEBRUARY-2019-RURAL-SUBDIVISION-AND-HOUSING-ANALYSIS-SEE-190503063344.PDF

- b. The Macfarlane report concludes that while some types of primary production are still possible on 4ha, overall, there is reduced potential compared to that on larger lots. Also, there is an increased potential for 4ha lots to be used for lifestyle purposes given the more limited supply of smaller rural lots and the relative price point of them¹⁴; which I consider would be an inefficient use of 4ha rural lots.
- c. For rezone requests within HPL, in terms of the applicability of clause 3.10 of the NPS-HPL:
 - i. I do not consider a 4ha lot would necessarily meet the exemptions of clause 3.10 of the NPS-HPL as firstly clause 3.10(4) sets out that landholding size is not of itself a determinant of a permanent or long-term constraint, and also clause 3.10 in general requires an extensive demonstration that alternative primary production options have been considered and options for addressing any constraints have been considered.
 - ii. Similarly, I do not consider that a larger property partly or fully surrounded by 4ha lots would necessarily mean it is subject to permanent or long-term constraints that mean the use of the HPL for land-based primary production is not able to be economically viable for at least 30 years, as per clause 3.10(1)(a) because clause 3.10(2) requires demonstration that constraints (e.g., reverse sensitivity issues) cannot be addressed (i.e., via alternate forms of primary production or production strategies, improved land-management strategies, e.g., changing effluent spreading operations if possible). I also consider that while reverse sensitivity can create issues for existing primary production activities, such existing activities would likely have existing use rights and be a permitted activity, and residents would have been aware their property was within a rural environment thus should have some acceptance of rural amenity effects.

¹⁴ Report: 'Rural Subdivision and Housing Analysis – Waimakariri District (December 2018)' Prepared by QV / Quotable Value https://www.waimakariri.govt.nz/_data/assets/pdf_file/0023/136139/20.-DPR-RURAL-QV-REVISED-REPORT-FEBRUARY-2019-RURAL-SUBDIVISION-AND-HOUSING-ANALYSIS-SEE-190503063344.PDF

6. At best, there is a very small sliver of highly productive land on one title only of the Norgate property (submitter 371). That small area would appear to be within the ‘margin for error’ for the mapping and does not appear to align with Mr Langlin’s description of this part of the property. Given this, please reassess the relevance of the NPS-HPL for this property, including how the exemptions may apply. Please also reassess your position on the rezoning of this property given the evidence presented on its productivity, the availability of water supply, and the fact that the property is adjacent to either LLRZO or small rural allotments (many subdivided down to the previous 4 hectare minimum), which connects it to Oxford.

34 Yes, I agree that the 0.2% LUC 3 soil on 713 Bay Road, Oxford is marginal and therefore within the mapping’s margin for error.

35 I followed the assessment framework set out in Figure 3 of my s42A report. This submission was assessed in the section 3.5, which covered rezone requests partly within HPL. I did note in paragraphs 108 and 113 that this rezone request contained a negligible HPL. As set out in paragraph 114, I then assessed the parts of these rezone requests outside HPL against the CRPS provisions, which in this case related to 99.8% of 713 Bay Road

36 Section 3.5.2.2.2 of my report concluded that this rezone request would not give effect to the CRPS. Therefore, regardless of the marginal part of HPL and therefore the negligible relevance of the NPS-HPL, I consider this request should be rejected as overall it would reduce the potential for primary production which would not give effect to the CRPS.

37 I acknowledge the evidence presented at the hearing by the submitter and Mr Langlin relating to the site’s ample availability to water supply, cultivation limitations (due to its steep topography and minimal soil depth), stock grazing limitations (due to its steep foothills that run into gullies), and its proximity to small rural lots, potential Large Lot Residential Zone (Overlay), and Oxford.

38 I note that the submitter did not mention limitations relating to other forms of primary production, aside from cultivation and stock grazing, and I consider there must be other primary production¹⁵ options for this land.

¹⁵ The CRPS defines ‘primary production’ as “*The production (but not processing) of primary products including agricultural, horticultural, pastoral, aquacultural, and forestry products and includes the use of land and auxiliary buildings for these purposes.*”

39 I maintain my view that this rezone request should be rejected as it would not give effect to the CRPS primary production provisions (Objective 5.2.1(e) and Policy 5.3.12(1)(a)) as it would enable 4ha subdivision which would fragment this rural land and reduce its potential for primary production (as per the Marfarlane report), and also increase its likelihood of being used for lifestyle purposes. Furthermore, rezoning this property RLZ would create a 12ha RLZ 'island' surrounded by GRUZ land.

7. Please confirm whether there is scope in Mr and Mrs Richardson's submission [26.1] to include the adjoining properties Mr Richardson referred to. If your advice is that there is, please provide any updated recommendation(s).

40 The submission from Matthew Richardson [26.1] only seeks the rezoning of their property at 83 Bradys Road, Loburn. It does not include the adjoining property Mr Richardson referred to at the hearing, which I interpret to be the adjoining 4ha GRUZ property at 239 Loburn Terrace Road, Loburn North. This submission does not refer to further, consequential, or alternative relief. I therefore do not consider there is scope to include 239 Loburn Terrace Road, Loburn North (or any other adjoining GRUZ properties) within the relief sought for this submission.

41 Please refer to my response to Question 8 below for an outline of the general submissions relating to rezoning the GRUZ that could potentially be applied to Mr Richardson's [26.1] request.

8. In relation to the Watherston submission, can you confirm whether there are other submissions, either specific or general, that would enable the rezoning of the surrounding area that is already fragmented?

42 No, there are no other specific rezone requests near the Watherston [78.1] rezone request at 2 Riverside Road, Okuku (115.8ha), as shown by **Figure 4** and **Figure 5** below.

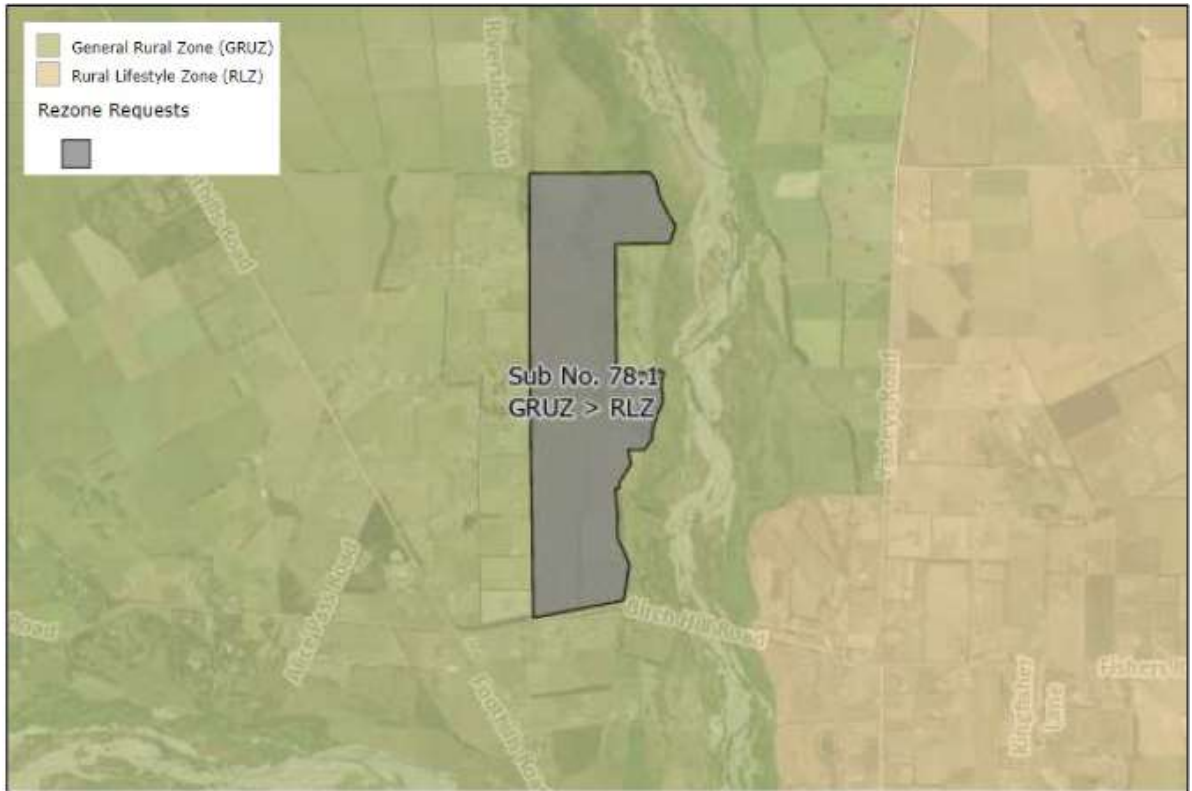


Figure 4: Watherston [78.1] rezoning request only rezoning request in this general area



Figure 5: District-wide specific rezoning requests received via submissions on PDP, blue arrow shows location of Watherston [78.1] rezoning request and lack of other specific rezoning requests surrounding it

- 43 However, there are two general rezoning requests relating to GRUZ. These are:
- a. John Waller [89.1] - opposes the GRUZ zoning and its impact on reducing subdivision potential and financial implications of this. Questions why the west of the District is GRUZ when the east of is more fertile. Seeks that current owners have the right to the old rules until they sell their properties. Seeks consideration of the areas of GRUZ that have large 10 acre blocks (4ha) to continue in those areas and not be zoned GRUZ.
 - b. Survus Consultants [205.2] - opposes the separation of the rural zone into two zones and seeks deletion of the planning map regarding the GRUZ and RLZ, and rejection of the PDP as notified.

