



Tasman Resource Management Plan

**PROPOSED VARIATION 2 TO PLAN CHANGE No. 60
WITHOUT LEGAL EFFECT**

Rural Land Use Amendments

**Explanatory Statement
and
Schedule of Amendments**

The Tasman Resource Management Plan is amended in accordance with the attached annotated portions of the Plan

NOTE:

- Black text denotes Operative text
- Blue text (regular, underlined or deleted) denotes Proposed Plan Change 60 or Decisions on Plan Change 60
- Red text (underlined or deleted) denotes Proposed Variation 2 amendments

Notified: 14 July 2018

Explanatory Statement

PROPOSED VARIATION 2 TO PLAN CHANGE 60 Rural Land Use Amendments

Notified: 14 July 2018

Purpose

Overall, Variation 2 proposes a number of small changes to the TRMP within the scope of a single variation which relate to four topics.

The changes (a) and (b) below arise from the implementation of Plan Change 60: Rural Land Use and Subdivision (PC60) provisions that require adjustment to clarify meaning and achieve PC60 objectives.

- (a) Use of one or more buildings for residential activity; and
- (b) Management of business activity in the Rural Residential zone.

Changes (c) and (d) below arise from PC60 appeals settled by an Environment Court consent order that have resulted in amendments to one of the rural zones (e.g. Rural 1) but due to the limited scope of appeal, were not carried through to the other rural zones (e.g. Rural 2, 3 and the Rural Residential zone).

- (c) Setbacks for intensive poultry farming; and
- (d) Management of heavy vehicles in rural zones.

Without a change to the above two topics, the inconsistent approach between zones will be difficult to defend through consents.

As each topic in Variation 2 is discrete from the others, the section 32 report supporting Variation 2 assesses the topics in turn.

Description of Topics

(a) Use of One or More Buildings for Residential Activity

This change amends the wording of the Building Construction and Alteration (BCA) rules that manage the number of dwellings or buildings used for the purpose of a dwelling on a site in the rural zones by adding the words, "or for the purpose of a dwelling".

The change manages the use of one or more buildings (that do not fall within the TRMP definition of a 'dwelling') for the purpose of a dwelling.

(b) Management of Business Activity in the Rural Residential zone

This change corrects an error in the Chapter 17.8.2 Rural Residential Land Use cascade to clarify that the activity status of business (commercial, industrial and rural-industrial activity) in the Rural Residential zone land use rules is Non-Complying.

The stated intention of PC60 was that business activity (commercial, industrial and rural industrial) has Non-complying activity status in the Rural Residential zone. Inadvertently, the current rules do not carry this intention out. The change corrects the error so that the intended PC60 objectives are achieved.

(c) Setbacks relating to Intensive Poultry Farming

This change amends the Rural 2 and 3 zone setback rules for intensive poultry farming from site boundaries to align with the changes made to the equivalent provisions in the Rural 1 zone which were amended by the Environment Court consent order resulting from the appeal process.

The consent order amended the setback provisions to differentiate between intensive poultry farming activities:

- that have a high risk of generating adverse effects (poultry body part, offal processing and composting activity); and
- for those where the risk is less due to modern technology (barn, shed or roofed enclosures which house intensive poultry), i.e., a lesser setback is appropriate where activities are likely to generate less adverse effects.

There are two parts to this amendment. Part one amends the Rural 2 and 3 zone setback rules for intensive poultry farming from site boundaries in line with the changes made to the Rural 1 zone by the appeal process, i.e.:

- (i) poultry body part, offal processing and composting activity is set back 170m from site boundaries (in line with the decisions version of PC60); and
- (ii) barn, shed or roofed enclosures which house poultry on an intensive poultry farm are set back 100m from site boundaries (reduces the decisions version of PC60 setback from 170m to 100m).

Part two amends the Rural 1, 2, 3 and the Rural Residential zone rules to make complementary changes to the setback required for dwellings and habitable buildings from existing barn, shed or roofed enclosures which house poultry on an intensive poultry farm.

