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## Submission on Napier City Proposed District Plan

### Form 5 Submission on publically notified proposal for policy statement or plan, change or variation

*Clause 6 of Schedule 1, Resource Management Act 1991*

**To:** Napier City Council - Planning Unit

**Date received:** 15/12/2023

**Submission Reference Number #:**169

This is a submission on the following proposed plan (the **proposal**): Napier City Proposed District Plan

**Submitter:**

Dooney Brothers Partnership

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**Attachments:**

Attachement 1 - Dooney Submission.pdf

**I wish to be heard:** Yes

**I am willing to present a joint case:** Yes

Could you gain an advantage in trade competition in making this submission?

- **No**

Are you directly affected by an effect of the subject matter of the submission that

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition

- **Yes**

### Submission points

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**Point 169.1**

**Section:** Planning Maps

**Sentiment:** Amend

**Submission:**

The proposed zoning of the land at 35, 45, 49 & 55 The Loop, and 69 Waverley Road (refer to attached map) as Rural Production Zone is inappropriate. Considers that use of this land for productive rural activities is not economically viable. Considers the land is ideally located for Rural Lifestyle Zoning, providing a transition between the residential zone to the north, and the productive rural zoned land to the south.

**Relief sought**

That the zoning of the identified land be amended to Rural Lifestyle Zone.

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**Point 169.2**

**Section:** RLZ - Rural Lifestyle Zone

**Sub-section:** Objectives

**Provision:**

RLZ-O6: Reverse sensitivity

Development in the Rural Lifestyle Zone does not compromise the efficient operation of rural activities.

**Sentiment:** Amend

**Submission:**

This objective relates to the potential for reverse sensitivity effects of rural lifestyle development (the primary land use expected within a rural lifestyle zone) on surrounding rural land uses (expected within the rural production zone). The objective should be amended to clarify that reverse sensitivity concerns relate to permitted productive activities on surrounding land within the rural production zone.

**Relief sought**

Amend to:

RLZ-O6: Reverse sensitivity

Development in the Rural Lifestyle Zone does not compromise the efficient operation of rural activities **within the Rural Production Zone.**

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**Point 169.3**

**Section:** RLZ - Rural Lifestyle Zone

**Sub-section:** Policies

**Provision:**

RLZ-P4: Manage development in the Rural Lifestyle Zone

Use and development does not degrade the values associated with the rural environment by:

- a. reducing the productive capacity of highly productive land and soils;
- b. locating development on highly productive land or versatile soils suitable for productive production;
- c. diminishing biodiversity, natural character, or environmental qualities;
- d. disrupting ecological corridors between ecosystems;
- e. restricting access to waterbodies;
- f. compromising landscapes and their characteristics;
- g. degrading historic heritage features;
- h. adversely impacting on cultural values, and
- i. degrading rural amenity values.

*Relates to RLZ-O1, RLZ-O2, RLZ-O3, RLZ-O4, and RLZ-O5*

**Sentiment:** Amend

**Submission:**

The availability of "highly productive land" for productive purposes is removed by virtue of zoning of land as Rural Production Zone land. Specifically, the District Plan proposes to adopt the definition of Highly Productive land in the NPS-HPL, which states that land is only considered highly productive land if it is zoned general rural or rural production. Development of Rural Production Zoned land therefore cannot have any impact on the productive capacity of highly productive land.

**Relief sought**

Amend to:

RLZ-P4: Manage development in the Rural Lifestyle Zone

Use and development does not degrade the values associated with the rural environment by:

- a. ~~reducing the productive capacity of highly productive land and soils;~~
- b. ~~locating development on highly productive land or versatile soils suitable for productive production;~~
- c. diminishing biodiversity, natural character, or environmental qualities;
- d. disrupting ecological corridors between ecosystems;
- e. restricting access to waterbodies;
- f. compromising landscapes and their characteristics;
- g. degrading historic heritage features;
- h. adversely impacting on cultural values, and
- i. degrading rural amenity values.

