

BEFORE THE HEARINGS PANEL
AT THE WAITOMO DISTRICT COUNCIL, COUNCIL CHAMBERS, TE KUITI

IN THE MATTER of the Resource Management Act
1991 ("the Act")

AND

IN THE MATTER of the hearing of submissions on The
Proposed Waitomo District Plan

STATEMENT OF EVIDENCE BY VANCE ANDREW HODGSON

FOR THE NEW ZEALAND PORK INDUSTRY BOARD

20 JUNE 2024

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SUMMARY STATEMENT

1. This planning evidence addresses the New Zealand Pork Industry Board ("NZ Pork") submission on the Waitomo District Council's ("WDC") s42A Report response to the submissions on the Proposed Waitomo District Plan ("PDP"), topic: General Rural Zone.
2. The submissions cover a number of provisions, but my planning evidence centres on matters concerning earthworks associated with burying of material infected by unwanted organisms, and the activity status for intensive primary production activities.
3. I support the s42a report writer's recommendation to include provisions that enable the burying of material that may be required under the Biosecurity Act 1993.
4. Landholders are legally obliged to comply with any Notice of Direction under the Biosecurity Act 1993. Biosecurity incursions affecting these primary production activities must be able to be managed with a rapid response to quickly and efficiently contain spread and eliminate the incursion.
5. However, it is my understanding that only in particular circumstances does the Biosecurity Act 1993 override Part 3 of the Resource Management Act 1991. Similarly, not all biosecurity incursions would constitute a biosecurity emergency that would trigger provisions in the Resource Management Act 1991 (as emergency works). In particular this is the case for incursions of unwanted organisms as defined under the Biosecurity Act 1993.
6. Where possible I consider resource consent processes that might cause delays in responding to a biosecurity incursion of an unwanted organism should be avoided.
7. I disagree with the PDP approach that all intensive primary production should be considered full discretionary and consider it possible to include robust and appropriate standards and matters of discretion to support a restricted discretionary activity status.
8. Utilising a restricted discretionary activity rule structure for intensive primary production is in my opinion an appropriate resource management response that achieves the relevant objectives and policies of the PDP.

QUALIFICATIONS AND EXPERIENCE

9. My full name is Vance Andrew Hodgson. I am a director of HPC Ltd, a resource management consultancy based in Waiuku. I have been employed in resource management related positions in local government and the private sector since 1994 and have been in private practice for 20 years. I hold a Bachelor of Resource and Environmental Planning (Hons) degree from Massey University.
10. I have worked in the public sector, where I was employed in student, assistant, and senior policy planning roles by the former Franklin District Council. I have provided resource management consultancy services to various district and regional councils. The scope of work for the public sector has been broad, covering plan change processes, submissions to national standards/regulations/policy statements and regulatory matters, mediation, and appeals.
11. In private practice I regularly advise a range of private clients on statutory planning documents and prepare land use, subdivision, coastal permit, water permit and discharge permit resource consent applications. I have experience in resource consent applications, hearings and appeals on a range of activities, particularly for activities in the rural environment. I have provided independent resource management advice to NZ Pork on policy matters across New Zealand since 2013.

SCOPE OF EVIDENCE

12. This evidence provides a planning assessment of those provisions on which NZ Pork submitted and addresses the Section 42A Report, prepared by WDC for the topic General Rural Zone.
13. The planning framework is well described in both the s32 Report and the s42A Reports provided by the WDC. I generally agree with the analysis. Given the agreement I do not repeat the analysis of the applicability of those planning instruments or the compliance of the PDP with those instruments except where my opinion differs in regard to the activity status for new intensive primary production activities.
14. I rely on the evidence provided by:

- Hannah Ritchie, Environment and Planning Manager for NZ Pork.

THE NEW ZEALAND PORK SECTOR

15. Before assessing the submission points, I first set out a brief description of national and regional commercial pig farming activity. I have relied for this part of my evidence on information provided to me by Hannah Richie for NZ Pork
16. Commercial pig farming in New Zealand is small by international standards, with less than 100 commercial (levy-paying) pork producers. These farmers produce approximately 632,153 pigs annually.
17. Canterbury is the pork producing capital of New Zealand, with the majority of piggeries registered with NZ Pork are located within Canterbury. This is a response to the climate, feed availability (particularly grains) and linkages with other farming systems.
18. Commercial pig farming is also represented in most other regions across New Zealand and includes farms in the Waikato and Manawatū-Whanganui regions. I understand there are no existing farms in the Waitomo District, but the sector has an eye to the future and growth when market conditions are more supportive. While small, the sector is an important part of the domestic production system.
19. In New Zealand, pigs are farmed using a spectrum of models from intensive indoor farming systems to outdoor free-farmed and free-range systems. Some pig farmers specialise in pork production only, while others farm pigs in conjunction with sheep and beef, arable and dairy farming, horticulture, and viticulture.
20. Currently, only 40% of pork products consumed in New Zealand are sourced domestically; the balance is imported pork product (largely as cured meats). Annual pork consumption per capita in New Zealand is around 23kg and is projected to increase by 0.8kg per capita year-on-year to 2031.
21. Pig farming potentially has an important role in lower emissions farming systems in New Zealand and an option in mixed farming systems for farmers wanting to reduce their biogenic methane emissions without losing production. The

activity is a consideration for land use change into the future.