44 For completeness, I also note that a submission from Evans Corporate Trustee Limited as trustee for the Evans No 4 Trust - Richard Shaun Evans Director [203.2] supports the general principle of two rural zones where the land use is rural. The full extent of this submission related to a request to rezone the San Dona area from RLZ to LLRZ thus the submitter's inclusion of support for RLZ and GRUZ where the land use is rural more relates to their opposition of the RLZ zoning for San Dona and I do not consider there would be scope to extend this to opposing GRUZ zoning on fragmented rural land.

45 In terms of whether I consider there is scope within these two general submissions (Waller [89.1] and Survus [205.2]) that would enable the rezoning of the already fragmented area surrounding the Watherston rezone request at 2 Riverside Road, Okuku, I consider there could be scope within the Waller [89.1] submission. Specifically, where Waller [89.1] seeks consideration of GRUZ areas with 4ha blocks to continue and not be zoned GRUZ, as I interpret this to mean any 4ha GRUZ areas should not be GRUZ thus could be applied to the fragmented 4ha lots surrounding the Watherston [78.1] request area if the Panel was minded to do so.

46 **Figure 6** below shows the property boundaries of lots surrounding rezone request [78.1] at 2 Riverside Road, Okuku. I note the following:

- a. The properties on the west side of Riverside Road are approximately 4ha.
- b. The properties located within GRUZ on the east side of the Okuku River, on the west side of Yaxleys Road:
 - i. Some properties are larger than 4ha (i.e., 81 Yaxleys Road is 14.5ha, 111 Yaxleys Road is 6.5ha, 223 Yaxleys Road is 8ha, also the land located in between 223 and 123 Yaxleys Road is part of 241 Yaxleys Road and is 56.1ha total); and
 - ii. Some properties are 4ha (i.e., 117 Yaxleys Road and 123 Yaxleys Road).
- c. The Okuku River parcel lies in between 2 Riverside Road and these properties on the west of Yaxleys Road and is zoned GRUZ.

47 I note a mapping error in the polygon that shows the [78.1] rezone request in that it does not encompass the entire 2 Riverside Road property as it excludes a small portion of it on

the northeast side. However, I do not consider this mapping error is of any consequence to my assessment but wish to point it out to the Panel.

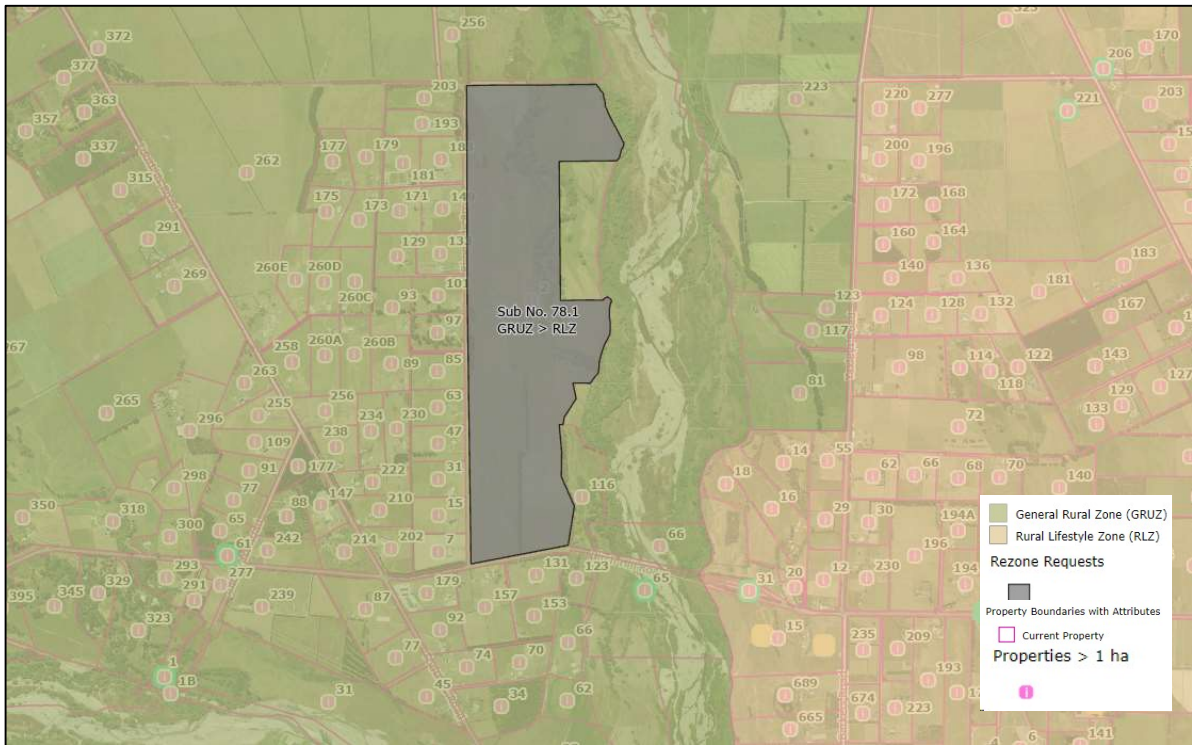


Figure 61: 2 Riverside Road, Okuku with surrounding property boundaries showing to provide lot size context (Source: WAIMAP)

9. Submissions 101 and 102 (Borcoshie family) included a number of submission points on the Rural Zone provisions that have not been addressed in this report or the Rural Zone s42A report. Please address these, and in doing so, consider the appropriateness of potential amendments to the Rural Zone rules to assist submitters who find themselves located within pockets of land that are more rural lifestyle in character than rural production.

48 Mr Buckley, Rural Zones s42A Reporting Officer and Rural Subdivision s42A Reporting Officer, has prepared the memo provided in **Appendix 3** that sets out his assessment and recommendation on the remaining matters within Borcoskie submissions [101.1 and 102.1] that should have been addressed in his Rural s42A Report (Hearing Stream 6) or Rural Subdivision s42A Report (Hearing Stream 8).

10. In relation to submission [305] Bax at 128 Baynons Road, now represented by Mr Walshe:

(a) What approach did the Council take in respect of the zoning of land within the Noise contour that is not within the “Kaiapoi Exemption”, in particular any rezoning from what was equivalent of a General Rural Zone to Rural Lifestyle Zone.

49 Firstly, I note that I have interpreted the Panel’s statement: “any rezoning from what was equivalent of a General Rural Zone to Rural Lifestyle Zone” to be relate to consideration of applying RLZ zoning to properties that were ≥ 20 ha (given this is the GRUZ minimum lot size) when drafting the PDP.

50 Section 7 of the Rural s32 Report, which evaluates the appropriateness of the PDP objectives states¹⁶ that: “With respect to noise associated with Christchurch International Airport and the Rangiora Airfield matters relating to noise are managed within the noise chapter. This contains relevant objectives which apply on a District wide basis, irrespective of the zoning. On this basis a specific objective in the Rural Zone addressing aircraft noise and potential reverse sensitivity effects is not required.”

51 As I have set out in paragraph 27 above, my understanding is that the GRUZ-RLZ boundary was determined primarily by rural character including predominant landholding size and land use and was intended to prevent further fragmentation of rural land.

52 Therefore, based on what is set out in the Rural s32 Report, I do not consider that the presence of the airport noise contour was a factor when determining GRUZ vs RLZ zoning in the PDP. Furthermore, as set out in my response to Question 10(b) below, I do not consider that CRPS Policy 6.3.5(4) applies to GRUZ to RLZ rezoning requests as I do not consider such development would meet the definition of ‘noise sensitive activities’.

(b) Is Rural Lifestyle Zone development considered to be residential development in the scope of Policy 6.3.5(4)?

53 The property 128 Baynons Road [305.1] within located within Greater Christchurch and also the 50dBA Ldn Noise Contour for Christchurch International Airport Limited.

¹⁶ On page 42-43

54 CRPS Policy 6.3.5:

“Recovery of Greater Christchurch is to be assisted by the integration of land use development with infrastructure by:

....