*Relates to RLZ-O1, RLZ-O2, RLZ-O3, RLZ-O4, and RLZ-O5*

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**Point 169.4**

**Section:** RLZ - Rural Lifestyle Zone

**Sub-section:** Policies

**Provision:**

RLZ-P6: Cumulative effects

Use and development of the Rural Lifestyle Zone do not have adverse cumulative effects, that:

- deplete the versatility and productivity of the soil resource, highly productive land, or natural resources;

- avoid adverse effects on outstanding natural features, and
- mitigate impacts on significant landscapes, biodiversity, and/or heritage and cultural values.

*Relates to RLZ-O2, RLZ-O3, and RLZ-O5*

**Sentiment:** Amend

**Submission:**

Land within the Rural Lifestyle zone is intended to be developed and used for rural lifestyle purposes.

**Relief sought**

Amend to:

RLZ-P6: Cumulative effects

Use and development of the Rural Lifestyle Zone do not have adverse cumulative effects, that:

- ~~deplete the versatility and productivity of the soil resource, highly productive land, or natural resources;~~
- avoid adverse effects on outstanding natural features, and
- mitigate impacts on significant landscapes, biodiversity, and/or heritage and cultural values.

*Relates to RLZ-O2, RLZ-O3, and RLZ-O5*

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**Point 169.5**

**Section:** RLZ - Rural Lifestyle Zone

**Sub-section:** RLZ - Rural Lifestyle Zone - Standards Table

**Provision:**

RLZ-S3: Setback from highly productive land

**Rural Lifestyle Zone**

***Purpose:*** *to protect highly productive land and avoid reverse sensitivity effects to land-based primary production activities.*

1. No residential activity is located closer than 30 m from highly productive land.

**Sentiment:** Oppose

**Submission:**

A 30m setback from the boundary of any land within the Rural Productive Zone comprising highly productive land is excessive, and not necessary protect against reverse sensitivity effects from residential activities. The setbacks required under standard RLZ-S2 are sufficient.

**Relief sought**

Delete this standard.

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**Point 169.6**

**Section:** RLZ - Rural Lifestyle Zone

**Sub-section:** RLZ - Rural Lifestyle Zone - Standards Table

**Provision:**

**RLZ-S4: Setback from land-based primary production**

**Rural Lifestyle Zone** 1. No residential activity is located closer than 30 m from an existing lawfully established land-based primary production activity.

***Purpose:** to protect rural activities and avoid reverse sensitivity effects to land-based primary production activities.*

**Sentiment:** Oppose

**Submission:**

A 30m setback from the boundary of any land-based primary production activity is excessive, and not necessary protect against reverse sensitivity effects from residential activities. The setbacks required under standard RLZ-S2 are sufficient.

**Relief sought**

Delete this standard

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**Point 169.7**

**Section:** RLZ - Rural Lifestyle Zone

**Sub-section:** RLZ - Rural Lifestyle Zone - Standards Table

**Provision:**

**RLZ-S8: Fencing**

**Rural Lifestyle Zone** 1. Any fence erected within front, side, and rear **Matters of discretion are:** yards must not exceed 2 m in height.

1. The effects of shading;
2. The effects on amenity values;
3. The effects on streetscape;
4. The effects on public health and safety, and
5. The positive effects of fences to mitigate visual and noise effects of nearby land uses.

**Sentiment:** Amend

**Submission:**

This standard should relate to boundary fences only. The determination of the appropriate height of non-boundary landscape / privacy fencing should be at the sole discretion of the landowner, and will not give rise to any adverse effects beyond the

property.

### Relief sought

Amend to:

#### RLZ-S8: Fencing

##### Rural Lifestyle Zone

1. Any **boundary** fence erected within front, side, and rear yards must not exceed 2 m in height.

##### Matters of discretion are:

1. The effects of shading;
2. The effects on amenity values;
3. The effects on streetscape;
4. The effects on public health and safety, and
5. The positive effects of fences to mitigate visual and noise effects of nearby land uses.