22. Pig farming is particularly sensitive to reverse-sensitivity effects from residential and rural lifestyle encroachment, primarily related to odour effects from the animal's natural body odour and from spreading of pig effluent.
23. New Zealand's commercial pig farming industry is internationally recognised for its high-health status. New Zealand's pig herd is largely disease free compared to many other pork producing countries. High levels of biosecurity are vital to retaining this status.

NEW RULE HW-RX BURYING OF MATERIAL INFECTED BY UNWANTED ORGANISMS AS DECLARED BY MINISTRY FOR PRIMARY INDUSTRIES CHIEF TECHNICAL OFFICER OR AN EMERGENCY DECLARED BY THE MINISTER UNDER THE BIOSECURITY ACT 1993

24. Through paragraphs 139-144, the s42A report writer addresses a submission from HortNZ [27.17] that seeks that the PDP provide a pathway for *Ancillary Rural Earthworks* that amongst other activities would provide for the burying of material infected by unwanted organisms as declared by Ministry for Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993.
25. NZ Pork [14.02] sought the same outcome through a submission point that focused on the definition of Earthworks. That submission point is not being addressed here, but the issue raised is.
26. The s42A recommendation, that I support, is to provide a permitted activity pathway for the burying of material infected by unwanted organisms as a new rule in the hapori whānui chapter.
27. I am aware that providing specific recognition of earthworks as a response to a biosecurity incursion via a permitted activity pathway, is an approach adopted in a number of plans around New Zealand including:
 - The Auckland Unitary Plan.
 - The Opotiki District Plan.
 - The Proposed Waikato District Plan (Appeals Version).

- The Proposed Central Hawkes Bay District Plan (Decisions Version).
- The Partially Operative Selwyn District Plan (Appeals Version).
- The Proposed Timaru District Plan.

Biosecurity

28. As I understand the evidence of NZ Pork, a person who is subject to a Notice of Direction under the Biosecurity Act 1993 is required to comply with that notice. I also understand that the most appropriate method of compliance and the timing for compliance will depend on the circumstances in each case, including the nature of the biosecurity incursion.
29. However, relying on the evidence of Ms Ritchie, it is my understanding there may not be time to wait for an application for a resource consent for earthworks to be processed under a district plan. The person may find themselves in the invidious position of having to breach their legal obligations under one statute to comply with another.
30. This situation is not dissimilar from the situation rural landholders face in discharging their obligations to manage plant pests under Regional Pest Strategies. Regional Pest Strategies are prepared under the Biosecurity Act 1993 and landholders can receive Notices of Direction under that Act to manage plant pests. In that case, the Notices of Direction are issued by regional councils, but it is still a legal obligation to comply.
31. Consequently, provisions for managing the removal of indigenous vegetation in district plans and rules for activities in and adjoining waterbodies in regional plans, often include an exemption for ancillary removal of indigenous vegetation as part of complying with a Notice of Direction or undertaking pest management.
32. Biosecurity threats are a constant risk to food production systems that provision the domestic supply of meat, fruit and vegetable, maintain food security for New Zealanders and are export earners.
33. Changing climate is likely to increase biosecurity risks from plant, fungal and animal pests and diseases. The MPI Technical Paper No: 2015/25: *Effects of Climate Change on*

with the incursion. In some cases where on-site disposal is required, burning may not be the most appropriate option. In other cases where either burial or burning is appropriate, there may be fewer adverse effects on adjoining landholders and the community from burial.