(d) Management of Heavy Vehicles in Rural Zones

This change amends the Rural 2, 3 and Rural Residential zones rules to align with the changes made to the equivalent provision in the Rural 1 zone by the Environment Court consent order resulting from the appeal process.

The rule in question limits the number of heavy vehicles permitted to be maintained, repaired, stored or parked (subject to two exceptions) that are being used for or in connection with any commercial, industrial or rural industrial activity. The two exceptions to the rule relate to heavy vehicles directly associated with:

- (i) plant and animal production; or
- (ii) any temporary construction, maintenance or demolition work.

Alignment with the Rural 1 rule is achieved by amending the equivalent rules in the Rural 2, 3 and Rural Residential zones to include 'home occupation' activity within the ambit of the rule.

Evaluation Report of Proposed Variation 2 to Plan Change 60 under Section 32 of the Resource Management Act

Council has considered the findings of technical reports and the feedback from consultation. It has considered the benefits and costs, and effectiveness, efficiency and appropriateness of the proposed Variation 2 provisions. The Section 32 evaluation report entitled "Section 32 Evaluation Report –Proposed Variation 2 to PC60 - Rural Land Use Amendments" supports this proposed Variation. Council has had particular regard to the accompanying report in deciding to notify Proposed Variation 2 to Plan Change 60.

Proposed Amendments

For the sake of brevity, only excerpts from the TRMP chapters affected by changes and immediate context have been included in this proposed Variation. For complete context, please refer to a full copy of the current TRMP, available at Council offices and libraries and online via Council's website

<http://www.tasman.govt.nz/link/trmp>.

Schedule of Amendments

CHAPTER 17: ZONE RULES

17.5 RURAL 1 ZONE RULES

[Unchanged text omitted]

Proposed as at 10 December 2016

[Rules 17.5.3 and 17.5.3.1 headings and introductory paragraph are amended as follows:]

C60 1/16
D 12/16

17.5.3 Building Construction, ~~or~~ Alteration, or Use

17.5.3.1 Permitted Activities (Building Construction, ~~or~~ Alteration, or Use)

Construction, ~~or~~ alteration, or use of a building is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

[Unchanged text omitted]

Dwellings and Workers' Accommodation

- (b) Any building that is constructed is not a dwelling or part of any workers' accommodation and any building is not altered to become a dwelling.

Proposed as at 10 December 2016

[Condition (b) is amended as follows:]

C60 1/16
D 12/16

- (b) Any building that is constructed is not:
- (i) ~~a dwelling;~~ or
 - (ii) ~~part of any workers' accommodation; and or~~
 - (iii) ~~any building is not~~ altered to become a dwelling; or
 - (iv) ~~nor used as for the purpose of a dwelling.~~

[Unchanged text omitted]

Proposed as at 10 December 2016

- (ka) A building, which is not a habitable building, may be set within 5 metres of an internal boundary, where the landowner of the property has provided written permission.

C60 1/16
D 12/16

- (kb) Habitable buildings are set back at least:
- (i) 30 metres from any internal boundary, except where the activity is an alteration to a dwelling, and the existing setback to the boundary is not thereby reduced and except where the boundary is to the Residential, Rural Residential or Rural 3 zone where the setback is 5 metres;
 - (ii) ~~300-200-130~~ metres from any ~~building or barn, shed or roofed~~ enclosure that houses poultry on an existing lawfully established intensive livestock farm which is a poultry farm on or before 30 January 2016, except for habitable buildings located on the same site as the existing lawfully established intensive livestock farm which is a poultry farm.

[Unchanged text omitted]

Proposed as at 10 December 2016

[Rule 17.5.3.2 heading and introductory paragraph are amended as follows:]

C60 1/16
(D 12/16)

17.5.3.2 Controlled Activities (Building Construction, or Alteration, or Use)

Construction, or alteration, or use of a building that does not comply with the conditions of rule 17.5.3.1 is a controlled activity, if it complies with the following conditions:

One Dwelling

- (a) There is no more than one dwelling on a site.
- (b) A dwelling may contain no more than two self-contained housekeeping units, provided both are contained within the same building and one is clearly subsidiary and is no more than 60 square metres in floor area.