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### Point 169.8

**Section:** RLZ - Rural Lifestyle Zone

**Sub-section:** RLZ - Rural Lifestyle Zone - Rules Table

**Sentiment:** Amend

#### Submission:

There is no provision for visitor accommodation within the Rural Lifestyle Zone. Existing buildings should be able to be used for this purpose without the need to first obtain a resource consent.

### Relief sought

Add new Rule

#### RLZ-RX – Visitor Accommodation

##### RLZ-RXA

**Activity Status: Permitted**

##### **Where:**

**The activity is being carried out within an existing residential building.**

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### Point 169.9

**Section:** RLZ - Rural Lifestyle Zone

**Sub-section:** Assessment criteria - Rural Lifestyle Zone

#### Provision:

RLZ-AC2: All land uses

*Rural character*

- a. The extent to which the activity is compatible with the sparsely built-up character of a rural environment, including:
  - i. an environment that is characterised by low-density built form, fewer buildings, hard surfaces, and outdoor storage areas;
  - ii. areas of vegetation, natural features, and open space;
  - iii. small scale agricultural, pastoral, and horticultural activities;
  - iv. the layout, scale, materials and characteristics of buildings are consistent with a rural setting;
  - v. the large setbacks and spaces between buildings, and
  - vi. compatibility with rural amenity.

#### *Height, scale, bulk, and built form*

- b. The extent to which the positioning, bulk, and building design could have adverse effects on rural character and amenity.
- c. The extent to which the site layout and use of spaces maintain adequate levels of privacy in adjacent properties.
- d. Whether the activity will dominate or cause reduced access to sunlight or daylight, increase shading on indoor and outdoor living spaces at adjacent residential properties, taking account of the extent of any overshadowing, the intended use of spaces and the position of outdoor living spaces, or main living areas in residential buildings.
- e. Whether the activity will have adverse effects on the outlook from adjoining properties.
- f. The scale of buildings, structures, or storage and the effects on the character of any adjoining residential property.
- g. The effects of any landscaping and trees proposed within the site or on the boundary of the site in mitigating adverse visual effects.

#### *Infrastructure services, capacity, and stormwater management*

- h. Whether adequate provision is made for water supply and stormwater disposal.
  - i. Whether adequate provision is made for the disposal of waste and effluent.
  - j. The extent to which the land use has avoided, remedied, or mitigated any adverse effects on the environment (including human health and safety) or infrastructural services.
- k. Whether the method of disposal of wastewater is effective or has potential to impact on other properties and avoids or reduces contamination.

#### *Risk to public health and safety and the environment*

- l. Whether the use, storage, or method of disposal of any wastewater, trade waste, solid material, and/or liquid leachate controls the risk to public health and safety and the environment.
- m. The area of impervious surface and whether the methods to avoid accidental discharges to ground or water are reliable.
- n. Whether the volume of water or rate and composition of discharges may have adverse effects on the Council's reticulated trade waste, wastewater, and stormwater network infrastructure.

**Sentiment:** Amend

**Submission:**

The rural lifestyle zone is intended for rural residential development. Assessment criteria relating to effects on productive and versatile land or whether activities are compatible with activities more appropriately carried out within the Rural Production Zone are not relevant to the development and use of this land.

**Relief sought**

Amend assessment criteria AC2 (r) and (x) as follows:

~~r. Whether the use of development is located on and utilises productive or versatile land.~~

x. Whether activities will complement primary production (agriculture, horticulture, and/or viticulture activities) and contribute to the social, cultural, and economic wellbeing of the community.

