

46. Rural 1 Zone

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	General		
5.3. Alliance Group Limited	No specific provision referred to	The submitter is concerned that there has not been sufficient regard had to the significant economic, social and cultural effects arising from the existence of the Lorneville Processing Plant when preparing the Proposed District Plan and therefore the lack of supporting objectives and policies with respect to this existing activity within the Rural 1 Zone	Not stated
56.12 Jenny Campbell	General	The submitter considers that in the Plan food growing places close to the city on productive and fertile soils should be ear-marked and retained for that purpose for both present and future generations.	Not stated.
56.13 Jenny Campbell	General	The submitter supports the concept of the 'urban fence'.	Not stated.
58.5 Donald Moir	General	The submitter considers that those areas containing versatile soils have for the most part already been intensively subdivided with rural-residential land use well established. The submitter believes that the Rural 1 Zone should be split into two zones, one for those areas currently rural in nature with large parcel sizes, and the second where the pattern of rural-residential usage is already well established. Alternatively the Rural 2 Zone could be extended.	Split the Rural 1 Zone into two zones, or alternatively, extend the Rural 2 Zone.
SECTION 2.40 – ISSUES, OBJECTIVES AND POLICIES			
78.22 Ministry of Education	Objectives and Policies	The submitted notes that there is no Objective or Policy supporting the inclusion of educational activities as permitted	Include a new objective and policy that support the educational activities required to provide for the community living in the Rural 1 Zone
	Introduction		
58.3 Donald Moir	Introduction	The submitter disagrees that it is desirable to keep options open for food production on versatile soils.	Remove the following statement: <u>“The Rural 1 Zone contains higher quality and versatile soils, particularly in the north, for which it is desirable to keep options for food production.”</u>
	2.40.2 Objectives		
88.41 Federated	Objective 1	Oppose in part. The submitter is in principle opposed to restrictions on	Amend the wording of the proposed Objective as

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Farmers		<p>legitimate land use decisions in the rural area, on the basis of a fixed idea of what constitutes a rural environment. The submitter argues that larger allotment sizes in the rural zone may result in allotments that are costly and time consuming to maintain, and which risk the loss of potentially productive land to other land use activities when a smaller allotment size may be more efficient and effective, with no loss to amenity values.</p> <p>The submitter believes the concerns the Council is trying to address can be better achieved by focussing on an enabling approach which appropriately encourages in-fill and development in the current residential and rural - residential zones, and robust use of incentives (for instance, Development Contributions) rather than placing restrictions on land use decisions in the rural area.</p> <p>The submitter suggests deleting this Objective and providing an approach which assesses the particular merits of each allotment against an appropriate set of site standards for the Rural area. Where smaller allotment sizes in the rural area will have little to no impact on the rural environment we consider it important that there is a more flexible approach adopted.</p>	<p>follows:</p> <p>“The rural environment within the Rural 1 Zone is maintained and enhanced by providing for larger sizes of <u>while allowing for allotments that are compatible with the Rural Zone environment.</u>”</p>
88.42 Federated Farmers	Objective 2	Oppose in part. The submitter is opposed to any protection of a rural ideal in the rural area of the District and considers that any objective set in the rural area must appropriately acknowledge the importance of also enabling continuation as a working rural environment.	<p>Amend the wording of the proposed Objective as follows:</p> <p>“The amenity values of the Landowners within Rural 1 Zone are encouraged to maintained and or enhanced amenity values.”</p>
53.64(a) NZ Transport Agency	Objective 3	<p><i>The submitter considers this the term ‘urban services’ also includes expansion of the roading network.</i></p> <p><i>The submitter is concerned that no policy has been included to give effect to this objective.</i></p>	<p><i>Include a new Policy 21 as follows:</i></p> <p><i>“To restrict further intensification of development within the zone where the urban service expansion will be required to service the development.”</i></p>
2.40.3 Policies			
58.4 Donald Moir	Policy 1 – Rural 1 Zone	The submitter disagrees with this statement.	Remove Policy 1.
88.43 Federated	Policy 1 – Rural	Support in part. The submitter does not agree that larger allotment sizes	Amend the wording of the proposed Policy as follows:

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Farmers	1 Zone	<p>in the rural environment will always be the best mechanism through which Council can maintain rural character and visual amenity, and ensure rural activities can occur, and they may result in allotments that are costly and time consuming to maintain, and which risk the loss of potentially productive land to other land use activities when a number of smaller allotment size may be more efficient and effective, with no loss to amenity values.</p> <p>The submitter believes that the Council has already developed a number of zone proposals for the Rural Zone which could be expanded to provide for an assessment of each allotment proposal (for instance, appropriate setbacks from boundaries) rather than a 'one size fits all' policy that encourages larger allotment sizes.</p>	"To provide for larger -rural allotments of a size and nature that ensures rural activities can occur and which maintain the rural character and visual amenity of the Rural 1 Zone."
88.44 Federated Farmers	Policy 2 – Rural Activities	Support.	Adopt the Policy as proposed.
88.45 Federated Farmers	Policy 3 – Non-rural Activities	Oppose in part. The submitter considers that it is not entirely clear what activities are captured, and what activities excluded under the current policy. Some non-rural activities can be incorporated into farming operations and may have benefits that outweigh any potential adverse effects.	Either amend the wording of the policy to specify those activities captured under the policy, or delete the policy.
90.18 H W Richardson Group Ltd	Policy 3 Non-rural Activities	Oppose. The submitter considers that the policy should be more balanced and not just focussing on "avoiding" the adverse effects	<p>Amend Policy 3 as follows:</p> <p>"To avoid, <u>remedy or mitigate</u> adverse effects of non rural activities on the character and amenity of the Rural 1 Zone. "</p>
88.46 Federated Farmers	Policy 4 – Soils	Oppose in part. The submitter explains that while there should be an appropriate emphasis on considering the irreversible effects of losing high value soils from productive use and a need to protect areas important for primary production, this must be balanced against an individual's right to manage their own property decisions, and council policies and planning should consolidate subdivision and future growth around existing settlements rather than restricting land use decisions in the rural area.	<p>Amend the wording of the policy as follows:</p> <p>"To maintain the life supporting capacity and productive value of the soil resource, <u>while providing for development and legitimate land use</u> in the Rural 1 Zone."</p>
88.47 Federated Farmers	Policy 5 – Historical	Support in part. The submitter agrees that this policy is necessary to ensure that owners of sections which existed prior to the introduction of	Amend the wording of the policy as follows:

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	Sections	controls on lot sizes are able to use their land, however, the submitter believes that the date specified should be extended further into the future, ideally closer to the date District Plan is adopted.	"To allow a single dwelling on sections for which a Certificate of Title was existing, or was approved by way of subdivision consent, on or prior to 30 July 2013 <u>31 August 2014</u> "
65.85 ICC Environmental and Planning Services	Policy 6 - Outdoor Living	Support subject to amendment of drafting error	Amend explanation as follows: "...Several lines of reasoning draw to a conclusion that this minimum dimension should be <u>at least five and a half metres...</u> "
53.65 NZ Transport Agency	Policy 8 Noise	Support.	Retain Policy 8 as proposed.
90.18 H W Richardson Group Ltd	2.40.3 Policy 8 Noise	Support. The submitter considers it appropriate to recognise that some parts of the rural zone are subject to higher levels of noise and should not be compromised by reverse sensitivity issues.	Retain Policy 8
94.5 Niagara Properties Ltd	2.40.3 Policy 8 Noise	Oppose. The policy does not recognise that parts of the rural area are adjacent to industrial activities. The submitter objects to the use of the term "peace and tranquillity" in the explanation as the zone is a working environment and subject to noise associated with rural activities along with other permitted activities such as industry in adjoining zones	Amend wording to recognise noise levels in parts of the Rural Zone are influenced by existing industrial activities and adjoining industrial zones.
103.61 Invercargill Airport Ltd	2.40.3 Policy 8 Noise	Oppose in part. The submitter believes that there should be provisions relating specifically to the management of noise sensitive activities affected by the airport noise contours	Insert additional policies for areas affected by the airport noise contours that: a. set out to prohibit noise sensitive activities; and b. to require existing buildings containing noise sensitive activities in these areas to be appropriately designed to mitigate the effects of aircraft noise.
88.48 Federated Farmers	Policy 9 – Odour	Support.	Adopt the Policy as proposed.
65.86 ICC Environmental and Planning Services	Policy 13 Lightspill	Support subject to amendment of drafting error as the submitter considers the Council should not be taking responsibility for minimising lightspill	Amend wording: "To minimise <u>prevent nuisance from</u> lightspill"
90.18 H W Richardson Group Ltd	Policy 13 Wind	Oppose. The submitter considers that the policy should be more balanced and not just focussing on "avoiding" the adverse effects	Amend Policy 13 as follows: "To avoid, <u>remedy or mitigate</u> increasing natural wind