39. In forming my opinion on this matter, I have also considered the nature of the effects of earthworks which are controlled by district councils under the Resource Management Act 1991, relative to effects which are controlled by regional councils or by other agencies under other legislation.
40. Regional councils have the specific function to control land uses which affect water quality or soil erosion under s30 of the Resource Management Act 1991, as well as discharges of contaminants. Consequently, there are already rules in Regional Plans to manage effects of any discharges from such activities.
41. In my opinion, additional constraints on earthwork activity at a district plan level (e.g., volume, area, maximum depth) may inhibit a timely, efficient, and effective response. I also question whether it is likely a district council would decline a resource consent in these circumstances.
42. NZ Pork seeks a provision to cover earthworks associated with compliance with the disposal of material infected by unwanted organisms as declared by the Ministry for Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993. This would allow farmers to undertake earthworks related to compliance with a Notice of Direction under the Biosecurity Act 1993 as a permitted activity.
43. The reference to 'unwanted organisms' is specific.
44. Linking the response to directions of an authorised person under the Biosecurity Act 1993 limits the circumstances when these provisions can be relied upon on to bona fide biosecurity incursions where burial is an appropriate response.
45. I understand that risks pertaining to public health and the environment are also addressed in other legislation. For example the Health Act 1956 where the activity must not be offensive, likely to be injurious to health, spread disease, likely to harbour rats and other vermin, or give rise to the breeding

of flies or other insects which are capable of transmitting disease.

46. As above, I support the s42A report writer's recommendation and reiterate that this would only occur as per directions of an authorised person under the Biosecurity Act 1993 which limits the circumstances when these provisions can be relied upon on to bona fide biosecurity incursions where burial is an appropriate response,

THE ACTIVITY STATUS FOR INTENSIVE PRIMARY PRODUCTION

47. NZ Pork [14.49] sought that GRUZ-R31 be amended to change the activity status for an Intensive Indoor Primary Production Activity, from Discretionary as proposed, to Restricted Discretionary.
48. The s42A recommendation is to reject this request as per the reasoning set out in paragraph 62².

It is considered that the number of potential effects of intensive indoor primary production are too great to restrict discretion. Depending on the site and its location, matters could include intensity of use, built form, scale and orientation, landscaping, access and parking, impacts on the transport network (including cumulative effects and timing of traffic generation), hours of operation, impervious surfaces and location of ponds, topography and geographical features, outdoor storage, setbacks, site layout, location of any effluent spreading, proximity to sensitive activities and other zone boundaries, light, glare, noise, dust and odour nuisance, proposed management and mitigation measures, impacts on identified features and other site specific matters. The plan has been drafted so that the matters of discretion are clearly delineated. When matters of discretion are couched in too broader terms (eg: 'nuisance effects'), restricted discretionary activities essentially become discretionary because the scope of the matter is so wide. It is considered that discretionary status is appropriate for intensive indoor primary production activities to enable each proposal to be fully assessed on its merits.

49. I disagree that the activity should fall to be considered full discretionary and consider it possible to include robust and appropriate matters of discretion. I have observed this in other district plans.

² [section-42a-report-chapter-42-general-rural-zone.pdf \(waitomo.govt.nz\)](#)

50. My recent experience with plan reviews and pig farming activities has primarily been in the South Island, where, as described by Ms Ritchie, there is a concentration of pig farming activities of various forms and a greater potential for adverse effects and conflict. The regulatory frameworks developing through those process can be summarised as follows:
51. The Proposed Selwyn District Plan Appeals Version. Notified in 2021 and decisions released in 2023 this plan responded directly to pig farming activities and definition issues with legacy provisions. The plan provides a definition of *Intensive Primary Production* that includes *Intensive Indoor Primary Production* and *Intensive Outdoor Primary Production*. The activity is Permitted subject to meeting setback and locational plan requirements. Non-compliance a Discretionary Activity. Refer Appendix A.
52. The Hurunui District Plan Change 4 Intensive Primary Production and Effluent Disposal. Notified in 2020 and operative in 2021 this also responded directly to pig farming activities and definition issues with legacy provisions. The operative plan provides a definition of *Intensive Primary Production* that includes *Intensive Indoor Primary Production* and *Intensive Outdoor Primary Production*. The activity is Permitted subject to meeting setback and locational plan requirements. Non-compliance a Discretionary Activity. Refer Appendix B.
53. The Proposed Waimakariri District Plan. Notified 2023 with hearings yet to conclude, *Intensive Indoor Primary Production* and *Intensive Outdoor Primary Production* are defined with a proposed Restricted Discretionary Activity status. Non-compliance with standards a Discretionary Activity. Refer Appendix C.
54. The Mackenzie District Plan Change 23 General Rural Zone. Notified in 2023 with hearings yet to conclude, the plan proposes a definition of *Intensive Primary Production* that includes *Intensive Indoor Primary Production* and *Intensive Outdoor Primary Production*. The s42A recommendation is to amend the activity status for Intensive Primary Production from Discretionary to a Restricted Discretionary Activity. Refer Appendix D.