**Point 169.10**

**Section:** SUB - Subdivision

**Sub-section:** SUB - Subdivision - Standards Table

**Provision:**

SUB-S3: Minimum allotment sizes - rural		
Rural Lifestyle Zone, Mission Rural Residential Precinct	5,000 m <sup>2</sup> minimum allotment size with a minimum average allotment size of 1.5 ha. The minimum average allotment size must be calculated using the parent allotment in existence as at 11 November 2000. This parent allotment will be the base for any further proposed subdivision.	<b>Activity Status where standards are not met:</b> Non-complying
Productive Rural Zone, Mission Productive Rural Precinct	4 ha	<b>Activity Status where standards are not met:</b> Non-complying
Rural Special Control Area	50 ha	<b>Activity Status where standards are not met:</b> Non-complying
Settlement Zone	800 m <sup>2</sup> fully serviced sites	<b>Activity Status where standards are not met:</b> Non-complying
	1500 m <sup>2</sup> unserviced sites	
Open Space Zones	No minimum	<b>Activity Status where standards are not met:</b> NA
Jervoistown Precinct	2,500 m <sup>2</sup>	<b>Activity Status where standards are not met:</b> Prohibited

**Sentiment:** Amend

**Submission:**

Requiring that subdivision achieves a minimum average allotment size of 1.5 ha based on the parent allotment in existence as at 11 November 2000 adds unnecessary complexity when determining subdivision potential, and is inconsistent with both the pattern of subdivision consents granted by Council under the Operative District Plan, and the expected character within a rural residential area.

**Relief sought**

Amend to:

SUB-S3: Minimum allotment sizes - rural		
Rural Lifestyle Zone, Mission Rural Residential Precinct	5,000 m <sup>2</sup> minimum allotment size with a minimum average allotment size of 1.5 ha. The minimum average allotment size must be calculated using the parent allotment in existence as at 11 November 2000. This parent allotment will be the base for any further proposed subdivision.	<b>Activity Status where standards are not met:</b> Non-complying



Productive Rural Zone, Mission Productive Rural Precinct	4 ha	<b>Activity Status where standards are not met:</b> Non- complying
Rural Special Control Area	50 ha	<b>Activity Status where standards are not met:</b> Non- complying
Settlement Zone	800 m <sup>2</sup> fully serviced sites	<b>Activity Status where standards are not met:</b> Non- complying
	1500 m <sup>2</sup> unserviced sites	
Open Space Zones	No minimum	<b>Activity Status where standards are not met:</b> NA
Jervoisstown Precinct	2,500 m <sup>2</sup>	<b>Activity Status where standards are not met:</b> Prohibited

### Point 169.11

**Section:** RPROZ - Rural Production Zone

**Sub-section:** Policies

#### Provision:

RPROZ-P1: Use or development of highly productive land

Ensure the use or development minimises or mitigates any actual or potential cumulative loss of the availability or productive potential of highly productive land by:

- a. avoiding inappropriate use and development that are not land-based primary production activities.
- b. enabling the maintenance, operation, or upgrade of any existing activity where loss of highly productive land is minimised.
- c. providing for use and development where:
  - i. highly productive land is subject to permanent or long-term constraints in accordance with Section 3.10 of the National Policy Statement for Highly Productive Land 2022;
  - ii. it avoids any significant loss of productive capacity;
  - iii. it avoids the fragmentation of large of geographically cohesive areas of highly productive land, and
  - iv. the environmental, social, cultural, and economic benefits outweigh the long-term environmental, social, cultural, and economic costs associated with the loss of highly productive land, taking into account both tangible and intangible values.

*Relates to RPROZ-O1, RPROZ-O2, RPROZ-O3, RPROZ-O4 and RPROZ-O5*

**Sentiment:** Amend

#### Submission:

The policies of the district plan should be consistent with the NPS-HPL. The NPS-HPL does not restrict the use of highly productive land to land-based primary production activities. The policy should be amended to provide certainty to the public regarding the nature of activities that are not land based primary production activities, but are considered appropriate in this location (e.g., supporting activities such as owners/farm managers accommodation).

#### Relief sought

**Point 169.12**

**Section:** RPROZ - Rural Production Zone

**Sub-section:** RPROZ - Rural Production Zone - Rules Table

**Provision:**

RPROZ-R5: Residential activities and associated buildings and structures (excluding minor residential units)

**RPROZ-R5A**

**RPROZ-R5B**

**Activity Status:** Permitted

**Activity Status where condition 3 is not met:**  
Restricted Discretionary

**Where:**

**Where:**

1. The activity complies with all of the Rural Production Zone Standards.
2. One residential unit per site where the net site area of the site is larger than 2,500 m<sup>2</sup>.
3. The activity is not located on highly productive land.