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			effects by land use activities”
15.23 Ballance Agri-Nutrients Ltd	Policy 18 – Hazardous Substances	<p>Supports (in part).</p> <p>The submitter considers that Policy 18 should provide clear direction that, where the adverse effects associated with the nature and volume of hazardous substances (such as fertiliser) are well-known and can be appropriately managed through alternative legislation, such as HSNO and associated Industry best practice (such as the Fertiliser Group Standards), such activities should be provided for within the Rural 1 Zone.</p> <p>The submitter further considers that fertiliser storage and use within the Rural 1 Zone should be provided for as a permitted activity where their use and storage is conducted in accordance with the Fertiliser Group Standards and adopted industry best practice.</p>	<p>i. That Rural 1 Zone - Policy 18 – Hazardous Substances, be amended and adopted as follows:</p> <p><u>‘To provide for the use and storage of hazardous substances that are integral to the operation of activities within the Rural 1 Zone, where these are managed in accordance with the requirements under the Hazardous Substances and New Organisms Act 1996 (including the HSNO Fertiliser Group Standards) and are undertaken in accordance with industry best practice, provide for the opportunity to store and use moderate amounts of hazardous substances.’</u></p> <p>ii. Any similar amendments to like effect.</p> <p>iii. Any consequential amendments that stem from the amendment set out above.</p>
88.49 Federated Farmers	Policy 18 – Hazardous Substances	Support.	Adopt the Policy as proposed.
53.66 NZ Transport Agency	Policy 20 - Car parking and manoeuvring	Support	Retain Policy 20 as proposed.
SECTION 3.38 RULES			
71.61 NZAS Ltd	3.38.1	The submitter would like to expand the list of permitted activities to provide for any potential monitoring activities that they may carry out on land adjacent to the smelter in the future and to enable fire fighting activities and training exercises that may be carried out on land adjacent to the smelter.	Amend 3.38.1 by adding the following provisions: <u>“(J) Environmental monitoring carried out in relation to the Tiwai Point aluminium smelter;</u> <u>(K) Fire fighting activities and exercises.”</u>
78.24 Ministry of Education	3.38.1	Support	Retain 3.38.1

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88.94 Federated Farmers	3.38.1	Support. The submitter considers it is important to ensure that expected activities in the rural area, particularly agriculture, are specifically designated permitted activities.	(N) Adopt the Rule as proposed
30.1 R T Chapman	3.38.1 and 3.38.2	The submitter notes that “Residential Activity” is described as both a permitted and discretionary activity and suggests it should be deleted from Rule 3.38.2 – Discretionary Activities.	Delete Rule 3.38.2 (J)
53.84 NZ Transport Agency	3.38.1(F) and 3.38.2(J)	The submitter supports the approach taken but notes that Residential Activity appears as both a permitted and a discretionary activity.	Clarify the activity status of Residential Activities in the Rural 1 zone.
88.95 Federated Farmers	3.38.2	Oppose in part. The submitter considers that the activities listed in this rule are compatible with the rural area environment and do not significantly detract from the rural environment or rural amenities. Further, the submitter considers that sustainability of rural amenity is dependent on the economic sustainability of agriculture, and farmers should be afforded the ability to undertake businesses in the rural area without the cost and trouble of a consent application. The submitter recommends Council include Commercial recreation activities and Visitor Accommodation in the permitted activity rules, with appropriate site standards developed to protect any values.	<ul style="list-style-type: none"> Commercial recreation activities and Visitor Accommodation are provided for as permitted activities in the Rural 1 Zone. Site standards are developed to ensure values associated with the rural area are defined and land users and landowners are informed.
5.2 Alliance Group Limited	3.38.3	The submitter opposes the non-complying activity status for Industrial Activities and the non-complying activity status for industrial activities that are not captured by the definition of heavy or light industry activities	That both heavy and light industrial activities are permitted on the submitters property
32.1 R T Chapman	3.38.8	<p>The submitter opposes the maximum residential density of one residence per 4 ha and considers the rationale behind the increase from the one residence per 2 ha under the Operative District Plan to be flawed and doesn’t promote sustainable management.</p> <p>The submitter suggests that a consequence of the change in density will be that existing 4 ha allotments will be “stranded” and need resource consent as a discretionary activity to be built on.</p> <p>While the submitter acknowledges that a restriction on further subdivision of larger allotments (i.e. greater than 4ha) may be desirable in achieving the objectives of preserving the productivity of rural land, the submitter considers that the proposed restrictions on existing 4 ha allotments will not</p>	<p>Delete Rule 4.38.8 and substitute the following:</p> <p>“The maximum residential density is one residence per two hectares under contiguous ownership”</p>