55. The Proposed Timaru District Plan. Notified in 2022 with hearings commencing in 2024, *Intensive Indoor Primary Production* and *Intensive Outdoor Primary Production* are defined with a proposed Permitted Activity status. Non-compliance with standards a Restricted Discretionary or Discretionary Activity. Refer Appendix E.
56. In addition to the South Island examples provided above, NZPork has in recent times also been through a plan review process in the Central Hawkes Bay and New Plymouth where decisions released in 2023 have confirmed a Controlled and Restricted Discretionary Activity status respectively in these plans for these activities.
57. The most recent decision on this matter is that from Plan Change 42 of the Taupō District Plan which was a review of Rural Chapters. Decisions released on 14 June 2024 (appeals closing 29 July 2024), confirmed *Intensive Indoor Primary Production* as Permitted subject to meeting requirements. Non-compliance a Restricted Discretionary Activity.
58. The common theme through all of these examples is the use of a setback to separate activities that might conflict. This is used as a Permitted Activity or Restricted Discretionary Activity performance standard.
59. The plans described above have recognised the importance of intensive primary production and the need for the activity to be in the rural environment. The Ministry for the Environment, November 2019, National Planning Standards³, has made this explicit in the Zone Name and Descriptions set out in the mandatory directions of Chapter 8. Zone Framework Standard:

General rural zone: 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.

Rural production zone: Areas used predominantly for primary production activities that rely on the productive nature of the land and intensive indoor

³ [national-planning-standards-november-2019-updated-2022.pdf \(environment.govt.nz\)](#)

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.

60. Intensive indoor primary production can have a range of effects on the environment. The Section 32 report for the Waitomo District Plan (General Rural Zone, 20 Oct 2022⁴) identifies the following in the summary of issues:

The intensive farming of animals (usually within buildings) may create adverse effects such as odour, dust emissions, noise and effects on water quality from effluent disposal.

61. The Section 32 report also identifies that district councils are responsible for managing land uses which have the potential to discharge odour and dust which may cause amenity effects, such as intensive primary production.

62. In addition to noise and odour, the PDP extends the effects range for intensive indoor primary production through GRUZ-P8 to include *glare, traffic generation, visual amenity, rural character, landscape effects.*

63. The s42 report recommended new intensive indoor primary production policy GRUZ-NEW identifies *noise, glare, traffic generation, visual and odour effects* as matters of concern but not *rural character or landscape effects* as per GRUZ-P8.

64. Tracking through the GRUZ framework, the GRUZ Overview describes the environment. I support the s42A recommended changes to the Overview that identifies the GRUZ is primarily a pastoral working environment, used predominantly for primary production activities, including intensive indoor primary production. The GRUZ is also to be recognised for its food production values and contribution to food security, within which intensive primary production is an important component.

65. The Overview also describes how rural character is defined and includes (amongst other elements):

- *A predominantly working landscape with farming activities and buildings, woolsheds and stock yards.*

⁴ [s32-general-rural-zone.pdf \(waitomo.govt.nz\)](#)

- *The characteristic rural noises and odours of farming, including the widespread use of machinery supporting the principal productive land uses.*
 - *Infrequent rural industry, mineral and aggregate extraction sites, intensive indoor primary production operations and rural service providers.*
66. The objectives include a specific outcome for indoor primary production.
- GURZ-O7 In locations where effects can be appropriately managed, provide for rural industry and intensive indoor primary production.*
67. There are other objectives that relate to the benefits intensive primary production can bring including GRUZ-O2 as it relates to providing rural employment and GRUZ-O3 in terms of encouraging innovation and adaption to change to promote rural viability.
68. Looking to the policies, providing for intensive indoor primary production is consistent with GRUZ-P1 noting again that the Overview identifies intensive indoor primary production operations as part of that character. Intensive primary production also assists with achieving the employment and economic outcomes of GRUZ-P2.
69. GRUZ-P3 addresses the maintenance of rural character, amenity and safety and minimising reverse sensitivity effects. The importance of setbacks from/to intensive indoor primary production is expressed here, as is the need to recognise that primary production activities may generate noise, odour, dust and visual effects. GRUZ-P16 provides added protection for intensive indoor primary production from noise sensitive activities.
70. In my opinion a Restricted Discretionary Activity rule could be structured in a manner that gives effect to the objective and policy suite and focuses on effects of concern.
71. My recommendation is to structure this activity status to be reliant on the setback already prescribed in GRUZ-R42 of 500m between a residential activity and intensive primary production.
72. Consistent with other plans I would recommend adding a setback of 1km from any residential zone.