1. The activity is ancillary to land-based primary production activity within the same site.
2. The application complies with RPROZ-R5B-REQ1.

**RPROZ-R5B- REQ1**

1. Any application under rule RPROZ-R5A must include a productive capacity assessment report prepared by a suitably qualified and experienced soil scientist which shall address the following matters:
  - a. a plan identifying the productive capacity of the site, and
  - b. evaluation and evidence to confirm that the subdivision will not result in the cumulative loss of the availability and productive capacity of highly productive land within the district.

**Matters of discretion are:**

1. Scale and intensity of land use;
2. Consistency with the scale and character of the rural environment;
3. Location, scale and design of buildings or structures;

4. Whether or not the activity will result in the cumulative loss of the availability of the productive capacity of highly productive land;
5. Whether or not the activity will have actual or potential reverse sensitivity effects on land-based primary production activities;
6. Setback distances from the property boundary, Ahuriri Estuary, any watercourse or open drain;
7. The effects of shading, outlook and amenity of the neighbouring properties;
8. The effects on the open character of the zone;
9. The effects on the maintenance, use and development of a watercourse or open drain; and
10. The capacity of the site to cater for on-site infrastructure associated with the proposed activity.

**RPROZ-R5C**

**Activity Status where conditions of RPROZ-R4B 1 and 2 are not met:** Non-complying

**Sentiment:** Amend

**Submission:**

The construction of one dwelling on a rural property to provide accommodation for the owner or farm manager is specifically anticipated by the NPS-HPL as a supporting activity. It is inappropriate to prevent the owner of a property from residing on their land, or where they reside elsewhere, providing on-site farm manager accommodation for security.

The permitted size of buildings for supporting activities is appropriately controlled by Standard RPROZ-S5 – Building coverage.

*Note: if it is Council's intention to adopt a district plan that is inconsistent with the NPS-HPL, the reference to "subdivision" should be removed from any evaluation report required to support an application for land use consent.*

**Relief sought**

Amend to:

**RPROZ-R5: Residential activities and associated buildings and structures (excluding minor residential units)**

**RPROZ-R5B**

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~~Activity Status where condition 3 is not met: Restricted Discretionary~~

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**Where:**

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1. The activity is ancillary to land-based primary production activity within the same site.
2. The application complies with RPROZ-R5B-REQ1.

**RPROZ-R5B-REQ1**

**RPROZ-R5A**

**Activity Status:** Permitted

1. Any application under rule RPROZ-R5A must include a productive capacity assessment report prepared by a suitably qualified and experienced soil scientist which shall address the following matters:
  - a. a plan identifying the productive capacity of the site, and
  - b. evaluation and evidence to confirm that the subdivision will not result in the cumulative loss of the availability and productive capacity of highly productive land within the district.

**Where:**

1. The activity complies with all of the Rural Production Zone Standards.
2. One residential unit per site where the net site area of the site is larger than 2,500 m<sup>2</sup>.
3. The activity is not located on highly productive land.

**Matters of discretion are:**

1. Scale and intensity of land use;
2. Consistency with the scale and character of the rural environment;
3. Location, scale and design of buildings or structures;
4. Whether or not the activity will result in the cumulative loss of the availability of the productive capacity of highly productive land;
5. Whether or not the activity will have actual or potential reverse sensitivity effects on land-based primary production activities;
6. Setback distances from the property boundary, Ahuriri Estuary, any watercourse or open drain;
7. The effects of shading, outlook and amenity of the neighbouring properties;
8. The effects on the open character of the zone;
9. The effects on the maintenance, use and development of a watercourse or open drain; and
10. The capacity of the site to cater for on-site infrastructure associated with the proposed activity.