*(4): Only providing for new development that does not affect the efficient operation, use, development, appropriate upgrading and safety of existing strategic infrastructure, including by **avoiding noise sensitive activities** within the 50dBA Ldn airport noise contour for Christchurch International Airport, unless the activity is within an existing residentially zoned urban area, residential greenfield area identified for Kaiapoi, or residential greenfield priority area identified in Map A (page 6-28) and enabling commercial film or video production activities within the noise contours as a compatible use of this land;*

....” (my emphasis)

55 The CRPS defines ‘noise sensitive activities’, as it relates to Greater Christchurch, as:

- *“Residential activities **other than those in conjunction with rural activities that comply with the rules in the relevant district plan as at 23 August 2008;***
- *Education activities including pre-school places or premises, but not including flight training, trade training or other industry related training facilities located within the Special Purpose (Airport) Zone in the Christchurch District Plan;*
- *Travellers’ accommodation except that which is designed, constructed and operated to a standard that mitigates the effects of noise on occupants;*
- *Hospitals, healthcare facilities and any elderly persons housing or complex.*

But does not include:

- *Commercial film or video production activity” (my emphasis).*

56 I interpret this emphasised part of the definition to mean that provided the residential activity is in conjunction with a rural activity that complies with the rules in the relevant district plan as at 23 August 2008 (i.e., the Operative District Plan which has a minimum

rural density of 4ha, and the RLZ 4ha minimum density aligns with this, and the GRUZ 20ha minimum density is less dense than this), then such residential activities are not considered to be ‘noise sensitive activities’.

57 The CRPS also includes “*Residential activity on lots of 4 ha or more*” in its definition of ‘rural activities’ which applies to Greater Christchurch; thus I consider this would apply to residential units on rural zoned properties that are 4ha or larger.

58 Therefore, given these defined terms, I consider that any residential units (and minor residential units) established on RLZ or GRUZ zoned properties would not be included within the CRPS definition for ‘noise sensitive activities’ within Greater Christchurch as they are in conjunction with ‘rural activities’ given the minimum 4ha density.

59 As such, in my opinion, the CRPS noise contour avoidance policy (Policy 6.3.5(4)) does not apply to these activities, and therefore, RLZ development is not considered to be ‘residential development’ within the scope of Policy 6.3.5(4).

(c) Are there any other relevant policies in the RPS that should be considered?

60 I consider that the only relevant policies in the CRPS that should be considered in relation to Mr Walshe’s submission [305.1], given his property is located within Greater Christchurch, are CRPS Objective 15.2.1¹⁷, Objective 5.2.1(2)(e)¹⁸, and Objective 6.2.1(7)¹⁹, which relate to primary production and rural character.

61 Overall, I consider the rezone request would not give effect to these objectives. My report did not assess these CRPS provisions given the site was located fully within HPL so my assessment stopped at the NPS-HPL as per my assessment framework set out in Figure 3 of my s42A report.

¹⁷ CRPS Objective 15.2.1 - “*Maintenance and improvement of the quality of Canterbury’s soil to safeguard their mauri, their life supporting capacity, their health and their productive capacity.*”

¹⁸ CRPS Objective 5.2.1(2)(e) – “*enables rural activities that support the rural environment including primary Production;*”

¹⁹ CRPS Objective 6.2.1(7) – “*maintains the character and amenity of rural areas and settlements;*”

11. In legal submissions, CIAL expressed concern that the s42A recommendation was to reject their further submission point FS80 in respect to Bax [305.1] and that their point had not been assessed within the body of the s42A report. Please review that further submission point and CIAL's legal submission and planning evidence and provide an updated recommendation.

62 On reflection, I consider that as I have recommended the rezoning request [305.1] be rejected and this further submission opposes it and seeks its rejection, then this further submission should be recommended to be accepted. I have updated my recommendation on further submission [FS80] in **Appendix 2** to reflect this.

63 However, I disagree with the CIAL evidence relating to the relevance of CRPS Policy 6.4.5(4) to this rezone request as I do not consider RLZ (and GRUZ) development would meet the CRPS definition for 'noise sensitive activities' thus in my view this policy does not apply to GRUZ to RLZ rezone requests within the airport noise contour.

12. Is there scope for the Panel to consider the Airport noise contour matters raised by Mr Walshe in respect to submission 305 Bax? If you consider that there is scope, please set out your advice on this matter.

64 Submission [305.1] sought the rezoning of 128 Baynons Road from GRUZ to RLZ. Christchurch International Airport Ltd (CIAL) opposed this via further submission [FS80] because it was within the airport noise contours and provided planning evidence and legal submissions reiterating these matters. I consider Mr Walshe's²⁰ airport noise related evidence was responding to CIAL's further submission, evidence, and legal submissions.

65 If the Panel find that Mr Walshe's airport noise related evidence was in response to CIAL's opposition to his rezoning request, then I consider that the Panel does have scope to consider it in respect his submission [305.1].

66 I consider that while Mr Walshe has expertise as an Airbus A320 Pilot and is familiar with the operating procedures and operations at Christchurch Airport, his evidence was not expert evidence as he did not appear before the Panel as an expert as such (e.g., he did not refer to the expert witness code of conduct, provide his qualifications and experience). Therefore, I consider the weight that should be applied to his evidence should be more

²⁰ Now representing the Marie Bax [305.1] submission

akin to that of a lay person, albeit slightly higher weight given his pilot expertise but less than that of an expert.

67 In terms of my advice on this matter, I recommend that submission [305.1] is rejected as it does not give effect to the NPS-HPL. However, as noted above, I do not consider the avoidance directive of CRPS Policy 6.3.5(4) applies to rezone request [305.1] as such RLZ (and GRUZ) residential activities would not meet the CRPS definition for ‘noise sensitive activities’.

Other matters arising during the hearing

Rangiora Airfield related submission

68 As I noted in my summary statement²¹, I noticed a minor error that needs to be corrected in Appendix B my s42A report. Page 84 of Appendix B refers to a submission from Z Energy [286.12] that seeks to retain the Rural Lifestyle zoning for the Rangiora Airfield and any other amendments that give effect to its submission. Appendix B of my report accepted this relief, noting that I agreed with the submitter, and no amendments to the PDP were recommended. The submission is not covered in the main body of my report. Given the Rangiora Airfield rezone request is now being dealt with via Hearing Stream 12F, I consider that as this submission relates to it, it should be addressed in that hearing. Therefore, I have deleted this submission and my recommendation in **Appendix 2**.

CRPS Chapter 15 assessments – addendum

69 As set out in my response to preliminary question 2, I omitted an assessment of chapter 15 (Soils) of the CRPS when doing my CRPS assessments in sections 3.4 to 3.9 of my report. I have provided these assessments as an addendum in **Table 3** below.

Table 3: CRPS Chapter 15 assessment for rezone requests within Rural Rezone Requests s42A Report

²¹ https://www.waimakariri.govt.nz/data/assets/pdf_file/0024/163662/STREAM-12B-SUMMARY-STATEMENT-S42A-AUTHOR.pdf

Section of s42A report	CRPS Chapter 15 assessment addendum
Section 3.5 – rezone requests partly within HPL	I also consider that these submissions would not give effect to Objective 15.2.1 and Policy 15.3.1 of the CRPS as the increased fragmentation of rural land that the rezoning requests would enable would make it less likely that the productive capacity of the LUC 4 soils (which are not classified as HPL under the NPS-HPL thus subject to this CRPS assessment as per my assessment framework in Figure 3 of my s42A report) would be safeguarded.
Section 3.6 – rezone requests outside HPL	I also consider that these submissions would not give effect to Objective 15.2.1 and Policy 15.3.1 of the CRPS as the increased fragmentation of rural land that the rezoning requests would enable would make it less likely that the productive capacity of the LUC 4 soils would be safeguarded.
Section 3.7 – dual rural zones approach rezone request	I also consider that submission [205.2] would not give effect to Objective 15.2.1 and Policy 15.3.1 of the CRPS as the fragmentation of rural land that it would enable it would not safeguard the productive capacity of soils. I do not consider Chapter 15 of the CRPS is of particular relevance to my assessment of submission [203.2].
Section 3.8 – peri-urban rural development rezone request	I also consider allowing peri-urban rural residential development [12.1] would not give effect to Objective 15.2.1 and Policy 15.3.1 of the CRPS as it would not safeguard the productive capacity of soils surrounding urban areas.
Section 3.9 – provision for residential units on undersized rural lots	I do not consider Chapter 15 of the CRPS is of particular relevance to my assessments of submissions [231.1, 231.2, and 370.1].

Section of s42A report	CRPS Chapter 15 assessment addendum
within RLZ rezone request	
Section 3.10 – rezoning Coopers Creek GRUZ to NOSZ	I do not consider Chapter 15 of the CRPS is of particular relevance to my assessment of submission [270.16].

Date: 5 July 2024

S. Masavjević

.....

Appendix 1 – Recommended amendments to PDP planning map

- I recommend no further amendments to the recommended amendments in my s42A report. The sole recommended amendment from my s42A is shown below.

I recommend that the land shown by the grey outline below be rezoned from GRUZ to NOSZ, being the true left and true right branches of Coopers Creek above their confluence and located near 266 and 268 Mountain Road, Coopers Creek.



Figure A1: Area recommended to be rezoned from GRUZ to NOSZ via submission of George JasonSmith [270.16] (Source: WAIMAP)

Appendix 2 – Recommended responses to submissions and further submissions

In order to distinguish between the recommended responses in the s42A report and the recommended responses that arise from this report:

- Recommendations from this report in response to evidence are shown in blue text (with underline and ~~strike-out~~ as appropriate).