73. The matters of discretion would focus on amenity, odour and dust as follows:
- a) *The effect on amenity from any discharge of odour or dust.*
 - b) *The location of the paddock, building, structure or impervious area housing stock.*
 - c) *The design of the building housing stock.*
 - d) *The location and design of the wastewater treatment system to manage odour related effects.*
 - e) *Any mitigation proposed to reduce the effect or dispersion of odour or dust.*
74. The PDP already provides standards for noise in the GRUZ and matters of discretion for non-compliance. Noting however, that the matters of discretion b) and c) provide additional scope for this consideration.
75. The PDP provides design controls for access, parking and managing high trip generating activities. These are primary production activities and traffic movements should be anticipated and in the case of intensive indoor primary production it is my experience these can be less than a number of permitted activities.
76. The PDP provides controls on lighting. I am unaware of adverse glare effects from my experience with resource consent processes for pig and poultry activities. However, matters of discretion b) and c) provide scope for that consideration.
77. I do not consider that *visual amenity, rural character, landscape effects* are relevant in the consideration of a restricted activity status for these activities. However, I would not be opposed to the inclusion if the panel considered this necessary. As above, I consider intensive primary production characteristic of the rural environment. The GRUZ overview notes these activities form part of the rural character. An assessment of *visual amenity, rural character, landscape effects* would reflect that situation.
78. The primary effect that should be focused on is that of odour as it relates to the buildings housing and wastewater disposal and broader amenity considerations. There is an

acknowledged overlap with regional council functions in terms of discharges and in the case of the Waikato Regional Council and Manawatū-Whanganui One Plan, additional layers of regulatory control for this activity.

Intensive Outdoor Primary Production (Pig Farming)

79. Adopting this rule structure would require the addition of a new definition for Intensive Outdoor Primary Production (Pig Farming), as has been the case in the plan examples appended.
80. Intensive Outdoor Primary Production is not defined in the National Planning Standards 2019 and for pig farming it is important to do so.
81. Intensive Outdoor Primary Production (Pig Farming) relies on the outdoor environment to assist with the growth and husbandry of animals along with buildings and enclosures to contain and house animals. However, this Primary Production activity does not *principally occur within buildings* and falls outside of the definition of Intensive Indoor Primary Production.
82. Intensive Outdoor Primary Production (Pig Farming) is an intensive activity. It would typically rely on regular feed source for the livestock substantially provided from off-site sources rather than the productive capacity of the land to produce grass and animal food crops. Another characteristic of Intensive Outdoor Primary Production (Pig Farming), largely resulting from the import of feed and stock density, can be difficulty in maintaining pasture and groundcover.
83. Where pasture and groundcover can be maintained the pig farming activity effects of dust and odour are not an issue.
84. The activity status for an Intensive Outdoor Primary Production (Pig Farming) would also be Restricted Discretionary, consistent with that of Intensive Indoor Primary Production.
85. I append tracked changes in Appendix F.

APPENDIX A – PARTIALLY OPERATIVE SELWYN DISTRICT PLAN

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| INTENSIVE INDOOR PRIMARY PRODUCTION | means primary production activities that principally occur within buildings and involve growing fungi, or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry. |
| INTENSIVE OUTDOOR PRIMARY PRODUCTION | Primary production activities involving the keeping or rearing of livestock (excluding calf-rearing for a specified time period), that principally occurs outdoors, which by the nature of the activity, precludes the maintenance of pasture or ground cover. It excludes pig production for domestic use which involves no more than 25 weaned pigs or six sows and intensive winter grazing, where livestock are grazed on an annual forage crop at any time in the period that begins on 1 May and ends with the close of 30 September of the same year. |
| INTENSIVE PRIMARY PRODUCTION | Any activity defined as intensive indoor primary production or intensive outdoor primary production. |

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| GRUZ-R18 Intensive Primary Production | |
| <p>Activity status: PER</p> <p>1. The establishment of a new, or expansion of an existing intensive primary production activity</p> <p>Where:</p> <p>a. the activity does not involve the production of mushrooms.</p> <p>And this activity complies with the following rule requirements:</p> <p>GRUZ-REQ8 Intensive Primary Production Setback GRUZ-REQ9 Intensive Primary Production Location Plan</p> | <p>Activity status when compliance not achieved:</p> <p>2. When compliance with any of GRUZ-R18.1 is not achieved: DIS</p> <p>3. When compliance with any rule requirement listed in this rule is not achieved: Refer to relevant Rule Requirement</p> |

GRUZ-REQ8 Intensive Primary Production Setback

1. All paddocks, structures, buildings and areas of paved or otherwise impervious material used to house stock, and any wastewater treatment systems associated with intensive primary production, shall be located a minimum distance of 300m from the notional boundary of any lawfully established existing sensitive activity on another site, and 1km from any residential zone.

Note: The measurement shall be taken from the outside extent of the building or structure.