**RPROZ-R5C**

**Activity Status where conditions of RPROZ-R4B 1 and 2 are not met:** Non-complying

**Point 169.13**

**Section:** RPROZ - Rural Production Zone

**Sub-section:** RPROZ - Rural Production Zone - Rules Table

**Provision:**

RPROZ-R6: Minor residential unit

**RPROZ-R6A**

**RPROZ-R6B**

**Activity Status:** Permitted

**Activity Status where condition RPROZ-R6A 3 is not met:** Restricted discretionary

**Where:**

1. The activity complies with all of the Rural Production Zone standards.
2. One minor residential unit per site where the site is larger than 5,000 m<sup>2</sup>; and
  - a. The minor residential residential unit is less than 80 m<sup>2</sup> in gross floor area;
  - b. The minor residential unit shares access with the primary residential unit onsite.
3. The activity is not located on Highly Productive Land.

**Where:**

1. The activity is ancillary to the land-based primary production activity within the same site.
2. The application complies with RPROZ-R6B-REQ1

**RPROZ-R6B-REQ1**

1. Any application under rule RPROZ-R6A must include a productive capacity assessment report prepared by a suitably qualified and experienced soil scientist which shall address the following matters:
  - a. a plan identifying the productive capacity of the site, and
  - b. evaluation and evidence to confirm that the subdivision will not result in the cumulative loss of the availability and productive capacity of highly productive land within the district.

**Matters of discretion are restricted to:**

1. Scale and intensity of land use;
2. Consistency with the scale and character of the rural environment;
3. Location, scale and design of buildings or structures;
4. Whether or not the activity will result in the cumulative loss of the availability of the productive capacity of highly productive land;
5. Whether or not the activity will have actual or potential reverse sensitivity effects on land-based primary production activities;
6. Setback distances from the property boundary, Ahuriri Estuary, any watercourse or open drain;
7. The effects of shading, outlook and amenity of the neighbouring properties;
8. The effects on the open character of the zone;
9. The effects on the maintenance, use and development of a watercourse or open drain; and
10. The capacity of the site to cater for on-site

infrastructure associated with the proposed activity.

## RPROZ-R6C

**Activity status where conditions of RPROZ-R6A 1 and 2 and RPROZ-R6B 1 and 2 are not met:** Non complying

**Sentiment:** Amend

### Submission:

As above – a minor residential provides for supporting activities on the site.

*Note: if it is Council's intention to adopt a district plan that is inconsistent with the NPS-HPL, the reference to "subdivision" should be removed from any evaluation report required to support an application for land use consent.*

### Relief sought

Amend to:

RPROZ-R6: Minor residential unit

#### RPROZ-R6A

**Activity Status:** Permitted

#### Where:

1. The activity complies with all of the Rural Production Zone standards.
2. One minor residential unit per site where the site is larger than 5,000 m<sup>2</sup>; and
  - a. The minor residential residential unit is less than 80 m<sup>2</sup> in gross floor area;
  - b. The minor residential unit shares access with the primary residential unit onsite.
3. The activity is not located on Highly Productive Land.

#### RPROZ-R6B

~~**Activity Status where condition RPROZ-R6A 3 is not met:** Restricted discretionary~~

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#### Where:

- ~~1. The activity is ancillary to the land-based primary production activity within the same site.~~
- ~~2. The application complies with RPROZ-R6B-REQ1~~

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#### RPROZ-R6B-REQ1

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1. Any application under rule RPROZ-R6A must include a productive capacity assessment report prepared by a suitably qualified and experienced soil scientist which shall address the following matters:
  - a. a plan identifying the productive capacity of the site, and
  - b. evaluation and evidence to confirm that the subdivision will not result in the cumulative loss of the availability and

productive capacity of highly  
productive land within the district.