Table B1: Recommended responses to submissions and further submissions relating to Rural Zone rezoning requests

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
1.1	Nathan Schaffer	General	Rezoning 593 and 581 Marshmans Road to Rural Lifestyle Zone.	3.4	Reject	See body of report.	No
102.1	M J Borcoskie Family Trust	General	Request that the existing District Plan rules, as they apply to 666 Mount Thomas Road, remain unchanged. Alternatively, rezone 666 Mount Thomas Road to Rural Lifestyle Zone. If 666 Mount Thomas Road remains General Rural Zone, the rules need to allow for future subdivision as a controlled or discretionary activity, to take into account the best interests of a property where its inclusion within the zone is more marginal than the other areas containing the best quality land. Rules need to be clear and give greater ability for rural use, including more intensive uses. If future subdivision is not possible, future use and development should be enabled, and reverse sensitivity issues should be adequately covered.	3.4	Reject	See body of report.	No
103.1	Margaret and John Cotter	General	Extend Rural Lifestyle Zone along the north side of Oxford Road, west from Rangiora to the Cust River (Kennedy Hill Rd) to match the zoning on the south side of Oxford Road. Reinstate boundary adjustment provisions from the Operative District Plan. Assess subdivision applications on individual merit.	3.5	Reject	See body of report.	No
11.1	Kevin Douglas Braden	General	Allow 10 acre (4ha) subdivision in Mainrace Road because already subdivided around 253 Mainrace Road and to provide for living and working in the area.	3.6	Reject	See body of report.	No
12.1	Wayne H Dyer	General	Include smaller rural zones adjacent to or surrounded by urban zones, work with land owners and identify suitable areas, rather than stand-alone developments, and recognise productive agricultural land by building on unproductive areas.	3.8	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
14.1	Elizabeth Camm	General	Rezone 12 Doyles Road, Loburn to Rural Lifestyle Zone.	3.5	Reject	See body of report.	No
203.2	Richard Shaun Evans as Director of the Evans Corporate Trustee Limited as trustee for the Evans No 4 Trust	General	Retain the General Rural Zone and Rural Lifestyle Zone where the land use is rural.	3.7	Accept in part	See body of report.	No
FS103	Survus Consultants		<i>Oppose – Disallow. The plan's notification has caused substantial cost and uncertainty about whether our clients' applications that were lodged prior to the notification of the PDP, will be granted. The plan changes were presented to the Environment Court without prior consultation with the rural community and there is no clear reasoning as to why the line between the GRUZ and RLZ line was drawn where it is shown on the maps. Delete General Rural Zone and Rural Lifestyle Zone maps and provisions for rural subdivision and residential development. Amend provisions to reflect the submission's issues and amend objectives and policies to support the relief sought.</i>	3.7	Reject	See body of report.	No
209.1	Robert Adolf and Fiona Mary Buhler	General	Amend Proposed District Plan to either rezone 680 South Eyre Road to Rural Lifestyle or amend General Rural Zone provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for General Rural and Rural Lifestyle Zones that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4	Reject	See body of report.	No
209.10	Robert Adolf and Fiona Mary Buhler	RLZ-R5	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse	3.4	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.				
209.11	Robert Adolf and Fiona Mary Buhler	RLZ-R6	Rezone 680 South Eyre Road to Rural Lifestyle or amend General Rural Zone provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for General Rural and Rural Lifestyle Zones that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4	Reject	See body of report.	No
209.12	Robert Adolf and Fiona Mary Buhler	RLZ-R7	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
209.13	Robert Adolf and Fiona Mary Buhler	RLZ-R8	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4	Reject	See body of report.	No
209.14	Robert Adolf and Fiona Mary Buhler	RLZ-R9	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4	Reject	See body of report.	No
209.15	Robert Adolf and Fiona Mary Buhler	RLZ-R10	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ	3.4	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.				
209.16	Robert Adolf and Fiona Mary Buhler	RLZ-R17	Amend Proposed District Plan to either rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4	Reject	See body of report.	No
209.17	Robert Adolf and Fiona Mary Buhler	GRUZ-O1	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4	Reject	See body of report.	No
209.18	Robert Adolf and Fiona Mary Buhler	GRUZ-P1	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to	3.4	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.				
209.19	Robert Adolf and Fiona Mary Buhler	GRUZ-P2	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4	Reject	See body of report.	No
209.2	Robert Adolf and Fiona Mary Buhler	RLZ-O1	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise or protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
209.20	Robert Adolf and Fiona Mary Buhler	GRUZ-R3	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4	Reject	See body of report.	No
209.21	Robert Adolf and Fiona Mary Buhler	GRUZ-R4	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4	Reject	See body of report.	No
209.22	Robert Adolf and Fiona Mary Buhler	GRUZ-R5	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the	3.4	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			intensification or introduction of odour sensitive activities into surrounding areas.				
209.23	Robert Adolf and Fiona Mary Buhler	GRUZ-R6	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4	Reject	See body of report.	No
209.24	Robert Adolf and Fiona Mary Buhler	GRUZ-R7	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4	Reject	See body of report.	No
209.25	Robert Adolf and Fiona Mary Buhler	GRUZ-R9	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of	3.4	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.				
209.26	Robert Adolf and Fiona Mary Buhler	GRUZ-R9	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4	Reject	See body of report.	No
209.27	Robert Adolf and Fiona Mary Buhler	GRUZ-R10	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4			
209.28	Robert Adolf and Fiona Mary Buhler	GRUZ-R17	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse	3.4	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.				
209.29	Robert Adolf and Fiona Mary Buhler	GRUZ-BFS5	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4	Reject	See body of report.	No
209.3	Robert Adolf and Fiona Mary Buhler	RLZ-P1	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
209.30	Robert Adolf and Fiona Mary Buhler	General	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4	Reject	See body of report.	No
209.31	Robert Adolf and Fiona Mary Buhler	General	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4	Reject	See body of report.	No
209.4	Robert Adolf and Fiona Mary Buhler	RLZ-P2	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the	3.4	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			intensification or introduction of odour sensitive activities into surrounding areas.				
209.5	Robert Adolf and Fiona Mary Buhler	RLZ-BFS5	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4	Reject	See body of report.	No
209.6	Robert Adolf and Fiona Mary Buhler	RLZ-R1	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4	Reject	See body of report.	No
209.7	Robert Adolf and Fiona Mary Buhler	RLZ-R2	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of	3.4	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.				
209.8	Robert Adolf and Fiona Mary Buhler	RLZ-R3	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4	Reject	See body of report.	No
209.9	Robert Adolf and Fiona Mary Buhler	RLZ-R4	Rezone 680 South Eyre Road to Rural Lifestyle Zone (RLZ) or amend General Rural Zone (GRUZ) provisions to recognise and protect existing lawfully established intensive farms from reverse sensitivity effects from intensification or activities sensitive to animal effluent odour discharges, such as residential and other activities. This should include all buffers/setbacks in Operative District Plan for sensitive activities and associated matters of consideration (Rule 31.19.1.1,3 and 4 and Rule 32.1.3(m)). Amend objectives and policies to include specific aim for GRUZ and RLZ that protects lawfully established rural activities and their infrastructure from the reverse sensitivity effects of the intensification or introduction of odour sensitive activities into surrounding areas.	3.4	Reject	See body of report.	No
226.1	McAlpines Limited	General	Retain Rural Lifestyle zoning for the land marked E on Attachment 1 of full submission (map).	N/A – Only addressed here	Accept	Agree with submitter.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
						I note that rezone requests by this submitter within this wider area are addressed in Hearing Stream 12A 'Commercial / Industrial Rezone requests'.	
229.1	Andrea Martin	General	Rezone 49 Terrace Road, Cust as Rural Lifestyle Zone of 4has.	3.4	Reject	See body of report.	No
231.1	Roger Reeves & Karen De Lautour	RLZ-R3	Amend RLZ-R3(3): "A site with a minimum net site area less than 4ha exists and it is a site or an allotment that was created by a subdivision and was on a subdivision consent between 1 October 1991 and before 24 February 2001 (inclusive of both dates) one residential unit may be erected ..." Amend map and/or rules to make a site specific exemption for 786 Mill Road, Ohoka. Amend relevant objectives and policies as required to support the rule amendment.	3.9	Reject	See body of report.	No
24.1	John Larsen	General	Rezone 177 Woodfields Road, Swannanoa, from General Rural Zone to Rural Lifestyle Zone (RLZ). This allows for subdivision of the land down to 4ha in the future, allows for the RLZ boundary to be tidied up, and is appropriate for the area as property is surrounded by 4ha lots.	3.4	Reject	See body of report.	No
26.1	Matthew Richardson	General	Rezone 83 Bradys Road to Rural Lifestyle Zone and have the same zoning as neighbours, which are all 4ha sites and is a consistent transition with existing farms on the road being zoned General Rural to protect their current unsubdivided status.	3.4	Reject	See body of report.	No