Activity status when compliance not achieved:
 2. When compliance with any of GRUZ-REQ8.1 is not achieved: RDIS

Matters for discretion:

3. The exercise of discretion in relation to GRUZ-REQ8.2 is restricted to the following matters:

- a. The effect on amenity from any discharge of odour or dust;
- b. The location of the paddock, building, structure or impervious area housing stock;
- c. The design of the building housing stock;
- d. The location and design of the wastewater treatment system; and
- e. Any mitigation proposed to reduce the effect or dispersion of odour or dust.

Notification:

4. Any application arising from GRUZ-REQ8.2 shall not be subject to public notification

GRUZ-REQ9 Intensive Primary Production Location Plan

1. Intensive primary production shall be undertaken in accordance with a detailed plan showing the location of:

- a. all paddocks, structures, or buildings, and areas of paved or otherwise impervious material used to house stock, and
- b. any wastewater treatment systems associated with the intensive primary production.

This plan shall be provided to the Selwyn District Council Planning Manager prior the activity establishing. An updated plan shall be provided to the Selwyn District Council if the activity changes or expands.

Activity status when compliance not achieved:
 2. When compliance with any of GRUZ-REQ9.1 is not achieved: NC

APPENDIX B – HURUNUI OPERATIVE DISTRICT PLAN

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| <p><u>Intensive indoor primary production</u></p> | <p>means <u>primary production activities</u> that principally occur within buildings and involve growing fungi, or keeping or rearing livestock (excluding calf-rearing for three months in any calendar year) or poultry.</p> |
| <p><u>Intensive outdoor primary production</u></p> | <p>means <u>primary production activities</u> involving the keeping or rearing of livestock, that principally occurs outdoors, where the regular feed source for the livestock is substantially provided from off-site sources, but excludes:</p> <ul style="list-style-type: none"> • calf-rearing for three months in any calendar year; • pig production for domestic self-subsistence home use, which involves no more than 25 weaned pigs or six sows, • <u>extensive pig farming</u>; • <u>free-range poultry farming</u>; and • the feeding of supplementary feed during adverse weather events such as drought or snow. |
| <p><u>Intensive primary production</u></p> | <p>means any activity defined as <u>intensive indoor primary production</u> or <u>intensive outdoor primary production</u>.</p> |

3.4.2 Permitted activities

1. In the Rural Zone and Hanmer Basin Management Area, all activities are a permitted activity, unless they are specified as a controlled, restricted discretionary, discretionary or non-complying activity below, and provided the activity complies with the standards within Rule 3.4.3.

4A. Separation distances for intensive primary production activities

- (a) Prior to the establishment of a new intensive primary production activity, or the expansion of an existing intensive primary production activity, a plan showing the location of all paddocks, hard-stand areas, structure, buildings used to house stock, and treatment systems associated with the intensive primary production activity shall be provided to the Hurunui District Council.
- (b) No new intensive primary production activity, or expansion of an existing primary production activity, may be established within:
 - (i) 500 m of the notional boundary of an existing sensitive activity on a separate lot under different ownership; or
 - (ii) 100 m of the boundary with a separate lot under different ownership; or
 - (iii) 1000 m of the boundary with a Residential or Open Space Zone.

Note 1: For the purpose of Rule 3.4.3.4A, an "existing" sensitive activity includes a proposed sensitive activity for which a building consent and/or resource consent has been obtained and has not lapsed.

APPENDIX C – PROPOSED WAIMAKARIRI DISTRICT PLAN

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| INTENSIVE INDOOR PRIMARY PRODUCTION | means primary production activities that principally occur within buildings and involve growing fungi, or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry. (National Planning Standard definition) |
| INTENSIVE OUTDOOR PRIMARY PRODUCTION | means primary production activities involving the keeping or rearing of livestock, or commercial aquaculture, where the regular feed source for the production of goods is substantially provided other than from the site concerned. The activity may be undertaken entirely outdoors or in a combination if indoors and outdoors, including within an outdoor enclosure. It includes: <ul style="list-style-type: none"> a. free-range pig farming; b. free-range poultry or game bird farming; c. intensive goat farming and; d. aquaculture; it excludes the following: <ul style="list-style-type: none"> e. woolsheds; f. dairy sheds; g. calf pens or wintering accommodation for stock; h. pig production for domestic use which involves no more than 25 weaned pigs or six sows. |

GRUZ-R17 Intensive indoor primary production

Activity status: RDIS

Matters of discretion are restricted to:
[RURZ-MD1](#) - Natural [environment values](#)
[RURZ-MD2](#) - Housing of Animals
[RURZ-MD3](#) - Character and [amenity values](#) of the activity

Activity status when compliance not achieved N/A

GRUZ-R18 Intensive outdoor primary production

Activity status: RDIS

Matters of discretion are restricted to:
[RURZ-MD1](#) - Natural [environment values](#)
[RURZ-MD2](#) - Housing of Animals
[RURZ-MD3](#) - Character and [amenity values](#) of the activity

Activity status when compliance not achieved N/A

RURZ-MD1

ABBREVIATIONS

Natural environment values

The term natural environment values describes those matters addressed in the Chapters under the Natural Environment Values heading in the District Plan.