Proposed as at 10 December 2016

[Conditions (c) and (d) are merged and amended (including the heading) as follows:]

C60 1/16
(D 12/16)

One Dwellings

- (a) There is no more than one dwelling on a site or building used for the purpose of a dwelling. ~~and~~ ~~A the~~ ~~A dwelling may contains~~ no more than two self-contained housekeeping units, provided:
 - (i) both are contained within the same building; and
 - (ii) one is clearly subsidiary and is no more than 60 square metres in floor area;
 - (iii) connecting rooms or passages have a continuous roof; and
 - (iv) the walls are fully enclosed.

[Unchanged text omitted]

- (d) Only in relation to the construction of a dwelling and not an alteration, and except where any dwelling is connected to a reticulated water supply:

Proposed as at 10 December 2016

[Condition (d), introductory paragraph, is amended as follows:]

C60 1/16
(D 12/16)

- (d) Only in relation to the construction of a dwelling or the use of a building as for the purpose of a dwelling, and not an alteration, and except where any dwelling is connected to a reticulated water supply:

[Unchanged text omitted]

- (e) If an adjoining property has horticultural plantings where pesticides may be discharged to air, any dwelling or any other building used for any residential activity is set back at least:
 - (i) 30 metres from the boundary common to the horticultural plantings and the building; or
 - (ii) 20 metres from horticultural plantings where a spray belt is established along the boundary common to the horticultural plantings and the building; or
 - (iii) 30 metres from the horticultural plantings that are vineyards.

Proposed as at 10 December 2016

[Condition (e) is deleted and replaced with the following:]

C60 1/16
(D 12/16)

- (e) Dwellings and habitable buildings are set back at least:
 - (i) 30 metres from any internal boundary, except where the activity is an alteration to a dwelling, and the setback to the boundary is not thereby reduced; and except where the boundary is to the Residential, Rural Residential or Rural 3 zone where the setback is 5 metres;
 - (ii) ~~300-200~~ 130 metres from any ~~building or~~ barn, shed or roofed enclosure that houses poultry that is on an existing lawfully established intensive livestock farm which is a poultry farm on or before 30 January 2016, except for

habitable buildings located on the same site as the existing lawfully established intensive livestock farm which is a poultry farm.

[Unchanged text omitted]

Proposed as at 10 December 2016

[Rule 17.5.3.3 heading and introductory paragraph are amended as follows:]

17.5.3.3 Restricted Discretionary Activities (Building Construction, ~~or~~ Alteration, or Use)

Construction, ~~or~~ alteration, or use of a building that does not comply with the conditions of rule 17.5.3.2 is a restricted discretionary activity, if it complies with the following conditions:

Dwellings

- (a) No more than two dwellings are placed on the site; or buildings used on the site as dwellings; except that no dwelling may be placed on the parts of CT 8B/1026 and CT 11A/465 which are within Area “D” in the annotated area on the planning map at Ruby Bay, and no more than one dwelling may be placed on the part of CT 8B/1025 within Area “D”.

Proposed as at 10 December 2016

[Condition (a) is amended as follows:]

- (a) Except as provided for in condition (ba), ~~No~~ no more than two dwellings are placed on the site or no more than two buildings are used for the purpose of as dwellings; except that:
- (i) no dwelling or building used for the purpose of a dwelling may be placed on the parts of CT 8B/1026 and CT 11A/465 which are within Area “D” in the annotated area on the planning map at Ruby Bay; and
 - (ii) no more than one dwelling or building used for the purpose of a dwelling may be placed on the part of CT 8B/1025 within Area “D”.

C60 1/16
(D 12/16)

- (b) A site containing more than one dwelling has a minimum area of 24 hectares.

Proposed as at 10 December 2016

[Condition (b) is amended as follows:]

- (b) Except as provided for in condition (ba), ~~A~~ a site containing more than one dwelling or building used for the purpose of a dwelling has a minimum area of 24 hectares.

