

PROPOSED DISTRICT PLAN PROVISIONS

Appendix 1 – Right of Reply Recommended Amendments to the General Rural Zone

KEY

Green Underlined - Additions recommended as part of HS3 Right of Reply Evidence

~~Green Strikethrough~~ - Deletions recommended as part of HS3 Right of Reply Evidence

Red Underlined – Additions recommended as part of HS3 Supplementary Evidence

~~Red Strikethrough~~ – Deletions recommended as part of HS3 Supplementary Evidence

Black Underlined – Additions recommended as part of s42A Report

~~Black Strikethrough~~ – Deletions recommended as part of s42A Report

GENERAL RURAL - GRUZ

Overview and Purpose

The purpose of the General Rural Zone is to provide for and protect rural primary production activities and other activities that rely on the rural resource. The General Rural Zone is the largest zone in the District and this *land* resource underpins the social, economic, and cultural ~~economic and social wellbeing~~ well-being of the District.

The General Rural Zone includes outstanding natural landscapes, *significant natural areas*, and the general *environment* is of significance to Ngāi Tahu. The General Rural Zone is predominantly characterised by its pastoral character, open space, planting and limited built form. The *rural area* is influenced by a range of *primary production* activities, including the initial processing of commodities such as on-site sawmills. The General Rural Zone also lends itself to *rural industry* activities that are associated with *primary production*, such as contractors *yards* required for rural *earthworks*. The character and qualities comprise a working *environment* where rural activities generate *noise*, odour and traffic.

Rural activities in the District are supported by the District's extensive coverage of high class soils, and these high class soils need to be protected from inappropriate *land* use and *subdivision*.

PROPOSED DISTRICT PLAN PROVISIONS

Rural lifestyle, settlements and urban expansion is not promoted in the General Rural Zone to avoid un-coordinated development, ~~and fragmentation of the rural land and reverse sensitivity effects, all of which can negatively resource. Fragmentation of the rural resource will~~ impact high class soils and rural productivity.

The *rural area* supports a range of activities that rely on the *land* resource. This includes *quarrying*, mining and *renewable electricity generating activities*. Small scale industrial and *commercial activities* associated with rural activities, such as *earthworks contractors yards* and plant nurseries, also rely on the rural *land* resource. The General Rural Zone objectives, policies and rules provide the framework for managing the *effects* of these non-rural activities as they have the potential to have significant adverse *effects* on *water* quality and the life supporting capacity of soils; as well as cultural, landscape, and rural character and *amenity values*, if not appropriately managed.

Non-rural activities that are incompatible with the *rural environment* and may cause *reverse sensitivity effects*, such as urban development and larger scale *industrial activity*, are discouraged, and are sought to be located in other zones; or where appropriate, the Rural Industry Precinct.

Rural Industry Precinct (PREC13)

A Rural Industry Precinct (PREC13) applies to land south of Mataura which has been identified as suitable for larger scale rural industry activities that support, service or are dependent on primary production. Desktop Geotechnical surveys indicate the presence of historic mines in this area which may affect land stability and constrain development opportunities. However, future activities are encouraged to develop on land outside the areas identified as potentially unstable whilst integrating ponds and land instability areas for green infrastructure and landscape buffers. The permitted larger scale rural industry activities will support the purpose of the General Rural Zone and provide for the economic ~~wellbeing~~ well-being of the District.

This chapter contains objectives, policies, and rules which apply specifically to the Rural Industry Precinct in addition to the provisions of the underlying General Rural Zone. Where there is any conflict between the provisions the Precinct provisions shall prevail.

New Vale Precinct (PREC14)

A New Vale Precinct (PREC14) applies to the land site legally described as Lot 72, Pt Lot 73, Lot 74 and Pt Lot 75 DP 177 Block X Waimumu Hundred. The site is located approximately 15 kilometres southwest of Gore and 10 kilometres northwest of Mataura. The purpose of the New Vale pPrecinct (PREC14) is to enable the sustainable management, operation and development of the New Vale Mine. New Vale mine provides coal to a number of largescale primary sector processing facilities that will continue to require a reliable source of fuel while they undertake the necessary work to reduce reliance on non-renewable energy sources.

PROPOSED DISTRICT PLAN PROVISIONS

The Zone-Precinct objectives, policies and rules provide the framework for the expansion of the *mining* activity whilst managing the effects and ensuring that offsite rural amenity values are maintained and enhanced.

This chapter contains objectives, policies, and rules which apply specifically to the New Vale Precinct in addition to the provisions of the underlying General Rural Zone. Where there is any conflict between the provisions the Precinct provisions shall prevail.

Objectives

- GRUZ-O1 Enable, recognise and provide for the importance of *primary production* and *rural industry* to the social, ~~and economic~~ and cultural wellbeing of the District.
- GRUZ-O2 The character and qualities of the General Rural zone continues to comprise:
1. a variety of *primary production* activities and their attributable noise, odour, dust, and traffic consistent with a rural working environment;
and
 2. a very low degree of built form, well setback from other properties and *roads*; and
 3. high levels of open space and open pasture or crops; and
 4. high levels of rural amenity ~~from adjacent sites~~ including natural values.
- GRUZ-O3 Non-*primary production* activities that support *primary production* or rely on a rural location are provided for, while managing the nature, scale and location of such activities.
- GRUZ-O4 The purpose and predominant character of the General Rural Zone is not compromised by non-rural activities.
- GRUZ-O5 The value and long-term benefits of using ~~highly productive rural~~ land for *primary production* is recognised and the availability of *highly productive land* for *primary production* for future generations is protected.
- GRUZ-PREC13-O1 The Rural Industry Precinct enables larger scale rural industry which support, service or depend on primary production and provide for the economic ~~wellbeing~~ well-being of the community.
- GRUZ-PREC14-O1 Ongoing efficient operation of New Vale mine supports the economic sustainability and productivity of the Gore District and wider Southland Region- while ensuring:

PROPOSED DISTRICT PLAN PROVISIONS

~~GRUZ-PREC14-O2~~—1. The effects arising from expanded *mining* within the New Vale Precinct are remedied, mitigated, offset or compensated for, taking into account the locational constraints and the functional and operational needs of the activities.