260.1	Andrea and William 'Rob' Thomson	General	Retain Rural Lifestyle zoning for 20 Jeffs Drain Road Ohoka, and subsequent parcels and amend zone description, objectives and policies to recognise rural lifestyle living as the predominant use	N/A - Only addressed	Accept	Agree with submitter.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			and that the role, function, character and amenity is compromised by incompatible activities.	in this table			
231.2	Roger Reeves & Karen De Lautour	GRUZ-R3	Amend GRUZ-R3(5): "a site with a minimum net site area less than 4ha exists and it is a site or an allotment that was created by subdivision and was on a subdivision consent between 1 October 1991 and before 24 February 2001 (inclusive of both dates) one residential unit may be erected..." Amend relevant objectives and policies as required to support the rule amendment.	3.9	Reject	See body of report.	No
370.1	Peter Robert Raleigh Mulligan	RLZ-R3	Allow 1ha section subdivisions for both sites and allotments to enable the erection of a residential unit on less than 4ha.	3.9	Reject	See body of report.	No
270.16	George JasonSmith	General	Amend to include the east and west branches of Coopers Creek in the Open Space Zone for their entire lengths above their confluence. All related Rules, Objectives, Policies, Standards, and Matters for Discretion be amended accordingly.	3.10	Accept	See body of report.	Yes
286.12	Z Energy	General	Retain Rural Lifestyle Zone for Rangiora Airfield and any other amendments that give effect to this submission.	N/A—Only addressed in this table	Accept	Agree with submitter.	No
292.1	Daniel Hamish Patrick Cosgrove	General	Allow subdivisions and boundary adjustments to at least 4ha, as per the blocks which surround 852 Oxford Rd, Rangiora.	3.4	Reject	See body of report.	No
292.2	Daniel Hamish Patrick Cosgrove	SUB-R2	Allow subdivisions and boundary adjustments to at least 4ha, as per the blocks which surround 852 Oxford Road, Rangiora.	3.4	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
292.3	Daniel Hamish Patrick Cosgrove	SUB-S1	Allow subdivisions and boundary adjustments to at least 4ha, as per the blocks which surround 852 Oxford Road, Rangiora.	3.4	Reject	See body of report.	No
292.4	Daniel Hamish Patrick Cosgrove	SUB-R10	Allow subdivisions and boundary adjustments to at least 4ha, as per the blocks which surround 852 Oxford Road, Rangiora.	3.4	Reject	See body of report.	No
292.5	Daniel Hamish Patrick Cosgrove	SUB-R1	Allow subdivisions and boundary adjustments to at least 4ha, as per the blocks which surround 852 Oxford Road, Rangiora.	3.4	Reject	See body of report.	No
300.1	Eyrewell Dairy Ltd	General	Amend the planning maps to zone 650 Two Chains Road (legally described as Part Lot 1 Deposited Plan 2829) either Large Lot Residential Zone or Rural Lifestyle Zone.	3.4	Reject	See body of report.	No
300.10	Eyrewell Dairy Ltd	GRUZ-R3	Seeks that the Rural Lifestyle Zone rules (RLZ-R3) or Large Lot Residential Zone rules apply instead.	3.4	Reject	See body of report.	No
300.11	Eyrewell Dairy Ltd	GRUZ-R41	Seeks that the Rural Lifestyle Zone rules (RLZ-38) or Large Lot Residential apply instead.	3.4	Reject	See body of report.	No
300.13	Eyrewell Dairy Ltd	SUB-R10	Seeks that SUB-S1 for Rural Lifestyle Zone or Large Lot Residential Zone apply instead.	3.4	Reject	See body of report.	No
300.3	Eyrewell Dairy Ltd	RURZ-O1	Rezone and map 650 Two Chain Road (legally described as Part Lot 1 Deposited Plan 2829) either Large Lot Residential or Rural Lifestyle Zone to recognise east of district location and predominant character of small rural sites with residential units and structures at a low density compared to urban environments.	3.4	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
300.4	Eyrewell Dairy Ltd	RURZ-O2	Rezone and map 650 Two Chain Road (legally described as Part Lot 1 Deposited Plan 2829) either Large Lot Residential or Rural Lifestyle Zone to recognise east of district location and predominant character of small rural sites with residential units and structures at a low density compared to urban environments.	3.4	Reject	See body of report.	No
300.5	Eyrewell Dairy Ltd	RURZ-P1	Rezone and map 650 Two Chain Road (legally described as Part Lot 1 Deposited Plan 2829) either Large Lot Residential or Rural Lifestyle Zone to recognise east of district location and predominant character of small rural sites with residential units and structures at a low density compared to urban environments.	3.4	Reject	See body of report.	No
300.6	Eyrewell Dairy Ltd	RURZ-P2	Rezone and map 650 Two Chain Road (legally described as Part Lot 1 Deposited Plan 2829) either Large Lot Residential or Rural Lifestyle Zone to recognise east of district location and predominant character of small rural sites with residential units and structures at a low density compared to urban environments.	3.4	Reject	See body of report.	No
300.7	Eyrewell Dairy Ltd	GRUZ-O1	Amend the planning maps to zone the land at 650 Two Chains Road (legally described as Part Lot 1 Deposited Plan 2829) either Rural Lifestyle Zone (RLZ) or Large Lot Residential Zone. Seek that the RLZ objectives and policies (RLZ-O1 and RLZ P1-P2) or LLRZ apply instead.	3.4	Reject	See body of report.	No
300.8	Eyrewell Dairy Ltd	GRUZ-P1	Amend the planning maps to zone the land at 650 Two Chains Road (legally described as Part Lot 1 Deposited Plan 2829) either Rural Lifestyle Zone (RLZ) or Large Lot Residential Zone. Seek that the RLZ objectives and policies (RLZ- O1 and RLZ P1-P2) or LLRZ apply instead.	3.4	Reject	See body of report.	No
300.9	Eyrewell Dairy Ltd	GRUZ-P2	Amend the planning maps to zone the land at 650 Two Chains Road (legally described as Part Lot 1 Deposited Plan 2829) either Rural Lifestyle Zone (RLZ) or Large Lot Residential Zone.	3.4	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			Seek that the RLZ objectives and policies (RLZ-O1 and RLZ P1-P2) or LLRZ apply instead.				
306.2	Robert Kimber	General	Retain Rural Lifestyle zoning for 166 Jeffs Drain Road, Ohoka and the subsequent parcels created by LT Plan 564981.	N/A – Only addressed in this table	Accept	Agree with submitter.	No
371.1	Peter Anthony and Marie Elizabeth Ann Norgate	General	Rezone 713 Bay Road, Oxford to Rural Lifestyle Zone.	3.5	Reject	See body of report.	No
379.1	Stan and Sue McGaffin	General	Rezone 1055 Downs Rd, West Eyreton to either Rural Lifestyle Zone or Large Lot Residential Zone to enable 4ha lot subdivision.	3.4	Reject	See body of report.	No
FS131	Stan & Sue McGaffin		<i>Support – Allow. We purchased our 10 acre property over 30 years ago and it was always our intention to split the land into 3 10 acre blocks as our superannuation fund. Now in our late sixties and early seventies we would like to give up work but our plans have been put into doubt by this sudden change. The land on our northern boundary is Rural 1 and can be split into 2 acre blocks and there is a large dairy farm on the southern boundary. Tram Rd is only a 3 minute drive away, the very well regarding West Eyreton Primary School is also only a three minute drive away, High school buses pick up at the West Eyreton hall corner and we are 6kms from Cust Village which provides many amenities including Garage/dairy, cafe, hairdresser, hotel and rose nursery. If the Council would prefer smaller lifestyle blocks, we would be happy to go with whatever the Council feels would be most suitable for the area.</i>	3.4	Reject	See body of report.	No
415.1	Murray McDowell	General	Rezone a corridor between Eyre River bridge and Waimakariri Gorge bridge Rural Lifestyle Zone to allow future speed limit adjustments.	3.5	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
415.2	Murray McDowell	General	Support the Rural Lifestyle Zone corridor west of Rangiora through to the east of Cust.	3.5	Reject	See body of report.	No
415.3	Murray McDowell	General	Rezone a corridor between Eyre River bridge and Waimakariri Gorge bridge Rural Lifestyle Zone to allow future speed limit adjustments.	3.5	Reject	See body of report.	No
415.5	Murray McDowell	GRUZ-P2	Rezone a corridor between Eyre River bridge and Waimakariri Gorge bridge Rural Lifestyle Zone to allow future speed limit adjustments.	3.5	Reject	See body of report.	No
417.1	Murray McDowell	GRUZ-P2	Rezone 685 Depot Road, Burnt Hill Oxford to Rural Lifestyle Zone to complete the empty pocket of land and preserve character and charm.	3.4	Reject	See body of report.	No
417.2	Murray McDowell	General	Rezone 685 Depot Road Burnt Hill Oxford from General Rural Zone to Rural Lifestyle Zone to enable the completion of the intended subdivision and preserve character and charm.	3.4	Reject	See body of report.	No
42.1	Margaret Jennifer Spencer-Bower	GRUZ-O1	Oppose rezoning of property at Isaac Road through to Downs Road, Swannanoa General Rural Zone with 20ha minimum subdivision lot size.	3.6	Reject	See body of report.	No
64.1	Carolyn Rossiter	General	Rezone 129 North Eyre Road to Rural Lifestyle Zone.	3.4	Reject	See body of report.	No
67.1	Chris and Jenny Rose	General	Extend Rural Lifestyle Zone along the north side of Oxford Road, west from Rangiora to the Cust River (Kennedy Hill Rd) to match the zoning on the south side of Oxford Road. Reinstate boundary	3.5	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			adjustment provisions from the Operative District Plan. Assess subdivision applications on individual merit.				
69.1	Geoffrey Maxwell	General	Rezone 356 Carrs Road Loburn as Rural Lifestyle Zone and amend 4ha minimum to a minimum 4ha average for subdivision in the Rural Lifestyle Zone.	3.4	Reject	See body of report.	No
76.1	Nathan Schaffer	General	Rural Lifestyle Zone boundary should run across the boundary of Ashley Forest - land has been subdivided and larger sites are penalised. Including 593 Marshmans Rd and 581 Marshmans Rd by boundary change is wrong and needs amendment.	3.4	Reject	See body of report.	No
78.1	Nicola Anne Watherston	SUB-S1	Zone 2 Riverside Road as Rural Lifestyle Zone – 4ha.	3.4	Reject	See body of report.	No
98.1	Keswick Farm Dairies	General	Rezone 307 Dalziels Road (Lot 1 DP 30260) and 334 Mount Thomas Road (Lot 1 DP 61711) to enable subdivision, due challenges with reverse sensitivity and restrictions to farming practices. Refer to Figure 4 of original submission. Seeks a broader rezoning of the surrounding area from General Rural Zone to Rural Lifestyle Zone that reflects the land use patterns of existing lifestyle allotments. Refer to Figure 5 of original submission.	3.5	Reject	See body of report.	No