C60 1/16
(D 12/16)

[Unchanged text omitted]

17.6 RURAL 2 ZONE RULES

[Unchanged text omitted]

17.6.2 Rural 2 – Land Use

17.6.2.1 Permitted Activities

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Activities

(a) The activity is not:

....

Proposed as at 10 December 2016
(xii) the maintenance, repair, storing or parking of more than ~~one~~two heavy vehicles (~~excluding agricultural machinery~~) with a gross laden weight of 3,500 kilograms or more (except those heavy vehicles that are directly associated with plant and animal production or any temporary construction, maintenance or demolition work), that are being used for or in connection with any commercial, industrial, ~~or~~ rural industrial or home occupation activity.

C60 1/16
D 12/16

[Unchanged text omitted]

Proposed as at 10 December 2016
(n) ~~Intensive livestock farming which is poultry farming, including Any poultry body part and poultry offal processing and composting activity for or in connection with intensive livestock farming which is poultry farming,~~ is set back at least ~~300~~ 170 metres from any boundary of the site.

C60 1/16
D 12/16

[Unchanged text omitted]

Proposed as at 10 December 2016
17.6.2.8B Restricted Discretionary Activities (Intensive Livestock Farming – Poultry Farming)
Any poultry body part or poultry offal processing and composting activity for or in connection with ~~Intensive livestock farming which is poultry farming~~ that does not comply with the conditions of rule 17.6.2.1 is a Restricted Discretionary Activity.
A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which Council has restricted its discretion:
...

C60 1/16
(D 12/16)

[Unchanged text omitted]

Proposed as at 10 December 2016

[Rules 17.6.3 and 17.6.3.1 headings and introductory paragraph are amended as follows:]

C60 1/16
(D 12/16)

17.6.3 Building Construction, or Alteration, or Use

17.6.3.1 Permitted Activities (Building Construction, or Alteration, or Use)

Construction, or alteration, or use of a building is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

[Unchanged text omitted]

One Dwelling

- (c) There is no more than one dwelling on a site.
- (d) A dwelling may contain no more than two self-contained housekeeping units, provided both are contained within the same building and one is clearly subsidiary and is no more than 60 square metres in floor area.

Proposed as at 10 December 2016

[Conditions (c) and (d) are merged and amended (including the heading) as follows:]

C60 1/16
(D 12/16)

One Dwellings

- (c) There is no more than one dwelling on a site or building used for the purpose of a dwelling. ~~and A the A dwelling may contains~~ no more than two self-contained housekeeping units, provided:
 - (i) both are contained within the same building; ~~and~~
 - (ii) one is clearly subsidiary and is no more than 60 square metres in floor area;
 - (iii) connecting rooms or passages have a continuous roof; and
 - (iv) the walls are fully enclosed.

[Unchanged text omitted]

- (n) If the adjoining property has horticultural plantings where pesticides may be discharged to air, any dwelling, or any other building used for any residential activity is set back at least:
 - (i) 30 metres from the boundary common to the horticultural plantings and the building; or
 - (ii) 20 metres from horticultural plantings where a spray belt is established along the boundary common to the horticultural plantings and the building; or
 - (iii) 30 metres from the horticultural plantings that are vineyards.

Proposed as at 10 December 2016

[Condition (n) is deleted and replaced with the following:]

C60 1/16
(D 12/16)

- (n) Dwellings and habitable buildings are set back at least:
 - (i) 30 metres from any internal boundary, except where the activity is an alteration to a dwelling, and the setback to the boundary is not thereby reduced; and except where the boundary is to the Residential, Rural Residential or Rural 3 zone where the setback is 5 metres;
 - (ii) ~~300 200 130~~ metres from any ~~building or~~ barn, shed or roofed enclosure that houses poultry that is on an existing lawfully established intensive livestock farm which is a poultry farm on or before 30 January 2016, except for habitable buildings located on the same site as the existing lawfully established intensive livestock farm which is a poultry farm.