~~GRUZ-PREC14-O3~~—2. The New Vale mine site is rehabilitated so that primary production capacity is retained for future generations and ecology values ~~are~~ enhanced where possible.

Policies

GRUZ-P1 Enable existing and future *primary production*.

GRUZ-P2 Enable *rural industry* activities whilst ~~preserving~~ maintaining, and where possible enhancing, rural character, rural amenity, ~~underlying Ngāi Tahu relationships with the natural environment~~ the mauri of whenua, wai and ecosystems, and productive capacity of the rural zone by ~~limiting~~ managing the nature, scale and location of such activities.

GRUZ-P3 Recognise the benefits of forestry and *woodlots* for ~~carbon-sequestering~~ economic activity and the natural environment by enabling the following:
a. plantation forestry in accordance with the NES-CF,
b. small-scale woodlots.

GRUZ-P4 Recognise the benefits of conservation, pest management, ~~increasing~~ the management and enhancement of indigenous biodiversity, riparian planting, and fencing erosion prone areas.

GRUZ-P5 Recognise the benefits of *quarrying* and mining activities on the local economy and supporting associated industries through enabling small scale quarries and mines.

GRUZ-P6 ~~Manage the environmental and cultural effects of quarrying and mining and avoid quarrying and mining activities that result in adverse cultural or environmental effects that cannot be avoided, mitigated or offset.~~

Recognise the benefits of *quarrying* and *mining* activities for the local and regional economy and supporting associated industries whilst managing the activities to:

- i. In the first instance avoid adverse environmental and cultural effects on the environment; and

PROPOSED DISTRICT PLAN PROVISIONS

- ii. Where it is not possible to avoid adverse effects from *quarrying or mining*, require these effects to be remedied, mitigated, offset or compensated for.

- GRUZ-P7 Enable *agriculture aviation activities*, ~~and rural airstrips and helicopter landing areas~~ to support *primary production* and conservation activities, whilst managing the noise *effects* through controlling the location of airstrips and scale of their use.
- GRUZ-P8 Enable *residential activity* where it:
1. does not compromise ~~rural~~ *primary production*; and
 2. is of a scale and location that does not compromise the rural character from any property or *public place*; and
 3. can be suitably serviced, including provision for telecommunications; and
 4. does not amount to rural lifestyle or urban development; and
 5. appropriately avoids, remedies or mitigates reverse sensitivity effects ~~on and of adjacent land uses are appropriately avoided or mitigated.~~
- GRUZ-P9 Provide for small scale *industrial activity, commercial activity*, and other non-rural activities, where it can be demonstrated that:
1. the activity has a genuine link with the rural *land* or *water* resource, *primary production* activities, or recreation activities associated with resources located within the General Rural Zone; and
 2. the activity is compatible with the character, *amenity values*, qualities and purpose of the General Rural Zone; and
 3. the *site* design, layout and scale of the activity is compatible with the character and qualities of the zone; and
 4. the activity will not adversely impact the safe and efficient operation of the *road* network, and there is suitable loading, manoeuvring and *access* provided on-site; and
 5. there is adequate *infrastructure* available to service the activity, including on-site servicing where reticulated services are not available; and
 6. areas of *indigenous vegetation* are retained where practicable; and
 7. the activity does not constrain the establishment of activities otherwise anticipated within the General Rural Zone; and
 8. the *effects* of *light spill* are avoided or mitigated; and
 9. there are measures to internalise *effects* and avoid conflict and potential *reverse sensitivity effects* on activities anticipated in the Zone, including *primary production* and ancillary *residential activity*.
- GRUZ-P10 Protect *highly productive land* from irreversible loss from inappropriate *subdivision*, use and development, including by:
1. avoiding *subdivision* and *land* fragmentation below the minimum densities that compromises the use of *highly productive land* for *primary production*;

PROPOSED DISTRICT PLAN PROVISIONS

2. avoiding uncoordinated urban expansion on *highly productive land* that has not been subject to a strategic planning process; and
3. avoiding and mitigating *reverse sensitivity effects* from sensitive and incompatible activities within and adjacent to *highly productive land*.

GRUZ-P11 Avoid activities that are incompatible with the character, qualities and purpose of the General Rural Zone, unless there is an operational or functional need for it to be located in the General Rural zone.

GRUZ-P12 Require activities and development to maintain rural character, rural amenity and the underlying Ngāi Tahu relationships with the natural environment by:

1. ensuring that *buildings* and *structures* are of a scale and *height* which is compatible with the rural character and amenity of the zone; and
2. requiring appropriate *setbacks* to waterways to maintain and enhance *amenity values* and natural character.

GRUZ-P13 Recognise critical infrastructure that Regionally Significant Infrastructure might be best located in the General Rural Zone, except where there is an Outstanding Natural Landscape, Outstanding Natural Feature, Significant Natural Area, Natural Hazard risk or Site of Significance to Māori.

that has a functional and operational need to locate in the General Rural Zone, by enabling the operation, maintenance and upgrading of critical infrastructure and providing for new critical infrastructure except where:

1. The activity would be inappropriate in an area of Outstanding Natural Landscape, Outstanding Natural Feature or Significant Natural Area;
2. There is an unacceptable natural hazard risk; or
3. The activity has significant environmental ~~or cultural~~ effects that cannot be avoided or mitigated to an appropriate level; or
4. The site is wāhi tapu or the activity has a significant effect on cultural values that cannot be avoided or mitigated to an appropriate level.