101.1	Borcoskie M J & R M	General	Request that the existing District Plan rules, as they apply to 438 Mairaki Road, remain unchanged. Alternatively, rezone 438 Mairaki Road Rural Lifestyle Zone. If 438 Mairaki Road remains General Rural Zone, the rules need to allow for future subdivision as a controlled or discretionary activity, to take into account the best interests of a property where its inclusion within the zone is more marginal than the other areas containing the best quality land. Rules need to be clear and give greater ability for rural use, including more intensive uses. If future subdivision is not possible, future use and development should be enabled, and reverse sensitivity issues should be adequately covered.	3.4	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
205.2	Survus Consultants	General	Delete maps regarding the General Rural Zone and Rural Lifestyle Zone.	3.7	Reject	See body of report.	No
FS34	Alan & Sharron Davie-Martin		<i>The plan's notification has caused substantial cost, uncertainty and whether our application that was lodged prior to the notification of the PDP, will be granted. Allow in full. Oppose the separation of the rural zone into two new zones. Exemption from the GRUZ rules, for applications that was lodged prior to 18 September 2021 and that the construction of a residential be permitted without a land use resource consent.</i>	3.7	Reject	See body of report.	No
FS97	Darryl Brown		<i>Support – allow in full. The plan's notification has caused substantial cost, uncertainty and whether our application that was lodged prior to the notification of the PDP, will be granted. Oppose the separation of the rural zone into two new zones. Exemption from the GRUZ rules, for applications that was lodged prior to 18 September 2021 and that the construction of a residential be permitted without a land use resource consent.</i>	3.7	Reject	See body of report.	No
FS27	Gerard Bassett		<i>Support – allow in full. The plan's notification has caused substantial cost, uncertainty and whether our application that was lodged prior to the notification of the PDP, will be granted. Oppose the separation of the rural zone into two new zones. Exemption from the GRUZ rules, for applications that was lodged prior to 18 September 2021 and that the construction of a residential be permitted without a land use resource consent.</i>	3.7	Reject	See body of report.	No
FS106	Herman Wezenberg		<i>Support – allow in full. The plan's notification has caused substantial cost, uncertainty and whether our application that was lodged prior to the notification of the PDP, will be granted. Oppose the separation of the rural zone into two new zones. Exemption from the GRUZ rules, for applications that was lodged prior to 18</i>	3.7	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<i>September 2021 and that the construction of a residential be permitted without a land use resource consent.</i>				
FS107	John & Annette Waller		<i>Support – allow in full. plan's notification has caused substantial cost, uncertainty and whether our application that was lodged prior to the notification of the PDP, will be granted. Oppose the separation of the rural zone into two new zones. Exemption from the GRUZ rules, for applications that was lodged prior to 18 September 2021 and that the construction of a residential be permitted without a land use resource consent.</i>	3.7	Reject	See body of report.	No
FS40	John & Annette Waller		<i>Support – allow in full. The plan's notification has caused substantial cost, uncertainty and whether our application that was lodged prior to the notification of the PDP, will be granted. Oppose the separation of the rural zone into two new zones. Exemption from the GRUZ rules, for applications that was lodged prior to 18 September 2021 and that the construction of a residential be permitted without a land use resource consent.</i>	3.7	Reject	See body of report.	No
FS96	John A Bassett		<i>Support – allow in full. The plan's notification has caused substantial cost, uncertainty and whether our application that was lodged prior to the notification of the PDP, will be granted. Oppose the separation of the rural zone into two new zones. Exemption from the GRUZ rules, for applications that was lodged prior to 18 September 2021 and that the construction of a residential be permitted without a land use resource consent.</i>	3.7	Reject	See body of report.	No
FS122	Mallory Olorenshaw		<i>Support – allow in full. The plan's notification has caused substantial cost, uncertainty and whether our application that was lodged prior to the notification of the PDP, will be granted. Oppose the separation of the rural zone into two new zones. Exemption from the GRUZ rules, for applications that was lodged prior to 18 September 2021 and that the construction of a residential be permitted without a land use resource consent.</i>	3.7	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
FS68	Mark & Yvonne Webb		<i>Support – allow in full. The plan's notification has caused substantial cost, uncertainty and whether our application that was lodged prior to the notification of the PDP, will be granted. Oppose the separation of the rural zone into two new zones. Exemption from the GRUZ rules, for applications that was lodged prior to 18 September 2021 and that the construction of a residential be permitted without a land use resource consent.</i>	3.7	Reject	See body of report.	No
FS127	Robert & Linda Falconer		<i>Support – allow in full. The plan's notification has caused substantial cost, uncertainty and whether our application that was lodged prior to the notification of the PDP, will be granted. Oppose the separation of the rural zone into two new zones. Exemption from the GRUZ rules, for applications that was lodged prior to 18 September 2021 and that the construction of a residential be permitted without a land use resource consent.</i>	3.7	Reject	See body of report.	No
FS124	Roel Wobben		<i>Support – allow in full. The plan's notification has caused substantial cost, uncertainty and whether our application that was lodged prior to the notification of the PDP, will be granted. Oppose the separation of the rural zone into two new zones. Exemption from the GRUZ rules, for applications that was lodged prior to 18 September 2021 and that the construction of a residential be permitted without a land use resource consent.</i>	3.7	Reject	See body of report.	No
FS54	Scott & Marcia Larsen		<i>Support – allow in full. The plan's notification has caused substantial cost, uncertainty and whether our application that was lodged prior to the notification of the PDP, will be granted. Oppose the separation of the rural zone into two new zones. Exemption from the GRUZ rules, for applications that was lodged prior to 18 September 2021 and that the construction of a residential be permitted without a land use resource consent.</i>	3.7	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
FS114	Sis Johnston		<i>Support – allow in full. The plan's notification has caused substantial cost, uncertainty and whether our application that was lodged prior to the notification of the PDP, will be granted. Oppose the separation of the rural zone into two new zones. Exemption from the GRUZ rules, for applications that was lodged prior to 18 September 2021 and that the construction of a residential be permitted without a land use resource consent.</i>	3.7	Reject	See body of report.	No
FS111	Susan Mary Sullivan		<i>Support – allow in full. The plan's notification has caused substantial cost to prepare and submit the application. The uncertainty has caused significant stress as we prepare for retirement, compounded by my husband incurring significant injuries in a recent accident. We have had no indication whether our application that was lodged prior to the notification of the PDP, will be granted. Oppose the separation of the rural zone into two new zones. Exemption from the GRUZ rules, for applications that was lodged prior to 18 September 2021 and that the construction of a residential be permitted without a land use resource consent.</i>	3.7	Reject	See body of report.	No
FS55	Terry & Louise Davis		<i>Support – allow in full. The plan's notification has caused substantial cost, uncertainty and whether our application that was lodged prior to the notification of the PDP, will be granted. Oppose the separation of the rural zone into two new zones. Exemption from the GRUZ rules, for applications that was lodged prior to 18 September 2021 and that the construction of a residential be permitted without a land use resource consent.</i>	3.7	Reject	See body of report.	No
89.1	John Waller	General	Retain right to subdivide to 4ha for existing owners until they sell. Rezone areas with 4ha blocks not as General Rural Zone.	3.7	Reject	See body of report.	No
FS103	Survus Consultants		<i>Support - Allow in part. The PDP's notification has caused substantial cost and uncertainty about whether our clients' applications that were lodged prior to the notification of the PDP, will be granted. Survus lodged subdivision applications prior to the notification of the PDP of which the land use for a dwelling was a Permitted Activity. Support the amendment of GRUZ-R3(5) which will allow residential dwellings to be constructed for applications lodged prior to the PDP notified.</i>	3.7	Reject	See body of report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
305.1	Marie Bax	General	Rezone 128 Baynons Road, Clarkville (Lot 3DP 36137) to Rural Lifestyle Zone for consistency with the surrounding properties.	3.4	Reject	See body of report.	No
FS80	Christchurch International Airport Limited		<i>Oppose – Reject. The site is within the Annual Average and Outer Envelope Updated Contours and the Operative Contour. Reject the proposed rezoning in so far as it relates to land within the options for Proposed Plan Contours as shown in CIAL's submission [254].</i>	3.4 & within this table	Reject-Accept	<p>See body of report.</p> <p><u>The reason I had originally recommended [FS80] for rejection was because my assessment of [305.1] did not extend to the CRPS as I followed my assessment framework in Figure 3 of my s42A report that considered the NPS-HPL was determinative and therefore recommended the submission be rejected outright on the basis of not giving effect to Policy 6 of the NPS-HPL.</u></p> <p><u>However, on reflection I consider that as I have recommended the rezoning request [305.1] be rejected, I now recommend this further submission be accepted given it opposes it and seeks its rejection.</u></p> <p><u>However, if I had included a CRPS assessment it would not have covered CRPS Policy 6.3.5(4) as I do not consider RLZ (and GRUZ) development would meet the CRPS definition for 'noise sensitive activities' thus I do not consider this policy is relevant to GRUZ to RLZ rezoning requests.</u></p>	No
421.1	Alistair and Noeline Odgers	General	Rezone 1624, 1552, 1586, 1590 and 1592 Tram Road as Rural Lifestyle Zone.	3.4	Reject	See body of report.	No