1. The extent to which there are any adverse effects on SNAs or effects on the ability to maintain or enhance indigenous biodiversity.
2. The extent to which there are any adverse effects on the values of ONL and ONF from an activity adjoining these areas.
3. The extent to which there are any adverse effects on the natural character and values of freshwater bodies.
4. The extent to which adverse effects on sites, areas or values associated with natural environment values can be avoided, remedied or mitigated.

RURZ-MD2

ABBREVIATIONS

Housing of animals

1. The extent to which the nature and scale of activity, including the number and type of animals is consistent with the characteristics of the proposed site and the receiving environment.
2. Any measures to internalise adverse effects and avoid conflict and potential reverse sensitivity effects on activities anticipated in the zone.
3. The extent to which the activity, including any buildings, compounds, or part of a site used for housing animals are sufficiently designed and located or separated from sensitive activities, residential units, and boundaries of residential zones to avoid adverse effects on residents.
4. The extent to which the nature and scale of the activity and built form will maintain rural character and amenity values.
5. The potential for the activity to produce adverse effects, including dust, noise, odour, and any measures to internalise adverse effects within the site, and any mitigation measures to address effects that cannot be internalised.
6. Access and vehicle movements on the site and the safety and efficiency of the roading network.

RURZ-MD3

ABBREVIATIONS

Character and amenity values of the activity

1. The use, intensity and scale of the operation on the site and the built form is compatible with, and maintains rural character and amenity values of the surrounding zone.
2. The extent to which the site layout and building design and intensity of the activity will internalise and mitigate effects including noise, lighting, impact on privacy and traffic.
3. The extent to which the activity/facility has a practical or functional need or operational need to be located in the area.
4. The extent to which the activity may result in conflict and/or reverse sensitivity effects with other activities occurring on adjacent rural sites.
5. Any benefits derived from the activity being undertaken on the site.
6. The extent to which the scale of the activity will cause demands for the uneconomic or premature upgrading or extension of the three waters reticulation network, roading, street lighting and footpaths.
7. Access and vehicle movements on the site and the safety and efficiency of the roading network.
8. The extent to which the adverse effects of the activity can be avoided, remedied and mitigated.

APPENDIX D – PROPOSED PLAN CHANGE 23 GENERAL RURAL ZONE TO THE MACKENZIE DISTRICT PLAN.

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| intensive primary production [^] | <p>means either:</p> <ul style="list-style-type: none"> a. primary production activities that principally occur within buildings and involve growing fungi, or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry. b. primary production activities involving the keeping or rearing of livestock that principally occurs outdoors, which by the nature of the activity, precludes the maintenance of pasture or ground cover, but excludes intensive winter grazing, where livestock are grazed on an annual forage crop at any time in the period that begins on 1 May and ends with the close of 30 September of the same year. |
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| GRUZ-R19 | <u>Intensive Primary Production</u> | | |
| GRUZ | <p>Activity Status: DIS <u>RDIS</u></p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity does not involve the production of mushrooms. 2. All paddocks, hard-stand areas, structures and/or buildings used to house stock, and wastewater treatment systems associated with intensive primary production, shall be located a minimum distance of 300m from the notional boundary of any lawfully established existing sensitive activity on another site, and 1km from any residential zone. 3. The activity shall be undertaken in accordance with a plan showing the location of all paddocks, hard-stand | <table border="1" style="width: 100%; margin-bottom: 10px;"> <tr> <td style="padding: 5px;">Activity status when compliance is not achieved with R19.1 to R19.3: NC <u>DIS</u></td> </tr> </table> | Activity status when compliance is not achieved with R19.1 to R19.3: NC <u>DIS</u> |
| Activity status when compliance is not achieved with R19.1 to R19.3: NC <u>DIS</u> | | | |

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| | <p>areas, structures or buildings used to house stock, and wastewater treatment systems associated with the intensive primary production. This plan shall be provided to the Mackenzie District Council Planning Manager prior the activity establishing. An updated plan shall be provided if the activity changes or expands.</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. <u>The effect on amenity from any discharge of odour or dust.</u> b. <u>The location of the paddock, building, structure or impervious area housing stock.</u> c. <u>The design of the building housing stock.</u> d. <u>Any adverse visual effects resulting from the location and design and appearance of the wastewater treatment system.</u> e. <u>Any mitigation proposed to reduce the effect or dispersion of odour or dust.</u> | |
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APPENDIX E – PROPOSED TIMARU DISTRICT PLAN