GRUZ-P14 Enable the use of *reserve land* where the activity and / or development is consistent with the relevant Reserve Management Plan.

GRUZ-P15 Manage potential adverse effects of afforestation and woodlot activities in the district by:

1. Requiring sufficient fire risk protection, including firefighting water supply and fire; and
2. the layout and scale of the activity is compatible with the character and qualities of the zone; and
3. Only allowing exotic continuous-cover forestry where:

PROPOSED DISTRICT PLAN PROVISIONS

- a) it is part of a diversified farming operation; and
- b) the activity contributes to improved indigenous biodiversity values and freshwater management outcomes.

GRUZ-PREC13-P1 Enable the establishment of larger scale rural industry activities within the Rural Industry Precinct where:

1. direct access from the State Highway 1 is avoided; and
2. green infrastructure is adopted for the management of water supply, stormwater management and wastewater treatment and disposal; and
3. activities are designed and located to avoid natural hazards unless the effects are mitigated and areas of potential subsidence may be used for buffers or infrastructure; and
4. landscaping buffers, green corridors and existing features are utilised to mitigate adverse effects on amenity values from larger buildings, parking areas and outside storage areas.

~~GRUZ-PREC14-P1 Provide for *mining* activities within the New Vale Zone, recognising New Vale Mine as a strategically important activity supports the dominant land use activities within the Gore District and wider Southland Region.~~

GRUZ-PREC14-P2 ~~Provide for *Mining*~~ and *rural industry* activities within the New Vale precinct ~~where are~~ undertaken in a way that:

1. Maintains the rural character and rural amenity surrounding the *Precinct Zone*;
2. ~~Focuses on Provides for~~ remediation and retention of the productive potential of the land following the *mining* activity being undertaken;
3. Identifies and ~~under~~takes opportunities to enhance ecological and *freshwater* values
4. Responds to the underlying Ngai Tahu relationships within the natural *environment*.

Notes

Note 1	Provisions in Other Chapters
	The provisions in this chapter apply in addition to the provisions of the other chapters in the District Plan and the plan should be read as a whole. This chapter also implements other chapters in the District Plan that do not have specific rules such as Sites and Areas of Significance to Māori and Mana Whenua.
Note 2	Other legislation
	The provisions of the National Environmental Standard for ~~<i>Plantation</i>~~ <u><i>Commercial Forestry</i></u> ~~which apply for to commercial forestry activities and permits both <i>plantation forestry</i> and harvesting~~ <u>commercial forestry</u> except in certain circumstances such as where <u>the</u>

PROPOSED DISTRICT PLAN PROVISIONS

District Plan ~~have~~has more restrictive rules on Forestry on Outstanding Natural Landscapes, Outstanding Natural Features or *Significant Natural Areas*. In those circumstances resource consent will be required from the Gore District Council.

- The provisions of the National Environment Standard for Assessing and Managing *Contaminants* in Soil to Protect Human Health which apply where a HAIL activity has been undertaken on the *land* subject to specified activities and *subdivision*. In certain circumstances resource consent will be required from the Gore District Council. In the first instance reference should be made to the register of HAIL activity *sites* held by the Gore District Council.
- The provisions of regional plans prepared by Environment Southland. This includes the taking, use and *discharge* of *water*, the *discharge* of *contaminants* to *land*, *water* or air and the erection of *structures* in riverbeds. In certain circumstances resource consent or permits will be required from Environment Southland.

Note 3

Work or activity of the Crown

Section 4(3) of the RMA allows certain Crown activity to contravene a District Plan in relation to any work or activity on land held under the Conservation Act 1987 that is consistent with a conservation management strategy, a conservation management plan or management plan and does not have a significant effect beyond the boundary of that land. Accordingly, this chapter does not apply to Department of Conservation activities that meet section 4(3), but does apply to activities that do not meet section 4(3) of the RMA.

Rules

GRUZ-R1 *Primary Production (including Intensive Indoor Primary Production)*

All areas

Activity Status: Permitted

Where:

1. Any new, relocated or extended *building, structure* and activity complies with General Rural Zone standards GRUZ-S2, GRUZ-S3, GRUZ-S4, GRUZ-S5, GRUZ-S6, GRUZ-S7 and GRUZ-S8.

Except that:

- (a) This rule does not apply to Quarrying and Mining, or Exotic continuous-cover forestry as those activities

Activity status where compliance is not achieved:

Restricted Discretionary

Matters of discretion:

1. The matters of discretion of any infringed standard

PROPOSED DISTRICT PLAN PROVISIONS

are subjects to Rules GRUZ-R2, ~~and~~ GRUZ-R3, and GRUZ-R21.

- (b) This rule does not apply to *Commercial Forestry* in an ONL, ONF or SNA, which is subject to District Plan rules NFL-R8 and ECO-R1.
- (c) Buildings and structures, legally established before [date provision becomes operative] may be extended as a permitted activity provided any existing non-compliance with GRUZ-S2, GRUZ-S3, GRUZ-S4, GRUZ-S5, GRUZ-S6, GRUZ-S7 and GRUZ-S8 is not increased.

GRUZ-R2 Prospecting for and *Mining* Minerals

All areas excluding *Historic Heritage sites, Significant Natural Areas, Outstanding Natural Landscapes and Outstanding Natural Features*

Activity status: Permitted

Where:

1. The prospecting or *mining* activity has a total area of extraction open at any one time that does not exceed 2,500m²; and
2. The activity is not located on *Highly Productive Land*; and
3. The activity is set back:
 - (a) 500 metres from a *sensitive activity* or a zone *boundary* except with the General Industrial Zone.
 - (b) 100m from any side or rear *boundary*
 - (c) 50m from any *road boundary*; and
4. The area is progressively stabilised, filled or recontoured; and

Activity status where compliance is not achieved:

Discretionary

Activity status where compliance is not achieved in PREC14:

Restricted Discretionary

1. The timing and duration of the activity
2. Sediment and erosion management and ground stability
3. Effects on rural character and amenity values of neighbouring properties
4. Safety and suitability of access and effects on the *transportation* network from additional traffic generation
5. Servicing
6. Staging and progressing rehabilitation works
7. Retention of any Highly Productive soils for use following rehabilitation
8. Impacts on Ngai Tahu cultural values, including those listed in MR2.3.