**Matters of discretion are restricted to:**

1. Scale and intensity of land use;
2. Consistency with the scale and character of the rural environment;
3. Location, scale and design of buildings or structures;
4. Whether or not the activity will result in the cumulative loss of the availability of the productive capacity of highly productive land;
5. Whether or not the activity will have actual or potential reverse sensitivity effects on land-based primary production activities;
6. Setback distances from the property boundary, Ahuriri Estuary, any watercourse or open drain;
7. The effects of shading, outlook and amenity of the neighbouring properties;
8. The effects on the open character of the zone;
9. The effects on the maintenance, use and development of a watercourse or open drain; and
10. The capacity of the site to cater for on-site infrastructure associated with the proposed activity.

**RPROZ-R6C**

**Activity status where conditions of RPROZ-R6A 1 and 2 and RPROZ-R6B 1 and 2 are not met: Non complying**

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**Point 169.14**

**Section:** RPROZ - Rural Production Zone

**Sub-section:** RPROZ - Rural Production Zone - Rules Table

**Provision:**

RPROZ-R10: Travellers' accommodation

**Activity Status:** Non-complying

NA

**Sentiment:** Amend

**Submission:**

The name of the rule should be amended to "Visitor Accommodation" to be consistent with the definitions provided within the District Plan.

Existing buildings should be able to be used for this purpose without the need to first obtain a resource consent.

**Relief sought**

Amend to:

RPROZ-R10: Travellers'~~Visitor~~ accommodation

~~Activity Status: Non-complying~~

**RPROZ-R10A**

*Activity Status: ~~Non-Complying~~ **Permitted***

**Where:**

NA

1. **The activity is being carried out within an existing residential building.**

**RPROZ-R0B**

**Activity Status where conditions are not met: Non-Complying**

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**Point 169.15**

**Section:** RPROZ - Rural Production Zone

**Sub-section:** RPROZ - Rural Production Zone - Rules Table

**Provision:**

RPROZ-R12: Home business

**RPROZ-R12A**

**RPROZ-R12B**

**Activity Status:** Permitted

**Activity Status where conditions 1-7 and standards are not met:** Restricted Discretionary

**Where:**



**Matters of discretion are:**

1. The activity complies with all of the Rural Production Zone Standards;
  2. The site must be occupied by a residential building and used for residential activities by the person or persons living on the site as their principal place of residence;
  3. No more than three persons work on the site who reside outside the dwelling unit;
  4. At all times, the home business must remain incidental and secondary to the use of any buildings for residential purposes;
  5. The area of the home occupation must not exceed 30% of the gross floor area of the dwelling unit if located within the dwelling unit and/or 80 m<sup>2</sup> if located in an accessory building;
  6. Any external storage must be screened from view of any adjacent properties and public open space;
  7. Retailing of goods must not occur from the site, and
  8. The activity is not located on highly productive land.
1. Scale and intensity of land use;
  2. Rural characteristics and economic significance;
  3. Scale, height, bulk, setbacks, and built form;
  4. Risk to public health and safety and the environment;
  5. The cumulative effects of non-compliance with more than one standard;
  6. The effects on rural character;
  7. The effects on public health and safety;
  8. The effects on amenity values;
  9. The effects on traffic safety;
  10. The type, frequency, and timing of traffic;
  11. Any nuisance effects, and
  12. The effects on matters of reverse sensitivity.

**Activity Status where condition 8 and standards of RPROZ-R12B are not met:** Non-complying

**Sentiment:** Amend

**Submission:**

Home occupations are frequently carried out within an existing dwelling / accessory building. In this case it is irrelevant whether the existing building has been established on highly productive land, and this in itself should not be a trigger for requiring resource consent.