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| INTENSIVE INDOOR PRIMARY PRODUCTION | means primary production activities that principally occur within buildings and involve growing fungi, or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry. |
| INTENSIVE OUTDOOR PRIMARY PRODUCTION | means primary production activities involving the keeping or rearing of livestock that principally occurs outdoors, where the regular feed source for the livestock is substantially provided from off-site sources, but excludes: <ol style="list-style-type: none"> calf-rearing for three months in any calendar year; pig production for domestic self-subsistence home use; extensive pig farming; free range poultry farming; and the feeding of supplementary feed during adverse weather events such as drought or snow. |
| INTENSIVE PRIMARY PRODUCTION | means any activity defined as intensive indoor primary production or intensive outdoor primary production. |

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| GRUZ-R1 | Primary production and intensive primary production, not otherwise listed in this chapter | |
| General Rural Zone | Activity status: Permitted | Activity status where compliance not achieved with PER-3: Restricted Discretionary |
| | Where: | Matters of discretion are restricted to: |
| | PER-1 The activity does not include any offensive trade; and | 1. the ability to manage grazing practices to ensure amenity effects on adjoining neighbours are minimised. |
| | PER-2 GRUZ-S5 is complied with; and | |
| PER-3 For grazing of stock within 50m of a residential unit under different ownership located in the Māori Purpose Zone, permanent ground cover of no less than 90% must be maintained, except during crop renewal or resowing. | Activity status where compliance not achieved with PER-4: Restricted Discretionary | Matters of discretion are restricted to: |
| PER-4 For milking sheds and buildings used to house or feed stock are located at least 200m from any land in the Māori Purpose Zone, Settlement Zone and Residential Zones. | | 1. any adverse effect on adjoining properties; and 2. mitigation measures. |
| Note: any associated building and structure must be constructed in accordance with GRUZ-R13. | | Activity status where compliance not achieved with PER-1 or PER-2: Discretionary |

| GRUZ-S5 | Intensive primary production activities and new farm effluent disposal areas | |
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| <p>General Rural Zone</p> | <p>1. Prior to the establishment of:</p> <ul style="list-style-type: none"> a. a new intensive primary production activity; or b. the expansion of an existing intensive primary production activity; or c. a new farm effluent disposal area; <p>a plan showing the location of all paddocks, hard-stand areas, structures, buildings used to house stock, and treatment systems associated with the intensive primary production activity shall be provided to Council's District Planning Unit; and</p> <p>2. No new:</p> <ul style="list-style-type: none"> a. intensive primary production (including expansion of an existing intensive primary production), except calf rearing for less than three months in any calendar year; or b. farm effluent disposal area (including expansion of an existing farm effluent area), <p>may be established within:</p> <ul style="list-style-type: none"> i. 500m of the notional boundary of an existing sensitive activity on a separate site under different ownership; or ii. 100m of the boundary with a separate lot under different ownership; or iii. 1000m of the boundary with any of the Residential zones, Rural Lifestyle zone, Rural Settlement zone, Māori Purpose zone or Open Space and recreation zones. | <p>Matters of discretion are restricted to: Not applicable</p> |

APPENDIX F – TRACKED CHANGES

PART 1 – INTRODUCTION AND GENERAL

9. Definitions

Intensive Outdoor Primary Production (Pig Farming)

means a primary production activities involving the keeping or rearing of livestock that principally occurs outdoors which, by the nature of the activity, precludes the maintenance of pasture or ground cover. Excludes Outdoor (extensive) Pig Farming.

PART 3 – AREA SPECIFIC MATTERS – GENERAL RURAL ZONE

42. General rural zone

GRUZ-R31 Rural industry, wool stores and intensive indoor primary production

GRUZ-R# Intensive Indoor Primary Production and Intensive Outdoor Primary Production (Pig Farming)

Activity status: RDIS

Where

1. All paddocks, structures, buildings and areas of paved or otherwise impervious material used to house stock, and any wastewater treatment systems associated with intensive indoor primary production or intensive outdoor primary production (pig farming), shall be located a minimum distance of 500m from the notional boundary of any lawfully established existing residential activity on another site, and 1km from any residential zone.

Where the activity is RDIS, the matters over which discretion is restricted are:

- a) The effect on amenity from any discharge of odour or dust.
- b) The location of the paddock, building, structure or impervious area housing stock.
- c) The design of the building housing stock.
- d) The location and design of the wastewater treatment system to manage odour related effects.
- e) Any mitigation proposed to reduce the effect or dispersion of odour or dust.

Activity status where compliance is not achieved: DIS