PROPOSED DISTRICT PLAN PROVISIONS

5. Any new or relocated building or structure and activity complies with General Rural Zone standards GRUZ-S2, GRUZ-S3, GRUZ-S4, GRUZ-S5, GRUZ-S6, GRUZ-S7 and GRUZ-S8, and Earthworks standards EW-S3, EW-S5 and EW-S7.

9. Matters of discretion of any infringed standard.
10. Effects on ecology values, including indigenous biodiversity and the potential for compensation or offsetting
11. The use of Environmental Management Plans to manage effects

GRUZ-R3

Quarrying Activities

All areas excluding Historic Heritage sites, Significant Natural Areas, Outstanding Natural Landscapes and Outstanding Natural Features

Activity status: Permitted

Where:

1. The *quarrying activity* is in relation to a *Farm Quarry* where:
 - (a) the total area of extraction open at any one time does not exceed 1,500 m²; and
 - (b) the activity is set back 100m from a *sensitive activity*; or
2. The *quarrying activity* has a total area of extraction open at any one time that does not exceed 2,500 m² and ~~is set back~~:
 - (a) excavation for extraction activity, any aggregate processing area, and any blasting activity is setback:
 - (ii) 500 metres from a *sensitive activity* or a zone boundary except with the General Industrial Zone
 - (iii) 100m from any side or rear *boundary*
 - (iv) 50m from any *road boundary*; and
 - (b) All other activity associated with the *quarry* activities is setback 50m from any boundary.

Activity status where compliance is not achieved:

Restricted Discretionary

Matters of discretion:

1. Location and scale of the activity.
2. The timing and duration of the activity.
3. Sediment and erosion *effects* and management.
4. *Effects* on ground stability.
5. The effects on rural character and *amenity values* of the surrounding *environment*.
6. Any potential *reverse sensitivity effects* and/or conflict with existing activities, and the ability to mitigate these effects.
7. Services.
8. Safety and suitability of *access* and *effects* on the *transport network* from additional traffic generation.
9. Protection of *Highly Productive Land*.
10. Impacts on Ngāi Tahu cultural values, including those listed in MW-2.3.
11. The matters of discretion of any infringed standard.

PROPOSED DISTRICT PLAN PROVISIONS

3. The activity is not located on *Highly Productive Land* unless it is an existing lawfully established activity or a farm quarry; and
4. The area is progressively stabilised, filled or recontoured; and
5. Any new or relocated *building* or *structure* and activity complies with General Rural Zone standards GRUZ-S2, GRUZ-S3, GRUZ-S4, GRUZ-S5, GRUZ-S6, GRUZ-S7 and GRUZ-S8, and Earthworks standards EW-S3, EW-S5 and EW-S7.

12. The extent the *farm quarry* supports *primary production*.

13. Effects on ecology values, including indigenous biodiversity, *how these effects are avoided, remedied or mitigated* and the potential for compensation or offsetting *where appropriate*.

GRUZ-R4 *Rural Industry*

All areas except PREC13 Rural Industry Precinct and PREC14

Activity status: Permitted

Where:

1. Any new or relocated *building, structure* and activity complies with standards ~~GRUZ-S2, GRUZ-S3, GRUZ-S4, GRUZ-S5~~, GRUZ-S6, GRUZ-S7 and GRUZ-S8.
2. There are no more than 20 customers coming to *site* on any day.
3. The activity is set back ~~100~~50m from any side or rear *boundary* and screened as follows:
Either:
 - planting and/or landscaping to a minimum depth of 1 metres with species that will grow to at least 2m in height; or

Activity status where compliance is not achieved with:

GRUZ-R4(1) to GRUZ-R4(6): Restricted Discretionary

Matters of discretion:

1. Location and scale of the activity.
2. The *effects* on rural character and *amenity values* of the surrounding environment.
3. Any potential *reverse sensitivity effects* and/or conflict with existing activities, and the ability to mitigate these *effects*.
4. Services.
5. Safety and suitability of *access* and *effects* on the *transport network* from additional traffic generation.
6. Protection of *Highly Productive Land*, and prioritisation of protecting land characterised as *LUC 1* and *LUC 2* soils.

PROPOSED DISTRICT PLAN PROVISIONS

▪ <u>mounding which has a maximum height of 2.5m and a minimum horizontal to vertical ratio of 2:1.</u>	
4. <u>Any building or structure</u> ~~The activity~~ <i>is setback 10m from any road boundary.</i> 5. There are a maximum of 12 staff working on-site at any point in time. 6. The activity is over an area no greater than <u>15000m²</u>. 7. <u>The total building coverage for the activity shall be no more than 1000m².</u>	7. The matters of discretion of any infringed standard.

PREC13 Rural Industry Precinct

Activity status: Controlled

Where:

- 8. There is no direct *access* to or from State Highway 1; and
- 9. The activity is not a *significant hazardous facility*; and
- 10. Any new, relocated or extended *buildings or structures* complies with General Rural Zone standards GRUZ-S2,

Activity status where compliance is not achieved with:

GRUZ-R4(7): Restricted Discretionary.

Matters of discretion:

- 1. Matters of Control 1 to 7 for GRUZ-R4 PREC13 Rural Industry Precinct.
- 2. Proximity to other vehicle *access* crossings.