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		<p>achieve that.</p> <p>The submitter believes that it is unrealistic to expect that existing 4 ha allotments will be aggregated into larger rural block for rural activities.</p> <p>The submitter considers that further subdivision of 4ha allotments down to 2 ha will create an additional allotment for residential development as a lifestyle block with the productive value of the land being maintained, and this would represent a sustainable use of this land.</p> <p>The submitter states that there is no evidence that there are any problems with modern onsite wastewater disposal systems on 2 ha allotments, and 2ha allotments will not create demands for extension to or upgrades of infrastructure.</p>	
41.1 Angus Johnston	3.38.8	<p>Oppose. The submitter believes the current residential density of one residence per 2 ha should remain as most people who purchase these small blocks do not want to farm the properties, but want space for their families. They do not have the skills, facilities or desire to intensively farm these properties.</p> <p>The submitter believes it would not make any difference to modern effluent systems to increase the size of block from 2 ha to 4ha, and it's the olds systems that are failing, not the new systems on 2 ha blocks.</p> <p>The submitter believes that 2 ha is an optimum transition size and should not be changed. The submitter believes is more than enough productive land in the Southland district for agricultural use.</p>	That the residential density remains at 1 residence per 2 hectares of land.
47.1 Graham Dick	3.38.8	<p>The submitter opposes the maximum residential density of one residence per 4 ha and considers the increase from the one residence per 2 ha under the Operative District Plan is not logical and doesn't promote sustainable management.</p> <p>The submitter states that modern septic tank systems are efficient, environmentally friendly and do not require 4 ha as an effluent field, and there is no evidence that there are any problems with onsite wastewater on 2 ha allotments, and 2ha allotments.</p>	Delete Rule 4.38.8 and replace with the following: "The maximum residential density is one residence per two hectares under contiguous ownership"

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		<p>The submitter considers that Invercargill is extremely well serviced and there will be no demand for extensions or upgrades of infrastructure.</p> <p>The submitter states that the vast majority of the Rural 1 area already consists of small lifestyle blocks of 2 ha, 4ha and larger, and as such have not resulted in any reduction in traditional forms of agriculture or horticulture. The submitter believes the creation of 4 ha blocks would not result in a reduction in the traditional forms of agriculture.</p> <p>The submitter considers that maintenance of the existing 2 ha criteria as a lifestyle block is the most appropriate, productive and sustainable use of this land.</p>	
57.1 Anthony Chadderton	3.38.8(A)	<p>The submitter believes the Rural 1 Zone should have a minimum section size of 2 hectares, not 4 hectares as proposed. The submitter believes the demand for land on Bainfield Road and Mclvor Road is for 2 hectares and properties have been reduced to this size in these areas, and indeed Makarewa. The submitter considers that to now increase the size to 4 hectares does not make any practical sense. The submitter considers that modern septic tank systems, when properly designed, do work, so this is not an issue, and property values for 4 hectare blocks will be adversely affected by this proposal, should it proceed.</p>	<p>Change rule 3.38.8(A) to:</p> <p>“One residence per two hectares...”</p>
58.7 Donald Moir	3.38.8(A)	<p>The submitter opposes the minimum allotment size of 4 ha in the Rural 1 Zone. The submitter refutes the contention that domestic wastewater systems will perform better on the larger area, or that there will be fewer of them in total.</p> <p>The submitter considers that it is impractical to try and control development in those areas that are already rural-residential in nature.</p>	<p>The zone boundaries should be modified or the minimum allotment size should be set at 2 ha as is presently the case.</p>
88.96 Federated Farmers	3.38.8	<p>Oppose in part. The submitter considers the requirement for only one residence on a four hectare property is onerous, particularly if there is no loss to rural amenity values and no changes to the primary use of the land for agriculture as a result of these legitimate land use decisions.</p> <p>The submitter seeks to ensure there is a degree of flexibility for</p>	<ul style="list-style-type: none"> Reduce the residential density rule area to two hectares (with appropriate site standards if deemed necessary) as follows: <p>“3.38.8 The maximum residential density is: (A) One residence per four<u>two</u> hectares or more</p>