Appendix 3: Memo from Mark Buckley, Reporting Officer for Rural Chapter regarding missed parts of Borcoskie submission [101.1. & 102.1]

PROPOSED WAIMAKARIRI DISTRICT PLAN REVIEW

MEMO

FILE NO AND TRIM NO: DDS-14-05-12.01 / 240617098285

DATE: 4 July 2024

MEMO TO: PDP Hearings Panel

FROM: Mark Buckley – Principal Policy Planner

SUBJECT: Borcoskie submissions [101.1 and 102.1]

1. The purpose of this memo is to provide a response to the PDP Hearings Panel’s question relating to Hearing Stream 12B (Rural rezone requests). The question is as follows:

Question 9 - Submissions 101 and 102 (Borcoskie family) included a number of submission points on the Rural Zone provisions that have not been addressed in this report or the Rural Zone s42A report. Please address these, and in doing so, consider the appropriateness of potential amendments to the Rural Zone rules to assist submitters who find themselves located within pockets of land that are more rural lifestyle in character than rural production.

2. Submission [101.1] from Borcoskie M J & R M, and submission [102.1] from M J Borcoskie Family Trust sought a range of amendments to the rural zone provisions of the PDP and also sought rezoning of their properties at 438 Mairaki Road and 666 Mount Thomas Road from General Rural Zone (GRUZ) to Rural Lifestyle Zone (RLZ).
3. The Rural Rezone Requests s42A Report²² from Hearing Stream 12B included an assessment and recommendation for the rezoning request part of these submissions. These recommendations were to reject the rezoning requests on the basis that they would not give effect to the National Policy Statement for Highly Productive Land (NPS-HPL).
4. I am the Reporting Officer for the Rural Chapter, which was hearing in Hearing Stream 6. It has come to my attention that my Rural Zones s42A Report²³ and Rural Zones Reply Report²⁴ did not address the full extent of these submissions (excluding the parts seeking rezoning). I have been asked by Ms

²² https://www.waimakariri.govt.nz/_data/assets/pdf_file/0027/162684/STREAM-12B-RURAL-REZONE-REQUESTS-S42A-REPORT.PDF

²³ https://www.waimakariri.govt.nz/_data/assets/pdf_file/0013/142240/STREAM-6-RURAL-ZONE-SECTION-42A-REPORT.pdf

²⁴ https://www.waimakariri.govt.nz/_data/assets/pdf_file/0027/159705/STREAM-6-RURAL-ZONES-S42A-AUTHORS-RIGHT-OF-REPLY.pdf

Milosavljevic, Reporting Officer for the Rural Rezone Requests, to address these aspects of the Borcoskie submissions [101.1 and 102.1] that my Rural Zones reports did not address. For clarity, I have provided this in **Table 1** below.

Table 1: Borcoskie submissions [101] and [102]

Submitter	Submission	Relief sought	Where addressed in s42A Reports or to be addressed in this memo	Assessment and recommendation if addressed within this memo
Borcoskie M J & R M [101.1]	<p>This submission relates to the property at 438 Mairaki Road (“the Property”). This submission opposes the new rural zoning area rules of the proposed district plan which relate to the Property. It opposes the rationale behind which areas are designated General Rural Zone (“GRZ”) and which areas are designated Rural Lifestyle Zone (“RLZ”). Specifically, the submission challenges the way in which the Council has determined the boundaries of the GRZ and RLZ and the implications this has for the Property. The following are some reasons behind the opposition to the proposed district plan.</p>	<p>That the existing District Plan rules, as they apply to the property, remain unchanged.</p>	<p>Section 3.7 (Paragraph 245 and 251) of the Rural Zone s42A from Hearing Stream 6.</p> <p>Submission recommended to be rejected.</p>	<p>The assessment in para [245] of the S42A Rural Zones officer report states that the review of the rural zone provisions in the District Plan was undertaken to address public concerns around the ongoing loss of rural production land. In undertaking its functions under the Resource Management Act, Council decided to review all of the rural zone planning provisions as part of a wider district plan review. There is no provision that enables a District Council to have two full Operative District Plans²⁵, and for property owners to pick and choose which rules apply to their land holdings. I recommend that this part of the submission is rejected.</p>
	<p>The Waimakariri District Council consultation summary says that the GRZ, while it contains a number of smaller sites, intends retain the prominent character of an open, large-scale productive landscape with open grassland, pastoral farming, cropland and small areas of forestry. The submitter disagrees with this interpretation and argues the distinction is arbitrary. The Property is actually more akin to RLZ land because of its size and the surrounding smaller parcels of land which represent the type of land described as RLZ in the proposed plan.</p>	<p>Alternatively, the submitter seeks that its property is zoned RLZ and not GRZ.</p>	<p>Addressed in Rural Rezone Requests s42A Report from Hearing Stream 12B.</p> <p>Submission recommended to be rejected.</p>	<p>N/A</p>
	<p>It is a contradiction to redefine the GRZ and then require resource consents for intensive indoor and outdoor farming activities. The rules are not consistent for a rural zone because many sites within the GRZ are in substance RLZ land. There is no benefit whatsoever to the GLZ zone in the proposal when the activity rules are essentially the same as RLZ. This being said, the zoning should be made on a case by case basis.</p>	<p>If the land is to be zoned GRZ then the rules relating to that zone need to be amended to allow for any future subdivision to be either a controlled activity or a discretionary activity, to allow more flexibility in the future, and provide a better balance as to what may be in the best interests of a particular property where its inclusion with GRZ is more marginal than the other areas containing the best quality GRZ land.</p>	<p>This should have been addressed in the Rural Subdivision s42A Report in Hearing Stream 8 however was missed thus is assessed in this memo in next column.</p>	<p>The S32 Rural Zones report identified four main RMA issues for rural land in the district associated with community and stakeholder feedback. The loss of productive rural land through fragmentation and subsequent reverse sensitivity effects covered three of the main rural issues²⁶. Being more enabling with subdivision will result in further land fragmentation, increased reverse sensitivity effects and loss of rural productivity, which is reflected in the Macfarlane report, where it is stated that 4ha rural lifestyle properties has generally lead to sub-optimal production²⁷. I recommend that this part of the submission is rejected.</p>
	<p>The submitter does not believe the soils of the land in its area are of a type to justify the GRZ designation and would be better reflected as RLZ land. The attachment shows that the land is not an area with open large scale production available. The attachment below highlights that the property is surrounded by small parcels of land that are more in the nature of RLZ land, despite being zoned GRZ. The Council will impose rates within the GRZ</p>	<p>If the GRZ zoning is to remain, the rules that apply need to be clear and concise and give greater ability for that land to be used as a rural lot, including more intensive rural related uses on the property. If GRZ land is incapable of future subdivision, then that zoning should have the widest possible meaning in terms of future use and development</p>	<p>This should have been addressed in the Rural Zone s42A from Hearing Stream 6 however was missed thus is assessed in this memo in next column.</p>	<p>The Proposed Plan policies and rules clearly prioritise rural production activities within the GRUZ zone. The need for resource consents for intensive farming activities enable Council to consider any effects on natural environmental values, such as SNAs and freshwater bodies, ensuring effects are internalised and</p>

²⁵ Noting that the definition for District Plan within the RMA refers to “operative plan” in the singular sense. Section 73(1) refers to there being 1 district plan for each district and uses the singular sense when referring to the district plan.