PROPOSED DISTRICT PLAN PROVISIONS

GRUZ-S3, GRUZ-S4, GRUZ-S5, GRUZ-S6, GRUZ-S7 and GRUZ-S8.

Matters of control:

1. The location and layout of the activity.
2. The ability to mitigate adverse effects through the use of the sites natural contours, topography and existing landscape features.
3. The ability to mitigate adverse effects through landscaping buffers and setbacks.
4. Servicing of activities including the use of green infrastructure
5. The ability to utilise and / or avoid areas of potential land subsidence.
6. Mitigation of natural hazards
7. The safety and suitability of the *access* and *effects* on the *transport network*.

GRUZ-R4(8): Discretionary

GRUZ-R4(9): Restricted Discretionary

Matters of Discretion:

1. The matters of discretion of any infringed standard.
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PREC14 – New Vale Precinct

Activity status: Permitted

Where:

11. Any new or relocated *building, structure* and activity complies with standards GRUZ-S6, GRUZ-S7 and GRUZ-S8.
12. There are no more than 20 customers coming to *site* on any day.

Activity status where compliance is not achieved with:

GRUZ-R4(10) - GRUZ-R4(12): Restricted Discretionary

Matters of discretion:

1. Location and scale of the activity.

PROPOSED DISTRICT PLAN PROVISIONS

	13. <u>The activity is set back 100m from the precinct <i>boundary</i></u>	2. <u>The <i>effects</i> on rural character and <i>amenity values</i> of the surrounding environment.</u> 3. ~~<u>Any potential reverse sensitivity effects and/or conflict with existing activities, and the ability to mitigate these effects.</u>~~ 4. <u>Safety and suitability of <i>access</i> and <i>effects</i> on the <i>transport network</i> from additional traffic generation.</u> 5. <u>The matters of discretion of any infringed standard.</u>
GRUZ-R5	<i>Woodlot</i>	
All areas	Activity status: Permitted Where: 1. The activity is the establishment of a new, or expansion of an existing <i>woodlot</i> <u>that does not exceed one hectare.</u>	Activity status where compliance is not achieved: ~~N/A~~ <u>Discretionary</u>
GRUZ-R6	<i>Conservation Activity</i>	
All areas	Activity status: Permitted Where: 1. The activity is the establishment of a new, or expansion of an existing <i>conservation activity</i>.	Activity status where compliance is not achieved: N/A
GRUZ-R7	<i>Residential Activity</i>	
All areas except PREC13 Rural Industry	Activity status: Permitted Where:	Activity status where compliance is not achieved with: GRUZ-R7(1): as per GRUZ-S1 activity status and matters of discretion.

PROPOSED DISTRICT PLAN PROVISIONS

Precinct and PREC14 New Vale Precinct

1. For *residential units* and *minor residential units*, standard GRUZ-S1 Density is met; and
2. Any new, extended or relocated building, ~~addition, or external alteration~~ and activity complies with zone standards GRUZ-S2, GRUZ-S3, GRUZ-S4, GRUZ-S5, GRUZ-S6 and GRUZ-S7; and
3. For *minor residential units*, the maximum floor area shall be 80m²; and
4. The *residential unit* is connected to telecommunications services (whether hardwired or wireless).

Except:

- (a) buildings, legally established before [date provision becomes operative] may be extended as a permitted activity provided any existing non-compliance with GRUZ-S2, GRUZ-S3, GRUZ-S4, GRUZ-S5, GRUZ-S6, GRUZ-S7 and GRUZ-S8 is not increased.

GRUZ-R7(3)(2): Restricted Discretionary

Matters of Discretion:

1. The matters of discretion of any infringed standard.

GRUZ-R7(3): Non-Complying

GRUZ-R7(4): Restricted Discretionary

PROPOSED DISTRICT PLAN PROVISIONS

		Matters of Discretion: - Whether any form of telecommunication is available at the location the proposed <i>residential unit</i>. - The <i>functional need</i> to having a <i>residential unit</i> in a location without access to telecommunication and whether there are suitable alternative locations for a <i>residential unit on site</i>.
PREC13 Rural Industry Precinct	Activity status: Restricted Discretionary Where: - There is no more than one <i>residential unit</i> and one <i>minor residential unit</i> per site; and - Any new <u>or relocated</u> <i>building</i>, addition, or external alteration and activity complies with General Rural Zone standards GRUZ-S2, GRUZ-S3, GRUZ-S4, GRUZ-S5, GRUZ-S6, GRUZ-S7 and GRUZ-S8. Matters of Discretion: - Whether the presence of a residential activity would restrict future opportunities for <i>rural industry</i> activities. - The effects on Rural character and <i>amenity values</i> of the surrounding environment and from adjacent properties. - Any potential <i>reverse sensitivity effects</i> and/or conflict with existing activities, and the ability to mitigate these <i>effects</i>. - Services.	Activity status where compliance is not achieved with: GRUZ-R7(5): Non-Complying

PROPOSED DISTRICT PLAN PROVISIONS

5. Access and traffic generation.
6. Impact of development on rural productivity.
7. Whether development is in high class soils and impacts of the loss on high class soils.

GRUZ-R7(6): Discretionary

GRUZ-R8 *Industrial Activities (Including Light Industrial Activities)*

All areas

Activity status: Permitted

Where:

1. The activity is a contractor yard, or the activity involves the manufacturing of primary produce produced on *site* (excluding activities that are defined as *rural industry*); and
2. The activity has no customers coming to *site*; and
3. The activity is set back at least 100m from any side or rear *boundary*; and
4. The activity is *setback* at least 50m from any *road boundary*; and
5. The activity has a maximum of 12 staff that work on-*site* at any one time; and

Activity status where compliance is not achieved with:

GRUZ-R8(1) to GRUZ-R8(6): Discretionary

GRUZ-R8(7): Restricted Discretionary

Matters of discretion:

The matters of discretion of any infringed standard.