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		landowners in the rural area to recognise that the economic and (in respect to dwelling especially) the social drivers for subdivision differ between farming operations, and ask that Council develop appropriate site standards to protect the relevant values in this zone, or reduces the area to two hectares to provide more flexibility for landowners.	under contiguous ownership.” <ul style="list-style-type: none"> Subsequent amendments (deletions and or wording amendments) to Rules 3.38.9 and 3.38.10 to reflect the changes made to Rule 3.38.8.
Doug Bath 89.1	3.38.8	The submitter strongly opposes the proposal to restrict the size of rural land size to 4 ha. The submitter believes that the public are not interested in land size of 4 ha as they do not possess the necessary skill, equipment and time to upkeep and run a 4ha block. It is also restricting land owners currently undergoing subdivision. The submitter considers that any restriction due to reasons of effluent disposal are unfounded as the modern septic systems are more than adequate to cope.	That the Invercargill City Council do not allow a 4 ha limit on Rural 1 Zone and instead allow the blocks to be 2ha as is now.
96.1 Beverley Sherman	3.38.8(A)	The submitter seeks an amendment to the residential density rule in the Rural 1 area to retain the status quo of 2 hectares	Amend Rule 3.38.8(A) to change the residential density to one residence per 2 hectares.
97.1 Errol Sherman	3.38.8(A)	The submitter seeks an amendment to the residential density rule in the Rural 1 area to retain the status quo of 2 hectares	Amend Rule 3.38.8(A) to change the residential density to one residence per 2 hectares.
109.1 Diane Brough	3.38.8(A)	The submitter seeks an amendment to the residential density rule in the Rural 1 area to retain the status quo of 2 hectares	Amend Rule 3.38.8(A) to change the residential density to one residence per 2 hectares.
65.114 ICC Environmental and Planning Services	3.38.8(B)	The submitter considers that the decision of Plan Change 9 to enable one house per certificate of title for 13 properties in the Rural area should be carried through to the District Plan.	Amend Rule 3.38.8(B) to enable one residence per certificate of title existing as at 31 March 2010 for those 13 properties formerly located within the Otatara Sub-Area, but now included in the Rural Zone by virtue of Plan Change 9.
96.1 Beverley Sherman	3.38.8(B)	The submitter considers that the decision of Plan Change 9 to enable one house per certificate of title for 13 properties in the Rural area should be carried through to the District Plan.	Amend Rule 3.38.8(B) to enable one residence per certificate of title existing as at 31 March 2010 for those 13 properties formerly located within the Otatara Sub-Area, but now included in the Rural Zone by virtue of Plan Change 9.
97.1 Errol Sherman	3.38.8(B)	The submitter considers that the decision of Plan Change 9 to enable one house per certificate of title for 13 properties in the Rural area should be carried through to the District Plan.	Amend Rule 3.38.8(B) to enable one residence per certificate of title existing as at 31 March 2010 for those 13 properties formerly located within the Otatara Sub-Area, but now included in the Rural Zone by virtue of Plan Change 9.
88.97 Federated Farmers	3.38.12 (A)	Oppose in part. The submitter considers that a maximum building height of 10m is unrealistic considering the nature of the agricultural equipment	Amend the wording of the Rule as follows:

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		likely to be housed in such buildings, and the land efficiencies and cost-effectiveness of having offices and staff facilities located on a storey above display areas, and the opportunity to build upwards should be allowed in the Rural 1 Zone where this can occur without significant adverse effects.	"3.38.12 All new buildings and structures, and additions to existing buildings and structures, are to be designed and constructed to comply with the following maximum height and recession planes: (A) Maximum height: 40 <u>15</u> metres."
65.113 ICC Environmental and Planning Services	3.38.12 (B)	Support in part. The submitter considers that the rule requires amendment to ensure that it is consistent with the policies and to protect the amenity values of neighbouring residential properties	Amend 3.38.12(B) Recession Plane: Infogram 4 applies on sites less than one hectare <u>and/or along boundaries adjoining a Residential Zone</u>
101.6 NZ Fire Service Commission	3.38.15 – 3.38.20 Fire Safety	Support in part. The submitter supports these provisions in large, but would like to see provision made for unimpeded access for fire service appliances to water supplies.	Amend 3.38.17 by including a new bullet point: ..."(B) It is located so that fire appliances have <u>unimpeded vehicular access, including a minimum width of 4m for an accessway, from the property boundary to the connection point; and...</u> " And subsequent renumbering.
ZONING			
5.1. Alliance Group Limited	Zoning	The submitter believes a change from Rural 1 zoning to Industrial zoning would enable the submitter to carry out its activities without the need for a resource consent. The submitter believes that the activities being carried out on its property on Crowe Road are industrial and under the Proposed District Plan their activities would be non-complying. The adjoining land within the Southland District Council territorial boundaries is zoned the Lorneville Industrial Resource Area.	Rezone Alliance Group limited property south of Crowe Road from Rural 1 to Industrial.
59.2 Quenton Stephens	Zoning	The submitter supports the rezoning of 31 Kennington Road as this property is used for rural residential purposes and should not be zoned for industrial use.	Rezone 31 Kennington Road from Industrial Sub-Area to Rural 1 as proposed.