²⁶ Between 2002 and 2019 Canterbury had a 129% increase in HPL land fragmentation, resulting in 33% of HPL land area being in small parcels (StatsNZ)

²⁷ Section 4.1 Macfarlane Rural Business, 2018. Waimakariri District Plan Review: Rural Production Advice - Rural Land Zoning.

Submitter	Submission	Relief sought	Where addressed in s42A Reports or to be addressed in this memo	Assessment and recommendation if addressed within this memo
	<p>which includes these smaller blocks to the detriment of the farmers whom operate in GRZ.</p> <p>Many of the sites adjacent to or within close proximity of the Property are small and have homes on them. They are not economic farming units and are more representative of RLZ land than GRZ. The Property on its own is not an economic unit. It would be classified as GRZ. Council subdivision of the land adjoining or adjacent to the Property have already impeded on rural activities. The Property is closer to a township than other land that has been zoned RLZ.</p> <p>Given the fact that the Property is surrounded by smaller properties, reserve sensitivity issues will arise and it is unlikely the submitter will be able to use the land as intended by the GRZ designation. There appears to be no activity rules provided in the proposed district plan to mitigate these factors. The imbalance and arbitrary nature of defining the RLZ and GRZ areas is likely to lead to subsequent benefits to those within the RLZ to the detriment of the GRZ.</p>	<p>of that land, and that reverse sensitivity issues are adequately covered.</p>		<p>that buildings and associated activities do not detract from the existing rural character and amenity values.</p> <p>Rule GRUZ-R2 and RLZ-R2 enable primary production as a permitted activity, with limits only associated with small forestry and woodlot operations have the same consideration of effects as those larger forestry operations.</p> <p>An amendment to the Proposed Plan enables Free Range Poultry operations as permitted activities (GRUZ-R17 and RLZ-R18).</p> <p>Rules GRUZ -R18 (amended) and RLZ-R19 (amended) provides better clarity and link with setback requirements in the built form standards.</p> <p>Reverse sensitivity issues between rural and sensitive activities is covered across a number of Objectives and Policies within the Strategic Directions (SD-O4(2)), Urban Form and Development (UFD-P10(2)), and Rural Zones (RURZ-P8).</p> <p>I recommend that this part of the submission is rejected.</p>
<p>M J Borcoskie Family Trust [102.1]</p>	<p>This submission relates to the property at 666 Mount Thomas Road (“the Property”). This submission opposes the new rural zoning area rules of the proposed district plan which relate to the Property. It opposes the rationale behind which areas are designated General Rural Zone (“GRZ”) and which areas are designated Rural Lifestyle Zone (“RLZ”). Specifically, the submission challenges the way in which the Council has determined the boundaries of the GRZ and RLZ and the implications this has for the Property. The following are some reasons behind the opposition to the proposed district plan. My submissions:</p>	<p>That the existing District Plan rules, as they apply to the property, remain unchanged.</p>	<p>This should have been addressed in the Rural Zone s42A from Hearing Stream 6 however was missed thus, is assessed in this memo in next column.</p>	<p>As discussed previously the fragmentation of rural land was identified as one of the main issues within the rural environment. The review of the Operative Plan was intended to address this issue.</p> <p>There is no provision that enables a District Council to have two full Operative District Plans, and for property owners to pick and choose which rules apply to their land holdings. I recommend that this part of the submission is rejected.</p>
	<p>The Waimakariri District Council consultation summary says that the GRZ, while it contains a number of smaller sites, intends retain the prominent character of an open, large-scale productive landscape with open grassland, pastoral farming, cropland and small areas of forestry. The submitter disagrees with this interpretation and argues the distinction is arbitrary. The Property is actually more akin to RLZ land because of its size and the</p>	<p>Alternatively, the submitter seeks that its property is zoned RLZ and not GRZ.</p>	<p>Addressed in Rural Rezone Requests s42A Report from Hearing Stream 12B.</p> <p>Also, paragraph 234 of Rural Zones s42A Report states that: “MJ Borcoskie Family Trust [102.1] oppose the GRUZ provision, want their property to be rezone RLZ and the reinstatement of the boundary adjustment provisions. The issues around the reinstatement of the boundary adjustment provisions is discussed in section 3.22 of this report.”</p>	<p>N/A</p>

Submitter	Submission	Relief sought	Where addressed in s42A Reports or to be addressed in this memo	Assessment and recommendation if addressed within this memo
	<p>surrounding smaller parcels of land which represent the type of land described as RLZ in the proposed plan.</p> <p>It is a contradiction to redefine the GRZ and then require resource consents for intensive indoor and outdoor farming activities. The rules are not consistent for a rural zone because many sites within the GRZ are in substance RLZ land. There is no benefit whatsoever to the GLZ zone in the proposal when the activity rules are essentially the same as RLZ. This being said, the zoning should be made on a case by case basis.</p> <p>The submitter does not believe the soils of the land in its area are of a type to justify the GRZ designation and would be better reflected as RLZ land. The attachment shows that the land is not an area with open large scale production available. The attachment below highlights that the property is surrounded by small parcels of land that are more in the nature of RLZ land, despite being zoned GRZ. The Council will impose rates within the GRZ which includes these smaller blocks to the detriment of the farmers whom operate in GRZ.</p> <p>Council subdivision of the land adjoining or adjacent to the Property have already impeded on rural activities. The Property is closer to a township than other land that has been zoned RLZ.</p> <p>Given the fact that the Property is surrounded by smaller properties, reserve sensitivity issues will arise and it is unlikely the submitter will be able to use the land as intended by the GRZ designation. There appears to be no activity rules provided in the proposed district plan to mitigate these factors. The imbalance and arbitrary nature of defining the RLZ and GRZ areas is likely to lead to subsequent benefits to those within the RLZ to the detriment of the GRZ.</p>	<p>If the land is to be zoned GRZ then the rules relating to that zone need to be amended to allow for any future subdivision to be either a controlled activity or a discretionary activity, to allow more flexibility in the future, and provide a better balance as to what may be in the best interests of a particular property where its inclusion with GRZ is more marginal than the other areas containing the best quality GRZ land.</p> <p>If the GRZ zoning is to remain, the rules that apply need to be clear and concise and give greater ability for that land to be used as a rural lot, including more intensive rural related uses on the property. If GRZ land is incapable of future subdivision, then that zoning should have the widest possible meaning in terms of future use and development of that land, and that reverse sensitivity issues are adequately covered.</p>	<p>The submission or submitter name is not specifically mentioned in section 3.22 of this report.</p> <p>This should have been addressed in the Rural Subdivision s42A Report in Hearing Stream 8 however was missed thus is assessed in this memo in next column.</p> <p>This should have been addressed in the Rural Zone s42A from Hearing Stream 6 however was missed thus, is assessed in this memo in next column.</p>	<p>The S32 Rural Zones report identified four main RMA issues for rural land in the district associated with community and stakeholder feedback. The loss of productive rural land through fragmentation and subsequent reverse sensitivity effects covered three of the main rural issues²⁸. Being more enabling with subdivision will result in further land fragmentation, increased reverse sensitivity effects and loss of rural productivity, which is reflected in the Macfarlane report, where it is stated that 4ha rural lifestyle properties has generally lead to sub-optimal production²⁹.</p> <p>The submitter has not provided any assessment on the character of their property outside of the assessment undertaken by Boffa Miskell.</p> <p>I recommend that this part of the submission is rejected.</p> <p>The Proposed Plan policies and rules clearly prioritise rural production activities within the GRUZ zone. The need for resource consents for intensive farming activities enable Council to consider any effects on natural environmental values, such as SNAs and freshwater bodies, ensuring effects are internalised and that buildings and associated activities do not detract from the existing rural character and amenity values.</p> <p>Rule GRUZ-R2 and RLZ-R2 enable primary production as a permitted activity, with limits only associated with small forestry and woodlot operations have the same consideration of effects as those larger forestry operations.</p> <p>An amendment to the Proposed Plan enables Free Range Poultry operations as permitted activities (GRUZ-R17 and RLZ-R18).</p>

²⁸ Between 2002 and 2019 Canterbury had a 129% increase in HPL land fragmentation, resulting in 33% of HPL land area being in small parcels (StatsNZ)

²⁹ Section 4.1 Macfarlane Rural Business, 2018. Waimakariri District Plan Review: Rural Production Advice - Rural Land Zoning.

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				<p>Rules GRUZ -R18 (amended) and RLZ-R19 (amended) provides better clarity and link with setback requirements in the built form standards.</p> <p>Reverse sensitivity issues between rural and sensitive activities is covered across a number of Objectives and Policies within the Strategic Directions (SD-O4(2)), Urban Form and Development (UFD-P10(2)), and Rural Zones (RURZ-P8).</p> <p>I recommend that this part of the submission is rejected.</p>