

Submitter: Leigh Michael Shaw & Bradley John Hall

Submission number: 877

Submission number	Further submitter name	Further submitter oppose/support	Summary of decision requested	Decision	Decision report where this subject matter is addressed
877.1			Retain the Rural zoning of the property at 58 Puketutu Road, Bombay as notified.	Accept	Decision Report 28O: Zoning - Rest of District
877.2			Add to Chapter 13: Definitions a separate definition for “Free Range Poultry Farming” as per the Franklin Section of the Operative District Plan.	Accept in Part	Decision Report 22: Rural Zone
<i>FSI 168.87</i>	<i>Horticulture New Zealand</i>	<i>Support</i>		<i>Accept in Part</i>	
<i>FSI 387.1448</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>		<i>Accept in Part</i>	
877.3			Add to Chapter 13: Definitions a separate definition for “Poultry Hatcheries” as per the Franklin Section of the Operative District Plan.	Accept in Part	Decision Report 22: Rural Zone
<i>FSI 387.1449</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>		<i>Accept in Part</i>	
877.4			Add to Chapter 13: Definitions a separate definition for “Farming Visit” as per the Franklin Section of the Operative District Plan.	<i>Accept in Part</i>	Decision Report 22: Rural Zone
<i>FSI 387.1450</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>		<i>Accept</i>	
877.5			Add to Chapter 13: Definitions a separate definition for “Packhouse” as per the Franklin Section of the Operative District Plan.	Reject	Decision Report 22: Rural Zone

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FSI 387.1451	Mercury NZ Limited	Oppose		Accept	
877.6			Add to Chapter 13: Definitions a separate definition for “Sleepout” as per the Franklin Section of the Operative District Plan.	Reject	Decision Report 30: Definitions
FSI 387.1452	Mercury NZ Limited	Oppose		Accept	
877.7			Add to Chapter 13: Definitions a separate definition for “On Site Primary Produce Manufacturing” as per the Franklin Section of the Operative District Plan.	Accept in Part	Decision Report 22: Rural Zone
FSI 168.88	Horticulture New Zealand	Support		Accept in Part	
FSI 387.1453	Mercury NZ Limited	Oppose		Accept in Part	
877.8			Amend the definition for “Farming” in Chapter 13: Definitions to include free-range poultry farming.	Accept in Part	Decision Report 22: Rural Zone
FSI 265.29	Mainland Poultry Limited	Support		Accept in Part	
FSI 387.1454	Mercury NZ Limited	Oppose		Accept in Part	
877.9			Add to Chapter 13: Definitions a definition for “horticultural activities” that includes glasshouses/greenhouses and plant nurseries and orchards.	Accept in Part	Decision Report 22: Rural Zone
FSI 168.89	Horticulture New Zealand	Support		Accept in Part	
FSI 387.1455	Mercury NZ Limited	Oppose		Accept in Part	

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877.10			<p>Amend the definition for “Intensive farming” in Chapter 13 Definitions as follows: (a) intensive pig farming undertaken wholly or principally in sheds or other shelters or buildings; (b) free range pig farming; (c) poultry or game bird farming undertaken wholly or principally within sheds or other shelters or buildings; (d) free range poultry or game bird farming (e) mushroom farming; and (f) intensive goat farming <u>animal feedlots feeding livestock on food other than pasture grasses.</u> It excludes the following, provided the building is used for the purpose for which it was built:</p> <p>...</p> <p>(c) calf pens or wintering accommodation for less than 30 stock (except where stock are being reared for the replacement of breeding stock to be used on the same property); and (d) glasshouse production or nurseries.; (e) free-range poultry or game bird farming; (f) free-range pig farming; <u>(g) concentrated but temporary wintering of stock as part of normal farming operations, such as using animal feedpads and standoff pads; and</u> <u>(h) Poultry hatcheries.</u></p>	Accept in Part	Decision Report 22: Rural Zone
FS1076.2	New Zealand Pork Industry Board	Support		Accept in Part	
FS1076.8	New Zealand Pork Industry Board	Support		Accept in Part	

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FSI265.42	Mainland Poultry Limited	Support		Accept in Part	
FSI316.39	Alstra (2012) Limited	Support		Accept in Part	
877.11			Amend the definition for “Produce Stall” in Chapter 13: Definitions to include the sale of farm and garden produce grown or produced on a site owned by the same landowner.	Accept	Decision Report 22: Rural Zone
877.12			Amend Rule 22.1.2 P2 (a) Permitted Activities to increase temporary event occurrences from three to six times per year.	Accept	Decision Report 22: Rural Zone
FSI168.67	Horticulture New Zealand	Support		Accept	
FSI306.62	Hynds Foundation	Support		Accept	
FSI308.158	The Surveying Company	Support		Accept	
FSI387.1456	Mercury NZ Limited	Oppose		Reject	
877.13			Amend Rule 22.1.2 P4(b) Permitted Activities to allow for the storage of materials and machinery outside provided that they are fully screened (not visible) from places off site (including roads and highways).	Accept in Part	Decision Report 22: Rural Zone
FSI306.63	Hynds Foundation	Support		Accept in Part	
FSI308.159	The Surveying Company	Support		Accept in Part	
FSI387.1457	Mercury NZ Limited	Oppose		Accept in Part	