PROPOSED DISTRICT PLAN PROVISIONS

6. The activity is no greater than 500m²; and
7. Any new, relocated or extended *building, structure* and activity complies with General Rural Zone standards GRUZ-S2, GRUZ-S3, GRUZ-S4, GRUZ-S5, GRUZ-S6, GRUZ-S7 and GRUZ-S8.

GRUZ-R9 <i>Commercial Activities</i>		
All areas <u>except PREC14</u> <u>New Vale</u> <u>Precinct</u>	Activity status: Permitted	Activity status where compliance is not achieved with:
	Where: 1. The activity is a: (a) Vet Clinic, or (b) plant nursery, or (c) sale of on-site produce, or (d) <i>Animal Boarding Activity</i>; and 2. Hours of operation for people visiting the <i>site</i> are between 0700 and 1900; and 3. A maximum of 12 staff are on-site at any one time; and 4. Any new, <u>relocated</u> or extended building, structure and activity complies with General Rural Zone standards GRUZ-S2, GRUZ-S3, GRUZ-S4, GRUZ-S5, GRUZ-S6, GRUZ-S7 and GRUZ-S8.	GRUZ-R9(1) to GRUZ-R9(3): Discretionary GRUZ-R9(4): Restricted Discretionary Matters of discretion: 1. The matters of discretion of any infringed standard.
GRUZ-R10 <i>Educational Facilities</i>		

PROPOSED DISTRICT PLAN PROVISIONS

All areas
except PREC13
Rural Industry
Precinct and
PREC14 New
Vale Precinct

Activity Status: Permitted

Where:

1. The activity is a rural based *educational facility* centred on agriculture sector training; and
2. ~~Hours of operation are between 0700 and 1900; and~~
3. A maximum of 12 people (staff and students) on *site* at any one time; and
4. Any new, relocated or extended building, structure and activity complies with General Rural Zone standards GRUZ-S2, GRUZ-S3, GRUZ-S4, GRUZ-S5, GRUZ-S6, GRUZ-S7 and GRUZ-S8.

Activity status where compliance is not achieved with:

GRUZ-R10(1) to GRUZ-R10(3): Discretionary

GRUZ-R10(4): Restricted Discretionary

Matters of discretion:

1. The matters of discretion of any infringed standard.

GRUZ-R11

Homestay

All areas
except PREC13
Rural Industry
Precinct and
PREC14 New
Vale Precinct

Activity status: Permitted

Where:

1. The activity is undertaken in a *residential unit* (inclusive of *minor residential unit*); and
2. The maximum occupancy does not exceed 5 8 guests persons.

Activity status where compliance is not achieved:

Restricted Discretionary

Matters of discretion:

1. The location, nature and scale of the activities.
2. The management of *noise*, rubbish, recycling and outdoor activities.
3. The keeping of records of *homestay* use and availability of records for council inspection.

GRUZ-R12

Home Business

PROPOSED DISTRICT PLAN PROVISIONS

**All areas
except PREC14
New Vale
Precinct**

Activity status: Permitted

Where:

1. Must occupy no more than 100m² of the *gross floor area* of the *buildings* on the *site*; and
2. There shall be no more than 12 people on *site* at any time associated with the *home business*; and
3. ~~Hours of operation are limited to between the hours 0700 and 1900; and~~
4. Unloading or loading of vehicles or the receiving of customers or deliveries only occur between the 0700 and 1900.

Activity status where compliance is not achieved:

Discretionary

GRUZ-R13

Rural Commercial Recreation Activity

**All areas
except PREC13
Rural Industry
Precinct and
PREC14 New
Vale Precinct**

Activity Status: Permitted

Where:

1. The activity is undertaken on *land*, outdoors; and
2. The activity does not involve more than 12 persons in any one group; and
3. Any new, relocated or extended building, structure and activity complies with General Rural Zone standards GRUZ-S2, GRUZ-S3, GRUZ-S4, GRUZ-S5, GRUZ-S6, GRUZ-S7 and GRUZ-S8.

Activity status where compliance is not achieved:

Discretionary

PROPOSED DISTRICT PLAN PROVISIONS

GRUZ-R14	<i>Equestrian Facilities</i>	
All areas except and PREC14 New Vale Precinct	Activity Status: Permitted Where: 1. <i>Buildings</i> are limited to barns and stables for horses; and 2. The activity does not involve more than 12 persons using the facility at any one time; and 3. Any new, <u>relocated</u> or extended building, structure and activity complies with General Rural Zone standards GRUZ-S2, GRUZ-S3, GRUZ-S4, GRUZ-S5, GRUZ-S6, GRUZ-S7 and GRUZ-S8.	Activity status where compliance is not achieved: Discretionary
GRUZ-R15	<i>Use of Reserve Land</i>	
All areas	Activity status: Permitted 1. All <i>land</i> use activities in areas administered under the Reserves Act 1977 are permitted where they comply with a Management Plan that has been approved by the Minister under that Act.	Activity status where compliance is not achieved: Discretionary
GRUZ-R16	<i>Agriculture Aviation Activity</i>	
All areas	Activity Status: Permitted Where: 1. The take-off and landings are to and from a <i>rural airstrip</i> or <i>helicopter landing area</i> which complies with General Rural Zone standard GRUZ-S9.	Activity status where compliance not achieved: Discretionary

PROPOSED DISTRICT PLAN PROVISIONS

2. The activity complies with NOISE-R8 (Noise from the take-off and landing of *aircraft* and helicopters used for *agricultural aviation*).