- (na) Any barn, shed, or roofed enclosure which houses poultry on an intensive livestock farm that is a poultry farm is setback at least 100 metres from any boundary of the site.

[Unchanged text omitted]

Additional Conditions for Dwellings

- (r) Only in relation to the construction of a dwelling and not an alteration, and except where any dwelling is connected to a reticulated water supply:

Proposed as at 10 December 2016

[Condition (r), introductory paragraph, is amended as follows:]

- (r) Only in relation to the construction of a dwelling or the use of a building for the purpose of as a dwelling, and not an alteration, and except where any dwelling is connected to a reticulated water supply:

C60 1/16
(D 12/16)

[Unchanged text omitted]

Proposed as at 10 December 2016

[Rule 17.6.3.4 heading and introductory paragraph are amended as follows:]

17.6.3.4 Restricted Discretionary Activities (Building Construction, ~~or~~ Alteration, or Use)

Construction, ~~or~~ alteration, or use of a building that does not comply with the conditions of rules 17.6.3.1 and 17.6.3.2 is a restricted discretionary activity, if it complies with the following conditions:

C60 1/16
(D 12/16)

Dwellings

- (a) No more than two dwellings are placed on the site.

Proposed as at 10 December 2016

[Condition (a) is amended as follows:]

- (a) Except as provided for by condition 17.6.3.2(b), No more than two dwellings or buildings used for the purpose of as dwellings are placed on the site.

C60 1/16
(D 12/16)

- (b) Except as provided for by 17.6.3.2(b), A a site containing more than one dwelling or building used for the purpose of a dwelling has a minimum area of 50 hectares.

17.7 RURAL 3 ZONE RULES

17.7.2 Land Use

17.7.2.1 Permitted Activities (Land Use - General)

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

[Condition (a) deleted]

C19 5/10 Op 8/12

Activities

(b) The activity is not:
....

Proposed as at 10 December 2016

- (xii) the maintenance, repair, storing or parking of more than ~~one~~ two heavy vehicles ~~(excluding agricultural machinery)~~ with a gross laden weight of 3,500 kilograms or more (except those heavy vehicles that are directly associated with plant and animal production or any temporary construction, maintenance or demolition work), that are being used for or in connection with any commercial, industrial, ~~or~~ rural industrial or home occupation activity.

C60 1/16
D 12/16

[Unchanged text omitted]

Proposed as at 10 December 2016

- (i) ~~Intensive livestock farming which is poultry farming, including Any poultry body part and poultry offal processing and composting activity for or in connection with intensive livestock farming which is poultry farming,~~ is set back at least ~~300~~ 170 metres from any boundary of the site.

C60 1/16
D 12/16

[Unchanged text omitted]

Proposed as at 10 December 2016

17.7.2.5A Restricted Discretionary Activities (Intensive Livestock Farming – Poultry Farming)

Any poultry body part or poultry offal processing and composting activity for or in connection with ~~intensive~~ intensive livestock farming which is poultry farming that does not comply with the conditions of rule 17.7.2.1 is a Restricted Discretionary Activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which Council has restricted its discretion:

...

C60 1/16
D 12/16

[Unchanged text omitted]

Proposed as at 10 December 2016 [Rules 17.7.3 and 17.7.3.1 headings and introductory paragraph are amended as follows:]	C60 1/16 (D 12/16)
17.7.3 Building Construction, or Alteration, or Use	
17.7.3.1 Permitted Activities (Building Construction, or Alteration, or Use)	
Construction, or alteration, or use of a building is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:	

[Condition (a) deleted]

C19 5/10 Op 8/12

Dwellings (including sleepouts) and Workers' Accommodation

- (b) Any building that is constructed is not a dwelling or part of any workers' accommodation and any building is not altered to become a dwelling.

Proposed as at 10 December 2016 [Condition (b) is amended as follows:]	C60 1/16 (D 12/16)
(b) Any building that is constructed is not:	
(i) ___ a dwelling; or	
(ii) ___ part of any workers' accommodation; or and	
(iii) ___ any building is not altered to become a dwelling; nor	
(iv) used as for the purpose of a dwelling.	