**Relief sought**

Amend to:

**RPROZ-R12: Home business**

**RPROZ-R12B**

**RPROZ-R12A**

**Activity Status where conditions 1-7 and standards are not met:** Restricted Discretionary

**Activity Status:** Permitted

**Matters of discretion are:**

**Where:**

1. Scale and intensity of land use;
2. Rural characteristics and economic

1. The activity complies with all of the Rural Production Zone Standards;
  2. The site must be occupied by a residential building and used for residential activities by the person or persons living on the site as their principal place of residence;
  3. No more than three persons work on the site who reside outside the dwelling unit;
  4. At all times, the home business must remain incidental and secondary to the use of any buildings for residential purposes;
  5. The area of the home occupation must not exceed 30% of the gross floor area of the dwelling unit if located within the dwelling unit and/or 80 m<sup>2</sup> if located in an accessory building;
  6. Any external storage must be screened from view of any adjacent properties and public open space;
  7. Retailing of goods must not occur from the site, and
  8. The activity is not located on highly productive land, **or will be carried out within an existing building.**
- significance;
  3. Scale, height, bulk, setbacks, and built form;
  4. Risk to public health and safety and the environment;
  5. The cumulative effects of non-compliance with more than one standard;
  6. The effects on rural character;
  7. The effects on public health and safety;
  8. The effects on amenity values;
  9. The effects on traffic safety;
  10. The type, frequency, and timing of traffic;
  11. Any nuisance effects, and
  12. The effects on matters of reverse sensitivity.

**Activity Status where condition 8 and standards of RPROZ-R12B are not met:** Non-complying

**Point 169.16**

**Section:** SUB - Subdivision

**Sub-section:** SUB - Subdivision - Rules Table

**Provision:**

SUB-R8: Subdivision of lifestyle sites within the Productive Rural Zone with amalgamation

**SUB-R8A**

**SUB-R8B**

**Activity Status:** Discretionary

**Activity Status where activity conditions are not met:** Non-complying

**Where:**

1. Subdivision is not on highly productive land;
2. Compliance with standards SUB-S6 - SUB-S18;
3. Allotment size of the lifestyle site is within the range of 2,500 m<sup>2</sup> - 5,000 m<sup>2</sup> and contains an existing dwelling;
4. Subdivision results in the amalgamation of the balance area with an adjoining site, so that no additional records of title are created by the subdivision;
5. The amalgamated balance of new sites created exceeds 4 ha, and
6. A consent notice is registered on the record of title confirming there will be no further subdivision of the lifestyle allotment created.

**Sentiment:** Amend

**Submission:**

Lifestyle subdivision where the balance land is amalgamated with neighbouring land is an effective means of increasing the size (and therefore overall productive capacity) of landholdings. Boundary relocations of this nature should therefore be encouraged for small landholdings comprising highly productive land.

**Relief sought**

Amend to:

SUB-R8: Subdivision of lifestyle sites within the Productive Rural Zone with amalgamation

**SUB-R8A**

**SUB-R8B**

**Activity Status:** Discretionary

**Activity Status where activity conditions are not met:** Non-complying

**Where:**

1. ~~Subdivision is not on highly productive land;~~
2. Compliance with standards SUB-S6 - SUB-S18;
3. Allotment size of the lifestyle site is within the range of 2,500 m<sup>2</sup> - 5,000 m<sup>2</sup> and contains an existing dwelling;
4. Subdivision results in the amalgamation of the balance area with an adjoining site, so that no additional records of title are created by the subdivision;
5. The amalgamated balance of new sites created exceeds 4 ha, and
6. A consent notice is registered on the record of title confirming there will be no further subdivision of the lifestyle allotment created.

**Point 169.17**

**Section:** RPROZ - Rural Production Zone

**Sub-section:** RPROZ - Rural Production Zone - Standards Table

**Provision:**

RPROZ-S3: Setback from highly productive land

**Rural Production Zone** 1. No residential activity is located closer than 30 m from highly productive land.

**Purpose:** to protect highly productive land and avoid reverse sensitivity effects to land-based primary productive activities.

**Sentiment:** Oppose

**Submission:**

A 30m setback from the boundary of any highly productive land is excessive, and not necessary protect against reverse sensitivity effects from residential activities. The setbacks required under standard RPROZ-S1 are sufficient. The setback should also relate only to highly productive land on an adjoining title. It is neither sensible nor practical to require a residential activity to be located 30m from highly productive land contained within the same property.

**Relief sought**

Delete this standard

Map Prepared



# Area relating to submission point 1

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