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877.14			<p>Add small scale commercial/retail activities that may be ancillary to rural activities occurring on the site to Rule 22.1.3 Restricted Discretionary Activities. The submission refers to the Auckland Unitary Plan which has further definition and provision for similar activities. Examples include the following:</p> <ul style="list-style-type: none"> • Rural commercial services that support rural production activities; • Small scale commercial activities ancillary to a primary rural activity, such as cafes on berry picking farms. • Tourism activities and ancillary commercial or food and beverage activities, • Small wedding venues • Veterinary Clinics • Boarding Kennels and Catteries • Care Centres (less than ten people). 	Accept in Part	Decision Report 22: Rural Zone
FS1348.28	<i>Perry International Trading Group Limited</i>	<i>Support</i>		<i>Accept in Part</i>	
FS1308.164	<i>The Surveying Company</i>	<i>Support</i>		<i>Accept in Part</i>	
FS1340.190	<i>TaTa Valley Limited</i>	<i>Support</i>		<i>Accept in Part</i>	
FS1379.359	<i>Hamilton City Council</i>	<i>Oppose</i>		<i>Accept in Part</i>	
FS1387.1458	<i>Mercury NZ Limited</i>	<i>Oppose</i>		<i>Accept in Part</i>	

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877.15			Retain Rule 22.2.3.1 Earthworks - General as notified.	Accept in Part	Decision Report 22: Rural Zone
FS1387.1459	Mercury NZ Limited	Oppose		Accept in Part	
877.16			Amend Rule 22.3 Land Use - Building to provide clarification around what buildings are permitted and how this relates to the activities in Rule 22.1 Land Use - Activities.	Accept in Part	Decision Report 22: Rural Zone
FS1387.1460	Mercury NZ Limited	Oppose		Reject	
877.17			Amend Rule 22.3.6 PI Building coverage to exclude buildings associated with permitted and controlled farming activities (including free range poultry farming and poultry hatcheries).	Accept in Part	Decision Report 22: Rural Zone
FS1265.66	Mainland Poultry Limited	Support		Accept in Part	
FS1387.1461	Mercury NZ Limited	Oppose		Accept in Part	
877.18			Amend Rule 22.3.6 PI Building coverage after considering whether a building coverage rule in the Rural Zone is necessary. OR Amend Rule 22.3.6 PI (a)(i) Building coverage to increase the 2% site area coverage limit.	Accept in Part	Decision Report 22: Rural Zone
FS1387.1462	Mercury NZ Limited	Oppose		Reject	
877.19			Amend the activity status of Rule 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited	Accept in Part	Decision Report 22: Rural Zone

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			Subdivision, from Prohibited Activities to Non-Complying.		
FSI 129.38	Auckland Council	Oppose		Accept in Part	
FSI 131.44	The Village Church Trust	Support		Accept in Part	
FSI 387.1463	Mercury NZ Limited	Oppose		Accept in Part	
877.20			Amend Rule 22.4.1.1 Prohibited subdivision to change all of the references from “lot” to “Record of Title”.	Accept in Part	Decision Report 22: Rural Zone
877.21			<p>Retain Rule 22.4.1.4 Boundary relocation, except for the amendments sought below. AND</p> <p>Amend Rule 22.4.1.4 RDI Boundary relocation as follows: <u>22.4.1.4 Boundary relocation or Adjustment</u> <i>(a) The boundary relocation or adjustment must:</i> <i>(i) Relocate a common boundary or boundaries between two or more existing Records of Title that existed prior to 18 July 2018.</i> <i>(ii) no additional potential for permitted activity dwellings and no additional subdivision potential is created beyond that which already existed prior to the subdivision occurring. The Records of Title must form a continuous landholding;</i> <i>(iii) The boundary relocation or adjustment must not result in the creation of additional titles. Not result in any additional lot;</i> <i>(iv) Create one lot of at least 8000m2 in area.</i></p>	Accept in Part	Decision Report 22: Rural Zone

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FS1379.360	Hamilton City Council	Oppose		Accept in Part	
FS1387.1464	Mercury NZ Limited	Oppose		Accept in Part	
877.22			<p>Retain Rule 22.4.1.6 Conservation lot subdivision, except for the amendments sought below. AND Amend Rule 22.4.1.6 Conservation lot subdivision as follows: (a) <i>The subdivision must comply with all of the following conditions:</i> (i) <i>The lot must contain:</i> <u>A. a contiguous area of existing Significant Natural Area either as shown on the planning maps, and/or</u> <u>B. a contiguous area, to be protected, enhanced and/or restored,</u> as determined by an experienced and suitably qualified ecologist in accordance with the table below...</p> <p>(ii) <i>The area of Significant Natural Area, and/or area to be enhanced and/or restored, is assessed by a suitably qualified person as satisfying at least one criteria in Appendix 2 (Criteria for Determining Significance of indigenous Biodiversity);</i> (iii) <i>The Significant Natural Area or area to be restored is not already subject to legal protection a conservation covenant pursuant to the Reserves</i></p>	Reject	Decision Report 22: Rural Zone