[Unchanged text omitted]

Proposed as at 10 December 2016	C60 1/16 D 12/16
(ga) Habitable buildings are set back at least:	
(i) 30 metres from ...;	
(ii) 300-200-130 metres from any building or barn, shed or roofed enclosure that houses poultry on an existing lawfully established intensive livestock farm which is a poultry farm on or before 30 January 2016, <u>except for habitable buildings located on the same site as the existing lawfully established intensive livestock farm which is a poultry farm.</u>	
(gaa) <u>Any barn, shed, or roofed enclosure which houses poultry on an intensive livestock farm that is a poultry farm is setback at least 100 metres from any boundary of the site.</u>	
(gbiii) <u>Dwellings are set back at least 500 metres from any boundary of an existing hard rock a quarry site; that has or is likely to create noise, vibration and dust effects, except for a quarry permitted under condition 17.5.2.1(a)(ii), or condition 17.6.2.1(a)(ii) or 17.7.2.1(b)(ii).</u>	

[Unchanged text omitted]

Proposed as at 10 December 2016 [Rule 17.7.3.2 heading and introductory paragraph are amended as follows:]	C60 1/16 (D 12/16)
17.7.3.2 Controlled Activities (Building Construction, or Alteration, or Use)	
Construction, or alteration, or use of a building that does not comply with the conditions of rule 17.7.3.1 is a controlled activity, if it complies with the following conditions:	

Dwellings

(a) There is no more than one dwelling on a site except as provided in condition (b), and ...

Proposed as at 10 December 2016
[Condition (a) is amended as follows:]

C60 1/16
(D 12/16)

(a) There is no more than one dwelling or building used for the purpose of ~~as a dwelling~~ on a site except as provided in in condition (b) and ...

[Unchanged text omitted]

(c) Only in relation to the construction of a dwelling and not an alteration, and except where any dwelling is connected to a reticulated water supply:

Proposed as at 10 December 2016
[Condition (c), introductory paragraph, is amended as follows:]

C60 1/16
(D 12/16)

(c) Only in relation to the construction of a dwelling or the use of a building ~~as for the purpose of a dwelling~~, and not an alteration, and except where any dwelling is connected to a reticulated water supply:

[Unchanged text omitted]

(f) If an adjoining property has horticultural plantings where pesticides may be discharged to air, any dwelling or any other building used for any residential activity is set back at least:

- (i) 30 metres from the boundary common to the horticultural plantings and the building; or
- (ii) 20 metres from horticultural plantings where a spray belt is established along the boundary common to the horticultural plantings and the building; or
- (iii) 30 metres from the horticultural plantings that are vineyards.

Proposed as at 10 December 2016
[Condition (f) is deleted and replaced with the following:]

C60 1/16
D 12/16

(f) Dwellings and habitable buildings are set back at least:

- (i) 30 metres from any boundary where that boundary is to a Rural 1 or Rural 2 Zone, except for a habitable building on a site located in a subdivision that was consented before 30 January 2016 where the setback is 5 metres; and except where the activity is an alteration to a dwelling and the existing setback to the boundary is not thereby reduced;
- (ii) ~~300-200~~ 130 metres from any ~~building or barn, shed or roofed~~ enclosure that houses poultry that is on an existing lawfully established intensive livestock farm which is a poultry farm on or before 30 January 2016, except for habitable buildings located on the same site as the existing lawfully established intensive livestock farm which is a poultry farm; and.

[Unchanged text omitted]

Proposed as at 10 December 2016
[Rule 17.7.3.3 headings and introductory paragraph are amended as follows:]

C60 1/16
(D 12/16)

17.7.3.3 Restricted Discretionary Activities (Building Construction, ~~or~~ Alteration, or Use)

Construction, ~~or~~ alteration, or use of a building that does not comply with the conditions of rule 17.7.3.2 is a restricted discretionary activity, if it complies with the following conditions::

Dwellings

(a) No more than two dwellings may be placed on the site, except that no more than one dwelling may be placed on CT 8B/1025 within Area “D” of the Ruby Bay planning map.