GRUZ-R17	Visitor Accommodation	
<u>All areas except PREC14 New Vale Precinct</u>	<u>Activity status:</u> Discretionary	<u>Activity status where compliance is not achieved:</u> N/A
GRUZ-R18	Sensitive Activity	
All areas	~~GRUZ-R18 to GRUZ-R19~~ Activity status: Discretionary Where: 1. Any sensitive activity located within the Water Supply Treatment Facility Buffer Area.	Activity status where compliance is not achieved: N/A
GRUZ-R19	Emergency Service Facility	
All areas	Activity status: Discretionary	Activity status where compliance is not achieved: N/A
GRUZ-R20	All other activities	
All areas	Activity status: Non-complying 1. Any activities, including associated buildings, not otherwise provided for in the list of rules.	Activity status where compliance is not achieved: N/A

PROPOSED DISTRICT PLAN PROVISIONS

GRUZ-R21

Exotic continuous-cover forestry

Activity status: Discretionary

Where:

1. The activity is not located on highly productive land, and
2. The activity is not located within an ONL, ONF or SNA

Activity status where compliance is not achieved with:

GRUZ-R21(1): Non-complying

GRUZ-R21(2): NFL-R8 and ECO-R1 apply

PROPOSED DISTRICT PLAN PROVISIONS

Standards

GRUZ-S1	Density	
All areas except PREC13 Rural Industry Precinct	1. There shall be no more than one <i>residential unit</i> per 40 hectares; and 2. For <i>sites</i> under 40 hectare, no more than one <i>residential unit</i> per <i>site</i>; and 3. There shall be a maximum density of one <i>minor residential unit</i> per site	Activity status where compliance is not achieved: Restricted Discretionary Where: 4. There is a minimum density of 8ha per residential unit, <u>or</u> 5. <u>There is a minimum density of 8ha per minor unit.</u> Matters of discretion: 1. The necessity of the additional <i>residential unit</i> or <i>minor residential unit</i> to support <i>primary production</i>. 2. The effects on rural character and <i>amenity values</i> of the surrounding environment and from adjacent properties. 3. Any potential <i>reverse sensitivity effects</i> and/or conflict with existing activities, and the ability to mitigate these <i>effects</i>. 4. Services. 5. <i>Access</i> and traffic generation. 6. Impact of development on rural productivity. 7. Whether development is on <i>LUC 1, 2 or 3 soils</i> and impacts of the loss of <i>highly productive land</i>. Activity status where compliance is not achieved with GRUZ-S1(4)and (5): Non-Complying

PROPOSED DISTRICT PLAN PROVISIONS

GRUZ-S2	Building Coverage	
All areas except PREC13 Rural Industry Precinct	1. The maximum <i>building coverage</i> shall not exceed 1.5 percent per <i>site</i> .	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. The adverse <i>effects</i> on the rural character. 2. The adverse <i>effects</i> on <i>amenity values</i> of adjoining <i>sites</i>, including outlook, privacy, shading, dominance and sense of openness. 3. Whether the <i>building</i> is located on high class soils. 4. The reason for the additional <i>building coverage</i>. 5. <i>Noise</i> and odour from housing animals.
PREC13 Rural Industry Precinct	2. The maximum <i>building coverage</i> shall not exceed 5 percent per <i>site</i> where the building is used for a <i>rural industry</i> activity. 3. The maximum <i>building coverage</i> shall not exceed 1.5 percent per <i>site</i> for any other activity.	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. The adverse <i>effects</i> on the rural character taking account of the purpose of the Rural Industry Precinct. 2. The adverse <i>effects</i> on <i>amenity values</i> of adjoining <i>sites</i>, including outlook, privacy, shading, dominance and sense of openness. 3. Whether the <i>building</i> is located on high class soils <u>whether it is for a supporting activity</u>. 4. The reason for the additional <i>building coverage</i>.

PROPOSED DISTRICT PLAN PROVISIONS

GRUZ-S3	<i>Building Size</i>

PROPOSED DISTRICT PLAN PROVISIONS

All areas

1. Any *building* for *primary production* must not exceed 3000m².
2. Any building for a rural industry activity in the Rural Industry Precinct must not exceed 10,000m².
3. Any *building* for any other activity must not exceed 500m².

Activity status where compliance is not achieved:

Restricted Discretionary

Matters of discretion:

1. The adverse *effects* on the rural character.
2. The adverse *effects* on *amenity values* of adjoining *sites*, including outlook, privacy, shading, dominance and sense of openness.
3. The adverse *effects* on Ngāi Tahu cultural values including those listed in MW-2.3.
4. Whether the *building* is located on high class soils and whether it is for a supporting activity.
5. The reason for the additional *building* size.
6. *Noise* and odour from housing animals.

GRUZ-S4

Setback to Side and Rear Boundaries

PROPOSED DISTRICT PLAN PROVISIONS

All areas

Any building is setback from any side or rear boundary the minimum distances as follows:

1. Residential buildings are setback 30m;
2. Dairy sheds and buildings that house animals are setback 50m;
3. Buildings greater than 500 square metres are setback 200m, except for in the Rural Industry Precinct (PREC13) where the setback is 100m;
4. Buildings less than 10 square metres are setback 2m; and/or
5. All other buildings, except farm infrastructure, are setback 15m.