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			<p>Act 1977 or the Queen Elizabeth II National Trust Act.</p> <p>(iv) The subdivision proposes to legally protect all areas of Significant Natural Area <u>and/or area to be restored</u> by way of conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth Natural Trust Act.</p> <p>(v) An ecological management plan is prepared to address the ongoing management of the covenant <u>protected</u> area to ensure that the Significant Natural Area <u>area to be protected</u> is self sustaining and that plan:</p> <p>A. Addresses fencing requirement for the covenant <u>protected</u> area;</p> <p>B. Addresses ongoing pest plan and animal control;</p> <p>C. Identifies any enhancement <u>and/or restoration</u> or edge planting required within the covenant <u>protected</u> area to be protected.</p> <p>(vi).....</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) Subdivision layout and proximity of building platforms to Significant Natural Area <u>the area to be protected</u>;</p> <p>(ii) Matters contained in an ecological management plan for the covenant <u>protected</u> area.</p> <p>(iii) Effects of the subdivision on <u>localised</u> rural character and amenity values;</p>		

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			(iv) <i>Extent of earthworks for the location of building platform and accessways.</i> (v) <i>Mechanism of legal protection for the area to be protected.</i>		
877.23			Add a discretionary rule to Rule 22.4.1.6 Conservation lot subdivision as follows: <i>DI</i> (a) <i>Conservation lot subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.6 RDI (vi-vii)</i> (b) <i>Conservation lot subdivision around established rural activities that does not comply with Rule 22.4.1.6 RDI (vi-vii).</i>	Reject	Decision Report 22: Rural Zone
877.24			Retain Rule 22.4.1.6(a)(vi) and (vii) Conservation lot subdivision which enables the creation of a vacant lot between 8000m2 and 1.6ha as a Restricted Discretionary Activity.	Reject	Decision Report 22: Rural Zone
877.25			Retain Farming as a permitted activity in Rule 22.1.2 P7 Permitted Activities.	Accept in Part	Decision Report 22: Rural Zone
FSI306.64	Hynds Foundation	Support		Accept in Part	
FSI308.160	The Surveying Company	Support		Accept in Part	
FSI387.1465	Mercury NZ Limited	Oppose		Accept in Part	
877.26			Add a new permitted activity to Rule 22.1.2 Permitted Activities as follows: Activity: <i>Free-Range Poultry Farming</i> Activity specific conditions:	Accept in Part	Decision Report 22: Rural Zone

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			<i>(a) Coops and associated areas for the treatment and/or disposal of wastes and composting must be setback at least 20m from the nearest site boundary.</i>		
FSI265.49	Mainland Poultry Limited	Support		Accept in Part	
FSI306.65	Hynds Foundation	Support		Accept in Part	
FSI308.161	The Surveying Company	Support		Accept in Part	
FSI387.1466	Mercury NZ Limited	Oppose		Accept in Part	
877.27			Add the following activities to Rule 22.1.2 Permitted Activities: <i>On Site Primary Produce Manufacturing</i> <i>Farming Visit, Public Garden</i> <i>Packhouse and coolstore</i> <i>Farmers' market (meeting certain performance standards)</i>	Reject	Decision Report 22: Rural Zone
FSI306.66	Hynds Foundation	Support		Reject	
FSI308.162	The Surveying Company	Support		Reject	
FSI387.1467	Mercury NZ Limited	Oppose		Accept	
877.28			Retain Rule 22.1.2 P9 Permitted Activities to enable Produce Stalls as a Permitted Activity.	Accept	Decision Report 22: Rural Zone
FSI306.67	Hynds Foundation	Support		Accept	
FSI308.163	The Surveying Company	Support		Accept	

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FSI387.1468	Mercury NZ Limited	Oppose		Reject	
877.29			<p>Delete reference to free range poultry farming from Rule 22.1.3 RDI Restricted Discretionary Activities. AND Delete Rules 22.1.3 RDI(d)(i) and (ii) pertaining to setbacks for poultry farming. AND Add the assessment criteria/guidelines and effects of free range poultry farming as per the Franklin Section of the District Plan, particularly with regards to a more suitable setback as a permitted activity e.g. 20m.</p>	Accept in Part	Decision Report 22: Rural Zone
FSI265.62	Mainland Poultry Limited	Support		Accept in Part	
FSI308.165	The Surveying Company	Support		Accept in Part	
FSI387.1469	Mercury NZ Limited	Oppose		Accept in Part	