[Condition (a) is amended as follows:]

- (a) No more than two dwellings or buildings used for the purpose of ~~as dwellings may be~~ are placed on the site, except that no more than one dwelling or building used for the purpose of ~~as a dwelling may be~~ is placed on CT 8B/1025 within Area “D” of the Ruby Bay planning map.

C60 1/16
(D 12/16)

17.8 RURAL RESIDENTIAL ZONE RULES

[Unchanged text omitted]

17.8.2 Land Use

17.8.2.1 Permitted Activities

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Activities

(a) The activity is not:

....

Proposed as at 10 December 2016

- (vi) the maintenance, repair, storing or parking of more than ~~one~~ two heavy vehicles ~~(excluding agricultural machinery)~~ with a gross laden weight of 3,500 kilograms or more (except those heavy vehicles that are directly associated with plant and animal production or any temporary construction, maintenance or demolition work), that are being used for or in connection with any commercial, industrial, ~~or~~ rural industrial or home occupation activity.

C60 1/16
D 12/16

[Unchanged text omitted]

17.8.2.7 Non-Complying Activities (Land Use)

Any activity in the Rural Residential Zone that does not comply with the conditions of rule 17.8.2.6 is a non-complying activity.

A resource consent is required. Consent may be refused, or conditions imposed. In considering the applications and determining conditions, Council will have regard to any provisions of the Plan or Act.

Proposed as at 10 December 2016

[Rules 17.8.3 and 17.8.3.1 headings and introductory paragraph are amended as follows:]

17.8.3 Building Construction, ~~or~~ Alteration, or Use

17.8.3.1 Permitted Activities (Building Construction, ~~or~~ Alteration, or Use)

Construction, ~~or~~ alteration, or use of a building is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

C60 1/16
(D 12/16)

Dwellings

(a) There is no more than one dwelling on a site.

Proposed as at 10 December 2016

[Condition (a) is amended as follows:]

(a) There is no more than one dwelling or building used for the purpose of as a dwelling on a site.

C60 1/16
(D 12/16)

[Unchanged text omitted]

- (h) If an adjoining property has horticultural plantings where pesticides may be discharged to air, any dwelling or any other building used for any residential activity is set back at least:
- (i) 30 metres from the boundary common to the horticultural plantings and the building; or
 - (ii) 20 metres from horticultural plantings where a spray belt is established along the boundary common to the horticultural plantings and the building; or
 - (iii) 30 metres from the horticultural plantings that are vineyards.

Proposed as at 10 December 2016

- (h) Dwellings and habitable buildings are set back at least:
- (i) 30 metres from ...;
 - (ii) ~~300-200-130~~ metres from any ~~building or barn, shed or roofed~~ enclosure that houses poultry on an existing lawfully established intensive livestock farm which is a poultry farm on or before 30 January 2016, except for habitable buildings located on the same site as the existing lawfully established intensive livestock farm which is a poultry farm.

C60 1/16
D 12/16

[Unchanged text omitted]

Additional Conditions for Dwellings

- (m) Only in relation to the construction of a dwelling and not an alteration, and except where any dwelling is connected to a reticulated water supply:

Proposed as at 10 December 2016

[Condition (m), introductory paragraph, is amended as follows:]

- (m) Only in relation to the construction of a dwelling or the use of a building as for the purpose of a dwelling, and not an alteration, and except where any dwelling is connected to a reticulated water supply:...

C60 1/16
(D 12/16)

17.8.3.2 Restricted Discretionary Activities

- (a) Following construction, there are no more than two dwellings on the site.

Proposed as at 10 December 2016

[Condition (a) is amended as follows:]

- (a) Except as provided for in condition (a) of Rule 17.8.3.1A; Following construction, ~~there are no more than two dwellings~~ or buildings used for the purpose of as dwellings -on the- a site.

C60 1/16
(D 12/16)