Activity status where compliance is not achieved:

Restricted Discretionary

Matters of discretion:

1. The adverse *effects* on rural character
2. The adverse *effects* on *amenity values* of adjoining *sites*, including outlook, privacy, shading, dominance and sense of openness
3. The extent to which *buildings* are set back on the adjoining *sites* and the use of the intervening space
4. The reasons for the reduced *setback*
5. *Noise* and odour from housing animals
6. *Reverse Sensitivity effects*
7. The safe and efficient operation of the rail network

GRUZ-S5

Setback to Road Boundaries

PROPOSED DISTRICT PLAN PROVISIONS

All areas	Any building or structure is setback from any road boundary the minimum distances as follows: - Residential buildings are setback: ~~100~~50m from the boundary of an <i>Interregional Connector road</i> (state highway); 40m from the boundary of a <i>Rural Connector road</i>; 30m from the <i>road boundary</i> of an unsealed road; and 10m from the <i>boundary</i> of a sealed road. - Buildings that house animals are setback 30m; - Building for the sale of on-site produce are setback 5m; - Stockyards and loading ramps are not required to be setback; and/or - All other buildings and structures, except fences <u>and farm infrastructure</u>, are setback 15m.	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: - Adverse character and amenity <i>effects</i> of the locality, including views from the <i>road</i> - Adverse character and amenity <i>effects</i> on nearby <i>sites</i>, including outlook, privacy, shading and sense of openness - Compatibility with the surrounding <i>environment</i> - The safety and efficiency of the <i>road</i> network - The extent acoustic insulation manages reverse sensitivity effects - The reasons for the reduced <i>setback</i> - In relation to GRUZ-S5(1)(c) the matter of discretion for standard GRUZ-S6.
GRUZ-S6	<i>Sensitive activities near gravel roads</i>	
All areas	<i>Buildings</i>, other than <i>accessory buildings</i>, used by <i>sensitive activities</i> are located more than 30 metres from a gravel <i>road</i>.	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: Action that can be taken to alleviate any <i>dust</i> nuisance that may arise from the proximity to the <i>gravel road</i>, including landscaping
GRUZ-S7	<i>Setbacks from stream and river</i>	

PROPOSED DISTRICT PLAN PROVISIONS

All activities

1. Any building or structure is set back from the top of the closest bank of any stream or river the minimum distance as follows:
 - (a) 20m for high order rivers or streams (order 5 and above);
 - (b) 10m for middle order rivers or streams (order 3 and 4); and
 - (c) 5m for low order rivers or streams (order 1 and 2).

Except that fences of post and wire construction are permitted within the setback where these are:

- (i) not constructed with wire mesh if located within an area of Actual or Potential Inundation as identified within the Natural Hazards layer of the Planning Maps;
- (ii) not located within the stream or riverbed;
- (iii) not constructed across the stream or river channel; or
- (iv) not constructed across or along a stopbank.

Refer to Appendix 3 for river and stream orders and guidance on riverbed extents and the location of banks for measuring setbacks.

Activity status where compliance is not achieved:

Restricted Discretionary

Matters of discretion:

1. Whether there is a *functional need* for the *building or structure* to locate in a riparian margin, and the extent to which alternative practicable options have been considered and their feasibility.
2. The effects on water quality and the stability and health of the stream bed and banks, including erosion and *sedimentation control measures*.
3. The nature of existing riparian vegetation and the effects of proposed planting or modification on indigenous *biodiversity* and ~~/or habitats~~ proposed mitigation measures, including:
 - (a) opportunities for enhancement and restoration;
 - (b) methods proposed to monitor or inspect the works undertaken;
 - (c) the timing of works to minimise adverse effects on threatened or at risk indigenous species; and
 - (d) management of potential adverse effects through a *Council Authorised Biodiversity Management Plan*.
4. The natural character of the riparian margin and the effects of the activity on landscape values and the ability to restore, rehabilitate or enhance riparian areas. Refer to Natural Features and Landscapes – Appendix 5 in regard to the Maitai River.
5. Impacts on Ngāi Tahu cultural values, including those listed in MW.2.3.
6. The effects on public and customary access to the stream or river.

PROPOSED DISTRICT PLAN PROVISIONS

		7. The potential for flooding and to create new or exacerbate existing <i>natural hazards</i> , impact natural drainage patterns, redirect overland flow paths or flood flows, including on to other <i>sites</i> .
GRUZ-S8	Height	
All areas except PREC13 Rural Industry Precinct	1. The maximum <i>height</i> of any <i>building</i> or <i>structure</i> shall be 12m above ground level. <i>Note: rule TRANS-R3 also applies to height of Buildings, other structures and trees within airfield approach vectors.</i>	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. The adverse <i>effects</i> on the <i>amenity values</i> of adjoining <i>sites</i> including privacy, shading, outlook, dominance and sense of openness. 2. The <i>effects</i> on the character and <i>amenity values</i> of the surrounding <i>environment</i> and sense of openness. 3. Impacts on views of The Mataura Falls, Hokonui Hills, and/or Tukurau. 4. Whether the <i>structure</i> can be more appropriately located or reduced in <i>height</i> to minimise adverse visual amenity <i>effects</i>. 5. The reason for the increase in <i>height</i>.
PREC13 Rural Industry Precinct	2. The maximum height of any building or structure shall be 15m above ground level. <i>Note: rule TRANS-R3 also applies to height of Buildings, other structures and trees within airfield approach vectors.</i>	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. The adverse <i>effects</i> on the <i>amenity values</i> of adjoining <i>sites</i> including privacy, shading, outlook and dominance.

PROPOSED DISTRICT PLAN PROVISIONS

		2. The <i>effects</i> on the character and <i>amenity values</i> of the surrounding <i>environment</i> and streetscape. 3. Whether the <i>structure</i> can be more appropriately located to minimise adverse visual amenity <i>effects</i>. 4. The reason for the increase in <i>height</i>.
GRUZ-S9	Rural Airstrips and Helicopter Landing Areas	
<i>Agriculture Aviation Activity</i>	1. Any <i>rural airstrip</i> or <i>helicopter landing area</i> is separated by at least 500m from any <i>notional boundary</i> on a <i>site</i> not being serviced by the use of the <i>rural airstrip</i> or <i>helicopter landing area</i>; and 2. The flight path to the <i>helicopter landing area</i> is not within a horizontal distance of 250m of any <i>notional boundary</i> to a <i>noise sensitive activity</i>.	Activity status where compliance is not achieved: Discretionary